



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.2.

1/11/2022

Subject:

Approval, Re: Warranty Deed and Bill of Sale from The Viera Company for Additional Conveyance to Support Lift Station W31, Sendero Cove and Sierra Cove at Addison Village Phases 4 and 5- District 4.

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 20, Township 26 South, Range 36 East, east of Pineda Boulevard and West of Stadium Parkway in Viera.

The Viera Company established the Seder Cove and Sierra Cove at Addison Village Phases 4 and 5 by plat, recorded in Plat Book 70 at Page 15. The Plat contained a County dedication of Tract X for the purpose of County owned Lift Station W31. In order to provide coverage for the force main line, additional property is needed. The attached Warranty Deed will convey the additionally needed parcel. The attached Bill of Sale formally conveys the related force main infrastructure that is to 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.

Clerk to the Board Instructions:



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

January 12, 2022

MEMORANDUM

TO: Marc Bernath, Public Works Director

Attn: Lucy Hamelers

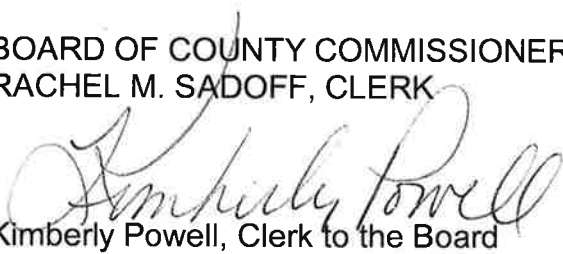
RE: Item F.2., Approval, Re: Warranty Deed and Bill of Sale from The Viera Company for Additional Conveyance to Support Lift Station W31, Sendero Cove and Sierra Cove at Addison Village Phases 4 and 5

The Board of County Commissioners, in regular session on January 11, 2022, accepted the Warranty Deed and Bill of Sale from The Viera Company for additional conveyance to support lift station W31, Sendero Cove and Sierra Cove at Addison Village, Phases 4 and 5.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

cc: Utility Services

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Warranty Deed and Bill of Sale from The Viera Company for additional conveyance to support Lift Station W31- Sendero Cove and Sierra Cove at Addison Village Phases 4 and 5 – District 4.

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>12.14.2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	_____	<u>12-17-2021</u>

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940

WARRANTY DEED

THIS DEED is made this 8th day of December, 2021, by The Viera Company, a Florida corporation, hereafter called the Grantor, whose mailing address is 7380 Murrell Road, Suite 201, Viera, Florida 32940, 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:

Charlene R. Spangler

Witness

Charlene R. Spangler

print name

Cheryl W. Dixon

Witness

Cheryl W. Dixon

print name

The Viera Company, a Florida Corporation

BY:

[Signature]

Todd J. Pokrywa

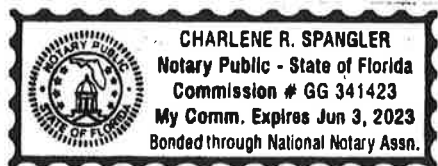
print name and title

(Corporate Seal)



STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence of online notarization on this 8th day of Dec, 2021, by Todd J. Pokrywa as President for The Viera Company. Is personally known or produced - as identification.



Charlene R. Spangler

Notary Signature

SEAL

LEGAL DESCRIPTION

PARCEL # 100

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

PARENT PARCEL: TRACT AA, SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASES 4 & 5, RECORDED IN PLAT BOOK 70, PAGE 15, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

THIS IS NOT A SURVEY

PURPOSE: FEE SIMPLE CONVEYANCE

LEGAL DESCRIPTION: PARCEL # 100 FEE SIMPLE CONVEYANCE (PREPARED BY SURVEYOR)

PART OF TRACT AA, SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASES 4 & 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGE 15, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 20, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE EASTERN MOST CORNER OF TRACT X, OF SAID SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASES 4 & 5 AND RUN N47°28'24"W, ALONG THE NORTHEAST LINE OF SAID TRACT X, A DISTANCE OF 39.87 FEET TO THE NORTHERN MOST CORNER OF SAID TRACT X, AND A NON-TANGENT INTERSECTION WITH THE CURVED SOUTHERLY RIGHT-OF-WAY LINE OF CATALISSA AVENUE, A 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY ACCORDING TO THE PLAT OF SAID SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASES 4 & 5; THENCE ALONG THE ARC OF SAID CURVED RIGHT-OF-WAY LINE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF 0°45'51", A CHORD LENGTH OF 3.00 FEET AND A CHORD BEARING OF N41°36'17"E), A DISTANCE OF 3.00 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTHEAST; THENCE S47°28'24"E, ALONG SAID NON-TANGENT LINE, PARALLEL TO AND 3 FEET NORTHEASTERLY OF (AS MEASURED PERPENDICULARLY) THE NORTHEAST LINE OF SAID TRACT X, A DISTANCE OF 39.92 FEET; THENCE S42°31'36"W, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING, CONTAINING 120.00 SQUARE FEET OR 0.003 ACRES, MORE OR LESS.

