

**F. Consent Agenda - Public Works Department
ITEM 3.**



**AGENDA REPORT
March 12, 2019**

**Approval Re: Warranty Deed from Lake Geneva Group, LLC – Dedication of
additional Right of Way on Smith Road, Merritt Island - District 2.**

SUBJECT:

Approval Re: Warranty Deed from Lake Geneva Group, LLC – Dedication of
additional Right of Way on Smith Road, Merritt Island - District 2.

FISCAL IMPACT:

Fiscal Impact: FY 2018-2019: No impact
FY 2019-2020: No impact

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board of County Commissioners approve and accept a Warranty
Deed from Lake Geneva Group, LLC.

SUMMARY EXPLANATION and BACKGROUND:

The subject property is located in Section 11, Township 24 South, Range 36 East.

Lake Geneva Group, LLC, property owner, plans to develop the property on Smith Road
as an overnight/extended parking facility to serve the Canaveral Cruise Lines, Port
Canaveral.

In order to bring Smith Road into compliance and meet Brevard County Land
Development Codes minimum width standards for road right of way, Lake Geneva Group,
LLC has agreed to convey approximately 44 feet of property along their northern property
boundary.

Land Acquisition Policies and Procedures require approval and acceptance by the Board
of County Commissioners for all Right of Way.

ATTACHMENTS:

Description

- ▣ **Smith Road-Lake Geneva Group Agenda Documents**

BOARD OF COUNTY COMMISSIONERS

AGENDA: WARRANTY DEED IN FAVOR OF BREVARD COUNTY FROM LAKE
GENEVA GROUP, LLC FOR ADDITIONAL RIGHT OF WAY ON SMITH
ROAD - DISTRICT 2

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT
PHONE: 321-690-6847 (52886)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>DJ</u>	_____	<u>2/22/19</u>
COUNTY ATTORNEY Jad Brewer Assistant County Attorney	<u>JMB</u>	_____	<u>2/25/19</u>

AGENDA DUE DATE: March 5, 2019 for March 12, 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 (56847) WHEN READY TO BE PICKED UP.

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

March 13, 2019

M E M O R A N D U M

TO: Corrina Gumm, Interim Public Works Director

RE: Item F.3., Approval of Warranty Deed from Lake Geneva Group, LLC – Dedication of Additional Right-of-Way on Smith Road, Merritt Island

The Board of County Commissioners, in regular session on March 12, 2019, accepted Warranty Deed from Lake Geneva Group, LLC for the dedication of an additional right-of-way on Smith Road, Merritt Island.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

WARRANTY DEED

THIS INDENTURE is made this 11th day of Feb, 2019, between, **Lake Geneva Group, LLC**, as party of the first part, whose address is 402 High Point Drive, Suite #101, Cocoa, Florida 32926 and **Brevard County, Florida**, a political subdivision of the State of Florida, as party of the second part, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations 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, situate, lying and being in the County of Brevard, State of Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

This deed is made for the purpose of giving and granting to the party of the second part, its successors and assigns, a fee simple interest in and to said lands for public road purposes, public utilities, and other allied uses pertaining thereto.

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, and interest 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, the party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered in the presence of:

Lake Geneva Group, LLC

Summit Shah, Manager

Witness

Print

Witness

Print

STATE OF FLORIDA, COUNTY OF BREVARD

I HEREBY CERTIFY, that on this day personally appeared me, an officer duly authorized to administer oaths and take acknowledgments, Summit Shah, personally and well known to me to be the person described in and who executed the foregoing deed, and that he acknowledged before me that he executed the same freely and voluntarily for the purpose therein expressed and that he has/has not produced a _____ as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid, this 11th day of February, 2019.

