



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.12.

7/6/2021

Subject:

Approval, Re: Resolution and Quit Claim Deed to the Town of Grant-Valkaria, per the Interlocal Agreement Dated July 24, 2012- District 3.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the attached Resolution and Quit Claim Deed.

Summary Explanation and Background:

The subject property is located in Section 23, Township 29 South, Range 37 East, south side of Valkaria Road in Grant-Valkaria.

The Board of County Commissioners, in regular session on July 24, 2012, executed an Interlocal Agreement with the Town of Grant-Valkaria for the conveyance of property and easements for the northeast section of County owned property reserved for future park development. The park development was approved by the voters on November 7, 2000, in the South Area Parks Referendum and was named Broken Glass Park.

Paragraph 3(g) Exhibit "7" of the Agreement states that upon 180-day notice from the Town to the County, the County will vacate said parcel and provide a quit claim deed to the Town terminating the County's easement rights. This action pertains only to the transfer of the property rights pursuant to the Quit Claim Deed. The Town is responsible for the cost to record the quit claim deed, and the Town will assume the maintenance responsibilities for the parcel once transferred. The Resolution is pursuant to Section 125.38, Florida Statutes and Section 2-247 Brevard County Code of Ordinances, authorizing conveyance of County property and providing for an effective date.

Simultaneously with this request under Public Hearings, the Brevard County Surveying and Mapping Department's Vacating Section is requesting Board action for approval of the vacation of the easement pursuant to Florida Statutes, Section 336.09 and Brevard County Code of Ordinances Article II, Section 86-36.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

Clerk to the Board Instructions:

Upon execution by the Chair, Public Works Department will contact the Clerk's office to make arrangements to pick up the original executed Quit Claim Deed and original executed Resolution.



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

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

July 7, 2021

MEMORANDUM

TO: Marc Bernath, Public Works Director

RE: Item F.12., Approval of Resolution and Quit Claim Deed to the Town of Grant-Valkaria, per the Interlocal Agreement Dated July 24, 2012

The Board of County Commissioners, in regular session on July 6, 2021, adopted Resolution No. 21-080, authorizing conveyance of real property interest by the County; and approved and authorized the Chair to execute the Quit Claim Deed to the Town of Grant-Valkaria per the Interlocal Agreement dated July 24, 2012. Enclosed is a fully-executed Resolution and a fully-executed Quit Claim Deed.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, reading "Kimberly Powell".

Kimberly Powell, Clerk to the Board

Encls. (2)

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940
A portion of interest in Tax Parcel ID: 29-37-23-00-48

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made this 6 day of July, 2021, by Brevard County Florida, a political subdivision of the State of Florida, hereafter called the First Party, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940 to the Town of Grant-Valkaria, a Florida municipal corporation, hereafter called the Second Party, whose mailing address is Post Office Box 766, Grant-Valkaria, Florida 32949.

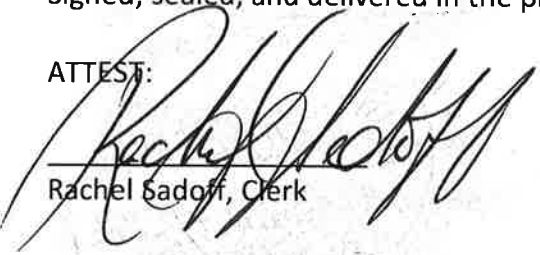
WITNESSTH that the First Party, for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) and other valuable considerations, to it in hand paid by the Second Party, receipt of which is hereby acknowledged, does hereby remise, release, and forever quit-claim to the Second Party, its heirs, successors and assigns, all of the First Party's right, title, interest, claim and demand which the First Party may have in the following described land, lying and being in Brevard County, Florida, to wit:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF, the First Party has set its hand and seal to execute this Deed, the day and year first above written, in its name by its Board of County Commissioners acting by its duly authorized representative,

Signed, sealed, and delivered in the presence of:

ATTEST:


Rachel Sadoff, Clerk

Board of County Commissioners of
Brevard County, Florida

BY: 