SURVEYORS NOTES:

- DESCRIPTION OF PART OF TRACT AA, SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASES 4 & 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGE 15, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 20, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA.
- THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
- BEARING REFERENCE: ASSUMED BEARING OF N47°28'24"W ON THE NORTHEAST LINE OF TRACT X, SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASES 4 & 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGE 15, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
- THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF THAT CERTAIN OPINION OF TITLE FOR THE LANDS DESCRIBED HEREON PREPARED BY DEAN MEAD DATED OCTOBER 27, 2021 FOR INFORMATION REGARDING EASEMENTS AND/OR ENCUMBRANCES AFFECTING THE LANDS DESCRIBED HEREON AND WHICH ARE NOTED AND/OR SHOWN HEREON. NO OTHER SUCH INFORMATION WAS PROVIDED TO, NOR RESEARCHED BY THE SURVEYOR DURING THE PREPARATION OF THIS DESCRIPTION.
- THIS DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025.
- THIS DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.



Digitally signed by
 Leslie E Howard
 Date: 2021.11.15
 10:53:55 -05'00'

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

LESLIE E. HOWARD, PSM 5811
 PROFESSIONAL SURVEYOR & MAPPER
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: B.S.E. CONSULTANTS, INC.
 312 S. HARBOUR CITY BLVD
 MELBOURNE, FLORIDA 32901

DRAWN BY: LEH/IT	CHECKED BY: LEH	PROJECT NO. 11423.07			SECTION 20 TOWNSHIP 26 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 10/27/2021	DRAWING: 1142307_100_005		11/15/2021	COUNTY COMMENTS	

SKETCH OF DESCRIPTION

PARCEL # 100

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

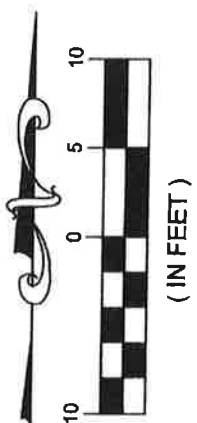
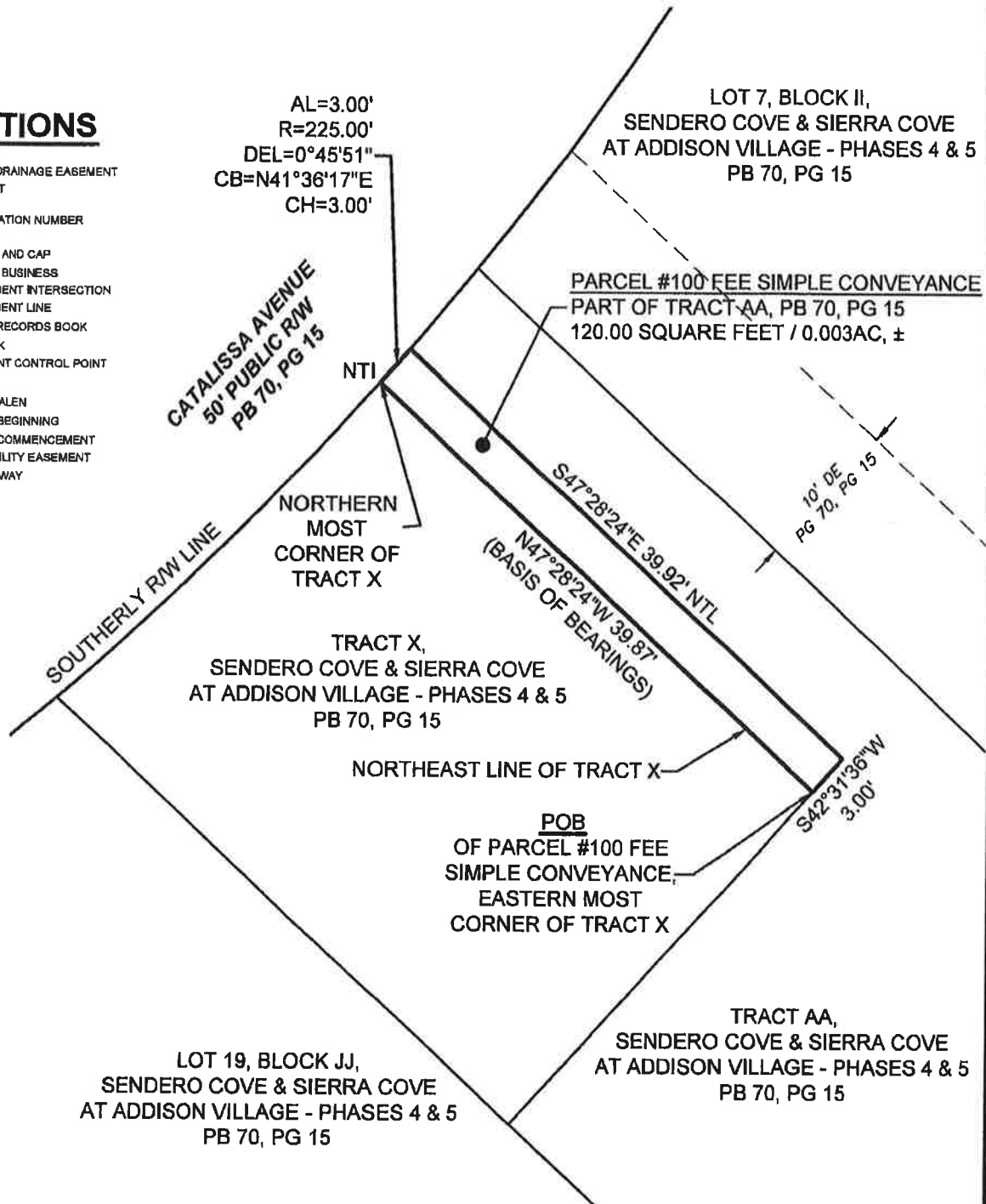
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PURPOSE: FEE SIMPLE CONVEYANCE

