

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Dedication by 1) Warranty Deed for Tract L of North Island Villas and Bill of Sale Related to Lift Station R-13, and 2) Warranty Deed for Tract M for Right of Way from North Island Villas (FL) Owner IV LLC – 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>LM</u>	_____	<u>9.25.23</u>
COUNTY ATTORNEY ALEXANDER ESSEESSE Deputy County Attorney	<u>AE</u>	_____	<u>9/29/23</u>

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
Tax Parcel ID: 23-36-34-03--*-L

WARRANTY DEED

THIS DEED is made this 13 day of September 2023, by North Island Villas (FL) Owner IV LLC, a Delaware limited liability company, hereafter called the Grantor, whose mailing address is 3953 Maple Avenue, Suite 300, Dallas, Texas 75219, 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, and all interest in subsurface, oil, gas, and minerals.

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.

Signed, sealed and delivered in the presence of:

MR Beavans

Witness

MR Beavans

Print Name

Julie G. Creel

Witness

JULIE CREEL

Print Name

STATE OF Texas

COUNTY OF Dallas

GRANTOR:

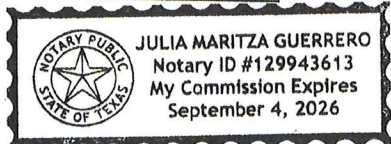
North Island Villas (FL) Owner IV LLC, a Delaware limited liability company

By: [Signature]

Ron J. Hoyl, Vice President and Authorized Signor

(SEAL)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this 13rd day of September, 2023, by Ron J. Hoyl, Vice President and Authorized Signor for North Island Villas (FL) Owner IV LLC, a Delaware limited liability company. Is personally known or produced _____ as identification.



Julia Maritza Guerrero
Notary Signature

BOUNDARY SURVEY

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2&3 OF 3

LEGAL DESCRIPTION:


TRACT L, NORTH ISLAND VILLAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGES 92 THROUGH 95 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYORS NOTES:

1. THIS BOUNDARY SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.602(3).
2. BEARINGS SHOWN HEREON ARE BASED ON THE E. LINE OF THE N.E. 1/4, SEC. 34-23-36, BEING S 00°09'23" W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS BOUNDARY SURVEY WAS PREPARED WITH THE BENEFIT OF A PROPERTY INFORMATION REPORT, PREPARED BY GREENBERG TRAUIG, DATED MARCH 20, 2023. (SEE SHEET 3 OF 3 FOR EXCEPTIONS).
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE BREVARD COUNTY PUBLIC ACCESS WEBSITE.
6. THE BOUNDARY SURVEY SHOWN HEREON WAS PROVIDED TO THE SURVEYOR BY THE CLIENT.
7. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND OR VISIBLE, UNOBSTRUCTED ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS SUCH AS FOUNDATIONS AND UTILITIES WERE NOT LOCATED UNLESS NOTED OTHERWISE.
8. UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND THE PROFESSIONAL PURVIEW OF THE SURVEYOR AND SUBJECT TO LEGAL INTERPRETATION.

ABBREVIATIONS AND /OR LEGEND

- SET 5/8" IRON ROD & CAP LB#6723
- I.D. IDENTIFICATION
- C.C.R. CERTIFIED CORNER RECORD
- R/W RIGHT OF WAY
- U.D.S.E. UTILITY, DRAINAGE & SIDEWALK EASEMENT

- CCR CERTIFIED CORNER RECORD
- CB CATCH BASIN
- EM ELECTRIC METER
- UV UNKNOWN VAULT
-  BACKFLOW PREVENTOR

- P.B. PLAT BOOK
- PGS. PAGES
- P PLAT
- M MEASURED

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

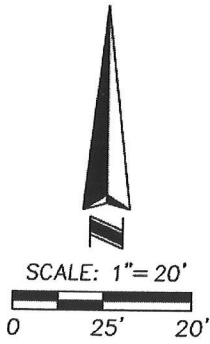
JAMES L. RICKMAN, PSM 5633
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY:
ALLEN & COMPANY

