

Meeting Date
February 21, 2017



AGENDA	
Section	Consent
Item No.	<i>II.A.6</i>

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Warranty Deed in favor of Brevard County from Glenridge Subdivision HOA, Inc. and Sanitary Sewer Easement in favor of Brevard County from Glenridge East, LLC - District 4. (Fiscal Impact: None)
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DEPT/OFFICE:	Public Works Department / Land Acquisition Section / Utility Services Department
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Requested Action:

It is requested that the Board of County Commissioners approve and accept a Warranty Deed from Glenridge Subdivision HOA, Inc. and a Sanitary Sewer Easement from Glenridge East, LLC.

Summary Explanation & Background:

The subject property is located in Section 36, Township 26 South, Range 36 East.

The platted/recorded Subdivision known as "Glen Ridge" (Plat Book 62, Page 87-91) lies within the City of Melbourne.

Glenridge East, LLC ("the Developer"), is required to convey the property for the lift station and sanitary sewer easement within the Plat to the Board of County Commissioners. Tract F was designated for use as a lift station. However, Tract F was excluded from the recorded Plat so that the County would not have a vested interest in the Glen Ridge Subdivision.

The Developer has deeded Tract F to the Glenridge HOA, Inc., which in turn will convey it to Brevard County. The required Sanitary Sewer Easement will be conveyed directly from the Developer. The County will own the lift station and have an interest in the property by way of the easement to maintain the sanitary sewer lines.

Fiscal Impact: FY 2016-2017: No impact
FY 2017-2018: No impact

Clerk to the Board Instructions: Forward Board Approval Memo to Department.

Exhibits Attached: Copy of executed Warranty Deed, copy of executed Sanitary Sewer Easement, Location Map, Property Fact Sheet

Contract /Agreement (If attached): Reviewed by County Attorney	Yes	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager	Assistant County Manager	Department Director / Extension
		 John Denninghoff / 57202
Stockton Whitten	Assistant County Manager	 Jim Helmer, Director / 52091



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

April 3, 2017

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.6., Approval of Warranty Deed in Favor of Brevard County from Glenridge Subdivision HOA, Inc. and Acceptance of Sanitary Sewer Easement in Favor of Brevard County from Glenridge East, LLC

This is to correct the Memorandum dated February 22, 2017. The Board of County Commissioners, in regular session on February 21, 2017, approved a Warranty Deed from Glenridge Subdivision HOA, Inc.; and accepted a Sanitary Sewer Easement from Glenridge East, LLC.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

cc: Utility Services Director
Contracts Administration
Asset Management

BOARD OF COUNTY COMMISSIONERS

AGENDA: WARRANTY DEED IN FAVOR OF BREVARD COUNTY FROM GLENRIDGE
SUBDIVISION HOA, INC. AND PERMANENT UTILITY EASEMENT IN
FAVOR OF BREVARD COUNTY FROM GLENRIDGE EAST, LLC
DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION /
UTILITY SERVICES DEPARTMENT

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847(5-2886)

REVIEW

	APPROVE	DISAPPROVE	DATE
<u>LAND ACQUISITION</u> Daniel P. Jones, Supervisor	<u>DPJ</u>	_____	<u>1/31/17</u>
<u>UTILITY SERVICES</u> Jim Helmer, Director	<u>JH</u>	_____	<u>2/1/17</u>
<u>COUNTY ATTORNEY</u> Cristina Berrios Assistant County Attorney	<u>see attached</u>	_____	<u>2/1/17</u>
<u>PUBLIC WORKS</u> John P. Denninghoff, Director	<u>JPD</u>	_____	<u>2/7/17</u>

AGENDA DUE DATE: February 7, 2017 for the February 21, 2017 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 (5-6316) WHEN READY TO BE PICKED UP.

THANK YOU.