ABBREVIATIONS

COR	CORNER
DE	PRIVATE DRAINAGE EASEMENT
ESMT	EASEMENT
FT	FEET
ID#	IDENTIFICATION NUMBER
IR	IRON ROD
IRC	IRON ROD AND CAP
LB	LICENSED BUSINESS
NTI	NON-TANGENT INTERSECTION
NTL	NON-TANGENT LINE
OR/ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PCP	PERMANENT CONTROL POINT
PG(S)	PAGE(S)
PK	PARKER-KALEN
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PUE	PUBLIC UTILITY EASEMENT
R/W	RIGHT-OF-WAY



PREPARED BY: B.S.E. CONSULTANTS, INC. 312 S. HARBOUR CITY BLVD MELBOURNE, FLORIDA 3290	INTENDED SCALE: 1" = 10'	SECTION 20 TOWNSHIP 26 SOUTH RANGE 36 EAST
	PROJECT NO.: 11423.07	

BILL OF SALE

The Viera Company, a Florida Corporation ("Seller"), hereinafter known as TVC, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration to it paid by **BREVARD COUNTY FLORIDA**, a political subdivision of the State of Florida ("Buyer"), the receipt and sufficiency of which consideration is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer and deliver unto County, its successors and assigns, the goods, chattels and items of personal property owned by TVC, their successors and assigns, 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 County, its successors and assigns, forever.

AND The Viera Company, a Florida Corporation does, for themselves and their successors and assigns, covenant to and with County, its successors and assigns, that TVC, is the lawful owners of said goods, chattels and personal property (hereafter collectively the "property"); that said property is free from all liens and encumbrances; that TVC, has good right to sell the same aforesaid; and that TVC will warrant and defend the sale of said property hereby made unto County, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The Viera Company, a Florida Corporation has caused this instrument to be executed and delivered and has intended this instrument to be and become effective as of the 8th day of December, 2021.

The Viera Company, a Florida Corporation

BY [Signature]

Todd J. Pokrywa, President
print name and title

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF BREVARD



The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 8th day of December, 2021 by Todd J. Pokrywa, as President of The Viera Company, a Florida corporation, [] who are personally known to me or [] who have provided a Florida driver's license as identification.

Charlene R. Spangler
Notary Public

My Commission Expires:

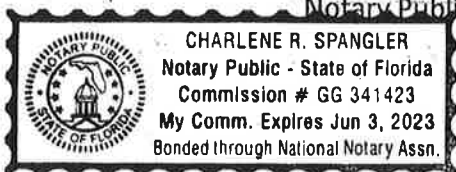


Exhibit "A"

Personal Property

1. Sanitary Sewer Force Main

Exhibit "B"

Real Property described as parcel #100 attached.

