# **Agenda Report**



2725 Judge Fran Jamieson Way Viera, FL 32940

#### Consent

F.6. 10/26/2021

#### Subject:

Approval, Re: Donation of Warranty Deed from Brian M. and Catherine M. Lally for a Portion of Ramsey Lane-District 2

## **Fiscal Impact:**

None

# **Dept/Office:**

Public Works Department / Land Acquisition

# **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 11 and 12, Township 25 South, Range 36 East, on the east side of South Tropical Trail in Merritt Island.

Upon staff research for Ramsey Lane Right of Way, it was determined that Ramsey Lane is comprised of a sixteen foot right of way. The County received a Right of Way Deed for the south eight feet of Ramsey Lane in December 1960. The North one-half of Ramsey Lane falls within ownership of the Lally's. In order to formalize ownership and maintenance responsibilities, the Lally's have agreed to donate the north one-half of Ramsey Lane by the attached Warranty Deed. The acceptance of this conveyance will be beneficial to the County for any current maintenance projects or potential future road improvement projects.

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:

#### **BOARD OF COUNTY COMMISSIONERS**

#### AGENDA REVIEW SHEET

AGENDA: Warranty Deed from Brian M. and Catherine M. Lally and for a portion of

Ramsey Lane- District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 Ext. 58336

LAND ACQUISITION
Lucy Hamelers, Supervisor

COUNTY ATTORNEY

APPROVE DISAPPROVE DATE

10 - 7 - 2021

COUNTY ATTORNEY Christine Schverak Assistant County Attorney



### FLORIDA'S SPACE COAST

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



October 27, 2021

#### MEMORANDUM

TO: Marc Bernath, Public Works Director

RE: Item F.6., Approval for Donation of Warranty Deed from Brian M. and Catherine M. Lally for a Portion of Ramsey Lane

ioi a i ortion of itamsey Lane

The Board of County Commissioners, in regular session on October 26, 2021, approved and accepted the donation of a Warranty Deed from Brian M. and Catherine M. Lally for a portion of Ramsey Lane.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 25-36-11-00-6

#### **WARRANTY DEED**

THIS INDENTURE is made this 24 day of Sept., 2021, by Brian M. Lally and Catherine M. Lally, husband and wife, hereafter called the Grantor, whose mailing address is 380 Ramsey Lane, Merritt Island, Florida 32952, 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"

**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 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:

Withess

Print Name

Cathur My alex

Catherine M. Lawy

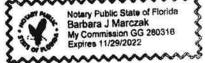
**Print Name** 

STATE OF FLORIDA COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of [x] physical presence or [] online notarization on this  $\cancel{SP}$  day of  $\cancel{SP}$ , 2021, by Brian M. Lally and Catherin M. Lally. Is personally known or produced \_\_\_\_\_\_ as identification.

Notary Signature

SEAL



# LEGAL DESCRIPTION

# PARCEL 100

PARENT PARCEL ID#: 25-36-11-00-6 PURPOSE: FEE SIMPLE RIGHT OF WAY

LEGAL DESCRIPTION: PARCEL 100, FEE SIMPLE RIGHT OF WAY (BY SURVEYOR)

SHEET | OF 5 NOT VALID WITHOUT SHEETS 2, 3, 4 & 5 OF 5

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4542, PAGE 3359, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8629 PAGE 1064; THENCE NORTH 89' 45' 24" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 859.62 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1406, PAGE 280; THENCE NORTH 00° 24' 58" WEST ALONG THE EAST LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 6.77 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7337, PAGE 830, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8629 PAGE 1064; THENCE SOUTH 89 59' 57" EAST ALONG THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7337, PAGE 830 AND THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8610, PAGE 2318, SAID SOUTH LINES ALSO BEING THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8629 PAGE 1064, FOR A DISTANCE OF 275.97 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH TROPICAL TRAIL; THENCE SOUTH 04° 10' 22" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 13.62 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF RAMSEY LANE, AN 8.00 FOOT WIDE RIGHT OF WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 194, SAID LINE ALSO BEING THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8629, PAGE 1064; THENCE SOUTH 89° 45' 24" WEST ALONG THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 194 AND ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8629, PAGE 1064 FOR A DISTANCE OF 1136.48 FEET TO A POINT OF INTERSECTION OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4542, PAGE 3359 WITH THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8629, PAGE 1064; THENCE NORTH 00° 22' 50" WEST ALONG SAID SOUTHERLY EXTENSION FOR A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10,796 SQUARE FEET, 0.25 ACRES, MORE OR LESS.

