



**AGENDA REPORT  
April 23, 2019**

**Approval Re: Release of Reservation of Phosphate, Minerals, Metals and Petroleum Rights over a portion of deeded right of way for Lemon Avenue as deeded in Official Record Book 5854, Page 9767 from Brevard County to Sands Point, LLC – District 1.**

---

**SUBJECT:**

Approval Re: Release of Reservation of Phosphate, Minerals, Metals and Petroleum Rights over a portion of deeded right of way for Lemon Avenue as deeded in Official Record Book 5854, Page 9767 from Brevard County to Sands Point, LLC – District 1.

**FISCAL IMPACT:**

None

**DEPT/OFFICE:**

Public Works

**REQUESTED ACTION:**

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the Release of Reservation of Phosphate, Minerals, Metals and Petroleum Rights related to that portion of Lemon Street deeded from Brevard County to Sands Point, LLC as recorded in Official Records Book 5854, Page 9767. Florida Statutes Section 270.11(1) indicates that mineral rights are to be reserved unless the applicable agency chooses not to.

**SUMMARY EXPLANATION and BACKGROUND:**

The subject parcel is located in Section 34, Township 21, Range 34.

Public Works Department received a request from the owners of that certain 0.01 acre that was deeded to Sands Point, LLC in OR Book 5854, Book 9767. Florida Statute 270.11(1) indicates that there is a potential for the reservation of Mineral Rights contained or implied by the act of deeding property that the County owned. The area in question was transferred from Brevard County by OR Book 5854, Page 9767, containing 0.01 acres and the statutory reservation has placed a cloud on the title which will result in a delay in the closing of the overall property thus jeopardizing the development of the Sands Point, LLC property in its entirety.

**CLERK TO THE BOARD INSTRUCTIONS:**

Return original executed Release of Reservation of Phosphate, Minerals, and Petroleum

Rights and Board Approval Memo to Public Works Department Land Acquisition Section.

**ATTACHMENTS:**

**Description**

- **Release of Reservation of Phosphate, Minerals, Metals and Petroleum Rights**

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: RELEASE OF RESERVATION OF PHOSPHATE, MINERALS,  
METALS AND PETROLEUM RIGHTS OVER A PORTION OF  
DEEDED RIGHT OF WAY FOR LEMON AVENUE

AGENCY: PUBLIC WORKS DEPARTMENT / COUNTY ATTORNEY

AGENCY CONTACT: DAN JONES, LAND ACQUISITION SUPERVISOR

CONTACT PHONE: 321-690-6847

**REVIEW**

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>DPJ</u>	<u>          </u>	<u>4/18/19</u>
COUNTY ATTORNEY Jad Brewer Assistant County Attorney	<u>JMB</u>	<u>          </u>	<u>4/18/19</u>

AGENDA DUE DATE: April 16, 2019 for the April 23, 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.



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 24, 2019

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

TO: Corrina Gumm, Interim Public Works Director

RE: Item J.4., Release for Reservation of Phosphate, Minerals, Metals and Petroleum Rights  
Over a Portion of Deeded Right-of-Way for Lemon Street

The Board of County Commissioners, in regular session on April 23, 2019, executed and approved the Release for Reservation of Phosphate, Minerals, Metals and Petroleum Rights over a portion of deeded right-of-way for Lemon Street, deeded from Brevard County to Sands Point, LLC, as recorded in the Official Records Book 5854, Page 9767, and indicating that Minerals Rights are to be reserved unless the applicable agency chooses not to. Enclosed is the fully-executed Release of Reservation

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Land Acquisition  
Finance  
Budget

**RELEASE OF RESERVATION  
OF PHOSPHATE, MINERALS, METALS AND PETROLEUM RIGHTS**

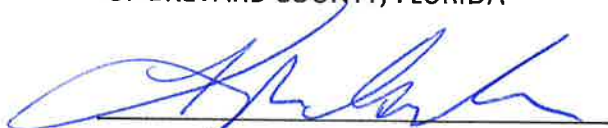
WITNESSETH THAT the reservation of mineral, phosphate, metals or petroleum rights to Brevard County implied by Section 270.11(1), Florida Statutes, associated with the County Deed and Corrective County Deed (see attached) from Brevard County to Sand Point, LLC as recorded in Book 5820, Page 8471 and Book 5854, Page 9767, Official Records of Brevard County, Florida, is hereby rescinded to the extent of any reserved phosphate, minerals, metals or petroleum.

