



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.10.

10/11/2022

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### **Subject:**

Approval, Re: Donation by Warranty Deed from J-R Briere, Inc., for Tracts A, B, C, D and E of Briere Subdivision Related to the Micco Master Stormwater Project - District 3.

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Works Department / Land Acquisition / Natural Resources Management Department

### **Requested Action:**

It is requested that the Board of County Commissioners approve and accept the attached Warranty Deed.

### **Summary Explanation and Background:**

The subject property is located in Section 23, Township 30 South, Range 38 East, on the west side of Central Avenue in Micco.

Natural Resources Management Department is planning a stormwater improvement project known as the Micco Master Stormwater Project. The plan is being developed to address numerous maintenance and flooding issues for Basin 2169, which has minimal stormwater treatment before discharging into the Sebastian River.

A portion of historical flow traverses the tracts of Briere Subdivision. The tracts have not been properly maintained, resulting in an obstruction of stormwater flow. This obstruction causes flooding of upstream properties. The donation of these tracts will allow for proper maintenance to ensure flow and will benefit the overall project.

In an effort to support the project, the owner of the plat of Briere Subdivision has agreed to donate the subdivision tracts.

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:**

## BOARD OF COUNTY COMMISSIONERS

### AGENDA REVIEW SHEET

AGENDA: Donation by Warranty Deed from J-R Briere, Inc., for Tracts A, B, C, D and E of Briere Subdivision Related to the Micco Master Stormwater Project – District 3.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>9-7-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>CMS</u> _____	_____	<u>9-9-2022</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

October 12, 2022

**M E M O R A N D U M**

**TO:** Marc Bernath, Public Works Director      **Attn:** Lucy Hamelers, Land Acquisition

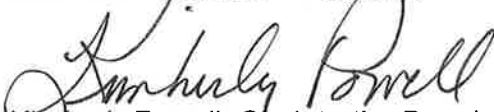
**RE:** Item F.10., Approval for Donation by Warranty Deed from J-R Briere, Inc., for Tracts A, B, C, D and E of Briere Subdivision Related to the Micco Master Stormwater Project

The Board of County Commissioners, in regular session on October 11, 2022, approved and accepted the Warranty Deed from J-R Briere, Inc., for Tracts A, B, C, D and E of Briere Subdivision related to Micco Master Stormwater Project.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/pp

cc: Natural Resource Management

Prepared by and return to: Lucy Hamelers  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of interest in Tax Parcel ID: 30-38-23-03-A, B, C, D, E

RECEIVED

AUG 31 2022

WARRANTY DEED

Brevard County

Natural Resources

THIS DEED is made this 5 day of AUGUST, 2022, by J-R Briere, Inc., a dissolved Florida Corporation, hereafter called the Grantor, whose mailing address is 52 Rue Boutin, Amos Quebec, CA J9T4G, 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:

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 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.

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

Michael Levesque

Print Name

William Levesque

Witness

Carole Levesque

Print Name

J-R Briere, Inc., a dissolved Florida Corporation

BY:

Renald Briere  
Jacques J. Briere, Surviving Director  
Renald

(CORPORATE SEAL)

STATE / COMMONWEALTH OF Canada  
COUNTY OF Quebec  
PROVINCE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 26<sup>th</sup> day of 08, 2022, by Jacques J. Briere as surviving Director of J-R Briere Inc., a dissolved Florida Corporation. Is ☐ personally known or ☒ produced driver's license as identification.

Myriam Gaudin  
Notary Signature  
SEAL

## **EXHIBIT A**

Tract A, Wetland Buffer, Briere Subdivision, according to the Plat thereof, as recorded in Plat Book 42, Page 47, of the Public Records of Brevard County, Florida.

Tract B, Wetland Buffer, Briere Subdivision, according to the Plat thereof, as recorded in Plat Book 42, Page 47, of the Public Records of Brevard County, Florida.

Tract C, Water Management Tract, Briere Subdivision, according to the Plat thereof, as recorded in Plat Book 42, Page 47, of the Public Records of Brevard County, Florida.

Tract D, Water Management Tract, Briere Subdivision, according to the Plat thereof, as recorded in Plat Book 42, Page 47, of the Public Records of Brevard County, Florida.

Tract E, Water Management Tract, Briere Subdivision, according to the Plat thereof, as recorded in Plat Book 42, Page 47, of the Public Records of Brevard County, Florida.

## LOCATION MAP

**Section 23, Township 30 South, Range 38 East - District: 3**

PROPERTY LOCATION: West side of Central Avenue in the Briere Subdivision in Micco.

OWNERS NAME(S): J-R Briere, Inc.

