



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.1.

12/3/2020

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### **Subject:**

Approval, Re: Amendment 2 to Contract for Sale and Purchase for the Basin 1066 Drainage Improvement Project - District 2.

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Works Department / Land Acquisition / Natural Resources Management Department

### **Requested Action:**

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the Amendment 2 to Contract for Sale and Purchase.

### **Summary Explanation and Background:**

The subject property is located in Section 06, Township 25 South, Range 37 East, west of South Banana River Drive, on the north side of Angel Avenue in Merritt Island.

The Board of County Commissioners, in regular session on July 7, 2020, executed and approved the Contract for Sale and Purchase and Amendment 1 from property owner Steven J. Padgett for the Basin 1066 Drainage Improvement Project.

Due to the length of time needed by the Natural Resources Management Department to obtain the due diligence reports (Environment Site Assessment I and II reports), the seller has been assigned out of state work duties and will not return to the area until the first of the new year. The seller, Mr. Padgett, is requesting an extension for closing until his return.

The due diligence reports were cleared by the User Department, Natural Resources, and staff has been instructed to proceed with closing.

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:**

Upon execution by the Chair, Public Works Department will make arrangements to pick up the original executed Amendment 2 to the Contract for Sale and Purchase from the Clerk's office.

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: Amendment 2 to Contract for Sale and Purchase for Basin 1066 Drainage Improvement Project - District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 extension 58338

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>11-19-2020</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>11-19-2020</u>



December 4, 2020

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

**TO:** Marc Bernath, Public Works Director      Attn: Lucy Hamelers

**RE:** Item F.1., Amendment 2 to Contract for Sale and Purchase for the Basin 1066 Drainage Improvement Project

The Board of County Commissioners, in regular session on December 3, 2020, executed and approved the Amendment 2 to Contract for Sale and Purchase for the Basin 1066 Drainage Improvement Project. Enclosed is a fully-executed Contract for Sale Purchase.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK**

*Kimberly Powell*  
Kimberly Powell, Clerk to the Board

/ns

Encl. (1)

## AMENDMENT 2 TO CONTRACT FOR SALE AND PURCHASE

THIS AMENDMENT entered into this 3rd day of December, 2020, by and between the following Parties: the Board of County Commissioners of Brevard County, Florida and Steven J. Padgett:

WHEREAS, the Parties previously entered into a Contract for Sale and Purchase on July 7, 2020, as authorized by the Board in regular session on July 7, 2020; and

WHEREAS, the Parties desire to amend the Contract to extend the closing date from December 4, 2020 to on or before January 31, 2021; and

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, the Parties agree as follows:

The closing date shall be on or before January 31, 2021.

All other terms and conditions of the Contract for Sale and Purchase dated July 7, 2020, which is incorporated herein by this reference, not inconsistent with the provisions of this Amendment, shall remain in full force and effect.

Buyer:

BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

By: 

Rita Pritchett, Chair

ATTEST: 

Scott Ellis, Clerk to the Board

As approved on Board Meeting date: 12/3/2020  
Agenda Item # F.1.

Reviewed for legal form and content:

\_\_\_\_\_, Assistant County Attorney

Seller:

By: 

Steven J. Padgett

18 Nov 20

## LOCATION MAP

**Section 06, Township 25 South, Range 37 East - District 2**

PROPERTY LOCATION: West of South Banana River Drive, on the North side of Angel Avenue in Merritt Island

OWNERS NAME: Steven J. Padgett