DONE, ORDERED, and ADOPTED in Regular Session this 23 day of April, 2019.

ATTEST:  
Clerk of the Court:

  
\_\_\_\_\_  
Scott Ellis, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

  
\_\_\_\_\_  
Kristine Isnardi, Chair

As approved by the Board on  
Item # J.4.

4/23/19

At Your Service  
Questions? We're happy to help.  
Contact Us

Property Search

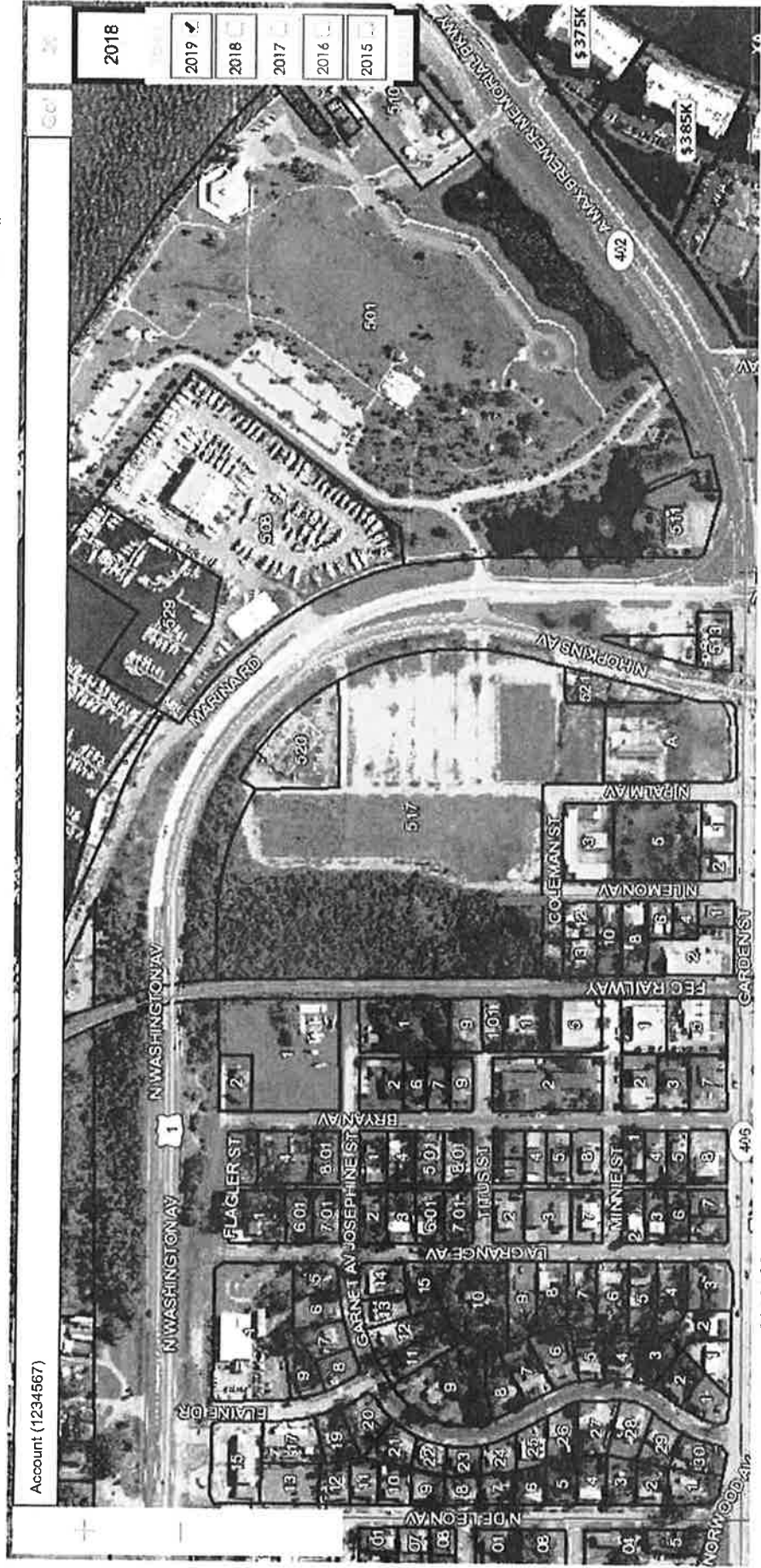
Brevard County Property Appraiser  
Dana Bickley, CFA