Notary Public

As approved by the Board on: _____
Agenda Item # _____

Print Name _____
Seal:



ORIGINAL
COPY

LEGAL DESCRIPTION

PARCEL #100

PARENT PARCEL ID #24-36-11-00-501

PURPOSE: FEE SIMPLE RIGHT OF WAY

EXHIBIT 'A'

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2
(THIS IS NOT A SURVEY)

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BEING THE NORTH 44.00 FEET OF LANDS DESCRIBED IN O.R. 6116, PAGE 1225 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 11, AND RUN N.89°38'30"E., ALONG THE NORTH LINE OF THE SOUTHWEST 1/4, A DISTANCE OF 833.23 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 3 (ALSO NORTH COURTENAY PARKWAY) AS DEFINED IN FINAL JUDGEMENT PARCEL 102 IN OFFICIAL RECORDS BOOK 3677, PAGE 3849 OF SAID PUBLIC RECORDS, THE POINT OF BEGINNING; THENCE CONTINUE N.89°38'50"E., ALONG SAID NORTH LINE, A DISTANCE OF 480.25 FEET TO THE NORTHEAST CORNER OF THE N.W. 1/4 OF THE S.W. 1/4 OF SAID SECTION 11; THENCE S.00°25'16"E., ALONG THE EAST LINE OF SAID N.W. 1/4 OF THE S.W. 1/4, A DISTANCE OF 44.00 FEET; THENCE DEPARTING SAID EAST LINE, RUN S.89°38'50"W., PARALLEL WITH AND 44.00 FEET DISTANT SOUTH FROM THE AFORESAID NORTH LINE OF THE S.W. 1/4, A DISTANCE OF 477.02 FEET TO A POINT ON THE AFORESAID EASTERLY RIGHT OF WAY LINE OF NORTH COURTENAY PARKWAY; THENCE N.04°37'07"W., ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 44.12 FEET TO THE POINT OF BEGINNING; CONTAINING 21,060 SQUARE FEET / 0.483 ACRES.

SURVEYOR'S NOTES:

BEARING STRUCTURE - BASED ON AN ASSUMED MERIDIAN FOR COMPUTATIONAL PURPOSES. SPECIFIC REFERENCE - NORTH LINE OF S.W. 1/4 OF SECTION 11-24-36 = A BEARING OF N89°38'50"E.

PREPARED FOR & CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS


ROBERT M. PACKARD, PSM
SURVEYOR & MAPPER, PSM NO. #3867
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: **R.M. PACKARD & ASSOC., INC.**
1193 U.S. HIGHWAY 1 / UNIT 3
ROCKLEDGE, FLORIDA 32955
TEL: (321) 632-6335
FLORIDA CORPORATE CERTIFICATE #6649

DRAWN BY: MWP

CHECKED BY: RMP

PROJECT NO.: 00-119 (SMITH)

SECTION 11

DATE: 11/16/2018

DRAWING: 00-119 (SMITH)

REVISIONS

DATE

DESCRIPTION

2/8/19

REVIEW COMMENTS

TOWNSHIP 24 SOUTH

RANGE 36 EAST

PARCEL #100

PURPOSE: FEE SIMPLE RIGHT OF WAY

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2
(THIS IS NOT A SURVEY)



