



AGENDA REPORT
May 8, 2018

SUBJECT:

Approval Re: Warranty Deed from Ray Smyth to Brevard County for a portion of property (Parcel 101) located on Glendale Boulevard, Mims, FL. Related to the permit request by Smyth - District 1.

FISCAL IMPACT:

None

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board of County Commissioners approve and authorize the Chairman to accept delivery of the Warranty Deed for Parcel 101, Glendale Boulevard from Ray Smyth.

SUMMARY EXPLANATION and BACKGROUND:

The subject property is located in Section 19, Township 21 South, Range 35 East.

Upon review of the driveway permit application submitted by Ray Smyth for 2169 Glendale Boulevard it was determined a portion of the existing Glendale Boulevard improvements were located on the property owned by Ray Smyth. In an effort to resolve the issue, Mr. Smyth agreed to deed that portion of his property needed.

There are no mortgages and the owner has agreed to donate the property by Warranty Deed.

It is requested that the Board approve, and authorize the Chairman to accept delivery of the Warranty Deed and cause the Deed to be recorded.

ATTACHMENTS:

Description

- ▣ **CAO Deed Review and Approval**
- ▣ **Location Map**
- ▣ **Property Fact Sheet**

BOARD OF COUNTY COMMISSIONERS

AGENDA: WARRANTY DEED FROM RAY SMYTH TO BREVARD COUNTY FOR
GLENDALE BLVD. RIGHT OF WAY- DISTRICT 1

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: DAN JONES, LAND ACQUISITION SUPERVISOR

CONTACT PHONE: 321-690-6847

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>DJ</u>	_____	<u>4/16/18</u>
COUNTY ATTORNEY Eden Bentley County Attorney	<u>see attached</u>	_____	<u>04/17/18</u>
PUBLIC WORKS Andrew J. Holmes, P.E., Director	_____	_____	_____

AGENDA DUE DATE: April 24, 2018 for the May 08, 2018 Board meeting

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE AGENCY CONTACT IMMEDIATELY.

PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-6847) WHEN READY TO BE PICKED UP.

THANK YOU.



May 9, 2018

M E M O R A N D U M

TO: Andy Holmes, Public Works Director

RE: Item II.A.5., Warranty Deed from Ray Smyth to Brevard County for a Portion of Property (Parcel 101) Located on Glendale Boulevard, Mims, Florida – Related to the Permit Request by Smyth

The Board of County Commissioners, in regular session on May 8, 2018, accepted delivery of the Warranty Deed for Parcel 101, 2169 Glendale Boulevard, Mims, Florida, by Ray Smyth.

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

A handwritten signature in cursive script that reads "Tammy Rowe".

Tammy Rowe, Deputy Clerk

/cmw

cc: Asset Management

Cruz, Debbie

From: Bentley, Eden
Sent: Tuesday, April 17, 2018 12:05 PM
To: Cruz, Debbie
Subject: RE: Glendale - Ray Smyth Warranty Deed Agenda Report

I don't recall this item, but I just reviewed it and it looks fine.

From: Cruz, Debbie
Sent: Tuesday, April 17, 2018 10:19 AM
To: Bentley, Eden
Cc: Jones, Daniel; Cummings, Cathleen
Subject: Glendale - Ray Smyth Warranty Deed Agenda Report

Eden,

Dan was working with you regarding the above-referenced matter. Will you review the attached or should I send it to someone else for review for legal form and content? If you approve, please sign the review sheet and forward a copy to me so I can include when entering it in Novus.

Thank you,

Debbie Cruz
Special Projects Coordinator I
Brevard County Public Works Department
Land Acquisition Section
321-690-6847

**WARRANTY DEED
(Glendale Boulevard Right of Way)**

THIS INDENTURE is made this 23 day of March, 2018, between, **Ray Smyth**, as party of the first part, whose mailing address is 3705 Quail Haven Drive, Mims, FL 32754 and **Brevard County, Florida, a political subdivision of the State of Florida**, as party of the second part, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described land, situate, lying and being in the County of Brevard, State of Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

This deed is made for the purpose of giving and granting to the party of the second part, its successors and assigns, a fee simple interest in and to said lands for public road or highway purposes, public utilities and other allied uses pertaining thereto.

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title & interest forever, and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered in the presence of:

[Signature]
Witness
Lucy Hamelers
Print
[Signature]
Witness
Debbie Cruz
Print

[Signature]
Ray Smyth

**STATE OF FLORIDA
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 23 day of March, 2018, by Ray Smyth, who is/is not personally known to me or who has produced driver's license as identification and who did/did not take an oath.