BOARD OF COUNTY COMMISSIONERS

AGENDA: WARRANTY DEED IN FAVOR OF BREVARD COUNTY FROM GLENRIDGE
SUBDIVISION HOA, INC. AND PERMANENT UTILITY EASEMENT IN
FAVOR OF BREVARD COUNTY FROM GLENRIDGE EAST, LLC
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	APPROVE	DISAPPROVE	DATE
<u>LAND ACQUISITION</u> Daniel P. Jones, Supervisor	<u>DPJ</u>	_____	<u>1/31/17</u>
<u>UTILITY SERVICES</u> Jim Helmer, Director	_____	_____	_____
<u>COUNTY ATTORNEY</u> Cristina Berrios Assistant County Attorney	<u></u> *	_____	<u>2/1/17</u>
<u>PUBLIC WORKS</u> John P. Denninghoff, Director	_____	_____	_____

AGENDA DUE DATE: February 7, 2017 for the February 21, 2017 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 (5-6316) WHEN READY TO BE PICKED UP.

THANK YOU.

*CAO confirmed with LA that questions of title have been looked into.

THIS INSTRUMENT PREPARED BY:
City Attorney's Office
City of Melbourne
900 East Strawbridge Avenue
Melbourne, Florida 32901

Parcel ID#: Part of 28-37-16-00-258

WARRANTY DEED

THIS WARRANTY DEED, made this 4th day of November , 2016, by and between **GLENRIDGE SUBDIVISION HOA, INC.** a Florida non for profit corporation, as Grantor, whose address is 4760 North U.S. Hwy 1, #201, Melbourne, Florida 32935, and **BREVARD COUNTY**, a political subdivision of the State of Florida, as Grantee, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940-6605.

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, their heirs, successors, and assigns forever, the following described real property, located and situate in the County of Brevard, State of Florida, to wit:

See Attached Exhibit "A"

The property described herein does not constitute the constitutional homestead of the Grantor herein.

TITLE TO THE PROPERTY DESCRIBED HEREIN HAS NEITHER BEEN
EXAMINED OR APPROVED BY THE CITY ATTORNEY'S OFFICE
OR THE CITY OF MELBOURNE

This deed is given subject to taxes accruing on or subsequent to January 1, 2016;

TOGETHER WITH ALL the tenements, hereditaments, and appurtenances thereto belonging or in anyway appertaining.

TO HAVE AND TO HOLD unto the same in fee simple forever.

The Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor does hereby fully warrant the title to the said land

and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except the encumbrance set forth above.

IN WITNESS WHEREOF, the Grantor has caused this Warranty Deed to be executed the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR

GLENRIDGE SUBDIVISION HOA, INC, a Florida non for profit corporation

Witness #1:

Brian Martin
Print Name: Brian Martin

Charles B. Genoni
Charles B. Genoni
Director

Witness #2

Tanya Ludzieski
Print Name: Tanya Ludzieski

STATE OF Florida
COUNTY OF Brevard

The foregoing deed was acknowledged before me this 16 day of NOV, 2016, by Charles B. Genoni as Director of **GLENRIDGE SUBDIVISION HOA, INC.** a Florida non for profit corporation. He is personally known to me or produced _____ as identification.

Tanya Ludzieski
NOTARY PUBLIC

My Commission Expires: 9/30/17



LEGAL DESCRIPTION

EXHIBIT A

PARCEL 101

PARENT PARCEL ID NUMBER: 26-36-36-00-7
 PURPOSE: FEE SIMPLE
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2
 NOT VALID WITHOUT
 SHEET 2 OF 2

LEGAL DESCRIPTION

A portion of lands described in Official Records Book 7495, Page 1827, as recorded in the Public Records of Brevard County, Florida; said lands lying in Section 36, Township 26 South, Range 36 East, said Brevard County, Florida, being more particularly described as follows:

Commence at the intersection of the North line of said Official Records Book and the West Right-of-Way line of Wickham Road (150.00 foot Public Road); thence South 89°42'21" West along the said North line, a distance of 1,182.84 Feet; thence leaving said line run South 00°17'39" East, a distance of 27.76 Feet to the POINT-OF-BEGINNING; thence South 29°43'42" West, a distance of 45.95 Feet to the point of curvature of a non tangent circular curve concave to the Northeast, having a radius of 175.00 Feet, and a central angle of 04°33'28"; thence from a tangent bearing of North 64°49'46" West, run Northwesterly along the arc of said curve an arc distance of 13.92 Feet; thence North 60°16'18" West, a distance of 16.09 Feet; thence North 29°43'42" East, a distance of 42.51 Feet; thence North 89°42'21" East, a distance of 7.99 Feet; thence South 60°16'18" East, a distance of 23.08 Feet to the POINT-OF-BEGINNING.

