



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.7.

10/22/2019

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### **Subject:**

Approval Re: Amendment 1 to Contract for Sale and Purchase for the Nandivada parcel for the Dredge Spoil Management and Stormwater Retention Pond Project, District 2.

### **Fiscal Impact:**

FY 2019 - 2020: No impact

FY 2020 - 2021: No impact

### **Dept/Office:**

Public Works Department / Land Acquisition Section / Natural Resources Management Department

### **Requested Action:**

It is requested that the Board of County Commissioners authorize the Chair to execute the Amendment 1 to Contract for Sale and Purchase for the Nandivada parcel and approve Budget change requests for appraisals, land survey, and environmental assessment costs.

### **Summary Explanation and Background:**

The subject parcel is located in Section 24, Township 37, Range 31, off of North Banana River Drive in Merritt Island.

The Board of County Commissioners, in regular session on September 17, 2019, Item number J.1., approved and authorized the Chair to execute Contract for Sale and Purchase and Addendum with Anupama Nandivada. Amendment 1 to the Contract for Sale and Purchase replaces Exhibit A (Legal Description) with Exhibit A1(Legal Description) to provide a more comprehensive description of the parcel.

### **Clerk to the Board Instructions:**

Hold the original executed Amendment 1 for a Public Works representative to pick up in person.

**BOARD OF COUNTY COMMISSIONERS**

**AGENDA REVIEW SHEET**

**AGENDA:** Amendment 1 to Contract for Sale and Purchase, Nandivada, Owner, District 2.

**AGENCY:** Public Works Department / Land Acquisition / Natural Resources Management Department

**AGENCY CONTACT:** Lucy Hamelers, Land Acquisition Supervisor

**CONTACT PHONE:** 321-690-6847 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>10-7-19</u>
COUNTY ATTORNEY Jad Brewer Assistant County Attorney	 _____	_____	<u>10-8-19</u>

**AGENDA DUE DATE:** October 9, 2019 for the October 22, 2019 Board meeting

Board Mtg.  
10/22/19

F.T.

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**Clerk to the Board Instructions:**

Hold the original executed Amendment 1 for a Public Works representative to pick up in person.



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

October 23, 2019

**M E M O R A N D U M**

**TO:** Corrina Gumm, Interim Public Works Director

**RE:** Item F.7., Amendment 1 to Contract for Sale and Purchase for the Nandivada Parcel for the Dredge Spoil Management and Stormwater Retention Pond Project

The Board of County Commissioners, in regular session on October 22, 2019, approved and authorized the Chair to execute Amendment 1 to Contract for Sale and Purchase with Anupama Nandivada for property located off North Banana River Drive, Merritt Island, in Section 24, Township 37, Range 31. Enclosed is a fully-executed Amendment 1 to Contract for Sale and Purchase.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

Encl. (1)

cc: Contracts Administration  
Natural Resources Management

AMENDMENT 1 TO CONTRACT FOR SALE AND PURCHASE

THIS AMENDMENT entered into this 22nd day of October, 2019, by and between the Board of County Commissioners of Brevard County, Florida and Anupama Nandivada:

WHEREAS, the parties have previously entered into a Contract for Sale and Purchase on September 17, 2019, as authorized by the Board in regular session on September 17, 2019; and

WHEREAS, the parties desire to amend the contract to replace Exhibit A (Legal Description) with Exhibit A1 (Legal Description); and

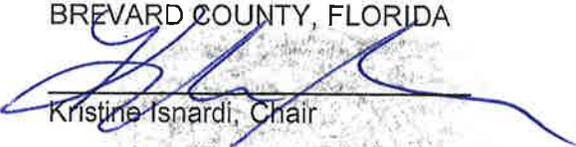
NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, the parties hereby agree as follows:

Exhibit A (Legal Description) shall be replaced by Exhibit A1 (Legal Description)

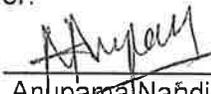
All other terms and conditions of the Contract for Sale and Purchase dated September 17, 2019, which is incorporated herein by this reference, not inconsistent with the provisions of this Amendment, shall remain in full force and effect.

Buyer:

BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

  
Kristine Isnardi, Chair

Seller:

By:  10/03/19  
Anupama Nandivada

ATTEST:

  
Scott Ellis, Clerk to the Board

As approved on Board Meeting date: 10/22/19  
Agenda Item # F.7.

Reviewed for legal form and content:

\_\_\_\_\_, Assistant County Attorney

**Exhibit A**

(Legal Description)

That portion of Lot 1, Block A, Glen Haven Subdivision — Sec 1, according to the map or plat thereof, recorded in Plat Book 14, Page 61, Brevard County, Florida, lying within

A PARCEL OF LAND LYING IN SECTIONS 30 AND 31, TOWNSHIP 24 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTH 114 CORNER OF SECTION 31, THENCE SOUTH 90 DEGREES 00'00" WEST ALONG THE NORTH LINE OF SAID SECTION 31, ALSO BEING THE SOUTH LINE OF GLEN HAVEN SUBDIVISION, A DISTANCE OF 1,129.86 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF NEWFOUND HARBOR;

THENCE CONTINUE SOUTH 90 DEGREES 00'00" WEST ALONG THE EXTENSION OF SAID NORTH LINE OF SECTION 31, A DISTANCE OF 648.55 FEET TO THE BULKHEAD LINE ESTABLISHED FOR THIS AREA,