WITNESS my hand and official seal at Viera, Florida, the County of Brevard, State of Florida, this 23 day of March, 2018.



Lucy Hamelers Notary Public
State of Florida
Print Name
Commission No. _____
My Commission Expires 02/24/2019
My Commission Expires: _____
Commission No. FF 194343

[Signature]

Board Date _____
Agenda Item _____

LEGAL DESCRIPTION

PARCEL 101

PARENT PARCEL ID#: 21-35-19-00-33

PURPOSE: FEE SIMPLE RIGHT OF WAY

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

PARCEL 101: FEE SIMPLE RIGHT OF WAY (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7964, PAGE 1499 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING A PORTION OF THE NORTHWEST ON-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7964, PAGE 1499, AND SAID POINT BEING A POINT ON THE WEST LINE OF SAID NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER AND SAID POINT ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF GLENDALE BOULEVARD, A 60 FOOT WIDE RIGHT OF WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 976, PAGE 223; THENCE NORTH 00° 04' 15" WEST ALONG THE WEST LINE OF THE AFORESAID DESCRIBED LANDS AND ALONG THE WEST OF SAID NORTHWEST ON-QUARTER OF THE NORTHEAST ONE-QUARTER FOR A DISTANCE OF 43.53 FEET; THENCE DEPARTING SAID WEST LINES, RUN SOUTH 54° 37' 46" EAST FOR A DISTANCE OF 79.73 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE, SAID POINT ALSO BEING THE POINT OF CURVATURE OF A NON-TANGENTIAL CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 10° 47' 46", AND WHOSE LONG CHORD BEARS NORTH 84° 40' 45" WEST; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTH RIGHT OF WAY LINE FOR AN ARC DISTANCE OF 30.10 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE SOUTH 89° 43' 58" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 34.99 FEET TO THE POINT OF BEGINNING, CONTAINING 1,348 SQUARE FEET (0.03 ACRES), MORE OR LESS.

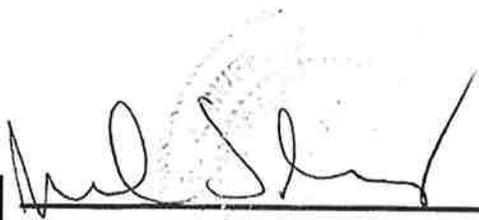
UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. THIS SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS; NO TITLE OPINION IS EXPRESSED OR IMPLIED.

SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 19 AS BEING NORTH 00° 04' 15" WEST, AN ASSUMED BEARING BASED THE SECTIONAL RETRACEMENT AND BREAKDOWN OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 35 EAST PREPARED FOR BREVARD COUNTY PARKS AND RECREATION DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS SURVEY DEPARTMENT, PROJECT NO. 02-09-107, DATED 11/26/2002.
3. REFERENCE MATERIALS:
 - a. SECTIONAL RETRACEMENT AND BREAKDOWN OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 35 EAST PREPARED FOR BREVARD COUNTY PARKS AND RECREATION DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS SURVEY DEPARTMENT, PROJECT NO. 02-09-107, DATED 11/26/2002.
 - b. TITLE REPORT PREPARED BY NEW REVELATIONS, INC., CRAIG KARLSON, FILE NUMBER 18-1215, TAX IDENTIFICATION NO. 2112084, EFFECTIVE DATE 03/21/2018.
 - i. NO EASEMENTS AND EXCEPTIONS LISTED WITHIN THE ABOVE STATED TITLE REPORT ABUT OR AFFECT PARCEL 101.

ABBREVIATIONS:

B.O.B. = BASIS OF BEARING
 ID = IDENTIFICATION
 N/F = NOW OR FORMERLY
 ORB = OFFICIAL RECORDS BOOK
 PB = PLAT BOOK
 R/W = RIGHT OF WAY



MICHAEL J. SWEENEY, PSM 4870
 PROFESSIONAL SURVEYOR & MAPPER
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISHIONERS

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION
 ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940
 PHONE: (321) 633-2080



DRAWN BY: R. HENNING	CHECKED BY: M. J. SWEENEY	PROJECT NO. 18-02-044			SECTION 19 TOWNSHIP 21 SOUTH RANGE 35 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: APRIL, 2018	SHEET: 1 OF 2				

SKETCH OF DESCRIPTION

PARCEL 101

EXHIBIT "A"
SHEET 2 OF 2
 NOT VALID WITHOUT SHEET 1 OF 2
THIS IS NOT A SURVEY
 SEE SURVEYORS NOTE #1

PARENT PARCEL ID# 21-35-19-00-33
 PURPOSE: FEE SIMPLE RIGHT OF WAY



SCALE: 1"=50'

LEGEND

— PROPERTY LINE

- - - SECTION LINE

- - - RIGHT OF WAY LINE

- - - EASEMENT LINE

PARCEL 101

OWNER N/F: SMYTH, RAY
 TAX PARCEL: 21-35-19-00-33
 ORB 7964, PAGE 1499

W LINE OF THE NW
 1/4 OF THE NE 1/4
 OF SECTION 19

892.03'
 N0°04'15"W
 (B.O.B.)