Containing 1,379 square feet / 0.03 acres of land more or less

SURVEYOR'S NOTES

- Easements and Rights-of-Way shown hereon only include those provided to the surveyor Ownership and Encumbrance Report prepared by Frese Hansen and dated September 27, 2016. The surveyor has made no search of the Public Records for such. The lands described hereon are not affected by any encumbrances provided in said Ownership and Encumbrance report.
- Only open and notorious evidence of easements and Right-of-Way are located and shown hereon. The surveyor has not located any underground utilities or foundations which may encroach.
- Bearings hereon are referred to an assumed value of S 89°42'21" W for the Northerly line of O.R. Book 7495, Page 1872, Public Records of Brevard County, Florida.
- This property is located in Federal Flood Zone X, areas determined to be outside the 0.2% annual chance flood plain, as shown on Flood Insurance Rate Map Community No. 125025, Panel 0516, Suffix G, effective date March 17, 2014.

PREPARED FOR AND CERTIFIED TO:
 GLENRIDGE EAST, LLC AND
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

JONATHAN M. MOTT, PLS NO. 5060
 NOT VALID UNLESS SIGNED AND SEALED



WILLIAM MOTT LAND SURVEYING INC.

CASA BELLA PLAZA
 3159 ALZANTA CIRCLE, SUITE 103
 MELBOURNE, FLORIDA 32940-7329

PHONE (321) 751-4444 FAX (321) 751-4445

COPYRIGHT © 2016 WILLIAM MOTT LAND SURVEYING INC., ALL RIGHTS RESERVED LICENSED BUSINESS "3608"

LEGEND:
 R.B. = REFERENCE BEARING
 O.R.B. = OFFICIAL RECORDS BOOK
 D.B. = DEED BOOK
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 PG. = PAGE PC = POINT OF CURVATURE
 R/W = RIGHT-OF-WAY
 L# = LINE TABLE TAG
 C# = CURVE TABLE TAG
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT

DRAWN BY: T.B.	PROJECT NO: 215-0321	REVISION	DATE	DESCRIPTION	SECTION 36
CHECKED BY: J.M.M.	DRAWING: 15-321-SK TRACT F.DWG				TOWNSHIP 26 SOUTH
DATE: 11/04/16	DRAWING NO: A16-0036				RANGE 36 EAST

