

11. B.1.



AGENDA REPORT
May 8, 2018

SUBJECT:

Amendment Number 6 to Management Lease with the Internal Improvement Trust Fund of the State of Florida, RE: Archie Carr Sea Turtle Refuge Florida Forever Project - District 3

FISCAL IMPACT:

There are no fiscal impacts to Environmentally Endangered Lands Program funds. There are no fiscal impacts to General Fund.

DEPT/OFFICE:

Parks and Recreation

REQUESTED ACTION:

Approve Amendment Number 6 to the Management Lease with the Internal Improvement Trust Fund of the State of Florida and authorize the Chair to sign the Amendment.

SUMMARY EXPLANATION and BACKGROUND:

On January 28, 1999 the Board approved a management lease with the Internal Improvement Trust Fund of the State of Florida for properties within the Archie Carr Sea Turtle Refuge Florida Forever Project. This lease serves as the one management lease for all properties acquired in this project.

The requested Amendment adds an additional 2.60 acres to the project area located in south Melbourne Beach. This parcel was acquired by the State of Florida in 2017. If approved, the annual management costs are not expected to exceed the current cost of \$500. Although the site is relatively healthy and largely free of exotic plant species, management of the property is necessary to ensure the natural resources stay in good condition in accordance with the goals of the Environmentally Endangered Lands Program and the State of Florida's Forever program.

CLERK TO THE BOARD INSTRUCTIONS:

Two originals.

ATTACHMENTS:

Description

- **Amendment 6 to 4177**



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

May 9, 2018

M E M O R A N D U M

TO: Mary Ellen Donner, Parks and Recreation Director

RE: Item II.B.1., Amendment Number 6 to Management Lease with Internal Improvement Trust Fund of the State of Florida for Archie Carr Sea Turtle Refuge Florida Forever Project

The Board of County Commissioners, in regular session on May 8, 2018, executed Amendment Number 6 to Management Lease with Internal Improvement Trust Fund of the State of Florida for Archie Carr Sea Turtle Refuge Florida Forever Project. Enclosed are three executed Amendments.

Upon execution by the State, please return a fully-executed Amendment to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encls. (3)

cc: EEL Program Manager
Contracts Administration

This instrument prepared by:
Diane L. McKenzie,
Department of Environmental Protection
Bureau of Public Administration
Division of State Lands
3900 Commonwealth Blvd. MS 130
Tallahassee, Florida 32399-3000
AID: 37477

ATL1
[2.60 total acres +/-]

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE OF FLORIDA**

AMENDMENT NUMBER SIX TO LEASE NUMBER 4177

THIS LEASE AMENDMENT is entered into this 8 day of May, 2018, by and between the **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA**, hereinafter referred to as "LESSOR" and **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, hereinafter referred to as "LESSEE";

WITNESSETH:

WHEREAS, LESSOR, by virtue of Section 253.03, Florida Statutes, holds title to certain lands and property for the use and benefit of the State of Florida; and

WHEREAS, on January 28, 1999, LESSOR and LESSEE entered into Lease Number 4177 (the "lease"); and

WHEREAS, LESSOR and LESSEE desire to amend the lease to add land to the leased premises.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereto agree as follows:

1. The legal description of the leased premises set forth in Exhibit "A" of Lease Number 4177 is hereby amended to include the real property described in Exhibit "A" attached hereto and by reference made a part hereof.
2. It is understood and agreed by LESSOR and LESSEE that in each and every respect the terms of Lease Number 4177, except as amended, shall remain unchanged and in full force and effect and the same are hereby ratified, approved and confirmed by LESSOR and LESSEE as of the date of this amendment.
3. It is understood and agreed by LESSOR and LESSEE that this Amendment Number Six to Lease Number 4177 is hereby binding upon the parties hereto and their successors and assigns.

WITNESSES:

Donna Scott
Original Signature

Donna Scott
Typed/Printed Name of Witness

CM Willey
Original Signature

Christine M. Willey
Typed/Printed Name of Witness

BREVARD COUNTY, FLORIDA
a political subdivision of the State of Florida,
By its Board of County Commissioners

(SEAL)

BY: Rita Pritchett
Rita Pritchett, Chair

As approved by the Board on Scott Ellis, Clerk
May 8, 2018

"LESSEE"

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 8 day of MAY, 2018, by Rita Pritchett, as Chair, for and on behalf of the Board of County Commissioners of Brevard County, Florida, a political subdivision of the State of Florida. She is personally known to me or has produced _____ as identification.

