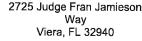
Agenda Report





Consent

F.4. 10/24/2023

Subject:

Approval, Re: Dedication by 1) Warranty Deed for Tract L of North Island Villas and Bill of Sale Related to Lift Station R-13, and 2) Warranty Deed for Tract M for Right of Way from North Island Villas (FL) Owner IV LLC - District 2

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition / Utility Services Department

Requested Action:

It is requested that the Board of County Commissioners accept the attached two Warranty Deeds and Bill of Sale.

Summary Explanation and Background:

The subject property is located in Section 34, Township 23 South, Range 36 East, south of Porcher Road and west of North Courtenay Parkway in Merritt Island.

North Island Villas (FL) Owner IV LLC established North Island Villas by Plat, recorded in Plat Book 73, Pages 92. The Plat notes designated Tract L for a sanitary sewer lift station and Tract M for Right of Way. The Plat notes stated that both tracts were to be conveyed by separate instruments to Brevard County. The attached two Warranty Deeds convey the tracts for their intended purposes. The Bill of Sale conveys the related utility infrastructure that shall be County owned and maintained.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37, the Criteria for Water and Sewage Systems within Brevard County 2.6.5 and County Code 110-184.

Clerk to the Board Instructions:



FLORIDA'S SPACE COAST

Kimberly Powell, Clerk to the Board, 400 South Street P.O. Box 999, Tilusville, Florida 32781-0999

Telephone: (321) 637-2001 Fax: (321) 264-6972 Kimberly.Powell@brevardclerk.us



October 25, 2023

MEMORANDUM

TO: Marc Bernath, Public Works Director Attn: Lisa Kruse

RE: Item F.4., Approval for Dedication by Warranty Deed for Tract L of North Island Villas and Bill of Sale Related to Lift Station R-13, and Warranty Deed for Tract M for Right-of-Way from North Island Villas (FL) Owner IV LLC

The Board of County Commissioners, in regular session on October 24, 2023, approved accepting the Warranty Deed for Tract L of North Island Villas and Bill of Sale related to Lift Station R-13; and approved accepting the Warranty Deed for Tract M for right-of-way from North Island Villas (FL) Owner IV LLC.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/ds

CC:

Utility Services

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA:

Dedication by 1) Warranty Deed for Tract L of North Island Villas and Bill

of Sale Related to Lift Station R-13, and 2) Warranty Deed for Tract M for

Right of Way from North Island Villas (FL) Owner IV LLC - District 2

AGENCY:

Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa J. Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

LAND ACQUISITION Lucy Hamelers, Supervisor

COUNTY ATTORNEY ALEXANDER ESSEESSE Deputy County Attorney

DISAPPROVE

DATE

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
Tax Parcel ID: 23-36-34-03-*-L

Signed, sealed and delivered in the presence of:

WARRANTY DEED

THIS DEED is made this 13 day of Septem 2023, by North Island Villas (FL) Owner IV LLC, a Delaware limited liability company, hereafter called the Grantor, whose mailing address is 3953 Maple Avenue, Suite 300, Dallas, Texas 75219, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamleson Way, Viera, Florida 32940;

WITNESSETH that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with all riparlan and littoral rights appertaining thereto, and all interest in subsurface, oil, gas, and minerals.

The Grantors agree that upon conveyance of the property, no covenants or restrictions put in place by Grantor shall apply to the property hereto in perpetuity.

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

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

Witness WK Blavaus Print Name Print Name Witness Witness	GRANTOR: North Island Villas (FL) Owner IV LLC, a Delaware limited liab(I)ty company By:
JULE CREEK	Ron J. Hoyl, Vice President and Authorized Signo
Print Name	(SEAL)
STATE OF JULIAN	*
COUNTY OF	
The foregoing instrument was acknowledged before me by	w means of Nahysical processes or
online notarization on this day of Anti-we 2023, by	Ron L. Hoyl Vice President and Without and Simon
To North Island Villas (FL) Owner IV LLC, a Delaware limite	d liability company. Is personally known or []
produced as identification.	1. M. + Si
JULIA MARITZA GUERRERO	maring Leurin
Notary ID #129943613 My Commission Expires	Notary Signature
September 4, 2026	

BOUNDARY SURVEY

SHEET I OF 3

NOT VALID WITHOUT SHEETS 2&3 OF 3

LEGAL DESCRIPTION:

TRACT L, NORTH ISLAND VILLAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGES 92 THROUGH 95 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYORS NOTES:

