

3-2)



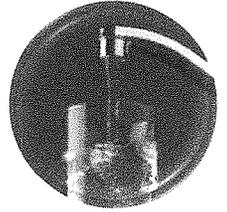
City Council Agenda Item
Meeting of February 2, 2016

TO: The Honorable Mayor and Members of the City Council
FROM: James R. O'Connor, City Manager *[Signature]*
DATE: January 27, 2016

SUBJECT: Bill of Sale of Utility Facilities – Catalina Street Expansion
REQUESTED BY: City Manager/Water and Sewer Director

The following is requested as it relates to the above-referenced agenda item:

- Request Council review and approval based on the attached supporting documentation.
 - No action required. (Information only) _____
-



DEPARTMENTAL CORRESPONDENCE
WATER AND SEWER DEPARTMENT

To: James R. O'Connor, City Manager
Dept: City Manager

From: Robert J. Bolton, P.E., Director *RJB*

Date: January 22, 2016

RE: **Bill of Sale of Utility Facilities**
Catalina Street Expansion

Background:

As part of the construction of the Catalina Street Expansion project, a bill of sale for the water facilities was required to be granted to the City.

Funding:

There is no funding required for this item.

Recommendation:

Place this item on the City Council's February 2, 2016 agenda for approval. Recommend that the City approve and accept conveyance of the Bill of Sale for the water facilities.

Analysis:

Strengths: The Bill of Sale conveys underground utilities within the right-of-way to the City to serve the customers and perform required maintenance.

Weaknesses: None.

Opportunities: Provide utility service to the customers and generate income for the City.

Threats: None.

RB/da
Attachments

cc: Wayne R. Coment, City Attorney
David R. Gay, PSM, Chief Surveyor, Public Works

Prepared by and return to:
COVB Water and Sewer Dept.
P.O. Box 1389
Vero Beach, FL 32961

BILL OF SALE OF UTILITY FACILITIES
To
CITY OF VERO BEACH, FLORIDA
(when constructed within existing easement or road rights-of-way)

KNOW ALL MEN BY THESE PRESENTS, that:

Brown Dog Construction, Inc., a Florida Profit Corporation, whose mailing address is 2046 Treasure Coast Plaza #105, Vero Beach, FL 32960, called GRANTOR, in consideration of value received, the receipt and sufficiency of which is hereby acknowledged, has and does hereby grant, bargain, sell, transfer, and deliver unto the CITY OF VERO BEACH, a Florida municipal corporation, Indian River County, Florida, whose mailing address is P.O. Box 1389, Vero Beach, FL 32961-1389, hereinafter called GRANTEE, this 6th day of November, 2015, the following goods and chattels:

UTILITY FACILITIES OF
CATALINA STREET EXPANSION
SEE ATTACHMENTS "A" and "B" ATTACHED HERETO AND MADE A PART HEREOF
(hereinafter "utility facilities")

which utility facilities are located in existing easements or road rights-of-way described generally as the Catalina Street right-of-way, Vero Beach, Florida, 32960.

TO HAVE AND TO HOLD the same unto GRANTEE forever, and GRANTOR hereby warrants to the GRANTEE that it has free and unencumbered title to the above-described facilities, that all persons or entities which have supplied labor or materials with respect to these facilities have been paid in full, that none of them has any claim whatsoever with respect thereto, and that the GRANTOR has full authority to make this conveyance and will warrant and defend the sale of said chattels and utility facilities hereby made unto GRANTEE against the claims and demands of all persons whomsoever.

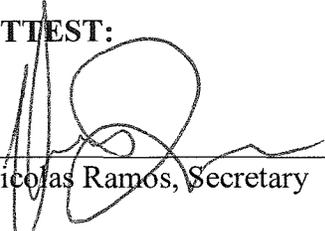
GRANTOR hereby further warrants that should the above described utility facilities fail or otherwise become defective during a period of one year from the date of acceptance of same by GRANTEE, due to defective materials or workmanship, GRANTOR shall upon each occasion be responsible in all respects for such failure or defect and shall correct same at GRANTOR'S sole cost and without expense to GRANTEE upon reasonable notice by GRANTEE. GRANTOR shall be solely liable and shall save GRANTEE harmless from any direct or consequential damage attributable to such failure or defect. GRANTOR hereby also assigns all its right, title, and interest in and to manufacturer's or supplier's warranties with respect to the described facilities.

IN WITNESS WHEREOF, the GRANTOR has herein set its hand and seal the day and year first above written.

GRANTOR:

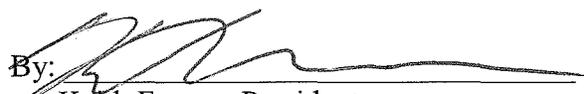
BROWN DOG CONSTRUCTION, INC.
a Florida Profit Corporation

ATTEST:



Nicolas Ramos, Secretary

[SEAL]

By: 

Keith Franco, President

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 6th day of November, 2015 by Keith Franco, as President, and attested by Nicolas Ramos, as Secretary, on behalf of Brown Dog Construction, Inc. as Grantor. They are personally known to me or produced _____ as identification.



