



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.9.

7/6/2021

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### Subject:

Approval, Re: Warranty Deed from Pulte Home Company, LLC to Convey Tracts D and F of the Island Crossings Plat- District 2.

### Fiscal Impact:

None

### Dept/Office:

Public Works Department / Land Acquisition / Utility Services 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 18, Township 24 South, Range 37 East, on the west side of North Banana River Drive in Merritt Island.

On September 26, 1995, Brevard County Board of County Commissioners accepted the Plat for Island Crossings as recorded in Plat Book 41, Page 78, Brevard County. The language contained on the general notes section of the Plat for Tracts D (lift station) and F (future Right of Way) reads "to be owned and maintained by Brevard County". This creates ambiguity with the Dedication section of the Plat. The attached Warranty Deed will correct the Plat and provide the intended ownership and maintenance record for Tracts D and F.

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

July 7, 2021

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

**TO:** Marc Bernath, Public Works Director

**RE:** Item F.9., Approval for Warranty Deed from Pulte Home Company, LLC to Convey Tracts D and F of the Island Crossings Plat

The Board of County Commissioners, in regular session on July 6, 2021, approved and accepted the Warranty Deed from Pulte Home Company, LLC to convey Tracts D and F of the Island Crossing Plat.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

*Kimberly Powell*  
Kimberly Powell, Clerk to the Board

cc: Utility Services

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: Warranty Deed from Pulte Home Company, LLC to Convey Tracts D & F of Island Crossings Plat – District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 Ext. 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>4.23.2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney		_____	<u>5-3-2021</u>

Prepared by and return to: Lucy Hamelers  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
Tax Parcel ID: 24-37-18-01-\*D\_F

### WARRANTY DEED

**THIS INDENTURE** is made this 24<sup>th</sup> day of February, 2021, by Pulte Home Company, LLC, a Michigan limited liability company, hereafter called the Grantor, whose mailing address is 350 Peachtree Road Northeast, Suite 150, Atlanta, Georgia 30326, 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, situate, lying and being in the Brevard County, State of Florida, to-wit:

Tracts D and F, Island Crossings, according to the plat thereof, as recorded in Plat Book 41, Pages 78 and 79, Public Records of Brevard County, Florida.

**TO HAVE AND TO HOLD THE SAME**, together with all and singular the appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title & 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.

(Signatures 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:

Rachelle Lewis

Witness

Rachelle Lewis

Print Name

Kelly V. Costantino

Witness

Kelly V. Costantino

Print Name

Pulte Home Company, LLC, a  
Michigan limited liability company

BY:

Scott M. Clements  
Scott M. Clements, Vice President

(Corporate Seal)

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 24<sup>th</sup> day of February, 2021, by Scott M. Clements, as Vice President of Pulte Home Company, LLC, a Michigan limited liability company. Is personally known or produced \_\_\_\_\_ as identification.

Kelly V. Costantino  
Notary Signature  
SEAL

Board Meeting Date: July 6, 2021  
Agenda Item # \_\_\_\_\_



## LOCATION MAP

**Section 18, Township 24 South, Range 37 East - District 2**

PROPERTY LOCATION: West side of North Banana River Drive in Merritt Island

OWNERS NAME: Pulte Home Company

