



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.8

9/15/2020

Subject:

Approval, Re: Donation of Waterfront Parcel from Leonard W. Sauls (Owner) - District 1.

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 accept the Warranty Deed.

Summary Explanation and Background:

The subject property is located in Section 31, Township 23 South, Range 36 East, on the east side of US Highway 1, at the end of Indian Trail, along North Indian River Drive.

Leonard W. Sauls recently contacted Brevard County desiring to donate a waterfront parcel owned by him that is located directly on the Indian River. Brevard County Natural Resources Management Department has a purpose and need to accept this donation.

The parcel location owned by Sauls is an existing stormwater outfall location for the County. In addition, the Department is exploring the placement of Biosorption Activated Media (BAM) at the end of the road within a swale or small retention area, with the potential to install a Baffle Box upstream of the swale/retention area to provide pre-treatment and removal of sediment, before stormwater drains into the Indian River. BAM includes a variety of media used in innovative stormwater design to reduce nutrients like Nitrogen and Phosphorus.

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: Donation of Waterfront Parcel from Leonard W. Sauls (Owner) – District 1.

AGENCY: Public Works Department / Land Acquisition / Natural Resources
Management Department

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-690-6847 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u>RM</u>	<u> </u>	<u>8-25-2020</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>CMS</u>	<u> </u>	<u>8-26-2020</u>

AGENDA DUE DATE: September 8, 2020 for the September 15, 2020 Board meeting



September 16, 2020

M E M O R A N D U M

TO: Marc Bernath, Public Works Director Attention: Lucy Hamelers

RE: Item F.8., Approval for Donation of Waterfront Parcel from Leonard W. Sauls (Owner)

The Board of County Commissioners, in regular session on September 15, 2020, approved and accepted the Warranty Deed for the property located in Section 31, Township 23 South, Range 36 East, on the east side of US Highway 1, at the end of Indian Trail, along North Indian River Drive from Leonard W. Sauls (owner).

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Kimberly Powell, Clerk to the Board

/sm

cc: County Manager
Natural Resources Management
Asset Management

WARRANTY DEED

THIS INDENTURE is made this 3 day of August, 2020, between Leonard W. Sauls, Trustee of the Leonard W. Sauls Revocable Living Trust dated 9/2/09, as party of the first part, (Grantor), whose mailing address is 3529 Rosswood Drive, Orlando, Florida 32806, and Brevard County, Florida, a political subdivision of the State of Florida, as party of the second part, (Grantee), whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar and No Cents (\$1.00) 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 lands, situate, lying and being in the County of Brevard, State of 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 & interest forever, and the said party of the first part does hereby fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

(Signatures and Notary on next page)

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

Signed, sealed and delivered in the presence of:

Kimberly Dawson
Witness
Kimberly Dawson
Print Name
A. Pearce
Witness
A. Pearce
Print Name

GRANTOR:

Leonard W. Sauls

Leonard W. Sauls, Trustee
of the Leonard W. Sauls
Revocable Living Trust
dated 9/2/09

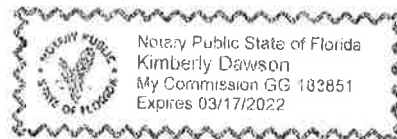
STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 3 day of August, 2020, by Leonard W. Sauls, Trustee of the Leonard W. Sauls Revocable Living Trust dated 9/2/09. Is personally known or produced FDL# 371-0 as identification.

Kimberly Dawson
Notary Signature

SEAL

Board Meeting Date: _____
Agenda Item # _____



LEGAL DESCRIPTION

SAULS DONATION PARCEL

PARENT PARCEL ID#: 23-36-31-00-847

PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEET 2 & 3 OF 3

THIS IS NOT A SURVEY

SEE SURVEYOR'S NOTE #1

LEGAL DESCRIPTION: PER OFFICIAL RECORDS BOOK 6093, PAGE 717

A PARCEL OF LAND IN SECTION 31, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: PART OF THE NE 1/4 OF THE SE 1/4 AS DESCRIBED IN O. R. BOOK 158, PAGE 26 EX. O.R. BOOK 713, PAGE 741, 808, PAGE 8, 1173 PAGE 393, 4102 PAGE 97 & RD R/W. SAID PROPERTY BEING 65 FEET RIVERFRONT LOCATED BETWEEN INDIAN RIVER DRIVE AND THE INDIAN RIVER AT THE END OF INDIAN TRAIL DRIVE.

BEING THE SAME LANDS DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION: SAULS DONATION PARCEL (BY SURVEYOR)

A PARCEL OF LAND LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS THE SOUTH 65.00 FEET OF THE NORTH 220.96 FEET OF SAID SOUTHEAST QUARTER LYING EAST OF INDIAN RIVER DRIVE AND LYING WEST OF THE WATER OF THE INDIAN RIVER, CONTAINING 2888 SQUARE FEET (0.07 ACRES), MORE OR LESS.

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:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.

2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31, AS BEING NORTH 89° 33' 56" WEST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.