DRAWN BY: RT	SCALE: N/A	PROJECT NO. 20210929			SECTION 34 TOWNSHIP 23 SOUTH RANGE 36 EAST
CHECKED BY: HF	DATE: 07/20/23	REVISIONS	DATE	DESCRIPTION	
DRAWING: LIFT STATION			07/20/23	BOUNDARY SURVEY	
			08/07/23	IMPROVEMENTS ADDED	

BOUNDARY SURVEY (CONTINUED)

SHEET 2 OF 3
NOT VALID WITHOUT SHEETS 1&2 OF 3



NORTHEAST CORNER OF SECTION 34-23-36
FOUND IRON ROD IN PAVEMENT CUTOUT,
NO IDENTIFICATION

NOT PLATTED

PARCEL I.D.:
23-33-27-00-751

NORTH LINE OF THE SOUTH
1/2 OF THE NORTH 1/2 OF
THE NORTHEAST 1/4 OF
SECTION 34-23-36

EDGE OF PAVEMENT

S89°52'00"W 534.46'

PORCHER ROAD

TRACT M 25.00' (PUBLIC) RIGHT-OF-WAY

DOUBLE YELLOW STRIPES

EDGE OF PAVEMENT

S00°08'00"E
25.00'

6.70'

N89°52'00"E

5.76'

30.98'(P&M)

30.26'(P&M)

S00°08'00"E

TRACT "B"
BUFFER/UTILITY

TRACT "E" CONSERVATION
NORTH ISLAND VILLAS
P.B. 73, PGS. 92-95

EAST LINE OF THE
NORTHEAST 1/4
SECTION 34-23-36

TRACT L
LIFT
STATION

N01°59'16"W
30.28'(P&M)

30.00'(P&M)

S89°52'00"W

30.00'(P&M)

S89°52'00"W

TRACT "J"
OPEN SPACE
UTILITY/DRAINAGE

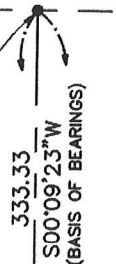
ELECTRIC PANEL
W/METER
0.50' NORTH

31.50' U.D.S.E.

BREVARD COUNTY
BENCHMARK
#DGA31 2023

TRACT "E"
CONSERVATION
NORTH ISLAND VILLAS
P.B. 73, PGS. 92-95

SOUTHEAST CORNER OF
NORTHWEST 1/4
SECTION 34-23-36
FOUND RAILROAD SPIKE
NO IDENTIFICATION
CCR #40241



2667.16'

PREPARED BY:
ALLEN & COMPANY

SCALE:
1" = 20'
PROJECT NO.:
20210929

SECTION 34
TOWNSHIP 23 SOUTH
RANGE 36 EAST

BOUNDARY SURVEY

(CONTINUED)

SHEET 3 OF 3

NOT VALID WITHOUT SHEETS 1&2 OF 3

PROPERTY INFORMATION REPORT EXCEPTIONS:

DEED IN FAVOR OF THE STATE OF FLORIDA BY DEED RECORDED IN DEED BOOK 247, PAGE 174, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. DOES NOT AFFECT THE SUBJECT PROPERTY.

BINDING DEVELOPMENT PLAN WITH BREVARD COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8003, PAGE 355, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN HEREON, BLANKET IN NATURE.

RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT RECORDED IN OFFICIAL RECORDS BOOK 8463, PAGE 2740, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. DOES NOT AFFECT THE SUBJECT PROPERTY.

RIGHT OF WAY OF PORCHER ROAD AS NOW LAID OUT AND IN USE. DOES NOT AFFECT THE SUBJECT PROPERTY.

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 9693, PAGE 2748, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN HEREON, BLANKET IN NATURE.

PREPARED BY:
ALLEN & COMPANY

SCALE:
1" = 20'

PROJECT NO.:
20210929

SECTION 34
TOWNSHIP 23 SOUTH
RANGE 36 EAST

BILL OF SALE

North Island Villas (FL) Owner IV LLC, a Delaware limited liability company (hereinafter "SELLER"), whose address is 3953 Maple Avenue, Suite 300, Dallas, Texas 75219 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 13 day of September, 2023.

North Island Villas (FL) Owner IV LLC, a
Delaware limited liability company

By: [Signature]
Ron J. Hoyl, Vice President and Authorized Signor

(seal)

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this 13 day of September, 2023, by Ron J. Hoyl, Vice President and Authorized Signor for North Island Villas (FL) Owner IV LLC, a Delaware limited liability company. Is personally known or produced _____ as identification.