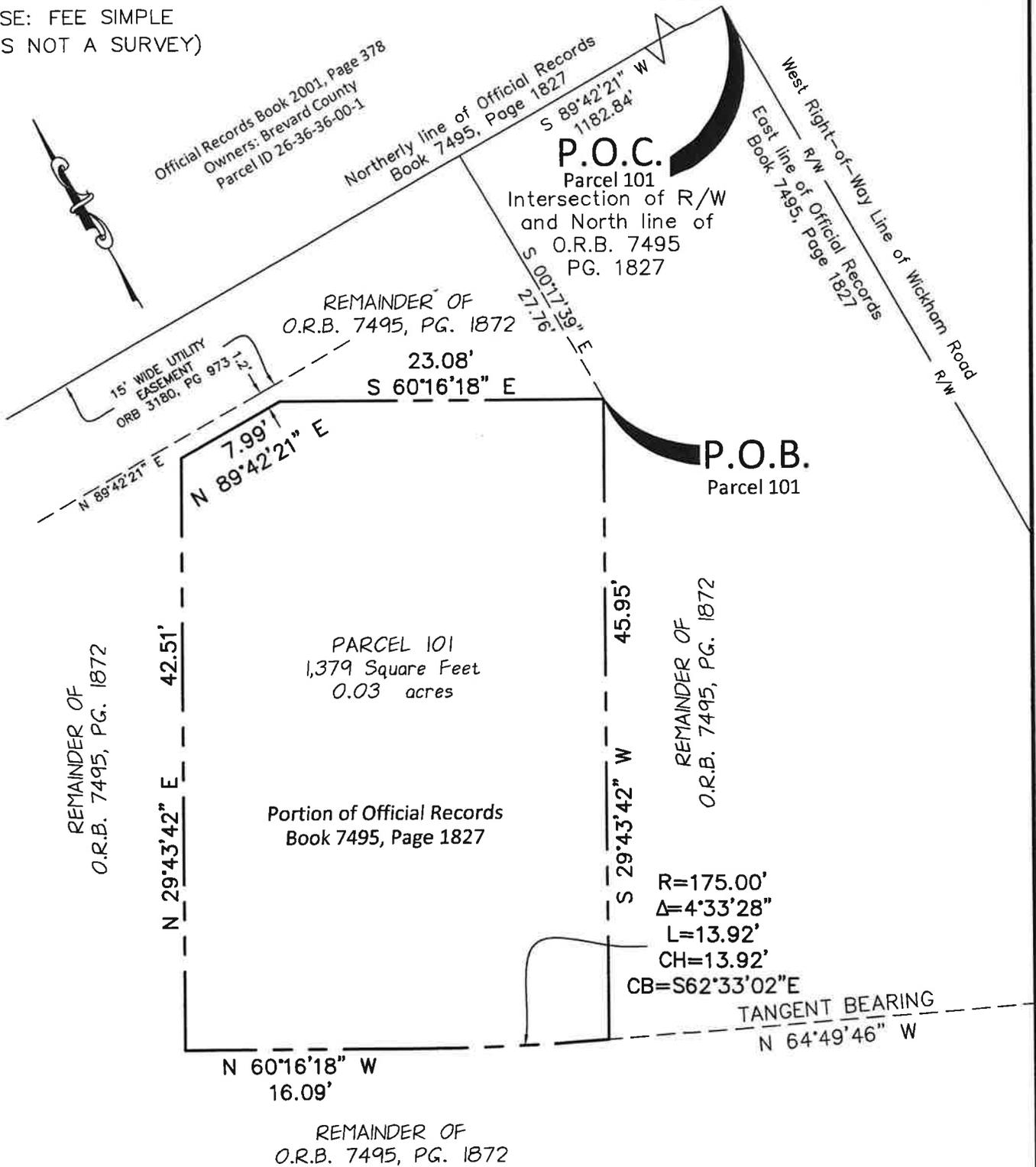
SKETCH OF DESCRIPTION

EXHIBIT A

PARCEL 101

PARENT PARCEL ID NUMBER: 26-36-36-00-7
 PURPOSE: FEE SIMPLE
 (THIS IS NOT A SURVEY)

SHEET 2 OF 2
 NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2



PERMANENT SANITARY SEWER EASEMENT

THIS INDENTURE, made this 16 day of November, 2016, between Glenridge East, LLC, a Florida limited liability company, whose mailing address is: 4760 North US#1, #201, Melbourne, Florida 32935, as the first party, and Brevard County, Florida, a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, as the second party, for the use and benefit of Brevard County;

WITNESSETH: That the first party, in consideration of Ten Dollars and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grants unto the second party, its successors and assigns, a Permanent Sanitary Sewer Easement commencing on the above date, for the purpose of operating and maintaining a sanitary sewer line and other allied uses pertaining thereto which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

The land affected by the granting of this easement is located in Section 36, Township 26 South, Range 36 East, County of Brevard, State of Florida, more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

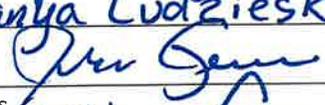
TO HAVE AND TO HOLD said easement unto the County of Brevard and to its successors and assigns.

The first party does hereby covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

IN WITNESS WHEREOF, the first party having set their hand and seal this, the day and year first above written.

Signed, sealed, and delivered in the presence of:


Charles B. Genoni, Managing Member,
Glenridge East, LLC, a Florida limited liability
Company


Witness
Tanya Ludzieski
(Print)

Witness
John Genoni
(Print)

**STATE OF FLORIDA
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 16 day of November, 2016, by Charles B. Genoni, who is personally known to me or who has produced N/A as identification and who did/did not take an oath,

WITNESS my hand and official seal at Melbourne, County of Brevard, State of Florida, this 16 day of November, 2016.