Map Subject Property (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

MapView (1)

EagleView (1)

StreetView (1)



Account: 1234567  
Parcel ID: 21-35-34-00-528  
Sale: N/A  
BCPAO Market Value: \$180  
Owners: Bickley, Dana  
Address: 1234567  
https://www.bcpao.us/PropertySearch/#/map/2110120

PLEASE RETURN TO:  
Brevard County Asset Management Dept.  
700 Park Ave  
Titusville, FL 32780  
Tax I.D. 21-35-34-00-00523.0  
Tax Account #2110120

**CORRECTIVE COUNTY DEED  
BREVARD COUNTY, FLORIDA**

**STATUTORY FORM- SECTION 125.411, FLORIDA STATUTES**

THIS DEED, made this 27 day of March, 2008, between BREVARD COUNTY, FLORIDA, party of the first part, whose post office address is 700 Park Ave, Titusville, Florida 32780 and SANDS POINT, LLC, a Florida Limited Liability Company, party of the second part, located at 5801 Congress Ave, Boca Raton, Florida 33487.

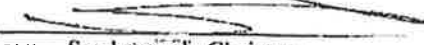
**WITNESSETH**, that the said party of the first part, for and in consideration of the sum of Ten Dollars and no cents (\$10.00) and other valuable considerations, paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described land, situate, lying and being in the County of Brevard, State of Florida, to wit:

Legal Description: PART OF VACATED LEMON ST AS DESCRIBED IN BOOK 1182 PAGE 1016, OFFICIAL RECORDS OF BREVARD COUNTY, FLORIDA. Parcel I.D. 21-35-34-00-00523.0

This deed conveys only the interest of Brevard County, Florida and shall not be deemed to warrant title or to represent any state of facts concerning the same. Brevard County does not guarantee access to the above-described property, nor does it guarantee that permits may be obtained for construction on same.

**IN WITNESS WHEREOF**, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Chairman or Vice- Chairman of said Board, the day and year aforesaid.

BOARD OF COUNTY COMMISSIONERS,  
BREVARD COUNTY, FLORIDA  
A political subdivision of the State of Florida

By:   
Truman Scarborough, Chairman  
Board of County Commissioners  
Brevard County, Florida  
As Approved by the Board on 9/25/2007

Attest:   
Scott Ellis, Clerk

**(Official Seal)**

This Deed is being recorded to correct the name and address of the party of the second part which was recorded in Official Records Book 5820, Page 8471 on 10/25/07, Public Records of Brevard County, FL. Doc stamps are not due on this transaction as they were paid on previous Deed

**MOMBACH BOYLE**  
MOMBACH, BOYLE, HARDIN & SIMMONS, P.A.

ESTABLISHED IN 1985

100 NE THIRD AVENUE, SUITE 1000  
FORT LAUDERDALE, FLORIDA 33301

TELEPHONE (954) 467-2200  
FACSIMILE (954) 467-2210

March 12, 2019

CONRAD J. BOYLE  
MICHAEL P. HAMAWAY  
DAVID C. HARDIN  
GEOFFREY S. MOMBACH  
STEPHEN J. SIMMONS  
GARY S. SINGER  
MARK R. WYSOCKI  
  
JAMES B. ABRIL  
SETH A. KUPILIK  
JASON ARI SMITH  
FERNANDO J. VALLE  
  
DAVID G. MURPHY  
OF COUNSEL

**VIA EMAIL**

Mr. Dan Jones

[Dan.Jones@BrevardFL.gov](mailto:Dan.Jones@BrevardFL.gov)

RE: Petition to release reservations created by Section 270.11(1), Florida Statutes.  
Parcel ID: 21-35-34-00-00523.

Dear Mr. Jones,

We are writing you to petition for the release of phosphate, metals, minerals and petroleum reservations (collectively, the "Reservations") held by Board of County Commissioners of Brevard County, Florida ("Brevard County") pursuant to Section 270.11(1), Florida Statutes.