[Signature]
Notary Signature
SEAL

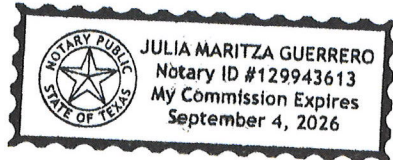


EXHIBIT A

North Island Villas (fka Crisafulli Townhomes)
Personal Property

Item	Quantity	Units	Unit Cost	Extended Cost
Lift Station	1	LS	\$415,700	\$415,700

Exhibit "B"

Real Property

Tract L, North Island Villas, according to the Plat thereof, as recorded in Plat Book 73,
Pages 92 through 95 of the Public Records of Brevard County, Florida.

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
Tax Parcel ID: 23-36-34-03-* -M

WARRANTY DEED
(Right of Way for a portion of Porcher Road)

THIS DEED is made this 13 day of September 2023, by North Island Villas (FL) Owner IV LLC, a Delaware limited liability company, hereafter called the Grantor, whose mailing address is 3953 Maple Avenue, Suite 300, Dallas, Texas 75219, 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, and all interest in subsurface, oil, gas, and minerals.

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.

See next page for Notary Acknowledgement

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:

MK Beavans
Witness
MK Beavans
Print Name
June Orell
Witness
JUNE ORELL
Print Name

GRANTOR:
North Island Villas (FL) Owner IV LLC, a
Delaware limited liability company

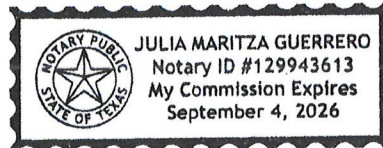
By: [Signature]
Ron J. Hoyl, Vice President and Authorized
Signor

(SEAL)

STATE OF Texas
COUNTY OF Dallas

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[Signature]
Notary Signature
(seal)



BOUNDARY SURVEY

SHEET 1 OF 4

NOT VALID WITHOUT SHEETS 2,3 & 4 OF 4

LEGAL DESCRIPTION:

TRACT M, NORTH ISLAND VILLAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGES 92 THROUGH 95 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYORS NOTES:

1. THIS BOUNDARY SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.602(3).
2. BEARINGS SHOWN HEREON ARE BASED ON THE E. LINE OF THE N.E. 1/4, SEC. 34-23-36, BEING S 00°09'23" W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS BOUNDARY SURVEY WAS PREPARED WITH THE BENEFIT OF A PROPERTY INFORMATION REPORT, PREPARED BY GREENBERG TRAURIG, DATED MARCH 20, 2023. (SEE SHEET 4 OF 4 FOR EXCEPTIONS).
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE BREVARD COUNTY PUBLIC ACCESS WEBSITE.
6. THE BOUNDARY SURVEY SHOWN HEREON WAS PROVIDED TO THE SURVEYOR BY THE CLIENT.
7. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND OR VISIBLE, UNOBSTRUCTED ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS SUCH AS FOUNDATIONS AND UTILITIES WERE NOT LOCATED UNLESS NOTED OTHERWISE.
8. UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND THE PROFESSIONAL PURVIEW OF THE SURVEYOR AND SUBJECT TO LEGAL INTERPRETATION.

ABBREVIATIONS AND /OR LEGEND

- SET 5/8" IRON ROD & CAP LB#6723
- I.D. IDENTIFICATION
- U.E. UTILITY EASEMENT
- R/W RIGHT OF WAY
- U.D.S.E. UTILITY, DRAINAGE & SIDEWALK EASEMENT

- E/P EDGE OF PAVEMENT
- P PLAT
- M MEASURED
- P.B. PLAT BOOK
- PGS. PAGES

CCR CERTIFIED CORNER RECORD
SIGN



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

JAMES L. RICKMAN, PSM 5633
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY:
ALLEN & COMPANY

