

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Resolution - Warranty Deed

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

AUTHORIZED BY: *W. Gary Johnson* **CONTACT:** Jerry McCollum, P.E. **EXT.** 5651
W. Gary Johnson, P.E., Director

Agenda Date <u>07/25/06</u>	Regular <input type="checkbox"/>	Consent <input checked="" type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>	Public Hearing – 7:00 <input type="checkbox"/>		

MOTION/RECOMMENDATION:

Adopt Resolution accepting a Warranty Deed for the State Road 436 and Red Bug Lake Road Interchange Project.

District 4 – Commissioner Henley (Jerry McCollum, P.E., County Engineer)

BACKGROUND:

The advance purchase of this parcel was approved by the Board at their November 15, 2005, meeting. The property is located on the west side of State Road 436 between Carpet Brokers and Summit Plaza. Bich Development Partners, LLC, A Florida Limited Liability Company, sold the parcel to Seminole County at a total cost of \$1,223,500.00, as evidenced by the attached Warranty Deed. This property is necessary for the future construction of improvements to the State Road 436 and Red Bug Lake Road Intersection. Once the final design plans have been completed for this project, Seminole County will transfer the required property (Parcel 101) to the FDOT. Also, a portion of Kewanee Trail impacts this property and will be lessed out of the final transfer.

Attachments: Location Map
Resolution
Warranty Deed

Reviewed by: <u>7-10-06</u>
Co Atty: <u><i>V. Dietrich</i></u>
DFS: _____
Other: _____
DCM: <u><i>[Signature]</i></u>
CM: <u><i>[Signature]</i></u>
File No. <u>CPWE01</u>

RESOLUTION NO. 2006-R- _____

RESOLUTION

**THE FOLLOWING RESOLUTION WAS ADOPTED AT THE
REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON
THE ____ DAY OF _____ A.D., 2006.**

WHEREAS, the Seminole County Board of County Commissioners and the Florida Department of Transportation, (FDOT) desire to improve the intersection of State Road 436 and Red Bug Lake Road, a county maintained road located in Section 21, Township 21 South, Range 30 East, in Seminole County, Florida; and

WHEREAS, the implementation of the needed improvement will require property not previously owned by Seminole County or the Florida Department of Transportation, (FDOT); and

WHEREAS, the Seminole County Board of County Commissioners previously approved the advance purchase of property under the 2nd Generation Sales Tax Program at their regular meeting held on November 15, 2005; and

WHEREAS, BICH DEVELOPMENT PARTNERS, LLC, A Florida Limited Liability Company, sold to Seminole County property necessary for the future construction of improvements to this intersection as evidenced by the executed Warranty Deed accompanying this resolution; and

WHEREAS, county staff has filed said Warranty Deed in the Official Records of Seminole County in Official Record Book 6028 at pages 1221 thru 1225; and

WHEREAS, Seminole county intends to transfer the required property to the Florida Department of Transportation (FDOT) upon completion of the final design plans for said intersection improvements.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County, Florida, hereby accepts that Warranty Deed executed by the aforementioned property owner and recorded in Official Record Book 6028, Pages 1221 thru 1225, of the Public Records of Seminole County, Florida conveying to Seminole County the land described therein.

BE IT FURTHER RESOLVED that upon completion of the final design plans for the Red Bug Lake Road and State Road 436 intersection improvements, that the right-of-way needed for construction will be deeded to the Florida Department of Transportation, (FDOT).

ADOPTED THIS ____ DAY OF _____ A.D., 2006.

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

ATTEST:

Carlton Henley, Chairman

**MARYANNE MORSE, Clerk to the
Board of County Commissioners in
and for Seminole County, Florida.**

Prepared under the direction of:
Charles F. Barcus
Program Manager/Right-of-Way
06-14-2006

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 06028 PGS 1221-1225
CLERK'S # 2005211237
RECORDED 12/07/2005 02:38:25 PM
RECORDING FEES 44.00
RECORDED BY t hilden

Document Prepared By:
Warren Lewis, Senior Coordinator
Right-of-Way Section
Seminole County Engineering Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

Legal Description Approved By:
Steve L. Wessels, P.L.S.
County Surveyor
Seminole County Engineering Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

WARRANTY DEED

THIS WARRANTY DEED is made this 6th day of December, 2005, between BICH DEVELOPMENT PARTNERS, LLC, A Florida Limited Liability Company whose address is 1053 Maitland Center Commons Blvd., 2nd Floor, Maitland, Florida, 32751, hereinafter called the GRANTOR, and SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida, 32771, hereinafter called the GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) and other valuable considerations, to GRANTOR in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged by these presents, does grant, bargain, sell, release, convey and confirm unto the GRANTEE, it's heirs and assigns forever, all that certain land lying and being in the County of Seminole, State of Florida, more particularly described as follows:

All Of:

Lots 8 and 9, SCHATT DEVELOPMENT, A Replat of Lot 1, Unit 1, and Lot 7, Unit 2, SCHATT DEVELOPMENT, according to the Plat thereof as recorded in Plat Book 22, Page 64, Public Records of Seminole County, Florida.