We represent Sands Point, L.L.C., a Florida limited liability company ("Sands Point") and Koblebard Groves, L.L.C., a Florida limited liability company, the owners of seven contiguous parcels of land comprising approximately 13 acres. These contiguous parcels of land, described hereto on **Exhibit "A"**, are located at 300 North Washington Avenue, Titusville, Florida 32796 (the "Property"). One of the parcels comprising the Property, described hereto on **Exhibit "B"** (the "Vacant Portion of Lemon Street"), was originally acquired by Brevard County through a Tax Deed recorded on October 16, 2002 in O.R. Book 4711, Page 2000 of the Public Records of Brevard County, Florida, and contains only .01 acres. Such Vacated Portion of Lemon Street was subsequently deeded to Sands Point by County Deed and Corrective County Deed, on October 1, 2007 and March 27, 2008, respectively. Copies of all three deeds are attached hereto on **Exhibit "C"**.

The Property is currently under a contract for sale to a developer (the "Prospective Buyer"), which is planning to construct an apartment development on the Property to contain approximately 400 residential units. A Development Agreement was filed by the Prospective Buyer with the City of Titusville on or about February 25, 2019. The Prospective Buyer has objected to title based on the Reservations applicable to the .01 acre Vacated Portion of Lemon Street.

To the best of our knowledge, there are no deposits of phosphate, metals, minerals, or petroleum located on the .01 acre Vacated Portion of Lemon Street. So as to facilitate the sale of the Property and to avoid obstruction of the Prospective Buyer's planned residential development,



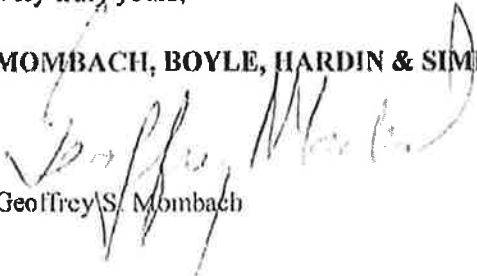
Mr. Dan Jones  
Dan.Jones@BrevardFL.gov  
March 12, 2019  
Page 2

which would be advantageous to Brevard County, its residents, and the surrounding land value, we are requesting that Brevard County renounce and release the Reservations.

Thank you for your attention to this request and should you require additional information please do not hesitate to contact me.

Very truly yours,

**MOMBACH, BOYLE, HARDIN & SIMMONS, P.A.**

  
Geoffrey S. Mombach

GSM/tj  
Enclosures

**MOMBACH, BOYLE, HARDIN & SIMMONS, P.A.**

**EXHIBIT "A"**  
**Property Legal Description**

Parcel 1:

A part of Government Lot 2, Section 34, Township 21 South, Range 35 East, Brevard County, Florida:

Begin at the Northwest corner of Block A as shown on the Plat of Coleman Addition to Titusville, as recorded in Plat Book 1 at page 7 of the Public Records of Brevard County, Florida, run thence N 0°24'05" W along the East right of way line of PALM AVENUE, 160.50 feet; thence N 89°55'42" W, 50.00 feet; thence S 0°24'05" E along the West right of way line of PALM AVENUE, 10.50 feet; thence N 86°52'44" W, 197.37 feet to a point on the East right of way line of LEMON STREET, said point being 160.50 feet North of the Northwest Corner of Block B of said Coleman Addition as measured along the East right of way line of LEMON STREET; thence N 89°55'42" W 50.00 feet to a point on the West right of way line of LEMON STREET; thence N 0°24'05" W along said West right of way line 129.50 feet; thence S 89°55'42" E, 50.00 feet; thence N 0°24'05" W along the Northerly extension of the East right of way of LEMON STREET, 565.49 feet to a point on the Southerly right of way line of U.S. One, said point being on the arc of a circular curve concave Southwesterly having a radius of 668.51 feet, at which point the tangent bears S 82°22'19" E; thence Southeasterly along said right of way line and along the arc of said curve thru a Central Angle of 22°43'39" a distance of 263.43 feet to a point on the Northerly extension of the East right of way line of PALM AVENUE; thence S 0°24'05" E along said Northerly extension 200.00 feet; thence N 89°35'55" E 272.29 feet to a point on the Westerly right of way line of U.S. One, said point being on the arc of a circular curve concave Southwesterly having a radius of 718.51 feet at which point the tangent bears S 31°53'49" E; thence Southeasterly along said right of way line and along the arc of said curve thru a Central Angle of 10°49'04" a distance of 135.66 feet to a point on the arc of a circular curve concave Westerly having a radius of 686.78 feet, at which point the tangent bears S 15°10'01" E; thence continue along said Westerly right of way line and along the arc of said curve thru a Central Angle of 31°07'19", a distance of 373.05 feet to the point of tangency; thence S 15°57'18" W 86.87 feet to a point on the Easterly extension of the North line of the aforesaid Block A; thence N 89°55'42" W along said Easterly extension and along said North line 302.29 feet to the Point of Beginning.