NOTARY PUBLIC
Tanya Ludzieski
Print Name
Commission No. FF058855
Commission Expires: 9/30/17

Board Date: _____
Agenda Item #: _____

LEGAL DESCRIPTION

EXHIBIT A

PARCEL 801

PARENT PARCEL ID NUMBER: 26-36-36-00-7
 PURPOSE: EASEMENT
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2
 NOT VALID WITHOUT
 SHEET 2 OF 2

LEGAL DESCRIPTION: (By Surveyor)

15.00' Wide Force Main Easement

A portion of lands described in Official Records Book 7495, Page 1827, as recorded in the Public Records of Brevard County, Florida; said lands lying in Section 36, Township 26 South, Range 36 East, said Brevard County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 36; thence North 00°33'49" West along the East line of said Section 36, a distance of 4,456.99 Feet; thence leaving said line run South 89°42'21" West, a distance of 50.00 Feet to the West Right-of-Way line of Wickham Road (150.00 foot Public Road); thence North 00°33'49" West along said West line, a distance of 114.28 Feet to the POINT-OF-BEGINNING; thence leaving said line run South 89°41'33" West, a distance of 524.88 Feet; thence North 88°58'16" West, a distance of 252.64 Feet; thence South 89°53'23" West, a distance of 381.67 Feet; thence South 84°42'46" West, a distance of 16.11 Feet; thence South 28°03'02" West, a distance of 24.41 Feet; thence North 57°57'28" West, a distance of 8.72 Feet; thence North 29°43'42" East, a distance of 22.22 Feet; thence North 60°16'18" West, a distance of 6.95 Feet; thence North 28°03'02" East, a distance of 9.48 Feet; thence North 84°42'46" East, a distance of 24.88 Feet; thence North 89°53'23" East, a distance of 382.49 Feet; thence South 88°58'16" East, a distance of 252.61 Feet; thence North 89°41'33" East, a distance of 524.63 Feet; thence South 00°33'49" East, a distance of 15.00 Feet to the said West Right-of-Way line of said Wickham Road and the POINT-OF-BEGINNING.

Containing 17,972 square feet / 0.41 Acres of land more or less.

PREPARED FOR AND CERTIFIED TO:
 GLENRIDGE EAST, LLC AND
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

JONATHAN M. MOTT, PLS NO. 5060
 NOT VALID UNLESS SIGNED AND SEALED



WILLIAM MOTT LAND SURVEYING INC.