Reviewed for legal form and content:

Alex Cassese

(Assistant) County Attorney

Deborah W. Thomas
Notary Public, State of Florida

DEBORAH W. THOMAS
Printed, Typed or Stamped Name

Commission/Serial No. FF 997773

My Commission Expires: June 10, 2020

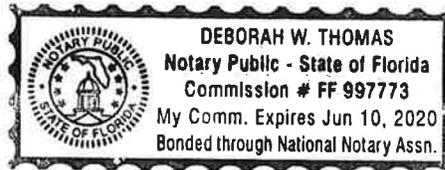


EXHIBIT "A"

This Instrument Prepared By and
Please Return To:
Wendi McAleese
American Government Services Corporation
3812 W. Linebaugh Avenue
Tampa, Florida 33618
AGS#: 27677

Recorded Electronically	
ID	CR BXK 81X10 Page 532
County	Brevard
Date	12-29-17 Time 3:05 PM
Simplifile.com 800.460.5657	

WARRANTY DEED
(STATUTORY FORM - SECTION 689.02, F.S.)

THIS INDENTURE is made this 21 day of DECEMBER, A.D. 2017, between Alberta M. Jackson, individually and as Trustee of the Alberta M. Jackson Revocable Trust u/t/d June 4, 2004, whose post office address is 3500 N. Riverside Dr., Indialantic, FL 32903 ("Grantor"), and the **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA**, whose post office address is c/o Florida Department of Environmental Protection, Division of State Lands, 3900 Commonwealth Boulevard, Mail Station 115, Tallahassee, FL 32399-3000 ("Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "Grantor" and "Grantee" are used for singular and plural, as the context requires and the use of any gender shall include all genders.)

WITNESSETH: That the said Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's successors and assigns forever, the following described land situate, lying and being in **Brevard County, Florida**, to-wit:

See **EXHIBIT "A"** attached hereto and by reference made a part hereof.

Property Appraiser's Parcel Identification Number: 30-39-07-00-37
Tax Collector's Account Number: 3008465

This property is not the homestead of the grantor, nor is it contiguous to homestead property; as such homestead is defined under Florida law.

This conveyance is subject to easements, restrictions, limitations, and conditions of record, if any, but any such interests that may have been terminated are not hereby re-imposed.

AND the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF the Grantor has hereunto set Grantor's hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

Jeanie R. Owens
(Signature of 1st Witness)

Jeanie R. Owens
(Printed, Typed or Stamped Name of 1st Witness)

Alberta M. Jackson
Alberta M. Jackson, individually and as Trustee of the Alberta M. Jackson Revocable Trust u/t/d June 4, 2004

Leslie J. Musgrave
(Signature of 2nd Witness)

Leslie J. Musgrave
(Printed, Typed or Stamped Name of 2nd Witness)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 21 day of DECEMBER, 2017, by Alberta M. Jackson, individually and as Trustee of the Alberta M. Jackson Revocable Trust u/t/d June 4, 2004. Such person (Notary Public must check applicable box):

- is personally known to me.
- produced a driver license.
- produced _____ as identification.

Mildred V. Baker
Notary Public

(Printed, Typed or Stamped Name of Notary Public)

Commission No.: _____

My Commission Expires: _____

(NOTARY PUBLIC SEAL)



MILDRED V BAKER
Commission # GG 124713
Expires November 14, 2021
Bonded thru Budget Notary Services

Warranty Deed (Statutory Form – Section 689.02 F.S.)

EXHIBIT "A"

PARCEL 1: The South 117.99 feet of the North 471.96 feet as measured along the Government Lot Line dividing Government Lot 1 and Government Lot 2 of Section 7, Township 30 South, Range 39 East, of said Government Lot 2 and said Government Lot 1, lying West of State Road A1A.