LEGAL DESCRIPTION

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Digitally signed by
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PREPARED FOR AND CERTIFIED TO:
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DRAWN BY: LEH/IT	CHECKED BY: LEH	PROJECT NO. 11423.07			SECTION 20 TOWNSHIP 26 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 10/27/2021	DRAWING: 1142307_100_005		11/15/2021	COUNTY COMMENTS	

SKETCH OF DESCRIPTION

PARCEL # 100

EXHIBIT "A"

SHEET 2 OF 2

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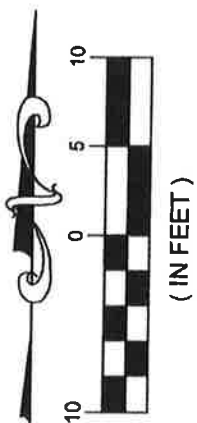
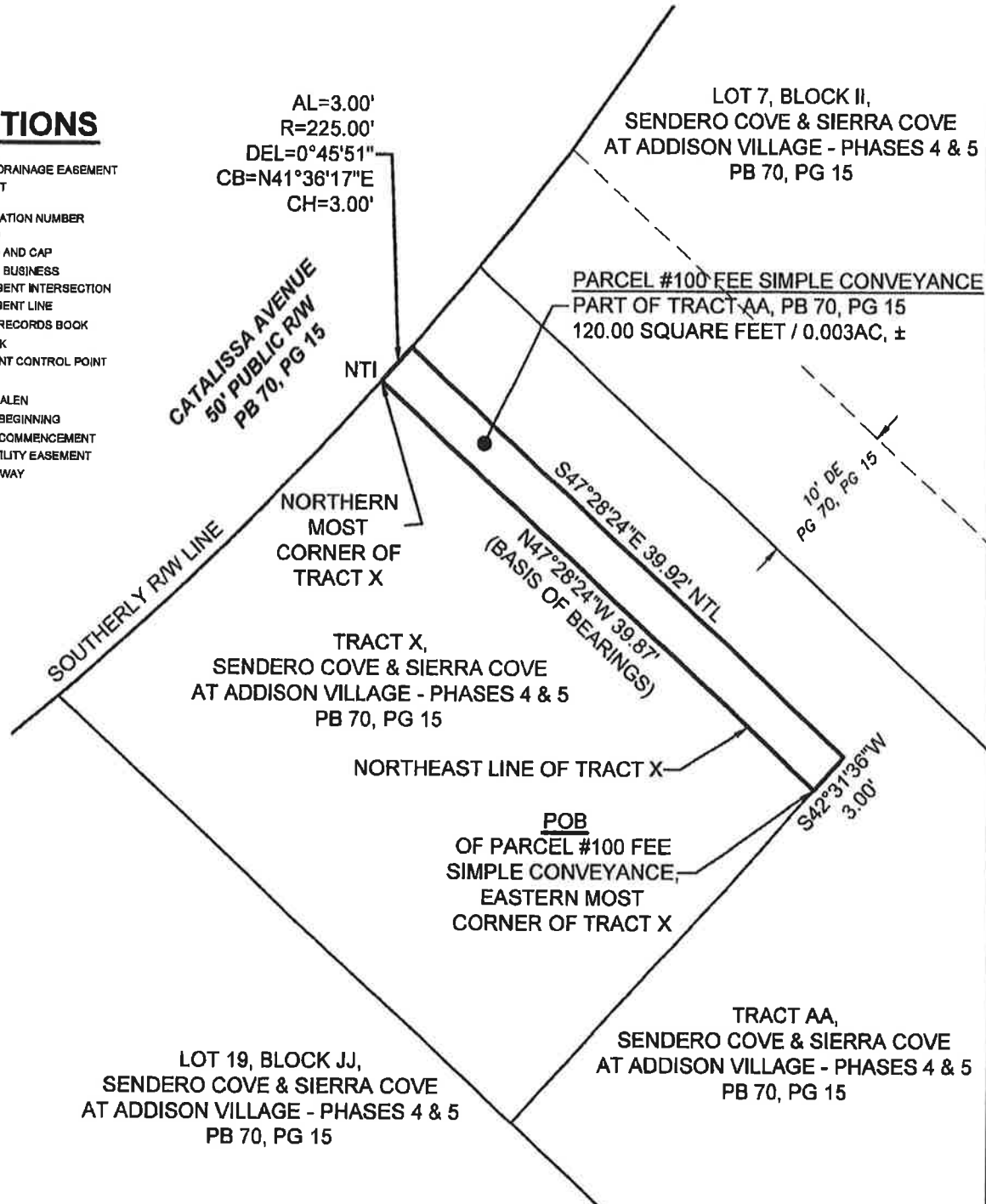
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MELBOURNE, FLORIDA 3290

INTENDED SCALE:
1" = 10'

PROJECT NO.:
11423.07

SECTION 20
TOWNSHIP 26 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 20, Township 26 South, Range 37 East - District: 4

PROPERTY LOCATION: East of Pineda Boulevard, West of Stadium Parkway in Viera

OWNERS NAME(S): The Viera Company

