



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.8.

9/17/2024

Subject:

Approval, Re: Dedication by Warranty Deed for Tract EE of Farallon Fields at Viera - Phase 2 and Bill of Sale from The Viera Company, all Related to Lift Station W-48 - District 4.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition Office / Utility Services Department

Requested Action:

It is requested that the Board of County Commissioners accept the attached Warranty Deed and Bill of Sale.

Summary Explanation and Background:

The subject property is located in Section 20, Township 26 South, Range 36 East, south of Pineda Boulevard and west of Stadium Parkway.

The Viera Company, owner, established Farallon Fields at Viera - Phase 2 by Plat, recorded in Plat Book 75, Page 77. The Plat dedicated Tract EE to Brevard County for the purpose of a sanitary sewer lift station known as W-48. The attached Warranty Deed will convey fee simple ownership of Tract EE to the County. The Bill of Sale conveys the related utility infrastructure that shall be County owned and maintained.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37, the Criteria for Water and Sewage Systems within Brevard County 2.6.5 and County Code 110-184.

Clerk to the Board Instructions:



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

September 18, 2024

M E M O R A N D U M

TO: Marc Bernath, Public Works Director Attn: Jean Kremitzki

RE: Item F.8., Approval for the Dedication by Warranty Deed for Tract EE of Farallon Fields at Viera – Phase 2 and Bill of Sale from The Viera Company, all Related to Lift Station W-48

The Board of County Commissioners, in regular session on September 17, 2024, accepted the Warranty Deed for Tract EE of Farallon Fields at Viera – Phase 2 and Bill of Sale from The Viera Company, all related to Lift Station W-48.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script that reads "Kimberly Powell".

Kimberly Powell, Clerk to the Board

/sm

cc: Utility Services

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Dedication by Warranty Deed for Tract EE of Farallon Fields at Viera – Phase 2 and Bill of Sale from The Viera Company, all related to Lift Station W-48 – District 4

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Jean Kremitzki, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>8.28.24</u>
COUNTY ATTORNEY Greg Hughes Assistant County Attorney		_____	<u>9/3/2024</u>

Prepared by and return to: Jean Kremitzki
Public Works Department, Land Acquisition Office
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
An interest in Tax Parcel ID: 26-36-20-76-*EE

WARRANTY DEED

THIS DEED is made this 26th day of August, 2024, by The Viera Company, a Florida corporation, hereafter called the Grantor, whose mailing address is 7380 Murrell Road, Suite 201, Melbourne, FL 32940, 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:

Tract EE, Farallon Fields at Viera – Phase 2, according to the Plat thereof as recorded in Plat Book 75, Page 77, Public Records of Brevard County, Florida, lying in Section 20, Township 26 South, Range 36 East, Brevard County Florida.

Together with all riparian and littoral rights appertaining thereto.

The Grantors agree that upon conveyance of the property, no covenants or restrictions put in place by Grantor shall apply to the property hereto in perpetuity.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, and 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.

(Signature and Notary on next page)

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:

Karen P. Prosser

Witness

KAREN P. PROSSER

Print Name

7380 MURRELL RD. #201, MELBOURNE, FL
Address 32940

GRANTOR:

The Viera Company, a
Florida corporation

BY: [Signature]
Todd J. Pokrywa, President

Mary Ellen McKibben

Witness

Mary Ellen McKibben

Print Name

7380 Murrell Rd #201, Melb., FL 32940
Address

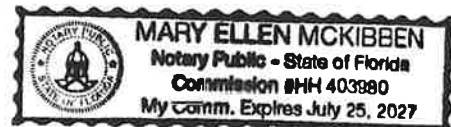
(Corporate Seal)



STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization on this 26th day of Aug. 2024, by Todd J. Pokrywa, as President for The Viera
Company, a Florida corporation. Is ☒ personally known or ☐ produced _____
as identification.

Mary Ellen McKibben
Notary Signature
SEAL



BILL OF SALE


The Viera Company, a Florida corporation, (hereinafter "SELLER"), whose mailing address is 7380 Murrell Road, Suite 201, Melbourne, FL 32940 for and in consideration of good and valuable consideration to it paid by BREVARD COUNTY FLORIDA, a political subdivision of the State of Florida (hereinafter "BUYER"), the receipt and sufficiency of which consideration is hereby acknowledged, by these presents does grant, bargain, sell, transfer and deliver unto BUYER, its successors and assigns, the goods, chattels and items of personal property owned by SELLER, their successors and assigns, (hereinafter "property") as that property is set forth on EXHIBIT "A" attached hereto and made a part thereof, and being situate on certain real property described on EXHIBIT "B" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto BUYER, its successors and assigns, forever.

AND SELLER, does, for themselves and their successors and assigns, covenant to and with BUYER, its successors and assigns, that SELLER is the lawful owner of said property; that said property is free from all liens and encumbrances; that SELLER has good right to sell the same aforesaid; and that SELLER will warrant and defend the sale of said property hereby made unto BUYER, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, SELLER, by its duly authorized representative, has caused this instrument to be executed and delivered and has intended this instrument to be and become effective as of the 26th day of August, 2024.

The Viera Company, a
Florida corporation


Todd J. Pokrywa, President

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 26th day of Aug, 2024, by Todd J. Pokrywa, as President for The Viera Company, a Florida corporation. Is ☒ personally known or ☐ produced _____ as identification.


Notary Signature
SEAL



MARY ELLEN MCKIBBEN
Notary Public - State of Florida
Commission #HH 403980
My Comm. Expires July 25, 2027

Exhibit "A"

FARALLON FIELDS SUBDIVISION (VILLAGE 2, NEIGHBORHOOD 9) - PHASE 2 ITEMIZED COST OF CONSTRUCTION - LIFT STATION EXHIBIT "A"				
ITEM	UNIT	QUANTITIES	UNIT PRICE	TOTAL PRICE
SANITARY WET WELL LIFT STATION - COMPLETE WITH TELEMETRY AND DRIVEWAY	LS	1		
SUBMERSIBLE WASTEWATER PUMPS	EA	2		
ABOVE GROUND FORCE MAIN AND VALVE INSTALLATION	LS	1		
CONTROL PANEL AND ASSOCIATED ELECTRICAL WIRING AND CONTROL SYSTEMS	LS	1		
TELEMETRY TOWER	LS	1		
CONCRETE DRIVEWAY	LS	1		
TOTAL				\$ 594,247.50

Exhibit "B"

Real Property

Tract EE, Farallon Fields at Viera – Phase 2, according to the Plat thereof as recorded in Plat Book 75, Page 77, Public Records of Brevard County, Florida, lying in Section 20, Township 26 South, Range 36 East, Brevard County, Florida.

LOCATION MAP

Section 20, Township 26 South, Range 36 East - District: 4

PROPERTY LOCATION: Property is located south of Pineda Boulevard and west of Stadium Parkway.

OWNERS NAME(S): The Viera Company