3. REFERENCE MATERIAL:

A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 20-1290, TAX IDENTIFICATION NUMBER 2322506, EFFECTIVE DATE 6/10/2020. NO EASEMENTS WERE DECLARED WITHIN SAID TITLE REPORT.

B. BOUNDARY SURVEY, GOULD-HOPKINS TO BREVARD COUNTY, PREPARED BY BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DEPT., PROJECT NO. 00-10-004, DATED 12/7/1999.

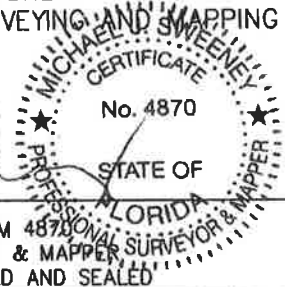
C. ASBUILT SURVEY, INDIAN TRAIL DRAINAGE SYSTEM PREPARED FOR BREVARD COUNTY UTILITIES DEPARTMENTS, PREPARED BY BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DEPT., PROJECT NO. 02-11-012, DATED 2/11/2002.

CONTINUED ON SHEET 2 OF 3

PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

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



PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION

ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940

PHONE: (321) 633-2080



DRAWN BY: R HENNING	CHECKED BY: M SWEENEY	PROJECT NO. 20-07-081			SECTION 31 TOWNSHIP 23 SOUTH RANGE 36 EAST
DATE: 8/25/2020	SHEET: 1 OF 3	REVISIONS	DATE	DESCRIPTION	

SURVEYOR'S NOTES & ABBREVIATIONS

SAULS DONATION PARCEL

PARENT PARCEL ID#: 23-36-31-00-847

PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT SHEET 1 & 3 OF 3

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SURVEYOR'S NOTES

CONTINUED FROM SHEET 1 OF 3

4. INDIAN RIVER DRIVE WAS PREVIOUSLY KNOWN AS STATE ROAD NO. 515. NO RIGHT OF WAY MAPS HAVE BEEN FOUND OR PROVIDED FOR THIS PORTION OF STATE ROAD NO. 515 DEFINING THE LOCATION OR WIDTH OF THE RIGHT OF WAY. THE DESCRIPTION OF THE SUBJECT PROPERTY PER OFFICIAL RECORDS BOOK 6093, PAGE 717 STATES THE DESCRIBED LANDS ARE "LOCATED BETWEEN INDIAN RIVER DRIVE AND THE INDIAN RIVER". IT APPEARS THE ROAD HAS BEEN REGULARLY MAINTAINED OR REPAIRED FOR THE IMMEDIATE PAST 7 YEARS BY A GOVERNMENTAL ENTITY AND AS SUCH THE ROAD MAY BE DEEMED TO BE DEDICATED TO THE PUBLIC TO THE EXTENT OF THE WIDTH THAT ACTUALLY HAS BEEN MAINTAINED. FOR THE PURPOSE OF AREA CALCULATIONS, THE EASTERLY EDGE OF PAVEMENT OF THE ROADWAY, AS SHOWN HEREIN, HAS BEEN DIGITIZED FROM THE 2020 AERIAL PHOTOGRAPH AND WAS USED AS THE MAINTENANCE LIMITS FOR THE PURPOSE OF THIS SKETCH AND DESCRIPTION. FOR AN ACCURATE DETERMINATION OF ACREAGE AND MAINTENANCE RIGHTS, A FIELD SURVEY OF THE MAINTENANCE LIMITS AS DIRECTED BY BREVARD COUNTY PUBLIC WORKS WOULD BE REQUIRED.

5. THE DESCRIPTION OF THE SUBJECT PROPERTY PER OFFICIAL RECORDS BOOK 6093, PAGE 717 STATES THE DESCRIBED LANDS ARE "LOCATED BETWEEN INDIAN RIVER DRIVE AND THE INDIAN RIVER". THE WATERS OF THE INDIAN RIVER, AS SHOWN HEREIN, HAS BEEN DIGITIZED FROM THE 2020 AERIAL PHOTOGRAPH FOR THE PURPOSE OF THIS SKETCH AND DESCRIPTION. FOR AN ACCURATE DETERMINATION OF ACREAGE AND THE EASTERLY BOUNDARY OF THE UPLANDS, A FIELD SURVEY OF THE OBSERVED HIGH WATER LINE WOULD BE REQUIRED.

6. INDIAN RIVER DRIVE HAS ALSO BEEN KNOWN AS RIVER ROAD. INDIAN TRAIL WAS RENAMED FROM FAIRGLEN DRIVE BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 1555, PAGE 974.