A PARCEL OF LAND BEING A PORTION OF THOSE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8629 PAGE 1064 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING LOCATED WITHIN SECTIONS 11 AND 12, TOWNSHIP 25 SOUTH, RANGE 36 EAST

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. A TITLE OPINION OR REPORT WAS NOT PROVIDED TO THE SURVEYOR. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

#### SURVEYOR'S NOTES:

- THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
- BASIS OF BEARINGS AS SHOWN HEREON ARE SPECIFICALLY BASED ON THE MONUMENTED NORTH RIGHT OF WAY OF RAMSEY LANE PER OFFICIAL RECORDS BOOK 363, PAGE 194 AS BEING SOUTH 89° 45' 24" WEST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM. EAST ZONE 0901.
- 3. REFERENCE MATERIAL:
  - TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 21-1071-A, TAX IDENTIFICATION NUMBER 2507552, EFFECTIVE DATE 2/17/2021. NO EASEMENTS WERE DECLARED WITHIN SAID TITLE REPORT.
    RIGHT OF WAY CONTROL PLAN PREPARED FOR SOUTH TROPICAL TRAIL PEDWAY, PREPARED BY BUSSEN-MAYER
  - ENGINEERING GROUP, INC., PROJECT NO. 357813, DATED 4/2/2012
  - RIGHT OF WAY CONTROL & TOPOGRAPHIC SURVEY, RAMSEY LANE, PREPARED FOR BREVARD COUNTY PUBLIC WORKS DEPARTMENT, PROJECT NO.18-08-084, DATED 7/2/2019, LAST REVISION 11/23/2020.

#### ABBREVIATIONS:

BOB = BASIS OF BEARINGS BOC = BASIS OF COORDINATES

COR = CORNER

FND = FOUND

INT = INTERSECTION

ORB = OFFICIAL RECORDS BOOK

PB = PLAT BOOK

PG = PAGE

POB = POINT OF BEGINNING

POC = POINT OF

COMMENCEMENT

PU&DE = PUBLIC UTILITY AND

DRAINAGE EASEMENT

R = RANGE

TYP = TYPICAL

DESCRIPTION

T = TOWNSHIP

CERTIFICAN No. 4870

STATE OF ORIDA.