- 1. THIS BOUNDARY SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.602(3).
- 2. BEARINGS SHOWN HEREON ARE BASED ON THE E. LINE OF THE N.E. 1/4, SEC. 34-23-36, BEING S 00'09'23" W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
- 3. THIS BOUNDARY SURVEY WAS PREPARED WITH THE BENEFIT OF A PROPERTY INFORMATION REPORT, PREPARED BY GREENBERG TRAURIG, DATED MARCH 20, 2023. (SEE SHEET 3 OF 3 FOR EXCEPTIONS).
- 4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
- 5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE BREVARD COUNTY PUBLIC ACCESS WEBSITE.
- 6. THE BOUNDARY SURVEY SHOWN HEREON WAS PROVIDED TO THE SURVEYOR BY THE CLIENT.
- 7. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND OR VISIBLE, UNOBSTRUCTED ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS SUCH AS FOUNDATIONS AND UTILITIES WERE NOT LOCATED UNLESS NOTED OTHERWISE.
- 8. UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND THE PROFESSIONAL PURVIEW OF THE SURVEYOR AND SUBJECT TO LEGAL INTERPRETATION.

ABBREVIATIONS AND /OR LEGEND

SET 5/8" IRON ROD & CAP LB#6723

PREPARED FOR AND CERTIFIED TO:

I.D. IDENTIFICATION

C.C.R. CERTIFIED CORNER RECORD

R/W RIGHT OF WAY

U.D.S.E. UTILITY, DRAINAGE & SIDEWALK EASEMENT

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

CCR CERTIFIED CORNER RECORD

CB CATCH BASIN

ELECTRIC METER
UNKNOWN VAULT

BACKFLOW PREVENTOR

P.B. PLAT BOOK

PGS. PAGES

P PLAT

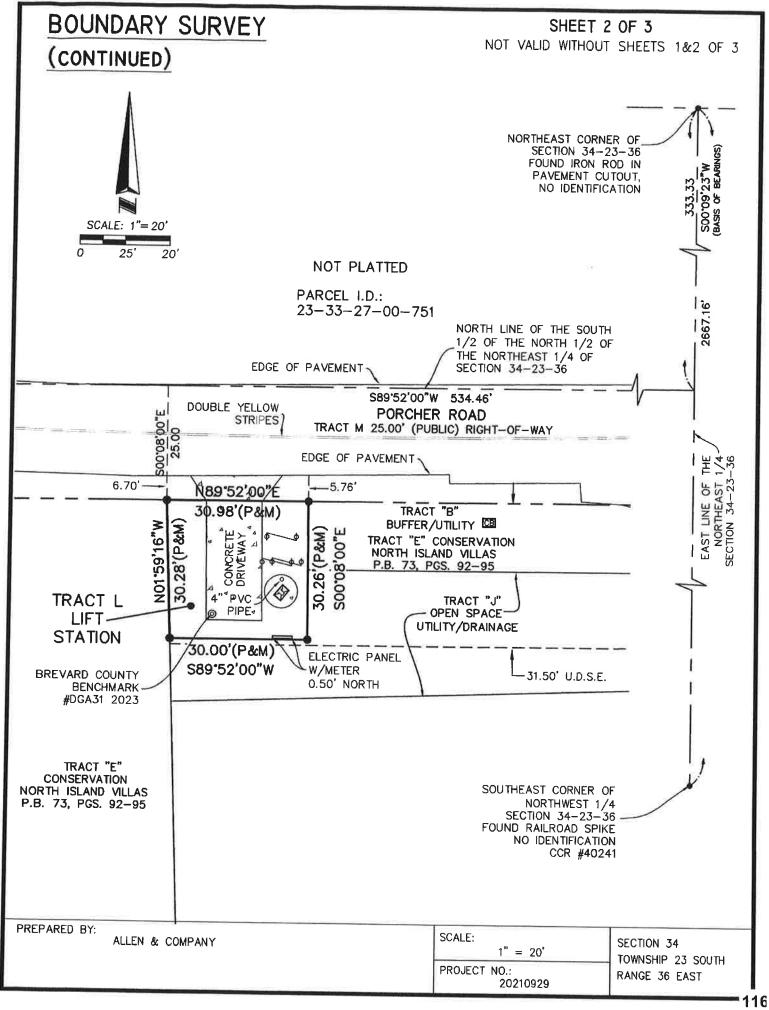
M MEASURED

JAMES L. RICKMAN, PSM 1633 PROFESSIONAL SURVEYOR & N

PROFESSIONAL SURVEYOR & MAPPER NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: ALLEN & COMPANY

DRAWN BY: RT	SCALE:	PROJECT NO. 20210929		SECTION 34	
CHECKED BY: HF	N/A	REVISIONS	DATE	DESCRIPTION	TOWNSHIP 23 SOUTH
	G: LIFT STATION DATE: 07/20/23		07/20/23	20/23 BOUNDARY SURVEY	RANGE 36 EAST
DRAWING: LIFT STATION			08/07/23	IMPROVEMENTS ADDED	