ABBREVIATIONS:

AKA = ALSO KNOWN AS

BRG = BEARING

COR = CORNER

DE = DRAINAGE EASEMENT

GOVT = GOVERNMENT

ORB = OFFICIAL RECORDS BOOK

PB = PLAT BOOK

PC = POINT OF CURVATURE

PG = PAGE

POB = POINT OF BEGINNING

POC = POINT OF COMMENCEMENT

PT = POINT OF TANGENCY

R = RANGE OR RADIUS

R/W = RIGHT OF WAY

SECT = SECTION

T = TOWNSHIP

TP = TAX PARCEL



PREPARED BY: BREVARD COUNTY PUBLIC WORKS
SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
VIERA, FLORIDA 32940
PHONE: (321) 633-2080

SCALE:
NOT APPLICABLE
PROJECT NO.:
20-07-081

SECTION 31
TOWNSHIP 23 SOUTH
RANGE 36 EAST

SKETCH OF DESCRIPTION SAULS DONATION PARCEL

PARENT PARCEL ID#: 23-36-31-00-847

PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

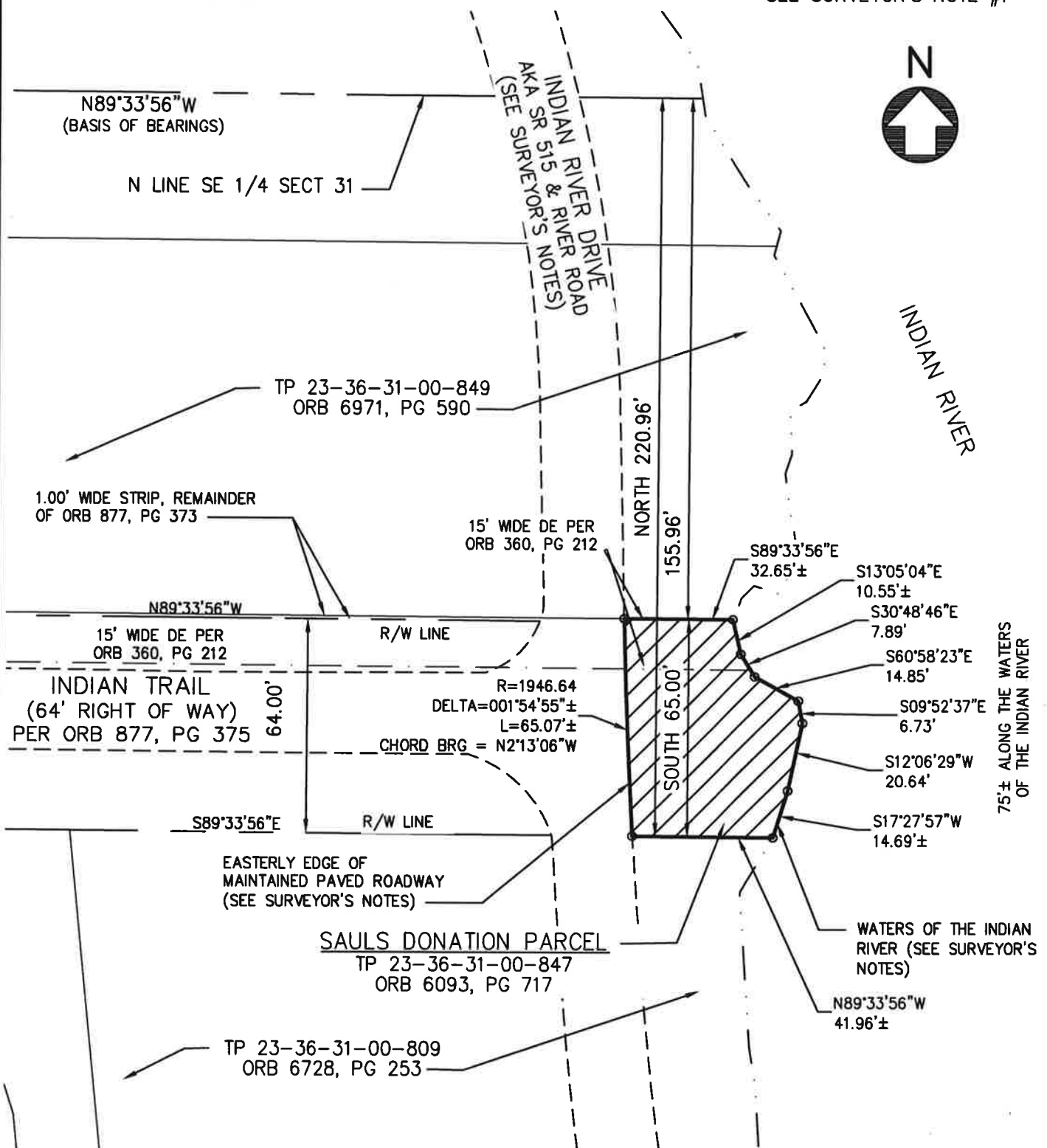
SHEET 3 OF 3

NOT VALID WITHOUT SHEET 1 & 2 OF 3

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SEE SURVEYOR'S NOTE #1

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SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
VIERA, FLORIDA 32940
PHONE: (321) 633-2080

SCALE:
1" = 40'
PROJECT NO.:
20-07-081

SECTION 31
TOWNSHIP 23 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 31, Township 23 South, Range 36 East – District 1

PROPERTY LOCATION: East of US Highway 1, at the end of Indian Trail, along North Indian River Drive

OWNERS NAME: Leonard W. Sauls, Trustee

