



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.3.

12/6/2022

Subject:

Approval, Re: Dedication by Warranty Deed for Tract F of Savannah Landing and Bill of Sale from CW-Savannah, LLC, all Related to Lift Station R-11 - District 2

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition / 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 11, Township 24 South, Range 36 East, north of Smith Road, east of North Courtenay Parkway on Loymer Circle in Merritt Island.

CW-Savannah, LLC established Savannah Landing by Plat, recorded in Plat Book 69, Pages 17, 18 and 19. The Plat dedicated Tract F to Brevard County for the purpose of a sanitary sewer lift station known as R-11. The attached Warranty Deed will convey fee simple ownership of Tract F 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:

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Dedication by Warranty Deed for Tract F of Savannah Landing and Bill of Sale from CW-Savannah, LLC, all Related to Lift Station R-11 – District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa J. Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

| | APPROVE | DISAPPROVE | DATE |
|--|--|-----------------------------|------------------|
| LAND ACQUISITION Lucy Hamelers, Supervisor | <u></u> | <u> </u> | <u>11.2.2022</u> |
| COUNTY ATTORNEY Christine Schverak Assistant County Attorney | <u><i>cms</i></u> | <u> </u> | <u>11-7-2022</u> |



December 7, 2022

MEMORANDUM

TO: Mark Bernath, Public Works Director

RE: Item F.3., Dedication by Warranty Deed for Tract F of Savannah Landing and Bill of Sale from CW-Savannah, LLC, all Related to Lift Station R-11

The Board of County Commissioners, in regular session on December 6, 2022, accepted Warranty Deed for Tract F of Savannah Landing and Bill of Sale from CW-Savannah, LLC, related to Lift Station R-11.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/tr

cc: Utility Services

Prepared by and return to:
Sharon B. Abner, Esquire
Maynard Cooper & Gale, P.C.
200 E. New England Ave., Suite 300
Winter Park, FL 32789

Tax Parcel ID: 24-36-11-25-*-F

WARRANTY DEED

THIS DEED is made this 27th day of October, 2022, by **CW-Savannah, LLC**, a Delaware limited liability company, hereafter called the Grantor, whose mailing address is 8655 South Priest Drive, Tempe, Arizona 85284, 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 F, Savannah Landing, according to the plat thereof, as recorded in Plat Book 69, Pages 17, 18 and 19, Public records of 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.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

(Signature Page to Follow)

GRANTOR:

Witnesses:

Print Name: Michael Johnson

Print Name: Burton Winstead

CW-Savannah, LLC, a Delaware limited liability company

By: CW-TLB Management, LLC, a Delaware limited liability company, its sole Manager

By: John E. Cork

Its: President

STATE OF ARIZONA §

COUNTY OF Maricopa §

(SEAL)

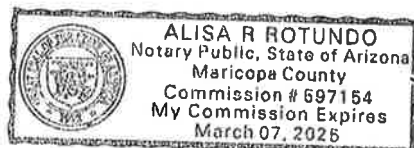
The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 24th day of October, 2022, by John E. Cork, President of CW-TLB Management, LLC, a Delaware limited liability company, sole Manager of CW-Savannah, LLC, a Delaware limited liability company on behalf of the companies. He [X] is personally known to me or [] has produced _____ (type of identification) as identification.

Alisa R Rotundo
Notary Public

Print Name: Alisa R Rotundo

My Commission Expires: 3/7/2025

[NOTARIAL SEAL]



BILL OF SALE

CW-Savannah, LLC, a Delaware limited liability company, whose mailing address is 8655 South Priest Drive, Tempe, Arizona 85284, (hereinafter "SELLER"), for and in consideration of good and valuable consideration to it paid by BREVARD COUNTY, 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 27th day of October, 2022.

CW-Savannah, LLC, a Delaware limited liability company

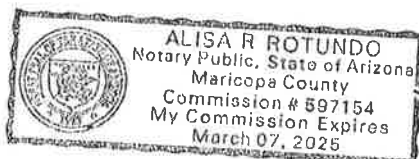
By: CW-TLB Management, LLC, a Delaware limited liability company, its sole Manager

By: [Signature]
John E. Cork, President

(SEAL)

STATE OF Arizona
COUNTY OF Maricopa

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 27th day of October, 2022, by John E. Cork as President of CW-TLB Management, LLC, a Delaware limited liability company, sole Manager of CW-Savannah, LLC, a Delaware limited liability company. Is ☒ personally known or ☐ produced as identification.



[Signature]
Notary Signature
SEAL

EXHIBIT "A"
Personal Property

350 Tangerine Avenue, Suite #1 • Merritt Island, Florida 32953
Telephone (321) 455-6498 • FAX (321) 455-6499
dana@gunnstruction.com
State Certified #CUC1225078

Savannah Landings
Merritt Island, FL

| Item | Qty | Un | Un Cost (\$) | Ext. Cost (\$) |
|-------------------------------|-----|----|-----------------|---------------------|
| 4. Sanitary | | | | |
| 5' Dia. Manhole w/liner (14') | 1 | EA | 13,890.00 | 13,890.00 |
| 5' Dia. Manhole (14') | 1 | EA | 6,960.00 | 6,960.00 |
| 4' Dia. Manhole (0' - 6') | 2 | EA | 3,170.00 | 6,340.00 |
| 4' Dia. Manhole (6' - 8') | 2 | EA | 3,685.00 | 7,370.00 |
| 4' Dia. Manhole (8' - 10') | 4 | EA | 4,495.00 | 17,980.00 |
| 4' Dia. Manhole (10' - 12') | 3 | EA | 5,209.00 | 15,627.00 |
| 8" PVC (C-900) (12' - 14') | 64 | LF | 43.00 | 2,752.00 |
| 8" PVC (SDR 35) (0' - 6') | 752 | LF | 24.00 | 18,048.00 |
| 8" PVC (SDR 35) (6' - 8') | 717 | LF | 26.00 | 18,642.00 |
| 8" PVC (SDR 35) (8' - 10') | 330 | LF | 30.00 | 9,900.00 |
| 8" PVC (SDR 35) (10' - 12') | 958 | LF | 33.00 | 31,614.00 |
| 8" PVC (SDR 35) (12' - 14') | 559 | LF | 36.00 | 20,124.00 |
| Double laterals | 22 | EA | 525.00 | 11,550.00 |
| Single laterals | 12 | EA | 415.00 | 4,980.00 |
| Lift station | 1 | LS | 182,580.00 | 182,580.00 |
| Dewater | 1 | LS | 20,280.00 | 20,280.00 |
| TV & inspection | 1 | LS | 5,070.00 | 5,070.00 |
| | | | Subtotal | \$393,707.00 |

Exhibit "B"

Real Property

Tract F, Savannah Landing, according to the Plat thereof, as recorded in Plat Book 69,
Page 17, 18 and 19, of the Public Records of Brevard County, Florida.

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LOCATION MAP

Section 11, Township 24 South, Range 36 East - District: 2

PROPERTY LOCATION: North of Smith Road, east of North Courtenay Parkway on Loymer Circle in Merritt Island.

OWNERS NAME(S): CW-Savannah, LLC, a Delaware limited liability company