AND

Lots 1, 4 through 7, 9 through 11, Block D, COLEMAN'S ADDITION TO TITUSVILLE, as per Plat recorded in Plat Book 1, Page 7, of the Public Records of Brevard County, Florida, also part of Govt. Lot 2, part of Vacated Lemon Street and part of Vacated North Street, as described in Parcel 1 of the instrument recorded in Official Records Book 1731, Page 230 (Lake Lovely) parcel 00-524.

Lots 2, 3 and 8, Block D, COLEMAN'S ADDITION TO TITUSVILLE, as per Plat recorded in Plat Book 1, Page 7, of the Public Records of Brevard County, Florida.

AND

From the Southeast corner of Block D, in Coleman's Addition to the Town of Titusville, according to the Plat thereof now on record in the Clerk's office of Brevard County, run East 50 feet to the POINT OF BEGINNING of the tract herein conveyed, being the Northeast corner of the intersection of Lemon Street and Coleman Avenue; from this POINT OF BEGINNING, run North along the East side of Lemon Street, 110-1/2 feet; thence run East 197 feet to the West line of Palm Street; thence run South along the West line of Palm Street, 110-1/2 feet to the North line of Coleman Avenue; thence run West along the North line of Coleman Avenue, 197 feet to the POINT OF BEGINNING, being in Section 43, Township 21 South, Range 34 East, Brevard County, Florida, LESS AND EXCEPT: Begin at the Northeast intersection of Lemon Street and Coleman Street in Coleman's Addition to Titusville; thence North along the East line of Lemon Street a distance of 110.5 feet to a POINT OF BEGINNING; thence East parallel to Coleman Street, a distance of 197 feet; thence South along the West line of Palm Street a distance of 10.5 feet; thence in a straight line to the POINT OF BEGINNING. Said land being located in Coleman's Addition to Titusville as per Plat of record in the Public Records of Brevard County, Florida, in Section 34, Township 21 South, Range 35 East, and being part of the land described in Deed Book K, page 278, of the Public Records of Brevard County, Florida.

AND

That part of the lands described in Deed Book 397, Page 228, of the Public Records of Brevard County, Florida; which is bounded on the North by the Easterly extension of the North line of Block A of Coleman's Addition to Titusville, as recorded in Plat Book 1, Page 7, of the aforesaid Public Records; bounded on the West by the East line of the aforesaid Block A; bounded on the South by the North line of lands described in Official Records Book 610, Page 857, of the aforesaid Public Records; and bounded on the East by the Westerly right of way line of Southbound US Highway One (an 80' R/W); said lands being in Government Lot 2, Section 34, Township 21 South, Range 35 East, Brevard County, Florida. Together with easement for ingress, egress purposes as described in Official Records Book 1290, Page 717, of the Public Records of Brevard County, Florida.

AND

The North 100 feet of Block A, COLEMAN'S ADDITION TO TITUSVILLE, according to the map or Plat thereof as recorded in Plat Book 1, Page 7, Public Records of Brevard County, Florida.

Parcel 2:

Part of vacated Lemon Street as described in Official Records Book 1182, Page 1016, Public Records of Brevard County, Florida.

Parcel 3:

All of Lemon Street (a 50' right-of-way) and all of Palm Street (a 50' right-of-way) (also known as Palm Avenue), lying North of Coleman's Avenue (a 50' right-of-way) (also known as Coleman's Street) according to COLEMAN'S ADDITION TO TITUSVILLE, as recorded in Plat Book 1 at Page 7 of the Public Records of Brevard County, Florida. Situate in Section 34, Township 22 South, Range 35 East, Brevard County, Florida.

**EXHIBIT "B"**  
**Parcel Legal Description**

Part of vacated Lemon Street as described in Official Records Book 1182, Page 1016, Public Records of Brevard County, Florida.

