

Meeting Date
January 23, 2018



AGENDA	
Section	Consent
Item No.	II.A.1

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Warranty Deed from Concept Development, Inc. in favor of Brevard County for Additional Road Right of Way - District 1 (Fiscal Impact: None)
DEPT/OFFICE:	Public Works Department / Land Acquisition Section

Requested Action:

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

Summary Explanation & Background:

The subject property is located in Section 37, Township 20G, South, Range 34 East.

The owner/developer is proposing to construct a retail facility (Site Plan 17-SP00005) on property located at the southeast corner of the intersection of US#1 and Summer Street in Scottsmoor.

Summer Street is currently a platted 40' unpaved road that is maintained by the County. The Land Development Department is requesting the owner dedicate an additional 10' feet of their property along the south side of Summer Street to bring the roadway to the County minimum width standard of fifty feet (50' feet). The extra width will allow the developer to improve the road to minimum County specifications to include paving, drainage, and future sidewalk improvements.

Land Acquisition Policies and Procedures require approval and acceptance by the Board of County Commissioners for all Deeds and Easements conveyed to the County.

Fiscal impact: FY 2017-2018: No Impact
FY 2018-2019: No Impact

Clerk to the Board Instructions:

Exhibits Attached: Copy of executed Warranty Deed with attached legal description, Location Map, and Property Fact Sheet

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager
Frank Abbate *FBA*

Assistant County Manager
John P. Denninghoff *[Signature]*

Department Director / Extension
Andrew J. Holmes, PE / 57202

Interim Assistant County Manager
Jim Liesenfell *[Signature]*

[Signature]

BOARD OF COUNTY COMMISSIONERS

AGENDA: WARRANTY DEED FROM CONCEPT DEVELOPMENT, INC IN FAVOR OF BREVARD COUNTY FOR ADDITIONAL RIGHT OF WAY - DISTRICT 1

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

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

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Daniel P. Jones, Supervisor	<u>DPJ</u>	_____	<u>4/5/18</u>
COUNTY ATTORNEY Eden Bentley, Deputy County Attorney	<u>See attached</u>	_____	<u>4/5/18</u>
PUBLIC WORKS Andrew J. Holmes, P.E., Director	<u>ALL</u>	_____	<u>1/9/18</u>

AGENDA DUE DATE: January 9, 2018 for the January 23, 2019 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 FROM CONCEPT DEVELOPMENT, INC IN FAVOR OF BREVARD COUNTY FOR ADDITIONAL RIGHT OF WAY - DISTRICT 1

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LAND ACQUISITION Daniel P. Jones, Supervisor	<u>DPJ</u>	_____	<u>1/5/18</u>
COUNTY ATTORNEY Eden Bentley, Deputy County Attorney	<u>AS TO FORM</u> <u>NO TITLE WORK</u> <u>RCVP</u>	_____	<u>1/5/18</u>
PUBLIC WORKS Andrew J. Holmes, P.E., Director	_____	_____	_____

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THANK YOU.



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

January 24, 2018

M E M O R A N D U M

TO: Andrew Holmes, Public Works Director

RE: Item II.A.2., Warranty Deed from Concept Development, Inc. in Favor of Brevard County, for Additional Road Right-of-Way for Property Located in Section 37, Township 20G South, Range 34 East

The Board of County Commissioners, in regular session on January 23, 2018, accepted Warranty Deed from Concept Development, Inc., for additional road right-of-way in Section 37, Township 20G South, Range 34 East.

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

cc: Asset Management
Budget
Finance

WARRANTY DEED

THIS INDENTURE is made this 18th day of December, 2017, between Concept Development, Inc., as Grantor, whose mailing address is 3917 NW 97th Blvd., Gainesville, Florida 32606 as party of the first part, and Brevard County, Florida a political subdivision of the State of Florida, as party of the second part, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940-6605.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described land, situated, lying and being in the County of Brevard, State of Florida, to-wit:

See Attached Exhibit "A"

Subject to easements, restrictions, and reservations of record, if any, and taxes for the 2017 and subsequent years. The property described herein does not constitute the constitutional homestead of the Grantor herein.