Rita Pritchett, Chair

(As approved by the Board 07/06/2021)

LEGAL DESCRIPTION

PARCEL 801

PARENT PARCEL ID#: 29-37-23-00-48

PURPOSE: VACATE EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

LEGAL DESCRIPTION:

(PARCEL 801, PER ORB 6697, PAGE 2309)

A PARCEL OF LAND FOR EASEMENT PURPOSES LYING IN A PORTION OF LOTS 30 AND 31 OF SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST, PER THE PLAT OF FLORIDA INDIAN RIVER LAND COMPANY AS RECORDED IN PLAT BOOK 1, PAGE 165, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST; THENCE NORTH 89°34'40" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23 FOR A DISTANCE OF 683.98 FEET; THENCE DEPARTING SAID NORTH SECTION LINE RUN SOUTH 00°25'20" EAST FOR A DISTANCE OF 35.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF VALKARIA ROAD AS ESTABLISHED PER OFFICIAL RECORDS BOOK 0582, PAGE 0615 OF SAID PUBLIC RECORDS; THENCE NORTH 89°34'40" EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF VALKARIA ROAD FOR A DISTANCE OF 321.18 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE RUN SOUTH 00°25'20" EAST FOR A DISTANCE OF 221.71 FEET; THENCE SOUTH 10°17'41" EAST FOR A DISTANCE OF 183.84 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 89°34'40" EAST FOR A DISTANCE OF 301.28 FEET; THENCE SOUTH 00°21'22" WEST FOR A DISTANCE OF 237.38 FEET; THENCE NORTH 89°38'38" WEST FOR A DISTANCE OF 160.42 FEET; THENCE NORTH 54°34'01" WEST FOR A DISTANCE OF 44.97 FEET TO A POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 225.00 FEET AND AN INCLUDED ANGLE OF 44°16'20"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 173.86 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 10°17'41" WEST FOR A DISTANCE OF 66.03 FEET TO THE POINT OF BEGINNING, CONTAINING 1.399 ACRES (60,940 SQUARE FEET), MORE OR LESS.

A TITLE OPINION OR REPORT WAS NOT PROVIDED TO THE SURVEYOR. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

ABBREVIATIONS

AL	=	ARC LENGTH
C1	=	CURVE NUMBER
CA	=	CENTRAL ANGLE
CB	=	CHORD BEARING
CD	=	CHORD DISTANCE
L1	=	LINE NUMBER
N/F	=	NOW OR FORMERLY
ORB	=	OFFICIAL RECORDS BOOK
PB	=	PLAT BOOK
PC	=	POINT OF CURVATURE
PG	=	PAGE
PT	=	POINT OF TANGENCY
PI	=	POINT OF INTERSECTION
R	=	RADIUS
R/W	=	RIGHT OF WAY

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A BOUNDARY SURVEY, BUT ONLY A GRAPHICAL DEPICTION OF THE LAND DESCRIBED HEREIN. SEE SHEET 2 OF 2 FOR SKETCH.

2. BEARINGS SHOWN HEREON ARE BASED ON ASSUMED NORTH REFERENCED TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST, WHICH BEARS N89°34'40"E.

3. INSTRUMENTS OF RECORD PERTAINING TO ENCUMBRANCES SUCH AS EASEMENTS, RIGHTS OF WAY, COVENANTS, AGREEMENTS, AND RESTRICTIONS WERE NOT PROVIDED BY THE CLIENT; A SEARCH OF THE PUBLIC RECORDS WAS NOT PERFORMED BY THIS SURVEYOR. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED HEREIN.