BOUNDARY SURVEY (CONTINUED)

SHEET 3 OF 3 NOT VALID WITHOUT SHEETS 1&2 OF 3

PROPERTY INFORMATION REPORT EXCEPTIONS:

DEED IN FAVOR OF THE STATE OF FLORIDA BY DEED RECORDED IN DEED BOOK 247, PAGE 174, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. DOES NOT AFFECT THE SUBJECT PROPERTY.

BINDING DEVELOPMENT PLAN WITH BREVARD COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8003, PAGE 355, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN HEREON, BLANKET IN NATURE.

RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT RECORDED IN OFFICIAL RECORDS BOOK 8463, PAGE 2740, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. DOES NOT AFFECT THE SUBJECT PROPERTY.

RIGHT OF WAY OF PORCHER ROAD AS NOW LAID OUT AND IN USE. DOES NOT AFFECT THE SUBJECT PROPERTY.

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 9693, PAGE 2748, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN HEREON, BLANKET IN NATURE.

PREPARED BY:

ALLEN & COMPANY

SCALE:

1" = 20'

SECTION 34

PROJECT NO.:

20210929

TOWNSHIP 23 SOUTH RANGE 36 EAST

BILL OF SALE

North Island Villas (FL) Owner IV LLC, a Delaware limited liability company (hereinafter "SELLER"), whose address is 3953 Maple Avenue, Suite 300, Dallas, Texas 75219 for and in consideration of good and valuable consideration to it paid by Brevard County Florida, a political subdivision of the State of Florida (hereinafter "BUYER"), the receipt and sufficiency of which consideration is hereby acknowledged, by these presents does grant, bargain, sell, transfer and deliver unto BUYER, its successors and assigns, the goods, chattels and items of personal property owned by SELLER, their successors and assigns, (hereinafter "property") as that property is set forth on EXHIBIT "A" attached hereto and made a part thereof, and being situate on certain real property described on EXHIBIT "B" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto BUYER, its successors and assigns, forever.

AND SELLER, does, for themselves and their successors and assigns, covenant to and with BUYER, its successors and assigns, that SELLER is the lawful owner of said property; that said property is free from all liens and encumbrances; that SELLER has good right to sell the same aforesaid; and that SELLER will warrant and defend the sale of said property hereby made unto BUYER, Its successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, SELLER, by its duly authorized representative, has caused this instrument to be executed and delivered and has intended this instrument to be and become effective as of the 🔼 day of Depleanble, 2023.

> North Island Villas (FL) Owner IV LLC, a Delaware limited liability company Ron J. Hoyl, Vice President and Authorized Signor (seal)

STATE OF COUNTY OF

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this and day of Land 2023, by Ron J. Hoyl, Vice President and Authorized Signor for North Island Villas (FL) Owner IV LLC, a Delaware limited liability company. Is personally known of [] produced _____as identification.

Notary Signatur

EXHIBIT A

North Island Villas (fka Crisafulli Townhomes)
Personal Property

ItemQuantityUnitsUnit CostExtended CostLift Station1 LS\$415,700\$415,700

Exhibit "B"

Real Property

Tract L, North Island Villas, according to the Plat thereof, as recorded in Plat Book 73, Pages 92 through 95 of the Public Records of Brevard County, Florida.

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
Tax Parcel ID: 23-36-34-03-*-M

WARRANTY DEED (Right of Way for a portion of Porcher Road)

WITNESSETH that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with all riparian and littoral rights appertaining thereto, and all interest in subsurface, oil, gas, and minerals.

The Grantors agree that upon conveyance of the property, no covenants or restrictions put in place by Grantor shall apply to the property hereto in perpetuity.