To have and to hold the same, together with all and singular the appurtenances thereto belonging or in anywise incident or appertaining, forever, and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

[Signature]
Witness
SUSAN LYNCH
(Print or Type Name)

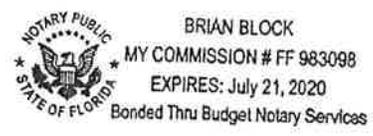
[Signature]
Concept Development, Inc., a Florida corporation
Brian S. Crawford, President

[Signature]
Witness
Deborah L Sullivan
(Print or Type Name)

STATE OF FLORIDA
COUNTY OF ALACHUA

I HEREBY CERTIFY, that on this day personally appeared before me, Brian S. Crawford, as President of Concept Development, Inc., well known to me to be the person described in and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purpose therein expressed and that he has produced FL Drivers license as identification and he did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid, this 18th day of December, 2017.



[Signature]
Notary Public
Brian Block

Print Name
Commission Expires: 7/21/20
Commission No. FF983098

Approved by the Board: 1-23-2018
Item # I.A.2

LEGAL DESCRIPTION

EXHIBIT "A"

PARCEL #101

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 20G-34-37-02-22-1 AND 20G-34-37-02-22-7

PURPOSE: 10' RIGHT OF WAY DEDICATION

LEGAL DESCRIPTION: PARCEL 101 (PREPARED BY SURVEYOR)

A PORTION OF LOTS 1 AND 7, BLOCK 22 OF SCOTTSMOOR ANNEX, AS RECORDED IN PLAT BOOK 3, PAGE 89 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEASTERLY CORNER OF SAID LOT 7, BLOCK 22, SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF SUMMER STREET (40 FEET WIDE RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY LINE OF LORD STREET (50 FEET WIDE RIGHT OF WAY); THENCE SOUTH 15°18'17" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 10.01 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, SOUTH 72°48'43" WEST, A DISTANCE OF 194.13 FEET, TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (RIGHT OF WAY WIDTH VARIES); THENCE NORTH 15°14'05" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 10.01 FEET, TO THE INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF SUMMER STREET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, NORTH 72°48'43" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 194.11 FEET, TO THE POINT OF BEGINNING.

CONTAINING 1,941 SQUARE FEET (0.04 ACRES), MORE OR LESS

SURVEYORS NOTES:

- 1.) BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED VALUE OF N 72°48'43" E FOR THE SOUTHERLY RIGHT OF WAY LINE OF SUMMER STREET.
- 2.) INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR VIA FIRST AMERICAN TITLE INSURANCE COMPANY: COMMITMENT FILE No. 2017-403, DATED FEBRUARY 16, 2017 AND COMMITMENT FILE No. 2017-425, DATED MARCH 8, 2017. A SEARCH OF THE PUBLIC RECORDS HAS NOT BEEN DONE BY THIS SURVEYOR.
- 3.) THERE ARE NO EASEMENTS AFFECTING OR ABUTTING THIS PROPERTY.

Thomas E. Bon 12/21/17

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

THOMAS E. BON, PSM 6547
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: THOMAS R. BON, PSM 6547
CHW
132 NW 76TH DRIVE, GAINESVILLE, FL 32607
(W) (352)331-1976 (C) (352) 317-0260

DRAWN BY: TRB	CHECKED BY: TRB	PROJECT NO. 17-0143.15			SECTION 37 (WILLIAM GARVIN GRANT) TOWNSHIP 20 SOUTH RANGE 34 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 10/16/2017	DRAWING: 17-0143 ROW - County				

SKETCH OF DESCRIPTION

PARCEL #101

PARENT PARCEL ID#: 20G-34-37-02-22-1 AND 20G-34-37-02-22-7

PURPOSE: 10' RIGHT OF WAY DEDICATION

EXHIBIT "A"

