

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Donation of Warranty Deed from First Baptist Church, Inc., for the First Baptist Church of Melbourne Project – District 3.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>8-5-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>08-16-2021</u>

Prepared by and return to: Andrew Malach
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 28-37-09-00-503

WARRANTY DEED

THIS INDENTURE is made this 2 day of August, 2021, by First Baptist Church, Inc., a Florida not for profit corporation, hereafter called the Grantor, whose mailing address is 3301 Dairy Road, Melbourne, Florida 32904 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 pursuant to section 270.11(3), Florida Statutes.

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:

Laurie B. Anderson
Witness
Laurie B. Anderson
Print Name
Karen N. Benz
Witness
Karen N. Benz
Print Name

GRANTOR:
First Baptist Church, Inc., a Florida not
for profit corporation
By: Paul Rowlands
Paul Rowlands, President

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 2 day of August, 2021, by Paul Rowlands, as President of First Baptist Church, Inc., a Florida not for profit corporation. Is personally known or produced _____ as identification.



Laurie B. Anderson
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346678
Expires 6/19/2023

Laurie B. Anderson
Notary Signature
(SEAL)

LEGAL DESCRIPTION

PARCEL ID #100

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2 & 3 OF 3

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 28-37-09-00-503

SECTION 09, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: FEE SIMPLE RIGHT-OF-WAY

LEGAL DESCRIPTION:

(PREPARED BY SURVEYOR)

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4809, PAGE 2280, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 09, TOWNSHIP 28 SOUTH, RANGE 37 EAST, AND RUN NORTH 00°16'49" EAST ALONG THE WEST LINE OF SAID SECTION 09, A DISTANCE OF 405.41 FEET; THENCE SOUTH 89°43'11" EAST, A DISTANCE OF 40.00 FEET TO THE EAST RIGHT OF WAY LINE OF DAIRY ROAD AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 00°16'49" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 325.00 FEET; THENCE SOUTH 89°43'11" EAST, A DISTANCE OF 13.00 FEET; THENCE SOUTH 00°16'49" WEST, A DISTANCE OF 325.00 FEET; THENCE NORTH 89°43'11" WEST, A DISTANCE OF 13.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4,225 SQUARE FEET OR 0.097 ACRES, MORE OR LESS.

ABBREVIATIONS

B.B. = BASIS OF BEARINGS

C/L = CENTERLINE

O.R.B. = OFFICIAL RECORDS BOOK

R/W = RIGHT-OF-WAY

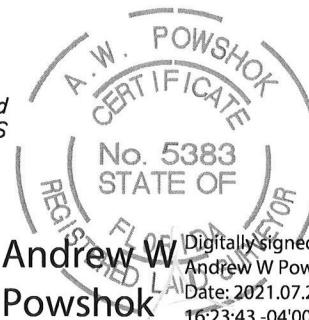
SURVEYORS NOTES:

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 OWNER & ENCUMBRANCE REPORT PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NO. 21081042 DATED MAY 10, 2021. FOR EASEMENTS LISTED WITHIN THE TITLE COMMITMENT SEE SHEET 3 OF 3.
5. BEARINGS ARE BASED ON AN ASSUMED BEARING OF NORTH 00°16'49" EAST FOR THE WEST LINE OF SECTION 09, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA.

The seal appearing on this document was authorized by Andrew W. Powshok, P.L.S. No.5383, on July 29, 2021.

