

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Donation of Right of Way by Warranty Deed from West Malabar Properties, L.L.C. for the Benefit of the DR Horton Signalization Plans at the Intersection of Minton Road and Hield Road – District 5

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Jean Kremitzki, Land Acquisition Specialist

CONTACT PHONE: 321-350-8153

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>2.12.24</u>
COUNTY ATTORNEY ALEXANDER ESSEESSE Deputy County Attorney		_____	<u>2/13/24</u>

Prepared by and return to: Jean Kremitzki
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 28-36-24-FA-2-1

WARRANTY DEED
(Right of Way for a portion of Minton/Hield)

THIS DEED is made this 1st day of February, 2024, by West Malabar Properties, L.L.C., a Florida limited liability company, hereafter called the Grantor, whose mailing address is 516 Delannoy Avenue, Cocoa, Florida 32922, 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:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with all riparian and littoral rights appertaining thereto.

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.

(Signatures 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:

Britni Gordon

Witness

Britni Gordon

Print Name

516 Delannoy COCOA FL

Address

32922

Amy Cheng

Witness

Amy Cheng

Print Name

516 Delannoy

Address

COCOA FL
32922

GRANTOR:

West Malabar Properties, L.L.C.,
a Florida limited liability company

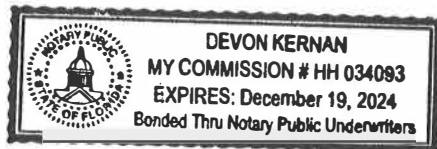
By: J. Cole Oliver
J. Cole Oliver, Manager

(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 1st day of February, 2024, by J. Cole Oliver as Manager for West Malabar
Properties, L.L.C., a Florida limited liability company. Is ☒ personally known or [] produced
_____ as identification.

Devon Kernan
Notary Signature
(SEAL)



LEGAL DESCRIPTION

PARCEL #100

PARENT PARCEL ID# 28-36-24-FA-2-1
SECTION 24, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: FEE SIMPLE RIGHT-OF-WAY

EXHIBIT "A"

SHEET 1 OF 2
NOT VALID WITHOUT SHEET 2
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 100, FEE SIMPLE RIGHT OF WAY (BY SURVEYOR)

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9660, PAGE 909, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF HIELD ROAD AND THE WEST RIGHT OF WAY LINE ON MINTON ROAD, AND RUN SOUTH 00°30'29" WEST ALONG THE WEST RIGHT OF WAY LINE OF MINTON ROAD, A DISTANCE OF 30.00 FEET, THENCE NORTH 45°29'08" WEST, A DISTANCE OF 41.68 FEET TO THE SOUTH RIGHT OF WAY LINE OF HIELD ROAD; THENCE NORTH 88°31'15" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING. CONTAINING 450 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

ABBREVIATIONS

B.B. = BASIS OF BEARINGS
O.R.B. = OFFICIAL RECORDS BOOK
R/W = RIGHT-OF-WAY

SURVEYORS NOTES:

1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
4. THIS SKETCH WAS PREPARED WITH THE BENEFIT OF AN OWNERSHIP & ENCUMBRANCE REPORT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 11319180, EFFECTIVE DATES JUNE 01, 1983 THROUGH AUGUST 4, 2023, AND FOUND NO ENCUMBRANCES ON THE SUBJECT PROPERTY.
5. BEARINGS ARE BASED ON AN ASSUMED BEARING OF NORTH 88°31'15" EAST FOR THE SOUTH RIGHT OF WAY LINE OF HIELD ROAD.

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS


DANIEL D. GARNER, FLS #189
PROFESSIONAL LICENSED SURVEYOR

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.
3970 MINTON ROAD, WEST MELBOURNE, FL 32904
PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com LICENSED BUSINESS #6623

DRAWN BY:
DOUG W. GUARE

CHECKED BY:
DANIEL D. GARNER

REVISION: _____
REVISION: _____
REVISION: COUNTY COMMENTS

SECTION 24,
TOWNSHIP 28 SOUTH,
RANGE 36 EAST

DATE: 08-11-23

PROJECT # 35061

09-05-23

SKETCH OF DESCRIPTION

PARCEL #100

EXHIBIT "A"

SHEET 2 OF 2
NOT VALID WITHOUT SHEET 1
THIS IS NOT A SURVEY

PARENT PARCEL ID#: 28-36-24-FA-2-1
SECTION 24, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: FEE SIMPLE RIGHT-OF-WAY

HIELD ROAD
(66' R/W)
MELBOURNE POULTRY COLONY
ADDITION No. 1
(PLAT BOOK 7, PAGE 12)

**POINT OF BEGINNING
OF PARCEL #100**

THE INTERSECTION OF THE SOUTH
RIGHT OF WAY LINE OF
HIELD ROAD AND THE WEST
RIGHT OF WAY LINE
OF MINTON ROAD

SOUTH R/W LINE **L3** (B.B.)

PARCEL #100, FEE SIMPLE
RIGHT OF WAY,
450 SQUARE FEET
(0.01 ACRES)

PARCEL ID:
28-36-24-FA-2-1
(O.R.B. 9660, PAGE 909)

MINTON ROAD
(COUNTY ROAD 509)
(R/W VARIES)
(FLORIDA DEPARTMENT OF TRANSPORTATION
MAP SECTION No. 70220-2401 F.P. No. 405506 3
AS RECORDED IN ROAD PLAT BOOK 1, PAGE 3)

ORIGINAL RIGHT OF WAY

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°30'29"W	30.00'
L2	N45°29'08"W	41.68'
L3	N88°31'15"E	30.00'

WEST
R/W LINE



NORTH

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.
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PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

SCALE: 1" = 10'

PROJECT # 35061

REVISION: _____

REVISION: _____

REVISION: COUNTY COMMENTS

09-05-23

SECTION 24,
TOWNSHIP 28 SOUTH,
RANGE 36 EAST

LOCATION MAP

Section 24, Township 28 South, Range 36 East - District: 5

PROPERTY LOCATION: The intersection of the southwest corner of the Minton Road and Hield Road.

OWNERS NAME(S): West Malabar Properties, L.L.C.

