

April 9, 2019

Approval Re: Donation of Warranty Deed from Poplar Associates, LLC and IRS Form 8283 Non-cash Charitable Contributions for parcel known as Mud Lake Area - District 2.

SUBJECT:

Approval Re: Donation of Warranty Deed from Poplar Associates, LLC and IRS Form 8283 Noncash Charitable Contributions for parcel known as Mud Lake Area - 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: 1) accept the Warranty Deed from Poplar Associates, LLC, and 2) authorize County Manager to execute IRS Form 8283 for Noncash Charitable Contributions.

SUMMARY EXPLANATION and BACKGROUND:

The subject parcel is located in Section 18, Township 24 South, Range 36 East.

Natural Resources Management Department was contacted by the Poplar Associates, LLC (owner) to offer a donation of parcel in an area known as Mud Lake. The Department determined that the parcel could be used for a future Mud Lake flood mitigation project to benefit the West Cocoa drainage basin.

In order for Poplar Associates, LLC to receive a tax credit for the donation an acknowledgement of receipt of the parcel is required by the County on IRS Tax Form 8283 Noncash Charitable Contributions.

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

CLERK TO THE BOARD INSTRUCTIONS:

Return original executed IRS Form 8283 Noncash Charitable Contributions form and Board approval memo to Public Works Department, Land Acquisition Section, with a copy

to Natural Resources Management Department.

ATTACHMENTS:

Description

Mud Lake - Poplar Associates

BOARD OF COUNTY COMMISSIONERS

AGENDA:	DONATION OF WARRANTY DEED AND IRS FORM 8283 NONCASH CHARITABLE CONTRIBUTIONS FOR PARCEL KNOWN AS MUD LAKE AREA FROM POPLAR ASSOCIATES, LLC – DISTRICT 2									
AGENCY:	PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION / NATURAL RESOURCES MANAGEMENT DEPARTMENT									
AGENCY CO	ONTACT:	LUCY HAMELERS, LAND	ACQL	IISITION SPECIA	LIST					
CONTACT F	PHONE:	321-690-6847 (5631	16)							
			REVIE	EW						
		APPROVE		DISAPPROVE	DATE					
LAND ACQU Dan Jones, S		SPS	_ _		3/11/19					
COUNTY AT Jad Brewer Assistant Co		JMB	2		3/21/19					

AGENDA DUE DATE: March 19, 2019 for the March 26, 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 (5-6847) WHEN READY TO BE PICKED UP.

THANK YOU.



FLORIDA'S SPACE COAST

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



April 10, 2019

MEMORANDUM

TO: Corrina Gumm, Interim Public Works Director

RE: Item F.2., Approval of Donation of Warranty Deed from Poplar Associates, LLC and IRS Form 8283 Non-Cash Charitable Contributions for Parcel Known as Mud Lake Area

The Board of County Commissioners, in regular session on April 9, 2019, accepted Warranty Deed from Poplar Associates, LLC; and authorized the County Manager to execute the IRS Form 8283 for Noncash Charitable Contributions for parcel known as Mud Lake Area. Enclosed is the IRS Form for your action.

Your continued cooperation is greatly appreciated.

Sincerely yours,

Yammy

BOARD OF COUNTY COMMISSIONERS SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/cw

Encl. (1)

cc: Finance

Budget

Contracts Administration

Natural Resources Management

8283

(Rev. December 2014)
Department of the Treasury
Internal Revenue Service
Name(s) shown on your income tax return

Noncash Charitable Contributions

Attach to your tax return if you claimed a total deduction of over \$500 for all contributed property.

▶ Information about Form 8283 and its separate instructions is at www.irs.gov/form8283.

OMB No. 1545-0908

Attachment Sequence No. 155

dentifying number

Poplar Associates, LLC	
rupiar Associates, LLC	56-20547
Note. Figure the amount of your contribution deduction before completing this form. See your tax return instruct	1000
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A				-	TIT			9	_	П	TIT		the number of shares.)		
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	City or town, state,	and ZIP code			-	_			_	_					
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C	ls there a restric	ction limiting the	donated p	rope	rty for	a par	rticula	ir use							