O.R.B. = OFFICIAL RECORDS BOOK
PG. = PAGE
SEC. = SECTION
TWP. = TOWNSHIP
RGE. = RANGE

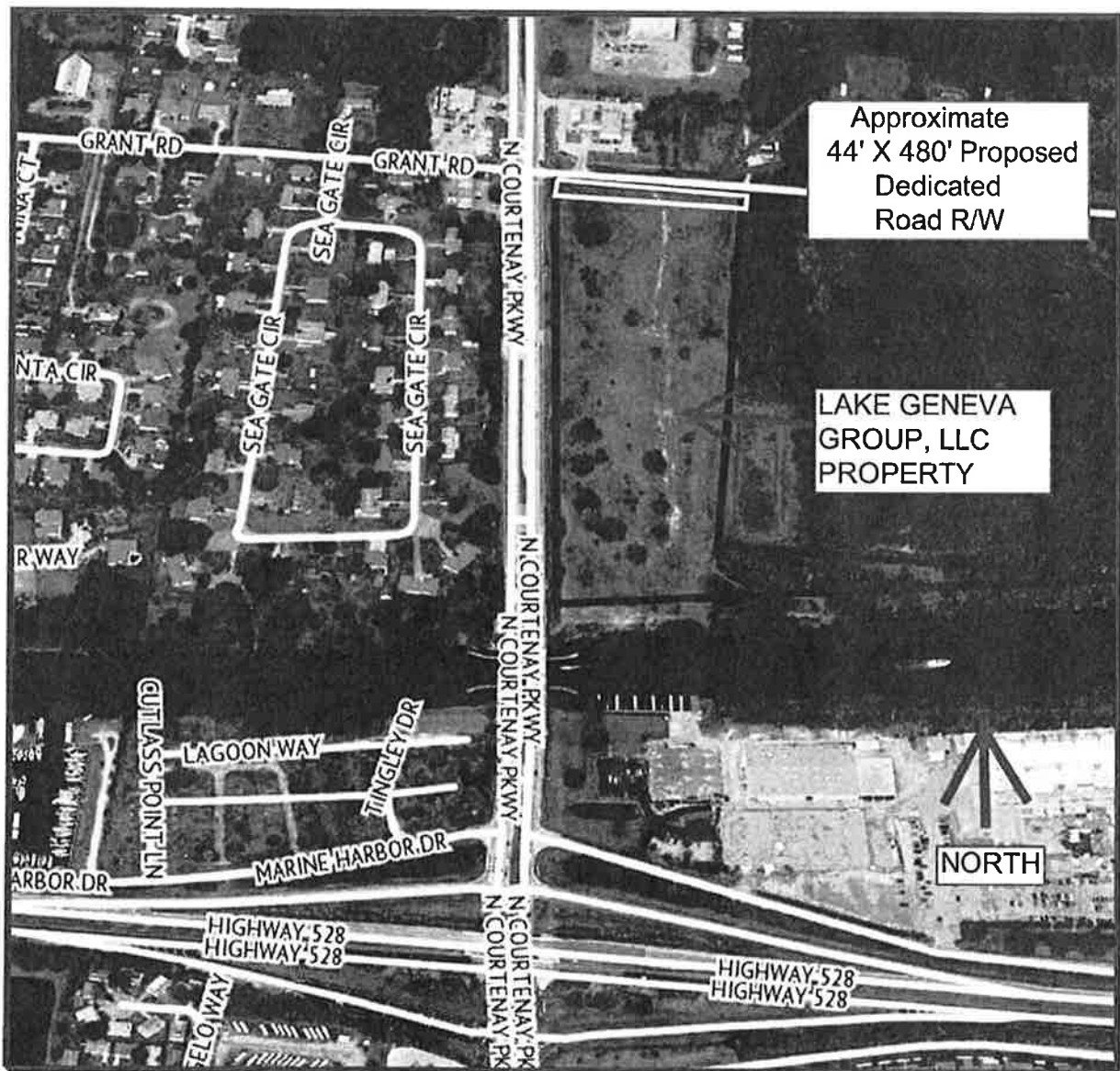
SECTION 11
TOWNSHIP 24 SOUTH
RANGE 36 EAST

LOCATION MAP

SEC: 11 TWP: 24 RNG: 36 DISTRICT: 2

STREET NAME: SMITH ROAD – MERRIT ISLAND

OWNER'S NAME: LAKE GENEVA GROUP, LLC



**PROPERTY FACT SHEET
(SMITH ROAD R/W)**

Owners:	Lake Geneva Group, LLC
Parcel location:	Smith Road (East side of SR#3) Merritt Island, FL 32952
Parent Parcel Size:	16.35 Acres
Area to be acquired	2,312 Square/Feet (.438 Acre)
Current Zoning/Land Use:	PIP-Planned Industrial Park
Improvements:	N/A
Topography:	Level with road grade
Flood Zone:	X-Minimal Flood Risk
Tax Parcel I.D.:	24-36-11-00-501
Assessed Value:	\$1,338,800.00 (Brevard County Property Appraiser Assessed Value)
Public Utilities:	Water, Sewer, Electric, Cable.
Last Property Transfer	02/28/2017 - \$1,030,000.00