This item has been electronically signed and sealed by Andrew W. Powshok, PLS No.5383 using a digital signature on July, 29, 2021.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



Digitally signed by
Andrew W Powshok
Date: 2021.07.29
16:23:43 -04'00'

Andrew W.
Powshok

ANDREW W. POWSHOK, PLS 5383
PROFESSIONAL LICENSED SURVEYOR

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

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:
ANDREW W. POWSHOK

REVISION: _____
REVISION: COUNTY COMMENTS 07-28-21

SECTION 09,
TOWNSHIP 28 SOUTH,
RANGE 37 EAST

DATE: 05-10-21

PROJECT # 40285

REVISION: _____
REVISION: COUNTY COMMENTS 06-09-21

SKETCH OF DESCRIPTION

PARCEL ID# 100

EXHIBIT "A"

SHEET 2 OF 3

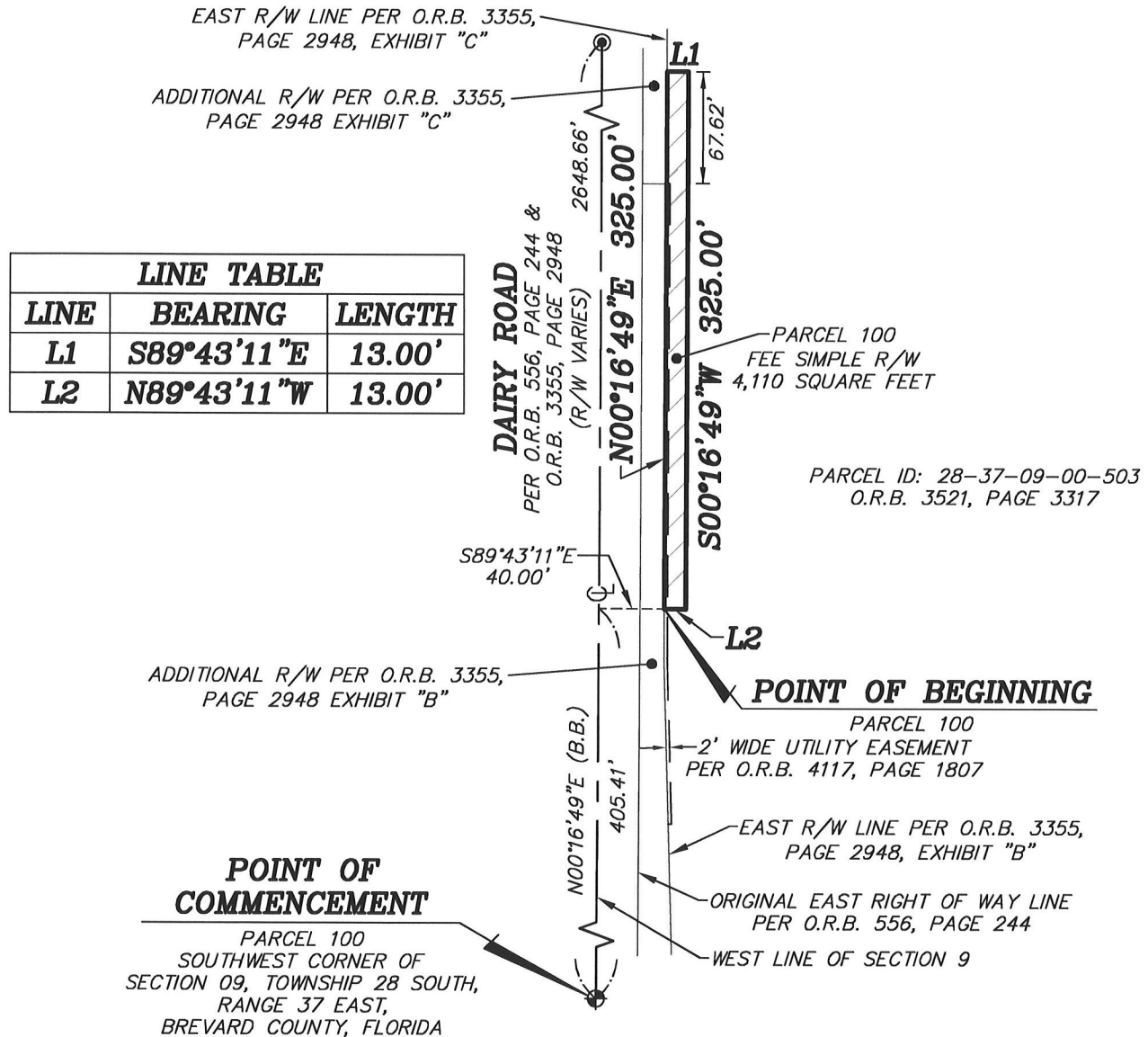
NOT VALID WITHOUT SHEETS 1 & 3 OF 3

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 28-37-09-00-503

SECTION 09, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: FEE SIMPLE RIGHT-OF-WAY



