



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.8.

4/19/2022

Subject:

Approval, Re: Dedication of: 1) Warranty Deed and Bill of Sale from D.R. Horton, Inc. for Tract U of the Adamson Creek Phase One-C Subdivision for Lift Station W11 and 2) Quit-Claim Deed for Tract U from Adamson Creek Homeowners Association, Inc. - 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, Bill of Sale and Quit-Claim Deed.

Summary Explanation and Background:

The subject property is located in Section 22, Township 24 South, Range 35 East, east of Adamson Road and west of Highway I-95 in Adamson Creek Phase One-C Subdivision in Cocoa.

D. R. Horton established Adamson Creek Phase One-C Subdivision by plat, recorded in Plat Book 69 at Page 74. The Plat contains a dedication of Tract U to Adamson Creek Homeowners Association, Inc. for the purpose of a Sanitary Sewer Lift Station with the intent for it to be dedicated to Brevard County. The attached Warranty Deed will convey fee simple ownership of Tract U to the County from D. R. Horton, Inc. The attached Bill of Sale formally conveys the related utility infrastructure that shall be County owned and maintained. Adamson Creek Homeowners Association, Inc. will convey their easement interest in Tract U to the County by Quit-Claim Deed.

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: 1) Warranty Deed and Bill of Sale from D. R. Horton, Inc., for Tract U of the Adamson Creek Phase One-C Subdivision for Lift Station W11 and 2) Quit-Claim Deed from Adamson Creek Homeowners Association, Inc., – District 1.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u>LA</u>	<u> </u>	<u>3-15-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>CMS</u>	<u> </u>	<u>3-28-2022</u>



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

Telephone: (321) 697-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

April 20, 2022

M E M O R A N D U M

TO: Marc Bernath, Public Works Director Attn: Lucy Hamelers

RE: Item F.8., Approval for Dedication of 1) Warranty Deed and Bill of Sale from D.R. Horton, Inc. for Tract U of the Adamson Creek Phase One-C Subdivision for Lift Station W11 and 2) Quit-Claim Deed for Tract U from Adamson Creek Homeowners Association, Inc.

The Board of County Commissioners, in regular session on April 19, 2022, accepted the Warranty Deed and Bill of Sale from D.R. Horton, Inc. for Tract U of the Adamson Creek Phase One-C Subdivision for Lift Station W11; and accepted the Quit Claim Deed from Adamson Creek Homeowners Association, Inc. for Tract U.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

[Handwritten signature: Denna Scott]
for Kimberly Powell, Clerk to the Board

/ns

cc: Utility Services

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 24-35-22-27-*-U

WARRANTY DEED

THIS DEED is made this 8 day of March, 2022, by D. R. Horton, Inc., a Delaware corporation, whose mailing address is 1430 Culver Drive NE, Palm Bay, Florida 32907, hereafter called the Grantor, 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 U of Adamson Creek Phase One-C, according to the Plat thereof, as recorded in Plat Book 69, page 74, of the Public Records of Brevard County, Florida.

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

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.

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.

(Signature and notary on next page)

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

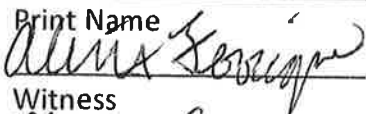
Signed, sealed and delivered in the presence of:



Witness

Ricardo Corona

Print Name



Witness

Alexis Ferrigno

Print Name

STATE OF FL.

COUNTY OF Brevard

GRANTOR:

D.R. Horton, Inc., a Delaware corporation

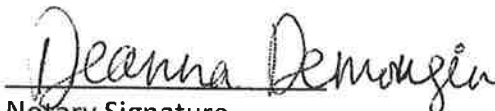
By: 

Keith V. Williams, Vice President

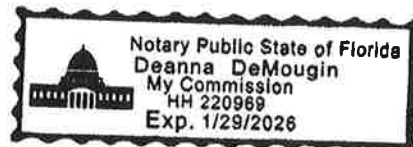
(Corporate Seal)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 8th day of March, 2022, by Keith V. Williams as Vice President for D.R. Horton, Inc, a Delaware corporation. Is ☒ personally known or ☐ produced

as identification.


Notary Signature

SEAL



BILL OF SALE

D. R. Horton, Inc., a Delaware corporation, whose address is 1430 Culver Drive NE, Palm Bay, Florida 32907 (hereinafter "SELLER"),

for and in consideration of good and valuable consideration to it paid by BREVARD COUNTY, 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 8 day of March, 2022

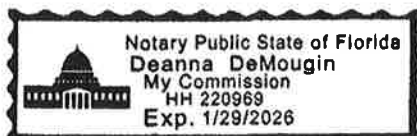
D. R. Horton, Inc., a Delaware Corporation
By: Keith V. Williams
Keith V. Williams, Vice President

(Corporate Seal)

STATE OF FL.
COUNTY OF Brevard

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 8th day of March, 2022 by Keith V. Williams, as Vice President of D. R. Horton, Inc., a Delaware corporation, ☒ who are personally known to me or ☐ who have provided a Florida driver's license as identification.