LEGEND

	EASEMENT BOUNDARY LINE
	LOT LINE
	CENTERLINE
	SECTION LINE
	RIGHT OF WAY LINE
	PARCEL 801

PARCEL 801

STATE OF FLORIDA

PROFESSIONAL SURVEYOR & MAPPER

Michael J. Sweeney, PSM 4870

NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

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. 293723_SK_VALKARIA-ESMT

REVISIONS

DATE

DESCRIPTION

DATE: APRIL 19, 2021

SHEET: 1 OF 2

SECTION 23

TOWNSHIP 29 SOUTH

RANGE 37 EAST

SKETCH OF DESCRIPTION

PARCEL 801

PARENT PARCEL ID#: 29-37-23-00-48

PURPOSE: VACATE EASEMENT

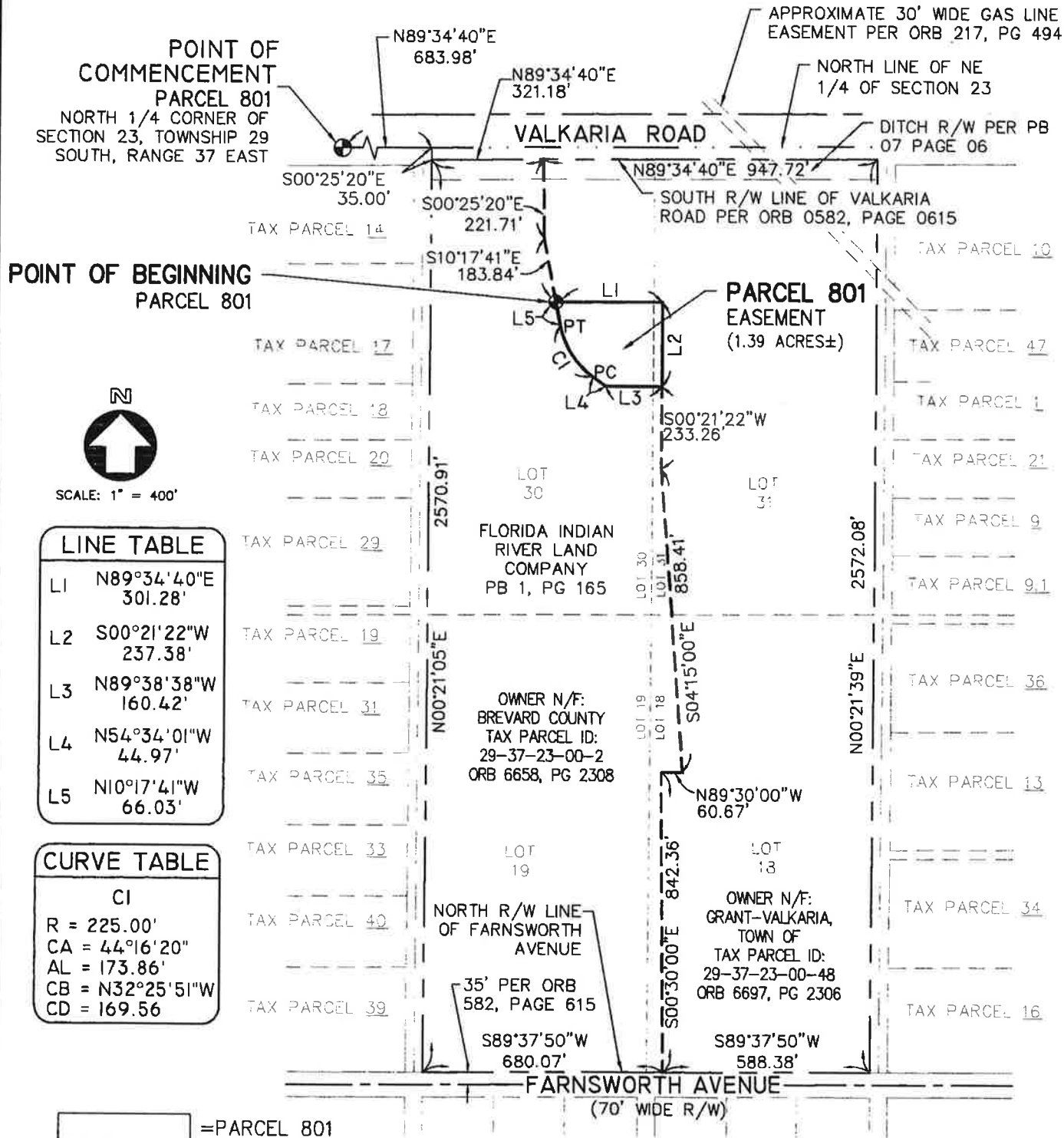
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PREPARED BY: BREVARD COUNTY PUBLIC WORKS
 SURVEYING AND MAPPING DIVISION
 ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
 VERA, FLORIDA 32940
 PHONE: (321) 633-2080