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

See next page for Notary Acknowledgement

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

GRANTOR: North Island Villas (FL) Owner IV LLC, a Delaware limited liability company By: Ron J. Hoyl, Vice President and Authorized Signor
(SEAL)
me by means of [] physical presence or 23, by Ron J. Hoyl, Vice President and Authorized Iware limited liability company. Ist[] personally m. Notary Signature (seal) JULIA MARITZA GUERRERO Notary ID #129,943613 My Commission Expires September 4, 2026
۱

BOUNDARY SURVEY

SHEET 1 OF 4

NOT VALID WITHOUT SHEETS 2,3 & 4 OF 4

LEGAL DESCRIPTION:

TRACT M, NORTH ISLAND VILLAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGES 92 THROUGH 95 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYORS NOTES:

- 1. THIS BOUNDARY SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.602(3).
- 2. BEARINGS SHOWN HEREON ARE BASED ON THE E. LINE OF THE N.E. 1/4, SEC. 34-23-36, BEING S 00'09'23" W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
- 3. THIS BOUNDARY SURVEY WAS PREPARED WITH THE BENEFIT OF A PROPERTY INFORMATION REPORT, PREPARED BY GREENBERG TRAURIG, DATED MARCH 20, 2023. (SEE SHEET 4 OF 4 FOR EXCEPTIONS).
- 4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
- 5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE BREVARD COUNTY PUBLIC ACCESS WEBSITE.
- 6. THE BOUNDARY SURVEY SHOWN HEREON WAS PROVIDED TO THE SURVEYOR BY THE CLIENT.
- 7. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND OR VISIBLE, UNOBSTRUCTED ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS SUCH AS FOUNDATIONS AND UTILITIES WERE NOT LOCATED UNLESS NOTED OTHERWISE.
- 8. UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND THE PROFESSIONAL PURVIEW OF THE SURVEYOR AND SUBJECT TO LEGAL INTERPRETATION.