Property Appraiser's Parent Parcel Identification No's:
21-21-30-512-0000-0080 & 21-21-30-512-0000-0090

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the GRANTOR hereby covenants with said GRANTEE that they are lawfully seized of said land in fee simple; that they have good right and lawful authority to sell and convey said land; that they hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances. Together with all other common law covenants of title, this conveyance includes the covenant of further assurances.

RETURN TO SANDY McCANN

(P)

IN WITNESS WHEREOF, the said GRANTOR has hereunto signed and sealed these presents the day and year first above written.

Signed, Sealed & Delivered
In the presence of:

BICH DEVELOPMENT PARTNERS,
LLC, A Florida Limited Liability
Company

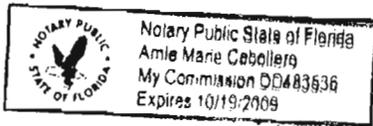
(Sign): [Signature]
Print Name: Dan Kyslowsky

By: [Signature]
BERRY J. WALKER, JR.
Managing Member

(Sign): [Signature]
Print Name: Amie M. Cebollero

STATE OF FLORIDA)
) SS
COUNTY OF ORANGE)

I HEREBY CERTIFY, that on this 1 day of December, 2005, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared BERRY J. WALKER, JR., as managing member of BICH DEVELOPMENT PARTNERS, LLC, A Florida Limited Liability Company, on behalf of said limited liability company. He is personally known to me or has produced _____ as identification and did/did not take an oath.



[Signature]
Print Name: AMIE MARIE CEBOLLERO
Notary Public in and for the County
and State Aforementioned
My commission expires: _____

IN WITNESS WHEREOF, the said GRANTOR has hereunto signed and sealed these presents the day and year first above written.

Signed, Sealed & Delivered
In the presence of:

BICH DEVELOPMENT PARTNERS,
LLC, A Florida Limited Liability
Company

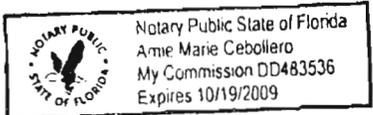
(Sign): [Signature]
Print Name: Dan Kyslowsky

By: [Signature]
Luis Hernandez
Managing Member

(Sign): Amie M. Cebollero
Print Name: Amie M. Cebollero

STATE OF FLORIDA)
) SS
COUNTY OF ORANGE)

I HEREBY CERTIFY, that on this 5 day of December, 2005, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Luis HERNANDEZ, as managing member of BICH DEVELOPMENT PARTNERS, LLC, A Florida Limited Liability Company, on behalf of said limited liability company. He is ~~personally known~~ to me or ~~has produced~~ _____ as identification and did/did not take an oath.



Amie Marie Cebollero
Print Name: Amie Marie Cebollero
Notary Public in and for the County
and State Aforementioned
My commission expires: _____

IN WITNESS WHEREOF, the said GRANTOR has hereunto signed and sealed these presents the day and year first above written.

Signed, Sealed & Delivered
In the presence of:

BICH DEVELOPMENT PARTNERS,
LLC, A Florida Limited Liability
Company

(Sign): [Signature]
Print Name: Dan Ryznowsky

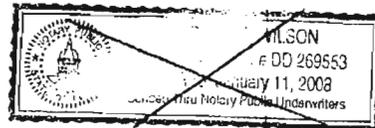
By: [Signature]
Pedro Benevides
Managing Member

(Sign): [Signature]
Print Name: Lorraine D. Wilson

STATE OF FLORIDA)
) SS
COUNTY OF Orange)

I HEREBY CERTIFY, that on this 6 day of December, 2005, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Pedro Benevides, as managing member of BICH DEVELOPMENT PARTNERS, LLC, A Florida Limited Liability Company, on behalf of said limited liability company. He is personally known to me or has produced _____ as identification and did/did not take an oath.

[Signature]
Print Name: Lorraine D. Wilson
Notary Public in and for the County
and State Aforementioned
My commission expires: _____



IN WITNESS WHEREOF, the said GRANTOR has hereunto signed and sealed these presents the day and year first above written.

Signed, Sealed & Delivered
In the presence of:

BICH DEVELOPMENT PARTNERS,
LLC, A Florida Limited Liability
Company

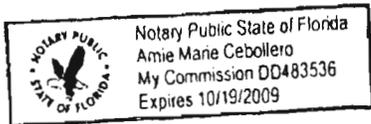
(Sign): [Signature]
Print Name: Dan Kyslowsky

By: [Signature]
I.C. BIVSAR
Managing Member

(Sign): [Signature]
Print Name: Amie M. Cebollero

STATE OF FLORIDA)
) SS
COUNTY OF ORANGE)

I HEREBY CERTIFY, that on this 2 day of DECEMBER, 2005, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared I.C. BIVSAR, as managing member of BICH DEVELOPMENT PARTNERS, LLC, A Florida Limited Liability Company, on behalf of said limited liability company. He is personally known to me or has produced _____ as identification and did take an oath.



[Signature]
Print Name: AMIE MARIE CEBOLLERO
Notary Public in and for the County
and State Aforementioned
My commission expires: _____

For the use and reliance of Seminole
County only. Approved as to form and
legal sufficiency.

[Signature]
County Attorney