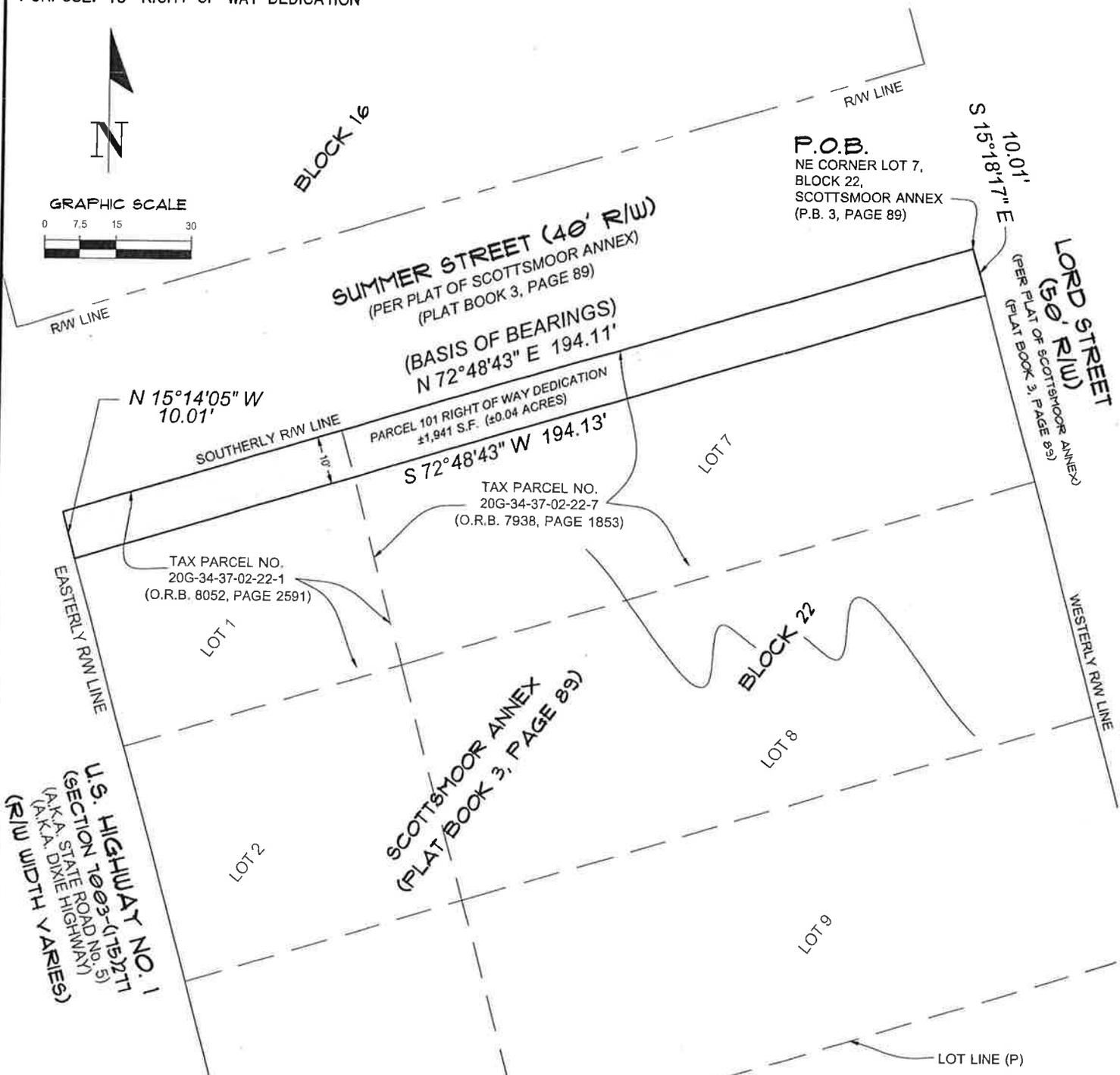
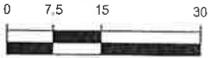
SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



GRAPHIC SCALE



LEGEND:

- O.R.B. = OFFICIAL RECORDS BOOK
- S.F. = SQUARE FEET
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- RW = RIGHT OF WAY

PREPARED BY: THOMAS R. BON, PSM 6547
CHW
132 NW 76TH DRIVE, GAINESVILLE, FL 32607
(W) (352)331-1976 (C) (352) 317-0260

SCALE:
1" = 30'