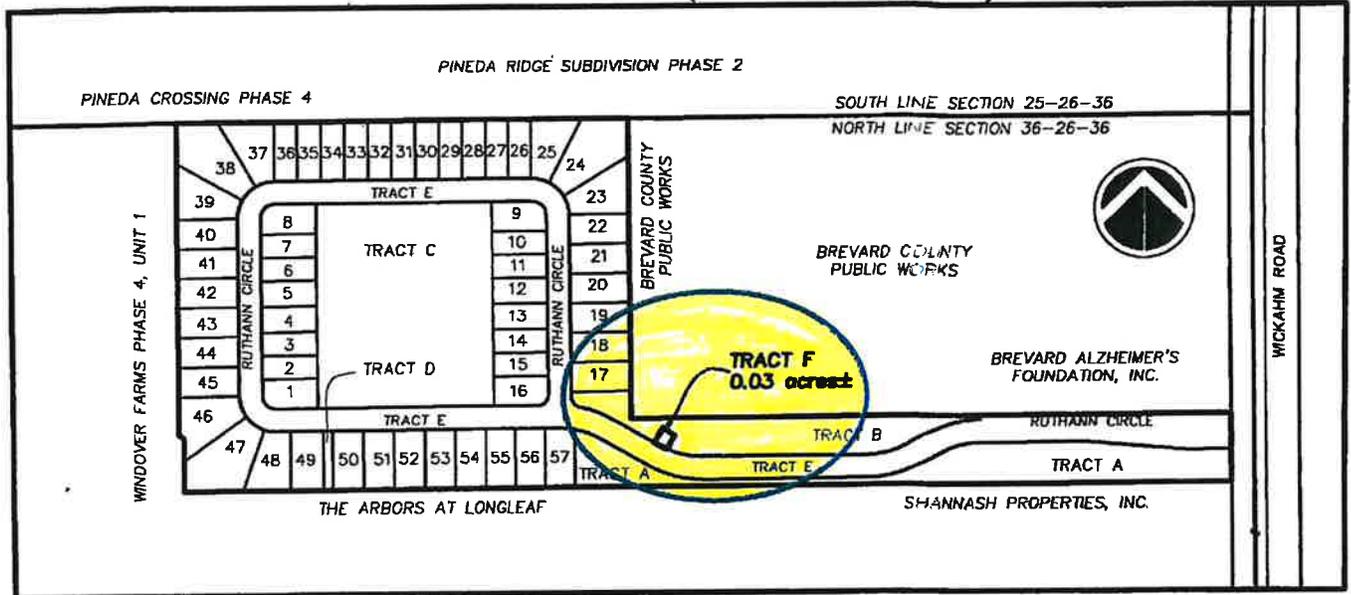
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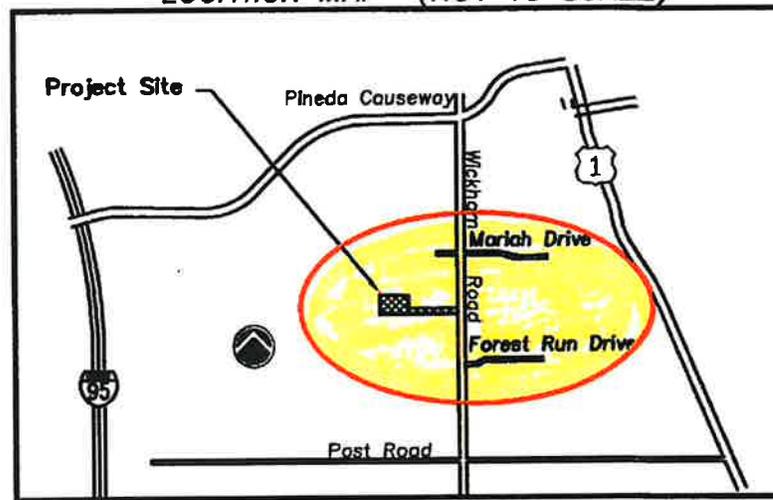
DRAWN BY: <u>T.B.</u>		PROJECT NO: <u>2150321</u>	REVISION	DATE	DESCRIPTION	SECTION <u>36</u>
CHECKED BY: <u>J.M.M.</u>		DRAWING: <u>SK-FM.DWG</u>				TOWNSHIP <u>26</u> SOUTH
DATE: <u>11/04/16</u>		DRAWING NO: <u>A16-0035</u>				RANGE <u>36</u> EAST

Location Map Glen Ridge Subdivision Brevard County, Florida

VICINITY MAP (NOT TO SCALE)



LOCATION MAP (NOT TO SCALE)



Drawn by: DMT	Checked by: DMT	File name 6745	Date 010/19/16	Scale N/A	Drawing Name 6745-tract-f.dwg	Sheet 1 of 1
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Masteller, Moler & Taylor, Inc.

PROFESSIONAL SURVEYORS AND MAPPERS

LAND SURVEYING BUSINESS #4644

1655 27th Street, Suite 2 Vero Beach, Florida 32960
Phone: (772) 564-8050 Fax: (772) 794-0647

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DAVID TAYLOR P.L.S. 5243

PROPERTY FACT SHEET

GLENRIDGE SUBDIVISION, HOA, INC. ("TRACT F") GLENRIDGE EAST, LLC (EASEMENT)

OWNER(S):	Glenridge Subdivision HOA, Inc. and Glenridge East, LLC
PARCEL LOCATION:	Located within City of Melbourne Fronting Wickham Road
PARENT PARCEL SIZE:	22.49 Acres Total
PARCEL SIZE: "TRACT F"	1,378.71 SQ FT or 0.03 ACRES
EASEMENT SIZE	17, 972.00 SQ FT or .41 ACRES
ZONING/LANDUSE:	R-18 (Low Density Residential)
IMPROVEMENTS:	Preliminary Subdivision Sanitary Sewer Facilities
TOPOGRAPHY:	Level with road grade
FLOOD ZONE:	X (Outside 500-year Flood)
TAX PARCEL ID#:	26-36-36-00-7
MARKET VALUE:	\$423,470.00 (2015 Assessment) (Property Appraiser's Records)
PUBLIC UTILITIES:	All utilities available
PROPERTY TRANSACTION: (Clerk of the Court Records)	Purchase date: Nov. 9, 2015 Sale amount: \$500,000.00 (Official Record Book & Page, 7495/1827)