



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

2/6/2024

Subject:

Approval, Re: Dedication by Warranty Deed for Tract J of Reeling Park North and Seville at Addison Village - Phase 1 and Bill of Sale from The Viera Company, all Related to Lift Station U-75 - 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 21, Township 26 South, Range 36 East, west of Lake Andrew Drive on the north side of Ribera Drive in Viera.

The Viera Company established Reeling Park North and Seville at Addison Village - Phase 1 by Plat recorded in Plat Book 61, Pages 37 through 44. The Plat dedicated Tract J to The Viera Company for future development. Lift Station U-75 was built in May 2017 on Tract J and has been County maintained since activation. The required as-builts were provided to the Department at the time of completion. The attached Warranty Deed will formalize the conveyance of fee simple ownership of Tract J. The Bill of Sale conveys the related utility infrastructure which will continue to be maintained by the County.

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:



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

February 7, 2024

M E M O R A N D U M

TO: Marc Bernath, Public Works Director Attn: Lisa Kruse

RE: Item F.4., Approval of Dedication by Warranty Deed for Tract J of Reeling Park North and Seville at Addison Village – Phase 1 and Bill of Sale from The Viera Company, all related to Lift Station U-75

The Board of County Commissioners, in regular session on February 6, 2024, approved acceptance of the Dedication by Warranty Deed for Tract J of Reeling Park North and Seville at Addison Village – Phase 1 and Bill of Sale from The Viera Company, all related to Lift Station U-75.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for: Donna Scott
Kimberly Powell, Clerk to the Board

/ds

cc: Utility Services

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Dedication by Warranty Deed for Tract J of Reeling Park North and Seville at Addison Village - Phase 1 and Bill of Sale from The Viera Company, all Related to Lift Station U-75 – District 4

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa J. Kruse, Land Acquisition Specialist II

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u>RA</u>	<u> </u>	<u>1-5-24</u>
COUNTY ATTORNEY Alex Esseeesse Deputy County Attorney	<u>AE</u>	<u> </u>	<u>1/9/24</u>

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: 26-36-21-WG-*-J

WARRANTY DEED

THIS DEED is made this 20th day of Dec, 2023, 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.

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

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:

Karen P. Prosser

Witness

KAREN P. PROSSER

Print Name

Mary Ellen McKibben

Witness

Mary Ellen McKibben

Print Name

GRANTOR:

The Viera Company, a Florida corporation

By: [Signature]

Todd J. Pokrywa, President

(Corporate Seal)



STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 20th day of Dec, 2023, by Todd J. Pokrywa as President for The Viera Company, a Florida corporation. Is ☒ personally known or ☐ produced _____ as identification.

Mary Ellen McKibben
Notary Signature

SEAL

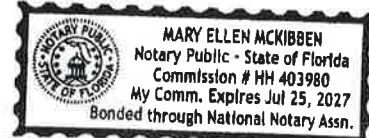


EXHIBIT "A"

Tract J, Reeling Park North and Seville at Addison Village – Phase 1, according to the Plat thereof, as recorded in Plat Book 61, Page(s) 37 – 44, inclusive, of the Public Records of Brevard County, Florida.

BILL OF SALE
(Lift Station U-75)

The Viera Company, a Florida corporation ("Seller"), 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 The Viera Company, 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, does, for themselves and their successors and assigns, covenant to and with County, its successors and assigns, that they are 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 The Viera Company has good right to sell the same aforesaid; and that they 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 has caused this instrument to be executed and delivered and has intended this instrument to be and become effective as of the 20th day of Dec., 2023.

The Viera Company, a Florida corporation

By: Todd J. Pokrywa

Todd J. Pokrywa, President

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 20th day of Dec, 2023, by Todd J. Pokrywa as President for The Viera Company, a Florida corporation. Is ☒ personally known or ☐ produced _____ as identification.

Mary Ellen McKibben
Notary Signature

SEAL



**REELING PARK NORTH, PHASE 1
TRACT J - LIFT STATION
ITEMIZED COST OF CONSTRUCTION - LIFT STATION
EXHIBIT "A"**

ITEM	UNIT	QUANTITIES	UNIT PRICE	TOTAL PRICE
WET WELL AND ALL ASSOCIATED INTERNAL PIPING AND CONTROL SYSTEMS	LS	1		
SUBMERSIBLE WASTEWATER PUMPS	EA	2		
ABOVE GROUND FORCE MAIN AND VALVE INSTALLATION	LS	1		
CONTROL PANEL AND ASSOCIATED ELECTRICAL WIRING AND CONTROL SYSTEMS	LS	1		
TELEMETRY TOWER	LS	1		
CONCRETE DRIVEWAY	LS	1		
TOTAL				\$ 620,000.00

EXHIBIT "B"

Tract J, Reeling Park North and Seville at Addison Village – Phase 1, according to the Plat thereof, as recorded In Plat Book 61, Page(s) 37 – 44, inclusive, of the Public Records of Brevard County, Florida.

LOCATION MAP

Section 21, Township 26 South, Range 36 East – District 4

PROPERTY LOCATION: West of Lake Andrew Drive on the north side of Ribera Drive in Viera.

OWNERS NAME(S): The Viera Company