SCALE:
 1"=400'
 PROJECT NO.:
 293723_SK_VALKARIA-ESMT

SECTION 23
 TOWNSHIP 29 SOUTH
 RANGE 37 EAST

RESOLUTION NO. 21 - 080

**RESOLUTION PURSUANT TO SECTION 125.38, FLORIDA
STATUTES AND BREVARD COUNTY CODE SECTION 2-247
AUTHORIZING THE CONVEYANCE OF REAL PROPERTY
INTEREST BY THE COUNTY.**

RECITALS

WHEREAS, Brevard County, Florida, a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940 (hereafter the "COUNTY"), owns an easement over certain real property described in Exhibit "A" (hereinafter the "Parcel"); and

WHEREAS, the County entered into an Interlocal Agreement with the Town of Grant-Valkaria, effective July 24, 2012 (hereinafter the "TOWN") that permitted the TOWN to request the COUNTY vacate the easement and that the COUNTY transfer its property rights to said Parcel by a Quit Claim Deed to the TOWN; and

WHEREAS, the TOWN owns said Parcel, and has exercised said rights under paragraph 3(g) Exhibit "7" of the Agreement by providing the COUNTY the appropriate 180 notice; and

WHEREAS, the TOWN will pay the costs to record the Quit Claim Deed and maintain the Parcel upon the transfer, and the Parcel is not needed for COUNTY purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA that:


1. The recitals above are true and correct, and incorporated herein.
2. The COUNTY finds that the Parcel at Exhibit "A" is not needed for COUNTY purposes, but is needed for TOWN purposes. Pursuant to section 125.38, Florida Statutes, section 2-247 of the Brevard County Code of Ordinances and said interlocal agreement, the COUNTY authorizes the Chair to sign all paperwork necessary to transfer all of COUNTY's rights to said parcel by Quit Claim Deed to TOWN at nominal cost.
3. This Resolution shall take effect immediately upon its adoption.

DONE, ORDERED, and ADOPTED in Regular Session this 6 day of July, 2021.

ATTEST:


Rachel Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

BY: 
Rita Pritchett, Chair

As approved by the Board on 07/06/2021

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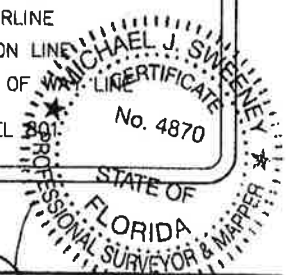
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LEGEND

_____ EASEMENT BOUNDARY LINE
----- LOT LINE
----- CENTERLINE
----- SECTION LINE
----- RIGHT OF WAY LINE
[] PARCEL 801



PREPARED FOR: BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

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

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DRAWN BY: R. HENNING

CHECKED BY: M. J. SWEENEY

PROJECT NO. 293723_SK_VALKARIA-ESMT

SECTION 23

TOWNSHIP 29 SOUTH
RANGE 37 EAST

DATE: APRIL 19, 2021

SHEET: 1 OF 2

REVISIONS

DATE

DESCRIPTION

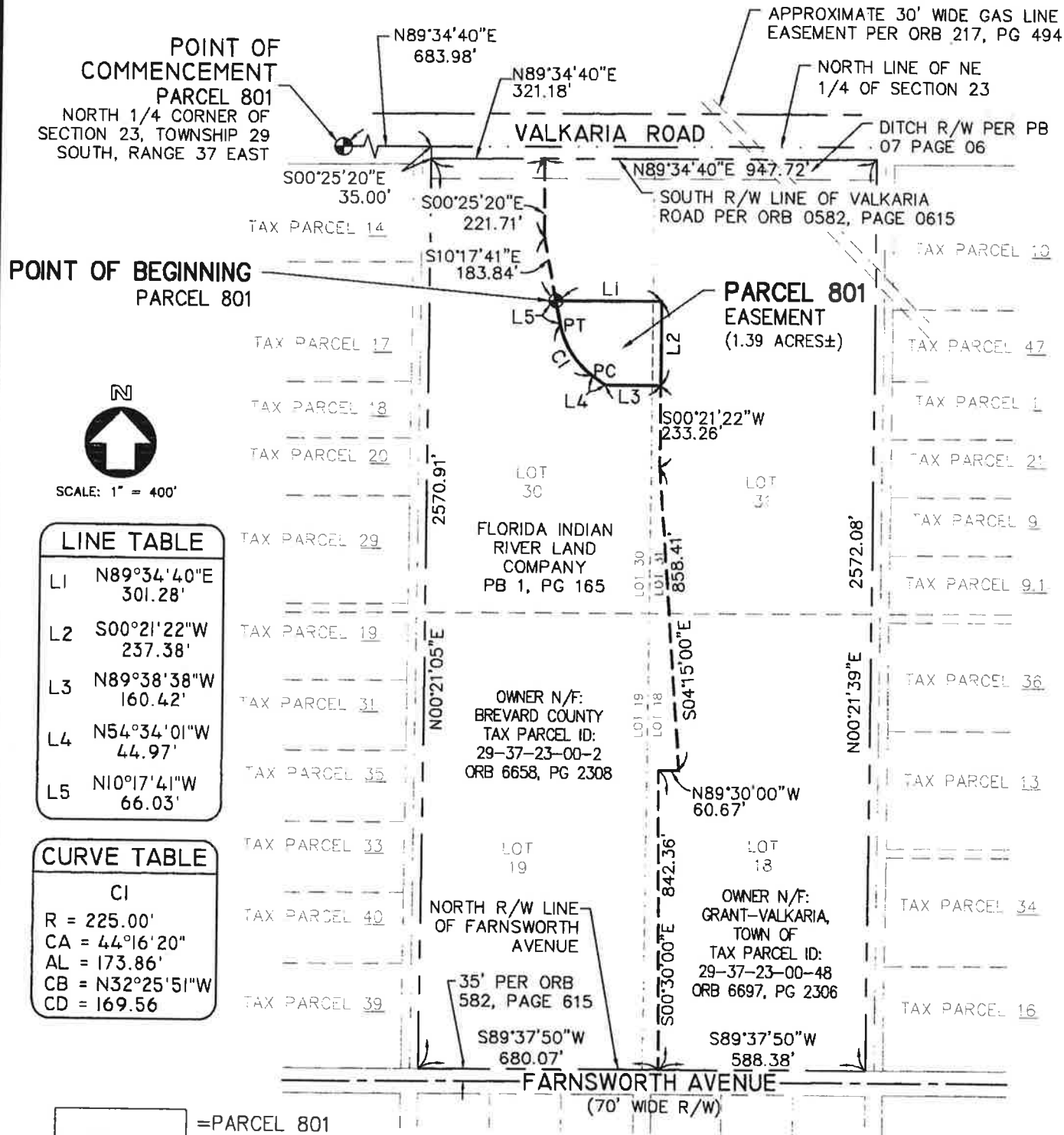
PARCEL 801

PURPOSE: VACATE EASEMENT

SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1



BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Resolution and Quit Claim Deed to the Town of Grant-Valkaria as it
Relates to the Vacate of Easement Interest per Interlocal Agreement
Dated July 24, 2012 – District 3.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8353 Ext. 58353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u></u>	<u> </u>	<u>5-10-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	<u> </u>	<u>5-11-2021</u>

LOCATION MAP

Section 23, Township 29 South, Range 37 East - District 3

PROPERTY LOCATION: South side of Valkaria Road in Grant-Valkaria

OWNERS NAME: The Town of Grant-Valkaria