ABBREVIATIONS AND /OR LEGEND

SET 5/8" IRON ROD & CAP LB#6723

I.D. IDENTIFICATION

U.E. UTILITY EASEMENT

R/W RIGHT OF WAY

U.D.S.E. UTILITY, DRAINAGE & SIDEWALK EASEMENT

E/P EDGE OF PAVEMENT

P PLAT

M MEASURED

P.B. PLAT BOOK

PGS. PAGES

d SIGN

. 225.412 Living

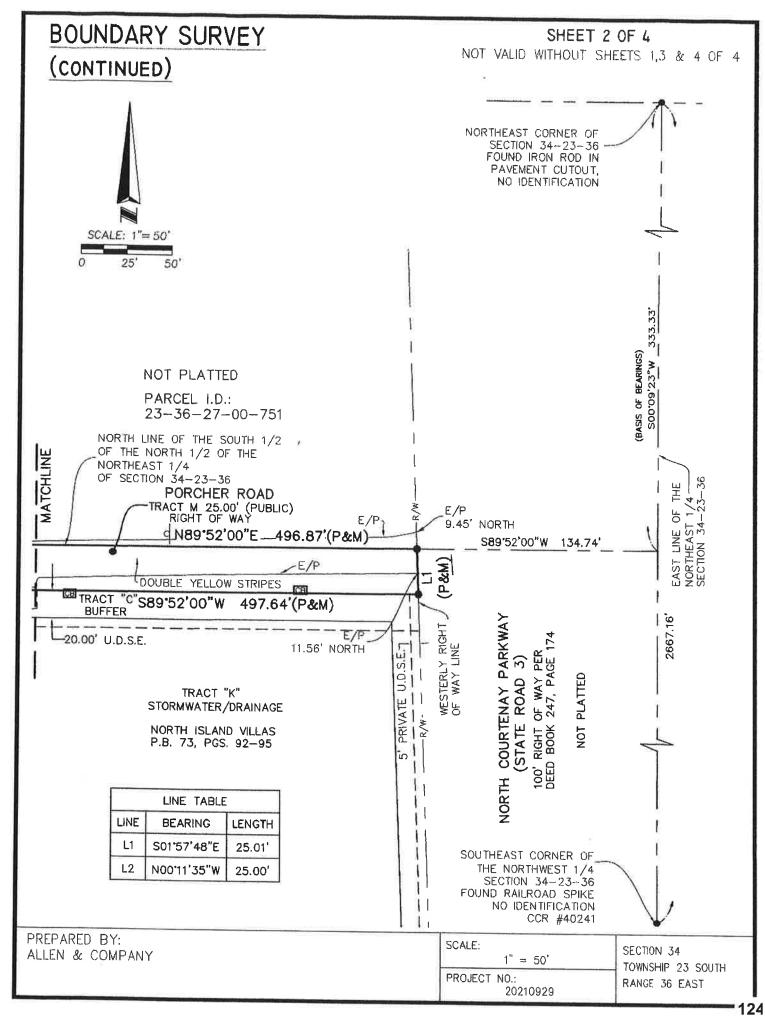
CCR CERTIFIED CORNER RECORD

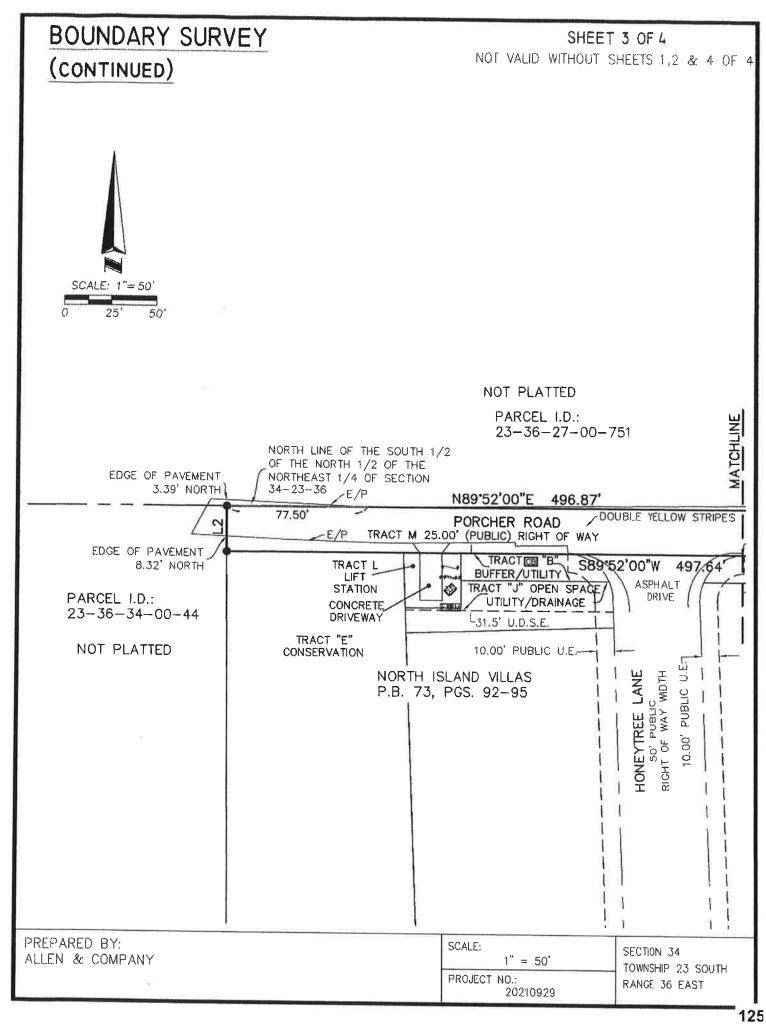
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

JAMES RICKMAN, PSM 5633
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: ALLEN & COMPANY

DRAWN BY: RT	SCALE:	PROJECT NO. 20210929			SECTION 34	
CHECKED BY: HF	N/A	REVISIONS	DATE	DESCRIPTION	TOWNSHIP 23 SOUTH RANGE 36 EAST	
	3475 3 /00 /03		07/20/23	/20/23 BOUNDARY SURVEY		
DRAWING: TRACT "M"	DATE: 7/20/23		08/07/23	IMPROVEMENTS ADDED		





BOUNDARY SURVEY (CONTINUED)

SHEET 4 OF 4 NOT VALID WITHOUT SHEETS 1,2&3 OF 4

PROPERTY INFORMATION REPORT EXCEPTIONS:

DEED IN FAVOR OF THE STATE OF FLORIDA BY DEED RECORDED IN DEED BOOK 247, PAGE 174, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. DOES NOT AFFECT THE SUBJECT PROPERTY. RELATES TO STATE ROAD 3.

BINDING DEVELOPMENT PLAN WITH BREVARD COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8003, PAGE 355, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN HEREON, BLANKET IN NATURE.

RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT RECORDED IN OFFICIAL RECORDS BOOK 8463, PAGE 2740, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. DOES NOT AFFECT THE SUBJECT PROPERTY.

RIGHT OF WAY OF PORCHER ROAD AS NOW LAID OUT AND IN USE. AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 9693, PAGE 2748, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN HEREON, BLANKET IN NATURE.

PREPARED BY:

ALLEN & COMPANY

SCALE:

1" = 20'

SECTION 34

PROJECT NO.:

20210929

TOWNSHIP 23 SOUTH RANGE 36 EAST

LOCATION MAP

Section 34, Township 23 South, Range 36 East - District 2

PROPERTY LOCATION: South of Porcher Road and west of North Courtenay Parkway in Merritt Island.

OWNERS NAME(S): North Island Villas (FL) Owner IV LLC