For	m 8283 (Rev. 12-2014))								De	ige 2
Na	me(s) shown on your in	come tax return							Ide	ntifying number	ge
ž	traded se similar ite	Property Over \$5,000 (Exceems) for which you claimed ecurities reported in Section arms. An appraisal is general	A). Provi ly required	ide a sepa d for prop	ore t arate erty	han \$5,000 per form for each p listed in Section	orop B.	or group (excep erty donated unl See instructions.	ess l	ntributions of pub t is part of a grou	llak
	art Infor	mation on Donated Prop	perty-T	o be com	ple	ted by the taxp	aye	er and/or the ap	prais	ser.	
4	Check the box a Art* (contri	that describes the type of prop bution of \$20,000 or more) conservation Contribution	erty donated Art* Othe	ed:	n of	less than \$20,000		g Collectible h intellectual l Vehicles	s**] 🗌 Other	
**Cc	pilectibles include coins	ulptures, watercolors, prints, drawl s, stamps, books, gems, jeweiry, sp you must attach a qualified apj	orts memore	ıbiila, dolla, e	ito., t	ut not art as defined			cripte,	historical memorabilia	, and
5	(a) Description	n of donated property (if you need a, attach a separate statement)		if tangible pro	opert		a brie at the	of summary of the over the time of the gift	rall	(c) Appraised fall market value	,
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B											
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	by doлor (mo., yr.)	(e) How acquired by donor		ted basis		amount received		(h) Amount claimed a deduction		(i) Date of contributio	n
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per Sign	ature of taxpayer (d		above has scribe the s	to the bes specific ite	nt of m. S	my knowledge ar ee instructions. ▶	id be	elief an appraised Date ▶	value n/a		500
		ration of Appraiser									
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	ess address (including	room or suite no.)		Title▶				Date ▶	Identi	fying number	_
										- B	
0.5 0.0	r town, state, and ZIP	code									
	t IV Donee	Acknowledgment To	h	detect to	11.	-,,					
		Acknowledgment—To lon acknowledges that it is a q	De comp	neted by	tne	charitable org	aniz	zation.			
Se	ction B, Part I, abov	e on the following date ▶	damied org	ariization u	HUĐI	section (70(c) an	u tna	at it received the do	onate	d property as descri	bed
im.	This acknowledgm	zation affirms that in the event years after the date of receipt, ent does not represent agreem and to use the property for an	it will file F ent with th	orm 8282, e claimed f	Doi alr n	iee Information Re arket value.	eturn	, with the IRS and	ed In S	the donor a copy of	that
	of charitable organizat				E	mployer Identification	יח חנ	mber	- 17	Yes No	ξ
oard	d of County Comm	issioners of Brevard County,	Florida					59-6000523			
	ss (number, street, and	100000000000000000000000000000000000000			C	ly or town, state, and	ZIP	code			
thor	Judge Fran Jamies		1.11		Vi	era, FL 32940					
on well	150	an all	MO		1.	unly Manager		Da 4	19/	19	
	/				100	with Manager	_			orm 8283 (Rev. 12-2	014
									, ,	TION, 12-5	J (4)

WARRANTY DEED								
Box 36509, Charlotte, NC 28236, and BREVARD COUNTY	THIS INDENTURE is made this							
WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) 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, situated, lying and being in the County of Brevard, State of Florida, to-wit:								
See Attached Legal De	See Attached Legal Description							
Subject to easements, restrictions, and reservations of reservations of reservations of the property described herein does not constitute the constitution	ecord, if any, and taxes for the 2019 and subsequent years. onal homestead of the Grantor herein.							
in anywise incident or appertaining, forever, and the said party of	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 ha	and and seal the day and year first above written.							
Signed, sealed and delivered in the presence of:								
wintess	POPLAR ASSOCIATES, LLC a Foreign Limited Liability Company By: Bertha Straz, Vice President of AJBD Corp., a North Carolina Corporation, as Manager of Poplar Associates, LLC and Authorized Signor on behalf of all Managers							
State of: Narsh Caralina County: MacKlaburg I HEREBY CERTIFY, that on this day personally appear Poplar Associates, LLC, a Foreign Limited Liability Company, w	rell known to me to be the manner described:							
executed me introducing deed, and she acknowledged before me th	at she executed the same freely and voluntarily for the							
Courselle Courselle	Notary Public Ludith F. Sibley Print Name							
Approved by the Board:	Commission Expires: May 3 2021 Commission No							

LEGAL DESCRIPTION MUD LAKE PARCEL

PARENT PARCEL ID#: 24-36-18-50-*-5.01 PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET I OF 3 NOT VALID WITHOUT SHEET 2 & 3 OF 3