395.00'
 S36°17'35"W

10' FLORIDA POWER & LIGHT EASEMENT
 PER ORB 4948, PAGE 3222
 AND ORB 5086, PAGE 0493

HOLDER PARK
 OWNER N/F: BREVARD COUNTY
 ADDRESS: 2650 GLENDALE BLVD.
 TAX PARCEL: 21-35-19-00-250
 ORB 0862, PAGE 0313

PARCEL 101
 1,348 SQ FT
 0.03 ACRES

OWNER N/F:
 MC CLAUGHERTY, STEPHEN JOSEPH; MC
 CLAUGHERTY, VANESSA D, TRUSTEES
 TAX PARCEL: 21-35-19-00-32
 ORB 5924, PAGE 2556

43.53'
 N0°04'15"W

79.73'
 S54°37'46"E

15' INGRESS/EGRESS EASEMENT
 PER ORB 5059, PAGE 888

POINT OF BEGINNING
 SW CORNER OF ORB
 7964, PAGE 1499 AND
 N RIGHT OF WAY LINE

34.99'
 S89°43'58"W

RADIUS=160.00
 DELTA=010°47'46"
 ARC LENGTH=30.15'
 CHORD BEARING=N84°40'45"W
 CHORD LENGTH=30.10

R/W LINE

OWNER N/F:
 CEDENO, ROY A;
 CEDENO, GLORIA L
 TAX PARCEL:
 21-35-19-00-29
 ORB 7175, PAGE 0061

GLENDALE BOULEVARD
 60' WIDE RIGHT OF WAY PER
 ORB 976, PAGE 223

R/W LINE

OWNER N/F: BREVARD COUNTY
 TAX PARCEL: 21-35-19-00-5
 ORB 4767, PAGE 1821
 PARCEL A

OWNER N/F:
 PETUCCI, WALTER G
 PETUCCI, JUDITH C
 PETUCCI WALTER G JR
 TAX PARCEL:
 21-35-19-00-34
 ORB 7079, PAGE 0598

COUNTY MAINTAINED
 ASPHALT ROADWAY

ABBREVIATIONS

- B.O.B. = BASIS OF BEARING
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PREPARED BY: BREVARD COUNTY PUBLIC WORKS
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 VIERA, FLORIDA 32940
 PHONE: (321) 633-2080

SCALE:
 1"=50'
 PROJECT NO.:
 18-02-044

SECTION 19
 TOWNSHIP 21 SOUTH
 RANGE 35 EAST

Property Search

Brevard County Property Appraiser
Dana Blickley, CFA

Location Map:
Ray Smyth
2169 Glendale Blvd.
21-35-19-00-33

Map Subject Property (📍) (🗨) Open Map in New Window

📍 MapView ()

📍 EagleView ()

📍 StreetView ()

Account (1234567)

Area Decided to Brevard County from Smyth

Smyth Parcel

Glendale Boulevard

Account: 2112024 Parcel ID: 21-35-19-00-33
 Sale: 5/16/2017 \$46,000 - VCCO#1
 BCPAO Market Value: 127,600
 Owners: Smyth, Ray
 Address: 2 39 Glendale Blvd N. Mos FL 32734

2018
2017
2016
2015
2014

PROPERTY FACT SHEET
PROJECT: Glendale Boulevard / Smyth Deed

OWNER: Ray Smyth

PARCEL LOCATION: 2169 Glendale Blvd., Mims, Florida

PARENT PARCEL SIZE: 5.68 Acres (per Property Appraiser's Office data)

AREA DEEDED TO BC: 1,348 square feet (0.03 acre)

ZONING/LANDUSE: Vacant Residential – single family

IMPROVEMENTS: none

TOPOGRAPHY: Level with road grade, no wetlands indicated

FLOOD ZONE: X (outside 500-year flood)

TAX PARCEL ID#: 21-35-19-00-33

MARKET VALUE: \$27,800.00 (2017 Assessment)
(Property Appraiser's Records)

PUBLIC UTILITIES: All utilities

PROPERTY TRANSACTION: Purchase date: 08/16/2017
(Clerk of the Court Records) Sale amount: \$46,000.00