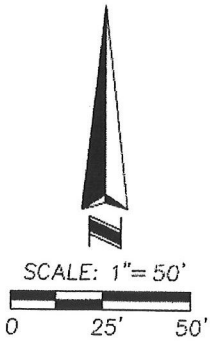
DRAWN BY: RT	SCALE: N/A	PROJECT NO. 20210929		SECTION 34 TOWNSHIP 23 SOUTH RANGE 36 EAST
CHECKED BY: HF	DATE: 7/20/23	REVISIONS	DESCRIPTION	
DRAWING: TRACT "M"	DATE: 7/20/23	07/20/23	BOUNDARY SURVEY	
		08/07/23	IMPROVEMENTS ADDED	

BOUNDARY SURVEY

(CONTINUED)

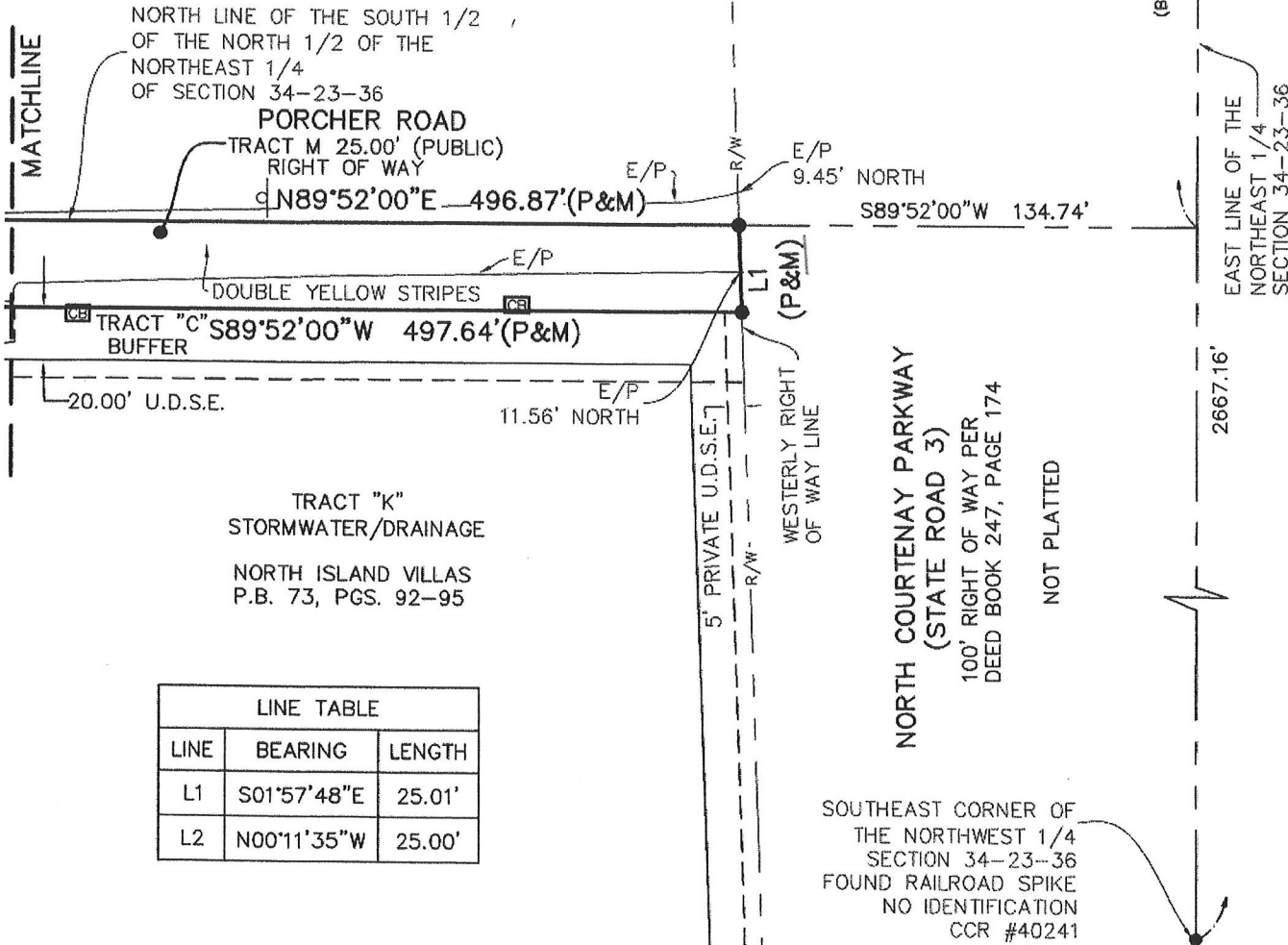
SHEET 2 OF 4

NOT VALID WITHOUT SHEETS 1,3 & 4 OF 4



NORTHEAST CORNER OF SECTION 34-23-36 FOUND IRON ROD IN PAVEMENT CUTOUT, NO IDENTIFICATION

NOT PLATTED
 PARCEL I.D.:
 23-36-27-00-751



LINE TABLE		
LINE	BEARING	LENGTH
L1	S01°57'48"E	25.01'
L2	N00°11'35"W	25.00'

PREPARED BY:
 ALLEN & COMPANY

SCALE:
 1" = 50'

PROJECT NO.:
 20210929

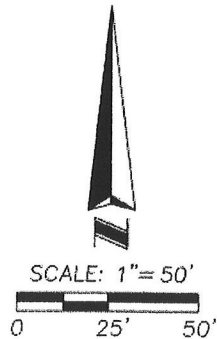
SECTION 34
 TOWNSHIP 23 SOUTH
 RANGE 36 EAST

BOUNDARY SURVEY

(CONTINUED)

SHEET 3 OF 4

NOT VALID WITHOUT SHEETS 1,2 & 4 OF 4



NOT PLATTED

PARCEL I.D.:
23-36-27-00-751

MATCHLINE

EDGE OF PAVEMENT
3.39' NORTH

NORTH LINE OF THE SOUTH 1/2
OF THE NORTH 1/2 OF THE
NORTHEAST 1/4 OF SECTION
34-23-36 E/P

N89°52'00"E 496.87'

77.50'

EDGE OF PAVEMENT
8.32' NORTH

TRACT M 25.00' (PUBLIC) RIGHT OF WAY

PORCHER ROAD DOUBLE YELLOW STRIPES

PARCEL I.D.:
23-36-34-00-44

NOT PLATTED

TRACT "E"
CONSERVATION

TRACT L
LIFT
STATION
CONCRETE
DRIVEWAY

S89°52'00"W 497.64'

TRACT "B"
BUFFER/UTILITY

TRACT "J" OPEN SPACE/
UTILITY/DRAINAGE

ASPHALT
DRIVE

31.5' U.D.S.E.