PROJECT NO.:
17-0143.15

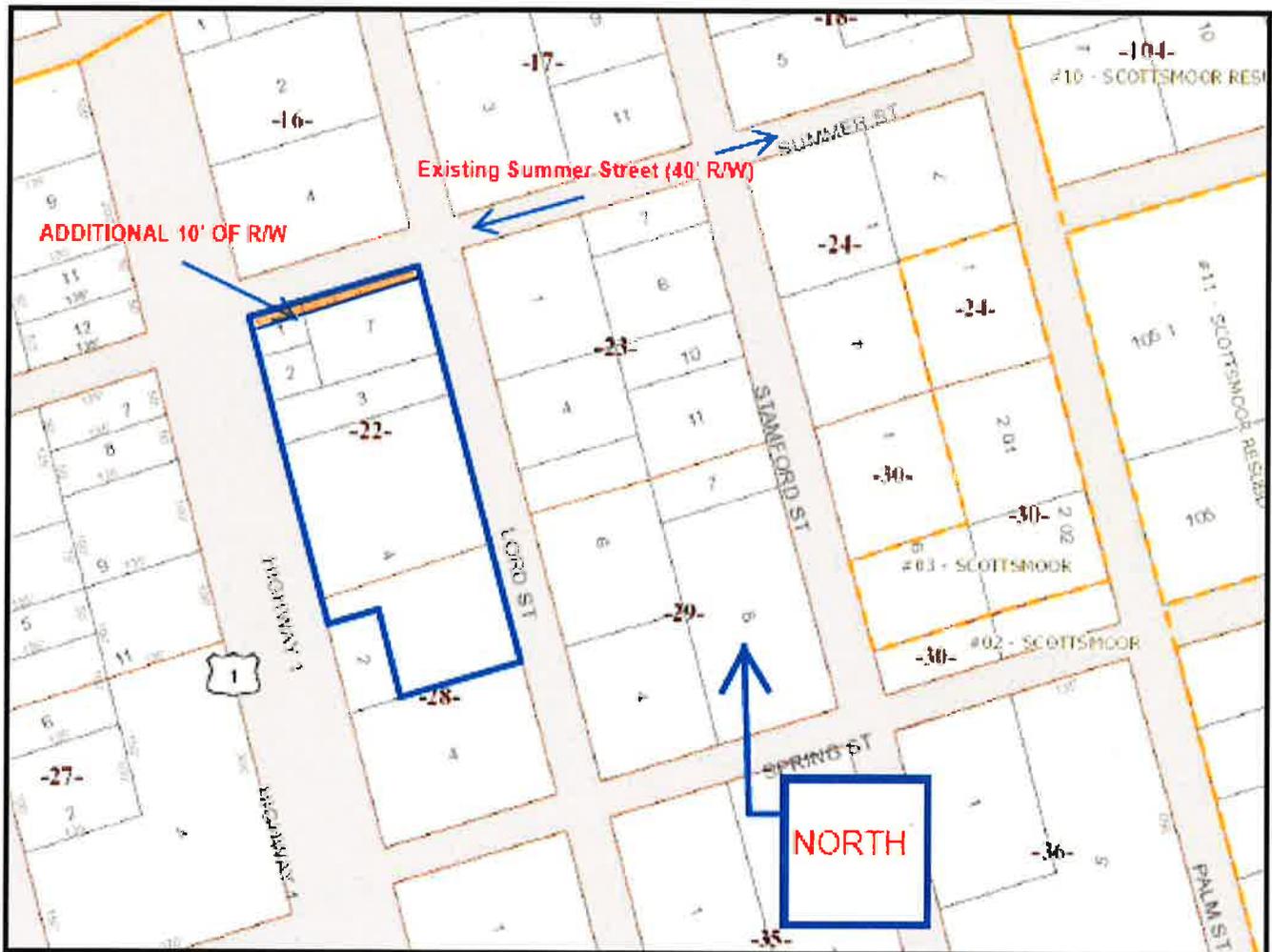
SECTION 37
(WILLIAM GARVIN GRANT)
TOWNSHIP 20 SOUTH
RANGE 34 EAST

LOCATION MAP

SEC: 37 TWP: 20G RNG: 34 EAST DISTRICT: 1

STREET NAME: US#1 @ SUMMER STREET

OWNER'S NAME: CONCEPT DEVELOPMENT, INC.



Property Fact Sheet

Owners: Concept Development, Inc.

Parcel Location: South East Corner of US#1 @ Summer St.

Parent Parcel: 1.87 Acres (Five Parcel Assemblage)

Right of Way to be acquired: 1,943 Sq/Ft (10.01 X 194.13)

Zoning/ Land Use: Commercial/Retail

Improvements: None

Proposed: Retail Store

Topography: Level with road grade

Flood Zone: X

Public Utilities: Electric

Tax Parcel ID's:	Market Value	Purchase Price (2017)
20G-34-37-02-22-1	\$ 730.00	\$7,000.00
20G-34-37-02-22-2	\$ 730.00	\$12,000.00
20G-34-37-02-22-3	\$ 8,090.00	(Lots 3&4)
20G-34-37-02-22-4	\$27,110.00	\$140,000.00
20G-34-37-02-22-7	<u>\$ 6,750.00</u>	<u>\$35,000.00</u>
Estimated <u>total</u> property value	\$43,410.00	\$194,000.00