AELJ SW

MICHAEL J. SWEENEY, PSM 4870 PROFESSIONAL SURVEYOR & MAPPER NOT VALID UNLESS SIGNED AND SEALED

R/W = RIGHT OF WAY

SQ FT = SQUARE FE

TP = TAX PARCEL

SECT = SECTION

#### PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940

**SECTION 11 & 12** 

evard

PHONE: (321) 633-2080 DRAWN BY: R. HENNING

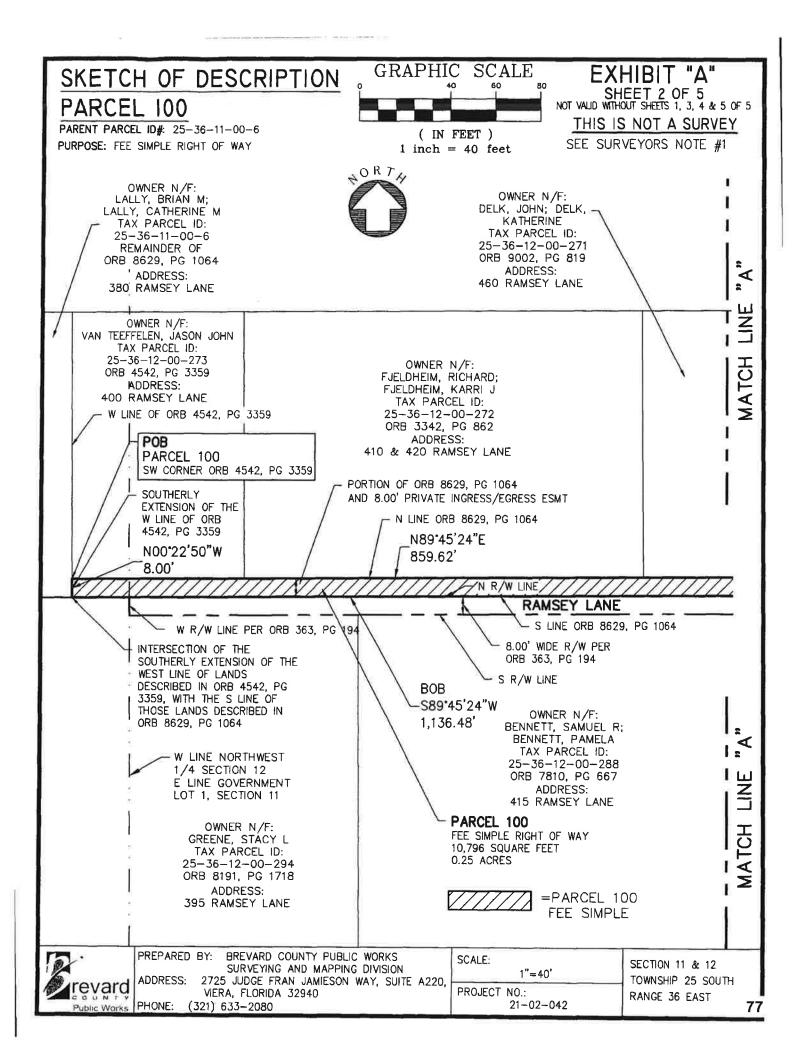
CHECKED BY: M. J. SWEENEY

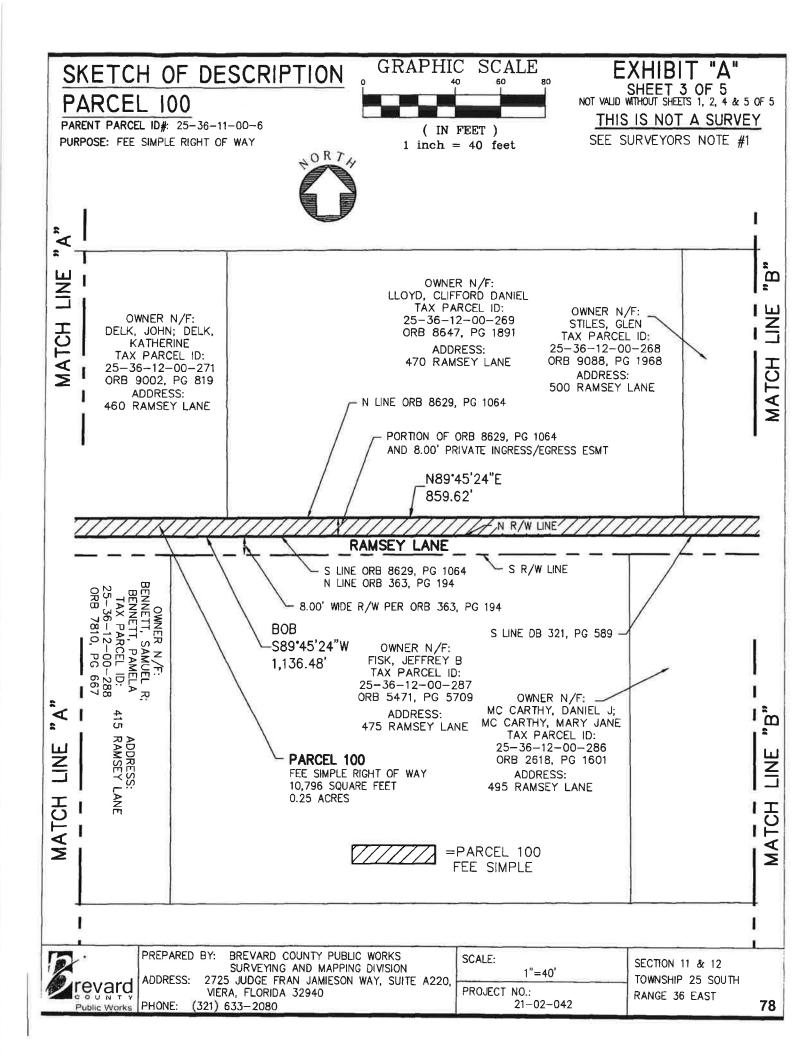
PROJECT NO. 21-02-042 REVISIONS DATE

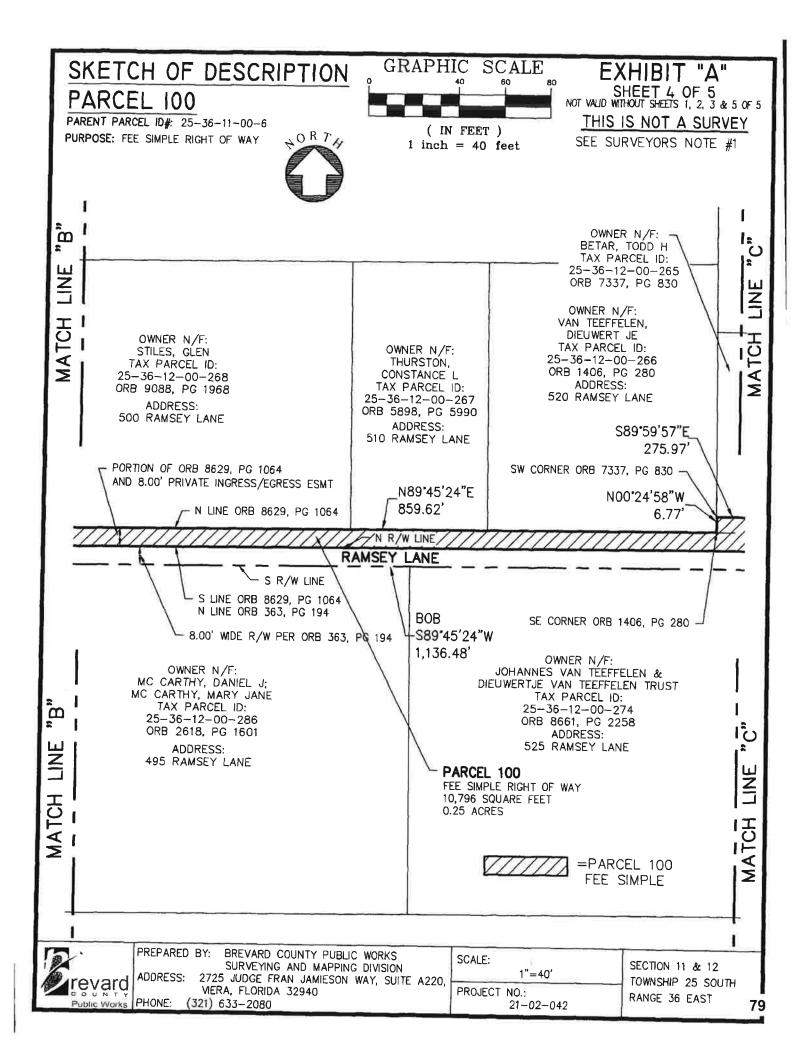
TOWNSHIP 25 SOUTH RANGE 36 EAST

DATE: 6/4/2021

SHEET: 1 OF 5







GRAPHIC SCALE SKETCH OF DESCRIPTION **EXHIBIT** SHEET 5 OF 5 NOT VALID WITHOUT SHEETS 1, 2, 3 & 4 OF 5 PARCEL 100 THIS IS NOT A SURVEY PARENT PARCEL ID#: 25-36-11-00-6 ORTH ( IN FEET ) PURPOSE: FEE SIMPLE RIGHT OF WAY SEE SURVEYORS NOTE #1 1 inch = 40 feetီ OWNER N/F: OWNER N/F: PARKER, LÓRI A S04.10 BETAR, TODD H TAX PARCEL ID: TAX PARCEL ID: 25-36-12-00-264 단 25-36-12-00-265 N LINE ORB 8629, ORB 8610, PG 2318 22 ORB 7337, PG 830 PG 1064 62°E ADDRESS: ADDRESS: ⋖ 550 RAMSEY LANE 530 RAMSEY LANE PORTION OF ORB 8629, PG 1024 8' PRIVATE INGRESS AND EGRESS EASEMENT S89**:**59'57"E S LINE ORB 275.97 S LINE ORB 8610, PG 2318 7337, PG 830 N R/W LINE RAMSEY LANE OWNER N/F:
JOHANNES VAN TEEFFELEN &
DIEUWERTJE VAN TEEFFELEN TR
TAX PARCEL ID:
25-36-12-00-274
ORB 8661, PG 2258 S LINE ORB 8629, PG 1064 N LINE ORB 363, PG 194 S R/W LINE **BOB** W R/W LINE S
TROPICAL TRAIL
E LINE ORB 862
PG 1024 S89'45'24"W 8.00' WIDE R/W PER W R/W LINE ORB 363, PG 194 1,136.48 525 RAMSEY LANE OWNER N/F: OWNER N/F: MARLOWE, DEBORAH LEA GRANT MARLOWE CUSTOM TAX PARCEL ID: BUILDERS INC TAX PARCEL ID: 25-36-12-00-292 ORB 7550, PG 397 25-36-12-00-309 ORB 5470, PG 4377 ADDRESS: ADDRESS: 535 RAMSEY LANE TRUST 555 RAMSEY LANE ဦ SOUTH TROPICAL PARCEL 100 FEE SIMPLE ATCH LINE 10,796 SQUARE FEET (R/W VARIES) 0.25 ACRES± =PARCEL 100 TRAIL FEE SIMPLE PREPARED BY: BREVARD COUNTY PUBLIC WORKS SCALE: **SECTION 11 & 12** SURVEYING AND MAPPING DIVISION 1'' = 40'2725 JUDGE FRAN JAMIESON WAY, SUITE A220, ADDRESS: TOWNSHIP 25 SOUTH vard PROJECT NO .: MERA, FLORIDA 32940 RANGE 36 EAST PHONE: (321) 633-2080 21-02-042 80

# **LOCATION MAP**

# Section 11 and 12, Township 25 South, Range 36 East - District: 2

PROPERTY LOCATION: East side of South Tropical Trail in Merritt Island

OWNERS NAME(S): Lally