THENCE SOUTH 11 DEGREES 43'20" EAST ALONG SAID BULKHEAD LINE, A DISTANCE OF 285.54 FEET, TO A POINT 279.59 FEET PERPENDICULAR TO SAID NORTH SECTION LINE, THENCE NORTH 90 DEGREES 00'00" EAST, PARALLEL WITH SAID NORTH SECTION LINE; A DISTANCE OF 736.55 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF NEWFOUND HARBOR; THENCE NORTH 84 DEGREES 37'47" EAST, ALONG THE NORTHERLY LINE OF OFFICIAL RECORDS BOOK 3326, PAGES 1798-1803, A DISTANCE OF 170.51 FEET; THENCE NORTH 89 DEGREES 34'54" EAST, ALONG THE SAID NORTHERLY LINE OF OFFICIAL RECORDS BOOK 3326, PAGES 1798-1803, A DISTANCE OF 1263.69 FEET, TO THE WEST LINE OF OFFICIAL RECORDS BOOK 4639, PAGE 3418; THENCE NORTH 00 DEGREES 05'47" EAST, ALONG SAID WEST LINE, A DISTANCE OF 254.30 FEET, TO THE SAID NORTH LINE OF SECTION 31,

THENCE SOUTH 90 DEGREES 00'00" WEST ALONG THE SAID NORTH LINE OF SECTION 31, A DISTANCE OF 15.30 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK A, GLEN HAVEN SUBDIVISION;

THENCE NORTH 46 DEGREES 41'59" WEST, ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 64.59 FEET;

THENCE NORTH 38 DEGREES 09'00" WEST, ALONG SAID EASTERLY LINE OF LOT 1, A DISTANCE OF 35.11 FEET; THENCE SOUTH 00 DEGREES 00'00" EAST A DISTANCE OF 71.90 FEET, TO THE SAID NORTH LINE OF SECTION 31;

THENCE SOUTH 90 DEGREES 00'00" WEST ALONG THE SAID NORTH LINE OF SECTION 31, A DISTANCE OF 366.00 FEET TO THE POINT OF BEGINNING.

**EXHIBIT A1**  
(LEGAL DESCRIPTION)

THAT PORTION OF LOT 1, BLOCK A, GLEN HAVEN SUBDIVISION — SEC 1, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 14, PAGE 61, BREVARD COUNTY, FLORIDA, AND A PARCEL OF LAND LYING SECTIONS 30 AND 31, TOWNSHIP 24 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING THE SAME AS THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6750, PAGE 2575 AND OFFICIAL RECORDS BOOK 7072, PAGE 876, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTH 1/4 CORNER OF SECTION 31, THENCE SOUTH 90 DEGREES 00'00" WEST ALONG THE NORTH LINE OF SAID SECTION 31, ALSO BEING THE SOUTH LINE OF GLEN HAVEN SUBDIVISION, A DISTANCE OF 1,129.86 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF NEWFOUND HARBOR; THENCE CONTINUE SOUTH 90 DEGREES 00'00" WEST ALONG THE EXTENSION OF SAID NORTH LINE OF SECTION 31, A DISTANCE OF 648.55 FEET TO THE BULKHEAD LINE ESTABLISHED FOR THIS AREA, THENCE SOUTH 11 DEGREES 43'20" EAST ALONG SAID BULKHEAD LINE, A DISTANCE OF 285.54 FEET, TO A POINT 279.59 FEET PERPENDICULAR TO SAID NORTH SECTION LINE, THENCE NORTH 90 DEGREES 00'00" EAST, PARALLEL WITH SAID NORTH SECTION LINE; A DISTANCE OF 736.55 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF NEWFOUND HARBOR; THENCE NORTH 84 DEGREES 37'47" EAST, ALONG THE NORTHERLY LINE OF OFFICIAL RECORDS BOOK 3326, PAGES 1798-1803, A DISTANCE OF 170.51 FEET; THENCE NORTH 89 DEGREES 34'54" EAST, ALONG THE SAID NORTHERLY LINE OF OFFICIAL RECORDS BOOK 3326, PAGES 1798-1803, A DISTANCE OF 1263.69 FEET, TO THE WEST LINE OF OFFICIAL RECORDS BOOK 4639, PAGE 3418; THENCE NORTH 00 DEGREES 05'47" EAST, ALONG SAID WEST LINE, A DISTANCE OF 254.30 FEET, TO THE SAID NORTH LINE OF SECTION 31, THENCE SOUTH 90 DEGREES 00'00" WEST ALONG THE SAID NORTH LINE OF SECTION 31, A DISTANCE OF 15.30 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK A, GLEN HAVEN SUBDIVISION; THENCE NORTH 46 DEGREES 41'59" WEST, ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 64.59 FEET; THENCE NORTH 38 DEGREES 09'00" WEST, ALONG SAID EASTERLY LINE OF LOT 1, A DISTANCE OF 35.11 FEET; THENCE SOUTH 00 DEGREES 00'00" EAST A DISTANCE OF 71.90 FEET, TO THE SAID NORTH LINE OF SECTION 31; THENCE SOUTH 90 DEGREES 00'00" WEST ALONG THE SAID NORTH LINE OF SECTION 31, A DISTANCE OF 366.00 FEET TO THE POINT OF BEGINNING.

ALL RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE LAND DESCRIBED ABOVE IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD.