



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.6.

7/12/2022

Subject:

Approval, Re: Dedication of Warranty Deed and Bill of Sale from Indian River Preserve Estates Corp., formerly known as Florida Land & Cattle Corporation, for Tract LS-1 of Rymar Greens at Indian River Preserve for Lift Station N-32 - District 1.

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 Warranty Deed and Bill of Sale.

Summary Explanation and Background:

The subject property is located in Section 1, Township 21 South, Range 34 East, east of Interstate 95 on the west side of Sanctuary Drive in Rymar Greens at Indian River Preserve in Mims.

Indian River Preserve Estates Corp., established Rymar Greens at Indian River Preserve by Plat, recorded in Plat Book 71 at Page 25. The Plat contained a dedication of Tract LS-1 to Brevard County for the purpose of a Sanitary Sewer Lift Station. The attached Warranty Deed will convey fee simple ownership of Tract LS-1 to the County from Indian River Preserve Estates Corp. The attached Bill of Sale formally 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:

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Dedication of Warranty Deed and Bill of Sale from Indian River Preserve Estates Corporation for Tract LS-1 of Rymar Greens at Indian River Preserve for Lift Station N-32 – District 1.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

| | APPROVE | DISAPPROVE | DATE |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------|-------------------|
| LAND ACQUISITION Lucy Hamelers, Supervisor |  _____ | _____ | <u>5.25.2022</u> |
| COUNTY ATTORNEY Christine Schverak Assistant County Attorney | <i>CMS</i> _____ | _____ | <u>06/01/2022</u> |



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 13, 2022

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

RE: Item F.6., Dedication of Warranty Deed and Bill of Sale from Indian River Preserve Estates Corp., formerly known as Florida Land & Cattle Corporation, for Tract LS-1 of Rymar Greens at Indian River Preserve for Lift Station N-32

The Board of County Commissioners, in regular session on July 12, 2022, accepted Warranty Deed and Bill of Sale from Indian River Preserve Estates Corp., formerly known as Florida Land & Cattle Corporation, for Tract LS-1 of Rymar Greens at Indian River Preserve for Lift Station N-32.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/tr

cc: Asset Management
Utility Services

Prepared by and return to: Andrew Malach
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 21-34-01-XX-*LS.1

WARRANTY DEED

THIS DEED is made this 9 day of May, 2022, by Indian River Preserve Estates Corp., a Nevada corporation, formerly known as Florida Land & Cattle Corporation, a Nevada corporation, hereafter called the Grantor, whose mailing address is 7 Corporate Plaza, Newport Beach, CA 92660, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson 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:

Tract LS-1, Rymar Greens at Indian River Preserve, according to the Plat thereof, as recorded in Plat Book 71, page 25, of the Public Records of Brevard County, Florida.

Together with all riparian and littoral rights appertaining thereto, and all interest in subsurface oil, gas, and minerals pursuant to section 270.11(3), Florida Statutes.

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.

(Signatures and Notary on next page)

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

Signed, sealed and delivered in the presence of:

[Handwritten Signature]
Witness

Julie Ault
Print Name

[Handwritten Signature]
Witness

Kailee Gifford
Print Name

GRANTOR:
Indian River Preserve Estates Corp.,
a Nevada corporation, formerly know
as Florida Land & Cattle Corporation,
a Nevada corporation

By: [Handwritten Signature]
Dale Lyon, Vice President

(Corporate Seal)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this ___ day of _____, 2022, by Dale Lyon as Vice President for Indian River Preserve Estates Corp., a Nevada corporation, formerly known as Florida Land & Cattle Corporation, a Nevada corporation. Is personally known or produced _____ as identification.

See Attached

Notary Signature
SEAL

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of ORANGE)

On MAY 9th, 2022 before me, MARLA LUKE, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared DALE LYON,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Marla Luke* (Seal)



BILL OF SALE

Indian River Preserve Estates Corp., a Nevada corporation, formerly known as Florida Land & Cattle Corporation, a Nevada corporation, whose mailing address is 7 Corporate Plaza, Newport Beach, CA 92660 (hereinafter "SELLER"), 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 9 day of MAY, 2022.

Indian River Preserve Estates Corp., a Nevada corporation, formerly known as Florida Land & Cattle Corporation, a Nevada corporation


Dale Lyon, Vice President

(Corporate Seal)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this ___ day of _____, 2022 by Dale Lyon, Vice President of Indian River Preserve Estates Corp., a Nevada corporation, formerly known as Florida Land & Cattle Corporation, a Nevada corporation, who are personally known to me or who have provided a _____ as identification.

SEAL

Notary Public

My Commission Expires:

See Attached

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of ORANGE

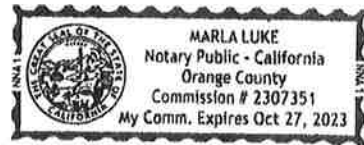
On MAY 9th, 2022 before me, MARLA LUKE, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared DALE LYON
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Marla Luke* (Seal)



Project: Indian River Preserve Estates, Phase 2

MBV Project No.: 17-1035

Applicant: Indian River Preserve Estates
 1062 Coral Ridge Drive
 Coral Springs, FL 33071

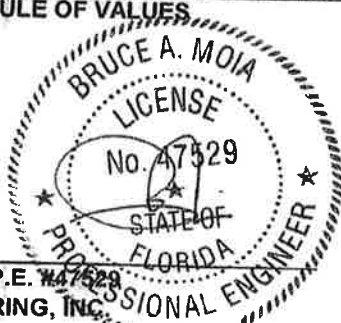
Description: Engineering Opinion of Probable Construction Costs - Utilities

Prepared: January 2021

| MAINTENANCE BOND - POD 16 & 19 | | | | |
|---------------------------------|----------|------|---------------|------------------------|
| ITEM | QUANTITY | UNIT | UNIT COST | COST |
| VI. REUSE MAIN | | | | |
| 8" PVC (C900) | 5,626 | LF | \$ 32.05 | \$ 180,313.30 |
| FITTINGS | 99 | EA | \$ 432.59 | \$ 42,826.41 |
| 8" GATE VALVE | 14 | EA | \$ 1,726.18 | \$ 24,166.52 |
| CONNECT TO EXISTING | 2 | EA | \$ 971.19 | \$ 1,942.38 |
| SINGLE REUSE SERVICE | 160 | EA | \$ 658.18 | \$ 105,308.80 |
| 8" BLOWOFF | 2 | EA | \$ 798.03 | \$ 1,596.06 |
| WATER MAIN TOTAL | | | | \$ 356,153.47 |
| VII. WATER MAIN | | | | |
| 8" PVC (C900) | 5,880 | LF | \$ 32.05 | \$ 188,454.00 |
| FITTINGS | 96 | EA | \$ 432.59 | \$ 41,528.64 |
| 8" GATE VALVE | 23 | EA | \$ 1,726.18 | \$ 39,702.14 |
| CONNECT TO EXISTING | 1 | EA | \$ 1,196.07 | \$ 1,196.07 |
| SINGLE WATER SERVICE | 42 | EA | \$ 593.68 | \$ 24,934.56 |
| DOUBLE WATER SERVICE | 58 | EA | \$ 769.98 | \$ 44,658.84 |
| FIRE HYDRANT | 7 | EA | \$ 4,550.00 | \$ 31,850.00 |
| WATER MAIN TOTAL | | | | \$ 372,324.25 |
| VIII. SEWER MAIN | | | | |
| 8" PVC SDR 26 | 5,530 | LF | \$ 18.00 | \$ 99,540.00 |
| OPEN CUT & CONNECT | 1 | EA | \$ 8,801.74 | \$ 8,801.74 |
| 6" PVC C900 (FORCEMAIN) | 55 | LF | \$ 22.76 | \$ 1,251.80 |
| SINGLE SERVICE | 22 | EA | \$ 597.75 | \$ 13,150.50 |
| DOUBLE SERVICE | 68 | EA | \$ 692.34 | \$ 47,079.12 |
| MANHOLE (POD 16) | 28 | EA | \$ 5,133.20 | \$ 143,729.60 |
| LIFT STATION | 1 | LS | \$ 262,000.00 | \$ 262,000.00 |
| SEWER MAIN TOTAL | | | | \$ 575,552.76 |
| TOTAL SCHEDULE OF VALUES | | | | \$ 1,304,030.48 |

MAINTENANCE BOND AMOUNT: \$ 326,007.62

CERTIFIED BY:



BRUCE MOIA, P.E. #47529
 MBV ENGINEERING, INC.

March 15, 2021
 DATE

Exhibit "B"

Real Property

Tract LS-1, Rymar Greens at Indian River Preserve, according to the Plat thereof, as recorded in Plat Book 71, page 25, of the Public Records of Brevard County, Florida.

LOCATION MAP

Section 1, Township 21 South, Range 34 East - District: 1

PROPERTY LOCATION: East of Interstate 95 on the west side of Sanctuary Drive in Rymar Greens at Indian River Preserve in Mims.

OWNERS NAME: Indian River Preserve Estates Corporation