THIS IS NOT A SURVEY

PURPOSE: FEE SIMPLE CONVEYANCE

LEGAL DESCRIPTION: OFFICIAL RECORDS BOOK 4480, PAGE 941
A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BEING A PORTION OF LOT 5 OF "COCOA COMMONS" RECORDED IN PLAT BOOK 48, PAGE 27, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SUBDIVISION, AND RUN S. 00'06'46" W., ALONG THE EAST LINE OF SAID SUBDIVISION AND RUN S. 100'06'46" W., ALONG THE EAST LINE OF SAID SUBDIVISION AND OF SAID PUBLIC RECORDS, A DISTANCE OF 97.7.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUES. 000'646" W., ALONG SAID PUBLIC RECORDS, A DISTANCE OF 97.7.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUES. 000'646" W., ALONG SAID SAID STANCE OF 523.44 FEET; THENCE S. 88'33'18" W., PARALLEL WITH THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 00'14'26" E., ALONG SAID WEST LINE, A DISTANCE OF 13.08.43 FEET TO A POINT ON THE WEST LINE OF THE AFORESAID EAST 1/2 OF THE SOUTHWEST 1/4; THENCE N. 65'24'37" E., A DISTANCE OF 17.67 FEET; THENCE S. 89'39'15' E., A DISTANCE OF 68'30' E., A DISTANCE OF 19.68 FEET; THENCE S. 170.14 FEET; THENCE N. 88'30'51" E., A DISTANCE OF 208.34 FEET; THENCE N. 68'37'00" E., A DISTANCE OF 19.68 FEET; THENCE S. 170.14 FEET; THENCE N. 88'30'51" E., A DISTANCE OF 10.75 FEET; THENCE N. 73'12'27" E., A DISTANCE OF 10.75 FEET; THENCE N. 73'12'27" E., A DISTANCE OF 10.75 FEET; THENCE N. 75'33'53" W., A DISTANCE OF 52.50 FEET; THENCE OF 47.18 FEET; THENCE S. 07'32'47" W., A DISTANCE OF 47.88 FEET; THENCE N. 75'33'53" W., A DISTANCE OF 52.50 FEET; THENCE OF 11.45 FEET; THENCE S. 29'11'02" W., A DISTANCE OF 11.45 FEET; THENCE S. 45'45'4" E., A DISTANCE OF 16.70 FEET; THENCE S. 27'46'27" E., A DISTANCE OF 5.81 FEET; THENCE N. 69'01'49" E., A DISTANCE OF 11.45 FEET; THENCE S. 16'46'59" E., A DISTANCE OF 14.466 FEET; THENCE S. 07'32'47" W., A DISTANCE OF 63.32 FEET TO A POINT ON A 140.00 FOOT RADIUS CURVE TO THE LEFT, HANDIG A RADIUS ERROR OF N. 32'33'55" E., ADISTANCE OF 53.28 FEET; THENCE S

LESS AND EXCEPT THAT 30 FOOT WIDE GAS TRANSMISSION EASEMENT RECORDED IN O.R. BOOK 587, PAGE 30, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS (BY SURVEYOR):

COMMENCE AT THE NORTHEAST CORNER OF COCOA COMMONS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGE 27; THENCE SOUTH 00'06'46" WEST, ALONG THE EAST LINE OF SAID SUBDIVISION FOR A DISTANCE OF 1500.80 FEET; THENCE SOUTH 88' 33' 18" WEST FOR A DISTANCE OF 1207.06 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE NORTH 08' 49' 14" WEST FOR A DISTANCE OF 31.08 FEET; THENCE NORTH 13' 43' 52" EAST FOR A DISTANCE OF 857.17 FEET; THENCE SOUTH 08' 49' 14" WEST FOR A DISTANCE OF 88.50 FEET; THENCE NORTH 88' 30' 51" EAST FOR A DISTANCE OF 30.25 FEET; THENCE SOUTH 08' 49' 14" EAST FOR A DISTANCE OF 90.62 FEET; THENCE SOUTH 13' 43' 52" WEST FOR A DISTANCE OF 855.02 FEET TO THE POINT OF BEGINNING.

THE TOTAL ACREAGE OF THE MUD LAKE PARCEL IS 22.57 ACRES (983,149 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.

2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE EAST LINE OF COCOA COMMONS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, PAGE 27 AS BEING SOUTH 00'06'46" WEST SHOWN ON SAID PLAT OF COCOA COMMONS, AN ASSUMED 3.

REFERENCE MATERIALS:

d. TITLE REPORT BY NEW REVELATIONS, INC., CRAIG KARLSON, FILE NUMBER 18-1434, TAX IDENTIFICATION NUMBER 2460762.

b. EASEMENTS:

- MENTS:
 CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4160, PAGE 1126 IN FAVOR OF THE CITY OF COCCAA WAS MODIFIED BY MODIFICATION OF CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4248, PAGE 2989 AND JONDER IN MODIFICATION OF CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4248, PAGE 2972.