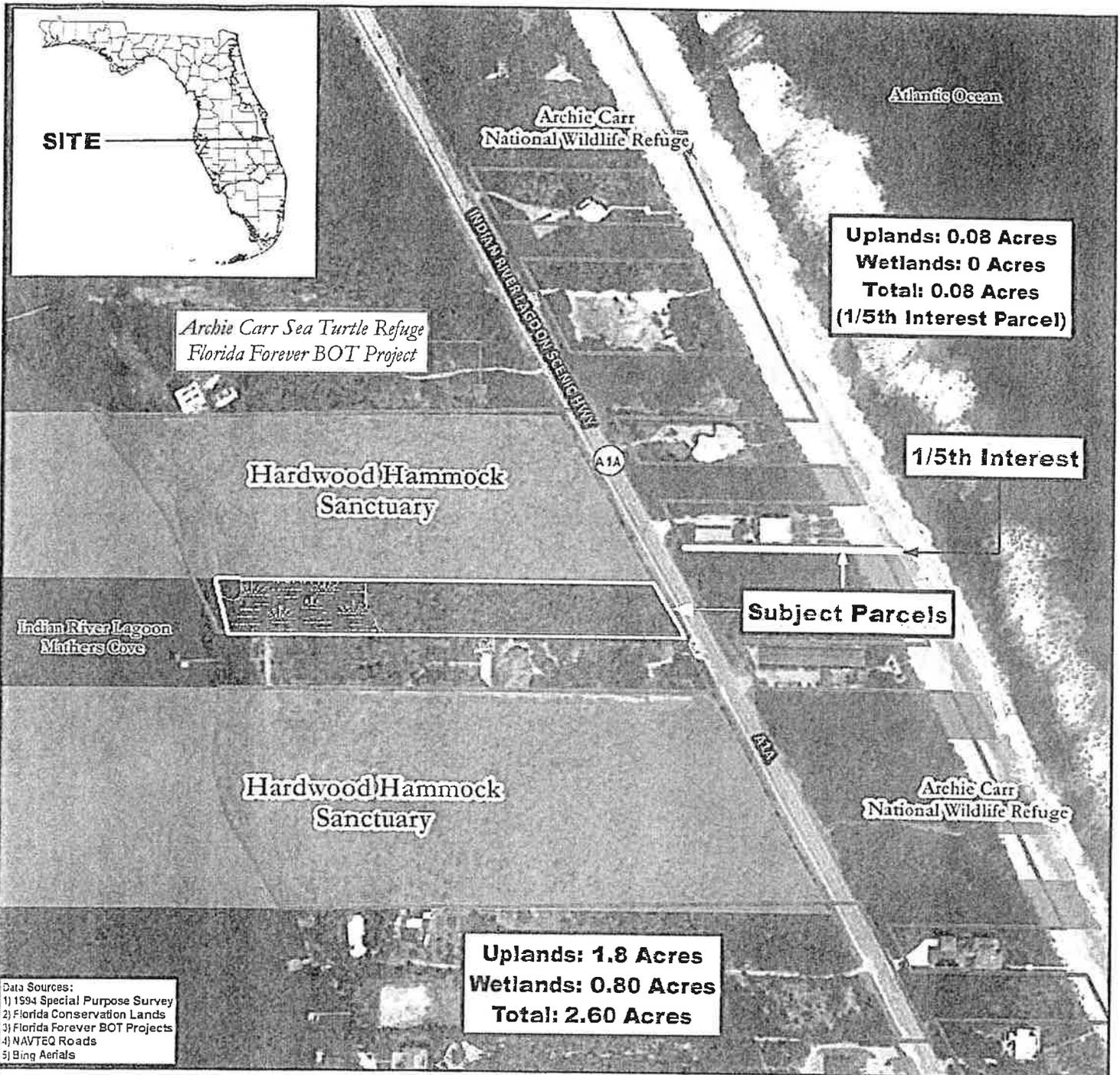
Said property extends from State Road A1A to and into the waters of the Indian River.
TOGETHER WITH riparian and littoral rights thereunto belonging.

PARCEL 2: TOGETHER WITH an undivided 1/5 interest in and to the following described property, to-wit:

The South 7 feet of the South 180 feet of the North 280 feet of Government Lot 1, East of State Road A1A, in Section 7, Township 30 South, Range 39 East, Brevard County, Florida.

Archie Carr Sea Turtle Refuge
Alberta Jackson Trust
Brevard County

BSM
BY SK
Date: 12.04.2017



Legend

- Subject Parcels
- Wetlands
- Florida Forever Project
- Federal Managed Conservation Lands
- City/County Managed Conservation Lands

0 150 300 600
Feet




Appraisal for Archie Carr Sea Turtle Refuge - Jackson

Section 07 Township 30 South, Range 39 East

Brevard County, Florida