**EXHIBIT "C"**  
**Deeds**



CFN:2002281399 10-16-2002 09:08 a/m

OR Book/Page: 4711 / 2000

Tax Deed File Number: 92-3  
Formerly Assessed to: August Vander Wagen et ux

TAX DEED**Scott Ellis**

Clerk Of Courts, Brevard County

STATE OF FLORIDA  
COUNTY OF BREVARD

#Pgs: 2	#Names: 2	
Trust: 1.00	Rec: 9.00	Serv: 0.00
Ord: 0.00		Excise: 0.00
Mtg: 0.00		Int Tax: 0.00

The following Tax Certificate Numbered 8900648 issued on MAY 30, 1989 was filed in the office of the Tax Collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land: such land was on the 17th day of March, 1992, offered for sale as required by law for cash to the highest bidder: and there being no bidders at said public sale, the Clerk of the Circuit Court of this County entered the land on a list entitled "Lands Available for Taxes" and immediately notified the County Commission and all other persons holding certificates against the land that said lands were available; seven (7) years have passed since such lands were offered for public sale and said lands, by virtue of Section 197.502(8), Florida Statutes, have escheated to the County wherein the lands are located,

NOW, THEREFORE, the County of Brevard, State of Florida, in consideration of the premises, and in consideration of and pursuant to Section 197.502(8), Florida Statutes, and in pursuance of the statutes in such cases made and provided, has given, granted, bargained and sold, and does hereby give, grant, bargain, sell and convey to the said Board of County Commissioners of Brevard County, Florida, and to its heirs and assigns forever, to their own proper use benefit and behoof the following land situated in the County and State aforesaid and described as follows:

TWP-21 RG-35 SC-11 SB-00 BLK-523 LOT-  
PART OF VACATED LEMON ST AS DES  
IN ORB 1182 PG 1016

Containing .01 acres, more or less, provided, however, that said lands shall continue subject and liable for any lien of record held by a municipal or county governmental unit which has not been heretofore satisfied and any unpaid general taxes of equal dignity with county taxes represented by the Certificate or certificates above described.

IN TESTIMONY WHEREOF, by virtue of authority in me vested by law, and for and on behalf of the County of Brevard, State of Florida, I the undersigned as Clerk of the Circuit Court for the County and State of aforesaid, have executed this deed and have hereunto set my official signature and seal at Titusville, in the County of Brevard, and State of Florida, this 20th day of August, A.D., 2002.



CFN:2002261399

OR Book/Page: 4711 / 2001

Signed, sealed and delivered  
in the presence of:

Kuniganders  
Nicki Robinson

SCOTT ELLIS  
CLERK OF THE CIRCUIT COURT  
BREVARD COUNTY, FLORIDA

By: Joseph Maly  
Deputy Clerk



STATE OF FLORIDA  
COUNTY OF BREVARD

On this 20th day of August, 2002, before me, Karen Jones, personally appeared Joseph Maly, Deputy Clerk, Brevard County, in and for the State and this County known to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.

Witness my hand and official seal date aforesaid.

Karen Jones



DEPUTY CLERK, per F.S. 895.03/92.50  
Scott Ellis, Clerk  
Brevard County, Florida

Ellis, Clerk of Courts, Brevard County Doc. D: \$0.70

*Sliver*  
*only in*  
*sands Point LLC*

PLEASE RETURN TO:  
Brevard County Asset Management Dept.  
700 Park Ave  
Titusville, FL 32780  
Tax I.D. 21-35-34-00-00523.0  
Tax Account #2110120

**CORRECTIVE COUNTY DEED  
BREVARD COUNTY, FLORIDA**

**STATUTORY FORM- SECTION 125.411, FLORIDA STATUTES**

THIS DEED, made this 27 day of March, 2008, between BREVARD COUNTY, FLORIDA, party of the first part, whose post office address is 700 Park Ave, Titusville, Florida 32780 and SANDS POINT, LLC, a Florida Limited Liability Company, party of the second part, located at 5801 Congress Ave, Boca Raton, Florida 33487.


WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten Dollars and no cents (\$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, situate, lying and being in the County of Brevard, State of Florida, to wit:

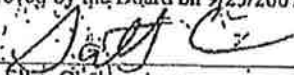
Legal Description: PART OF VACATED LEMON ST AS DESCRIBED IN BOOK 1182 PAGE 1016, OFFICIAL RECORDS OF BREVARD COUNTY, FLORIDA. Parcel LD. 21-35-34-00-00523.0

This deed conveys only the interest of Brevard County, Florida and shall not be deemed to warrant title or to represent any state of facts concerning the same. Brevard County does not guarantee access to the above-described property, nor does it guarantee that permits may be obtained for construction on same.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Chairman or Vice- Chairman of said Board, the day and year aforesaid.