10.00' PUBLIC U.E.

NORTH ISLAND VILLAS
P.B. 73, PGS. 92-95

HONEYTREE LANE
50' PUBLIC
RIGHT OF WAY WIDTH
10.00' PUBLIC U.E.

PREPARED BY:
ALLEN & COMPANY

SCALE:
1" = 50'

PROJECT NO.:
20210929

SECTION 34
TOWNSHIP 23 SOUTH
RANGE 36 EAST

BOUNDARY SURVEY

(CONTINUED)

SHEET 4 OF 4

NOT VALID WITHOUT SHEETS 1,2&3 OF 4

PROPERTY INFORMATION REPORT EXCEPTIONS:

DEED IN FAVOR OF THE STATE OF FLORIDA BY DEED RECORDED IN DEED BOOK 247, PAGE 174, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. DOES NOT AFFECT THE SUBJECT PROPERTY. RELATES TO STATE ROAD 3.

BINDING DEVELOPMENT PLAN WITH BREVARD COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8003, PAGE 355, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN HEREON, BLANKET IN NATURE.

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RIGHT OF WAY OF PORCHER ROAD AS NOW LAID OUT AND IN USE. AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 9693, PAGE 2748, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AFFECTS SUBJECT PROPERTY, CANNOT BE SHOWN HEREON, BLANKET IN NATURE.

PREPARED BY:
ALLEN & COMPANY

SCALE:
1" = 20'

PROJECT NO.:
20210929

SECTION 34
TOWNSHIP 23 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 34, Township 23 South, Range 36 East – District 2

PROPERTY LOCATION: South of Porcher Road and west of North Courtenay Parkway in Merritt Island.

OWNERS NAME(S): North Island Villas (FL) Owner IV LLC