NORTH

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

SCALE: 1" = 100'

PROJECT # 40285

REVISION:

REVISION: COUNTY COMMENTS

07-28-21

REVISION: COUNTY COMMENTS

06-09-21

SECTION 09,
TOWNSHIP 28 SOUTH,
RANGE 37 EAST

SKETCH OF DESCRIPTION

PARCEL ID# 100

EXHIBIT "A"

SHEET 3 OF 3
NOT VALID WITHOUT SHEET 1 & 2 OF 3
THIS IS NOT A SURVEY

PARENT PARCEL ID#: 28-37-09-00-503
SECTION 09, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: FEE SIMPLE RIGHT-OF-WAY

OWNER & ENCUMBRANCE REPORT ITEMS

- Item 3. Easement to Florida Power & Light Company recorded in O.R. Book 2450, Page 2144, Public Records of Brevard County, Florida. Does affect the subject property but not Parcel 100 and has not been plotted.
- Item 4. Right of Way Deed Streets and Drainage recorded in O.R. Book 2450, Page 2175, Public Records of Brevard County, Florida. Does not affect the subject property.
- Item 5. Declaration of Easement recorded in O.R. Book 2672, Page 430, Public Records of Brevard County, Florida. Does not affect the subject property.
- Item 6. Covenants, conditions, easements and other matters contained in Easement Agreement recorded in O.R. Book 3526, Page 560, Public Records of Brevard County, Florida. Does affect the subject property and is blanket in nature and has not been plotted.
- Item 7. Covenants, conditions, easements and other matters contained in Storm/Surface Water Easement and Access Easement Agreement recorded in O.R. Book 3706, Page 624, Public Records of Brevard County, Florida. Does affect the subject property but not Parcel 100 and has not been plotted.
- Item 8. Covenants, conditions, easements and other matters contained in Access Easement Agreement recorded in O.R. Book 3706, Page 639, Public Records of Brevard County, Florida. Does not affect the subject property and has not been plotted.
- Item 9. Covenants, conditions, easements and other matters contained in Sidewalk Easement Agreement recorded in O.R. Book 3706, Page 651, Public Records of Brevard County, Florida. Does not affect the subject property and has not been plotted.
- Item 10. Covenants, conditions, easements, maintenance and other matters contained in Stormwater Maintenance Agreement for First Baptist Church of Melbourne #SP=96-03 recorded in O.R. Book 4009, Page 2794, Public Records of Brevard County, Florida. Does affect the subject property and is blanket in nature and has not been plotted.
- Item 11. Easement to Florida Power & Light Company recorded in O.R. Book 4108, Page 637, Public Records of Brevard County, Florida. Does affect the subject property and is blanket in nature and has not been plotted.
- Item 12. Utility Easement recorded in O.R. Book 4117, Page 1807, Public Records of Brevard County, Florida. Does affect the subject property and has been plotted.
- Item 13. Public Utility Easement recorded in O.R. Book 4185, Page 3122, Public Records of Brevard County, Florida. Does affect the subject property but not Parcel 100 and has not been plotted.



NORTH

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PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

SCALE: 1" = 100'

PROJECT # 40285

REVISION:

REVISION: COUNTY COMMENTS

07-28-21

REVISION: COUNTY COMMENTS

06-09-21

SECTION 09,
TOWNSHIP 28 SOUTH,
RANGE 37 EAST

LOCATION MAP

Section 09, Township 28 South, Range 37 East - District: 3

PROPERTY LOCATION: On the east side of Dairy Road in Melbourne

OWNERS NAME: First Baptist Church, Inc.