**BOARD OF COUNTY COMMISSIONERS,  
BREVARD COUNTY, FLORIDA**  
A political subdivision of the State of Florida

By:   
Truman Scarborough, Chairman  
Board of County Commissioners  
Brevard County, Florida  
As Approved by the Board on 9/25/2007

Attest:   
Scott Ellis, Clerk

**(Official Seal)**

This Deed is being recorded to correct the name and address of the party of the second part which was recorded in Official Records Book 5820, Page 8471 on 10/25/07, Public Records of Brevard County, FL. Doc stamps are not due on this transaction as they were paid on previous Deed



Ellis, Clerk of Courts, Brevard County

Sliver

HC  
Please return to  
Brevard County Asset Management Dept.  
700 Park Ave.  
Titusville, FL 32780  
Tax I.D. 21-35-34-00-00523.0  
Tax Account #2110120

## COUNTY DEED

BREVARD COUNTY, FLORIDA

STATUTORY FORM - SECTION 125.411, FLORIDA STATUTES

THIS DEED, made this 1 day of October, 2007, between BREVARD COUNTY, FLORIDA, party the first part, whose post office address is 700 Park Ave, Titusville, Florida 32780 and Sand Point LLC, Florida Limited Liability Company party of the second part, located at 5601 Congress Ave, Boca Raton, 33487;

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten Dollars and no Cents (\$10.00) and other valuable considerations, paid, receipt of which is hereby acknowledged, does here 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:

Legal Description: PART OF VACATED LEMON ST AS DESCRIBED IN BOOK 1182 PAGE 1016, OFFICIAL RECORDS OF BREVARD COUNTY, FLORIDA  
Parcel I.D. 21-35-34-00-00523.0

This deed conveys only the interest of Brevard County, Florida, and shall not be deemed to warrant title or represent any state of facts concerning the same. Brevard County does not guarantee access to the above-described property, nor does it guarantee that permits may be obtained for construction on same.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Chairman or Vice-Chairman of said Board, the day and year aforesaid.

BOARD OF COUNTY COMMISSIONERS,  
BREVARD COUNTY, FLORIDA  
A political subdivision of the State of Florida

BY: 

Jackie Colon, Chairperson  
Board of County Commissioners  
Brevard County, Florida

As Approved by the Board on 9/25/2007

Attest: 

Scott Ellis, Clerk

(OFFICIAL SEAL)

H/C  
Please return to  
Brevard County Asset Management Dept.  
700 Park Ave.  
Titusville, FL 32780  
Tax I.D. 21-35-34-00-00523.0  
Tax Account #2110120

**COUNTY DEED**  
BREVARD COUNTY, FLORIDA

STATUTORY FORM - SECTION 125.411, FLORIDA STATUTES

THIS DEED, made this 1 day of October, 2007, between BREVARD COUNTY, FLORIDA, party of the first part, whose post office address is 700 Park Ave, Titusville, Florida 32780 and Sand Point LLC, a Florida Limited Liability Company party of the second part, located at 5601 Congress Ave. Boca Raton, FL 33487:

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten Dollars and no Cents (\$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, situate, lying and being in the County of Brevard, State of Florida, to wit:

Legal Description: PART OF VACATED LEMON ST AS DESCRIBED IN BOOK 1182 PAGE 1016, OFFICIAL RECORDS OF BREVARD COUNTY, FLORIDA  
Parcel I.D. 21-35-34-00-00523.0

This deed conveys only the interest of Brevard County, Florida, & shall not be deemed to warrant title or to represent any state of facts concerning the same. Brevard County does not guarantee access to the above-described property, nor does it guarantee that permits may be obtained for construction on same.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Chairman or Vice-Chairman of said Board, the day and year aforesaid.

BOARD OF COUNTY COMMISSIONERS,  
BREVARD COUNTY, FLORIDA  
A political subdivision of the State of Florida

BY: 

Jackie Colon, Chairperson  
Board of County Commissioners  
Brevard County, Florida

As Approved by the Board on 9/25/2007

Attest: 

SCOTT ELLIS, CLERK

(OFFICIAL SEAL)