SEAL



Deanna DeMougin
Notary Public

My Commission Expires: 01/29/2026

ADAMSON CREEK PHASE ONE-C
PERSONAL PROPERTY
EXHIBIT A

ITEM	UNIT	QUANTITIES	UNIT PRICE	TOTAL PRICE
PART 1 - SANITARY SEWER SYSTEM				
8" SDR26 PVC	LF	4,560	\$ 55.00	\$ 250,800.00
SINGLE LATERAL SAN	EA	23	\$ 698.35	\$ 16,062.05
DOUBLE LATERAL SAN	EA	66	\$ 780.89	\$ 51,538.74
SAN MH (0-6')	EA	9	\$ 3,444.81	\$ 31,003.29
SAN MH (6-8')	EA	4	\$ 3,884.41	\$ 15,537.64
SAN MH (8-10')	EA	1	\$ 4,668.25	\$ 4,668.25
SAN MH (10-12')	EA	4	\$ 5,991.57	\$ 23,966.28
SAN MH (12-14')	EA	2	\$ 7,691.60	\$ 15,383.20
SAN MH (14-16') (SMH 20, 21, 22, 23)	EA	3	\$ 9,554.92	\$ 28,664.76
SAN MH W/ HDPE LINER (14-16') (SMH 24)	EA	1	\$ 24,506.96	\$ 24,506.96
WRAPID SEAL	LS	1	\$ 18,335.33	\$ 18,335.33
INSIDE DROP AT MANHOLE (SMH 19 & 23)	EA	4	\$ 854.64	\$ 3,418.56
LIFT STATION INCL. WETWELL, VALVE VAULT, PUMPS, VALVES, TELEMETRY	LS	1	\$281,020.00	\$ 281,020.00
8" C-900 DR-18 FORCE MAIN	LF	1,544	\$ 55.00	\$ 84,920.00
8" FITTINGS, BENDS, CONNECTIONS, & CAPS, FM	EA	16	\$ 750.00	\$ 12,000.00
8" PLUG, FM	EA	1	\$ 2,869.92	\$ 2,869.92
TOTAL				\$ 864,694.98

Exhibit "B"

Real Property

Tract U of ADAMSON CREEK, PHASE ONE-C, according to the Plat thereof, as recorded in Plat Book 69, Page 74, of the Public Records of Brevard County, Florida.

Prepared by and return to: Lisa Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940
A portion of interest in Tax Parcel ID: 24-35-22-27-*-U

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made this 8th day of March, 2022, by Adamson Creek Homeowners Association, Inc., a Florida not for profit corporation, hereafter called the First Party, whose mailing address is c/o 1430 Culver Drive, NE, Palm Bay, Florida 32907, to Brevard County, a political subdivision of the State of Florida, hereafter called the Second Party, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

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:

Tract U of Adamson Creek Phase One-C, according to the Plat thereof, as recorded in Plat Book 69, Page 74, of the Public Records of Brevard County, Florida.

The First Party agrees that upon conveyance of the property, no covenants or restrictions put in place by First Party shall apply to the property hereto in perpetuity.

IN WITNESS WHEREOF, the First Party has set its hand and seal to execute this Deed, the day and year first above written,

Signed, sealed, and delivered in the presence of:

[Signature]

Witness

Ricardo Corona

Print Name

Alexis Ferngno

Witness

Alexis Ferngno

Print Name

Adamson Creek Homeowners Association,
Inc., a Florida corporation not for profit

By: [Signature]
Sonja Pedretti, President

(SEAL)

State of Florida
County of Brevard

The foregoing instrument was acknowledge before me by means of ☒ physical presence or ☐ Online notarization on this 8 day of March, 2022, by Sonja Pedretti, President of Adamson Creek Homeowners Association, Inc., a Florida corporation not for profit. Is ☒ personally known or ☐ produced _____ as identification.



[Signature]
Notary Signature

LOCATION MAP

Section 22, Township 24 South, Range 35 East - District: 1

PROPERTY LOCATION: East of Adamson Road and west of Highway I-95 in Adamson Creek, Phase One-C in Cocoa.

OWNERS NAME(S): D. R. Horton, Inc. and Adamson Creek Homeowners Association, Inc.