 EASEMENT IS NOT SHOWN HEREIN PER THE MODIFIED CONSERVATION EASEMENT AND THE ORIGINALLY DESCRIBED EASEMENT IS NOT SHOWN HEREIN, MODIFICATION OF CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4248, PAGE 2972.

 EASEMENT IS NOT SHOWN HEREIN, MODIFICATION OF CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4248, PAGE 2972 PROVIDES THE LEGGAL DESCRIPTION OF CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4248, PAGE 2972 PROVIDES THE LEGGAL DESCRIPTION OF THE MODIFIED EASEMENT. THIS CONSERVATION EASEMENT DOES NOT INCLUDE THE 30 FOOT WIDE GAS TRANSMISSION EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 587, PAGE 30.

 DECLARATION OF RESTRICTION, COVENANTS AND CONDITIONS AND GRANT OF EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 4208, PAGE 15 ARE BLANKET EASEMENTS THAT DO AFFECT THE MUD LAKE PARCEL.

 CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4428, PAGE 555 IN FAVOR OF ST. JOHNS RIVER DESCRIBED IN 4480, PAGE 941 AND DOES NOT INCLUDE THE 30 FOOT WIDE GAS TRANSMISSION EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 587, PAGE 30.

 CROSS ACCESS EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 5802, PAGE 268 DOES NOT AFFECT THE MUD LAKE PARCEL.
- II)
- (III)

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSSIONERS

MICHAEL J. SWEENEY, PSM 4870 PROFESSIONAL SURVEYOR & MAPRER " NOT VALID UNLESS SIGNED AND BEALED

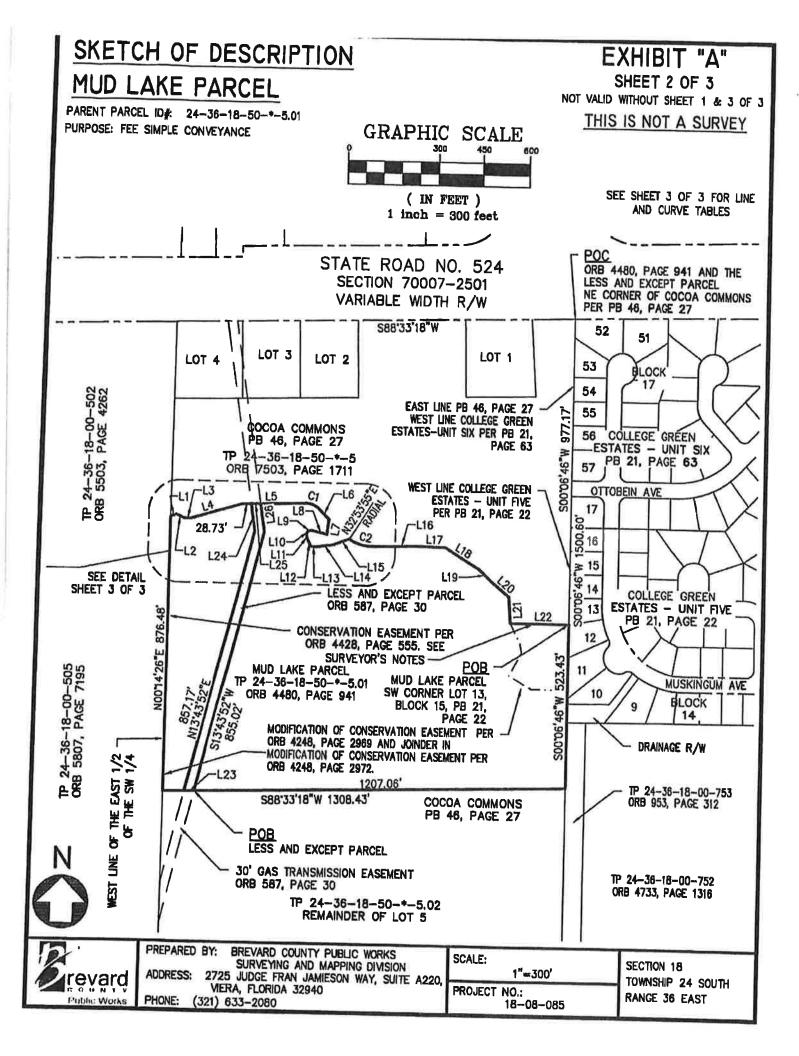
revard

RANGE 36 EAST

COCDADED	D14							mod Olomes
PREPARED	BY: BREVARD	COLINITY D	HIDLIA W	INDIVE C	THE PARTY			
ADDDECO	BY: BREVARD	COUNTIF	OBLIC M	NOKK2 2	OURVEYIN	G AND	MAPPING	DIVISION
AUDKE22:	2725 JUDGE F	RAN JAMIF	YW MOS	V CHIT	T ADDO	LUCDA	EL AMID :	DIVIDIO
DUANE 2		CALLE OLIVE	JUN 117	i, auli	L AZZU,	VIERA.	FLORIDA	32940
PHONE: (321) 633-2080				•	7.50		02010

DRAWING: 243618_ak_MUD LAKE

PROJECT NO. 18-08-085 DRAWN BY: T VITALE CHECKED BY: M SWEENEY SECTION 18 REVISIONS DATE DESCRIPTION TOWNSHIP 24 SOUTH DATE: 11/20/18



LINE & CURVE TABLES ; DETAIL

MUD LAKE PARCEL

PARENT PARCEL ID#: 24-36-18-50-*-5.01

PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 3 OF 3
NOT VALID WITHOUT SHEET 1 & 2 OF 3

THIS IS NOT A SURVEY

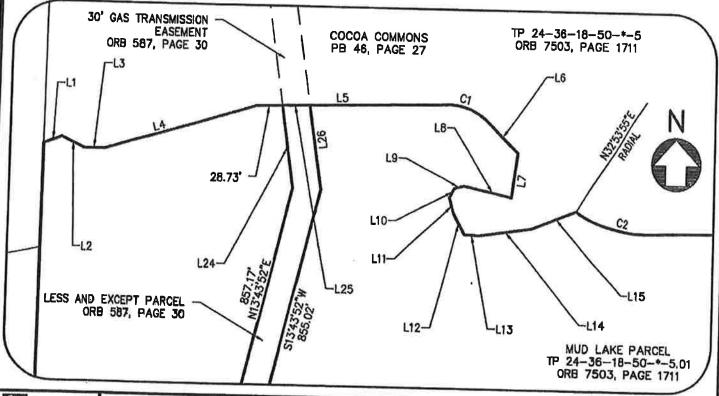
Parcel Line Table								
Line #	Length	Direction						
L1	19.68	N68'37'00"E						
L2	27.67	S65'24'37"E						
L3	21.39	S89'39'15"E						
L4	170.14	N7372'27"E						
L5	208.34	N88'30'51"E						
L6	4 7.16	S45'45'41"E						
L7	47.72	\$7'32'47"W						
L8	52.50	N77'33'53"W						
L9	10.35	S75'09'18"W						

Parcel Line Table								
Line #	Length	Direction						
L10	11.45	S29"11"02"W						
L11	16.70	S16"46"59"E						
L12	25.81	S27'46'27"E						
L13	15.70	S86"21'42"E						
L14	57.95	N81"34'47"E						
L15	53.28	N69"01'49"E						
L16	144.66	N88'33'18"E						
L17	93.02	S8816'46"E						
L18	130.43	S59"14'02"E						

Pa	rcel Lin	ne Table
Line #	Length	Direction
L19	47.14	S47"33'44"E
L20	84.78	\$50'02'29"E
L.21	84.64	S4'07'28"E
L22	190.56	S89'53'14"E
L23	31.08	S88'33'18"W
L24	88.50	N8'49'14"W
L25	30.25	N88'30'51"E
L26	90.62	S8"49'14"E

Curve Table									
Curve #	Length	Radius	Delta	Chord Direction	Chard Length				
C1	47.88′	60,004		S68*37'25*E	46.62				
CS	83,92′	140.00'	34*20′37*	\$74°16'24"E	82,67				

ABBREVIATIONS:
ORB = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
POC = POINT OF COMMENCEMENT
POB = POINT OF BEGINNING
R/W = RIGHT OF WAY
TP = TAX PARCEL NO.



revard Public Works

PREPARED BY: BREVARD COUNTY PUBLIC WORKS
SURVEYING AND MAPPING DIVISION

ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,

MERA, FLORIDA 32940

PHONE: (321) 633-2080

SCALE:

1"= 100"

PROJECT NO .:

18-08-085

SECTION 18 TOWNSHIP 24 SOUTH RANGE 36 EAST

LOCATION MAP

TWP: 24 S RNG: 36 E SEC: 18 DISTRICT: 2

STREET NAME:

SR 524

OWNER'S NAME:

Poplar Associates LLC