NOTARY PUBLIC
My Commission No.:
My Commission Expires:



[SEAL]

**ACCEPTANCE OF CONVEYANCE
OF UTILITY FACILITIES**

The conveyance of those certain utility facilities pursuant to the foregoing Bill of Sale dated _____ is hereby accepted by the City of Vero Beach, Florida, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance.

ATTEST:

CITY OF VERO BEACH

Tammy K. Vock
City Clerk

Jay Kramer
Mayor

[CITY SEAL]

Date: _____

Approved as to form and legal sufficiency:

Approved as conforming to municipal policy:



Wayne R. Coment
City Attorney



James R. O'Connor
City Manager

Approved as to technical requirements:



Robert J. Bolton
Water & Sewer Director

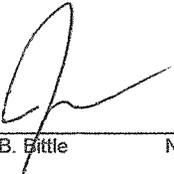
Attachment 'A'

Catalina Street Expansion

Engineer's Cost Estimate

I, Jodah B. Bittle, P.E. a Florida Registered Engineer, License No. 57396, do hereby certify that this cost estimate has been prepared under my responsible direction for the Water Main improvements listed below and that the total cost estimated for the said improvements is \$11,085.45 This estimate has been prepared, in part, for estimating the value of utilities to be dedicated to the City of Vero Beach, installed in substantial conformance with the approved Utility Construction Plans for the Catalina Street Expansion, dated and approved by the C.O.V.B. Utility Department.

(Engineer's Seal)



Jodah B. Bittle

No. 57396

9/15/15

Date

DESCRIPTION	Unit	Quantity	Unit Price	Total
Water Main				
6" PVC water main	LF	6	\$ 42.73	\$ 256.38
4" PVC water main	LF	171	\$ 16.17	\$ 2,765.07
4" DIP water main	LF	40	\$ 37.20	\$ 1,488.00
4" sleeve	EA	2	\$ 300.00	\$ 600.00
6" x 4" Reducer	EA	1	\$ 826.00	\$ 826.00
Double water service	EA	2	\$ 1,800.00	\$ 3,600.00
Permanent Blow Off - 4"x2" cap, 2" Corp., Box etc.	EA	1	\$ 1,550.00	\$ 1,550.00
			Subtotal	\$ 11,085.45

	TOTAL	\$ 11,085.45
Water Main		\$ 11,085.45
	TOTAL	\$ 11,085.45

UTILITY AS-BUILT

ATTACHMENT "B"

CATALINA ROAD EXTENSION LYING IN BLOCK 34, PLAT No. 7 OF ROYAL PARK, ACCORDING TO THE PLAT HEREOF AS RECORDED IN PLAT BOOK 1, PAGE 36 OF THE PUBLIC RECORDS OF INDIAN RIVER CO., FLORIDA

PARTIAL REPLAT OF PLAT NO.7 OF ROYAL PARK SUBDIVISION (P.B. 14, PAGE 72)



- C-1 R=6,708.74' L=300.00' D=23.34" CHD=-862.2704'E CHD=-241.95'
- C-2 R=6,775.54' L=227.50' D=19.92" CHD=-859.2400'W CHD=-227.41'
- C-3 R=6,775.74' L=113.72' D=19.92" CHD=-854.9723'W CHD=-113.92'
- C-4 R=25.00' L=33.00' D=66.3305' N105°55'56" W 30.25'
- C-5 R=45,490.00' L=8.75' D=70.443" CHD=-806.3333'W CHD=-8.75'
- C-6 R=11,484.00' L=101.75' D=10.9527" CHD=-806.1428'W CHD=-101.74'

NOTE: ALL UTILITY LINES WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY AND FOR EASEMENTS OF RECORD. A NORTH ARROW SHOWS MERIDION IS ORIENTED AS SHOWN. ALL SURVEY IS CONFORMED ONLY TO THE BELIEF OF THE SURVEYOR. NO WARRANTY IS MADE AS TO THE ACCURACY OF ANY INFORMATION HEREON OR AS TO THE EXISTENCE OF ANY OTHER UTILITIES OR STRUCTURES OF ANY KIND THAT ARE NOT SHOWN ON THIS PLAN. THE SURVEYOR'S OFFICE IS LOCATED AT 446 SOUTH ST. S.W. UNIT 7, VERO BEACH, FLORIDA 32982. ORIGINAL AND TWO (2) COPIES TO BE FILED IN THE OFFICE OF THE COUNTY CLERK OF INDIAN RIVER COUNTY, FLORIDA.

CONVERTED TO: BROWN DOG CONSTRUCTION, INC.

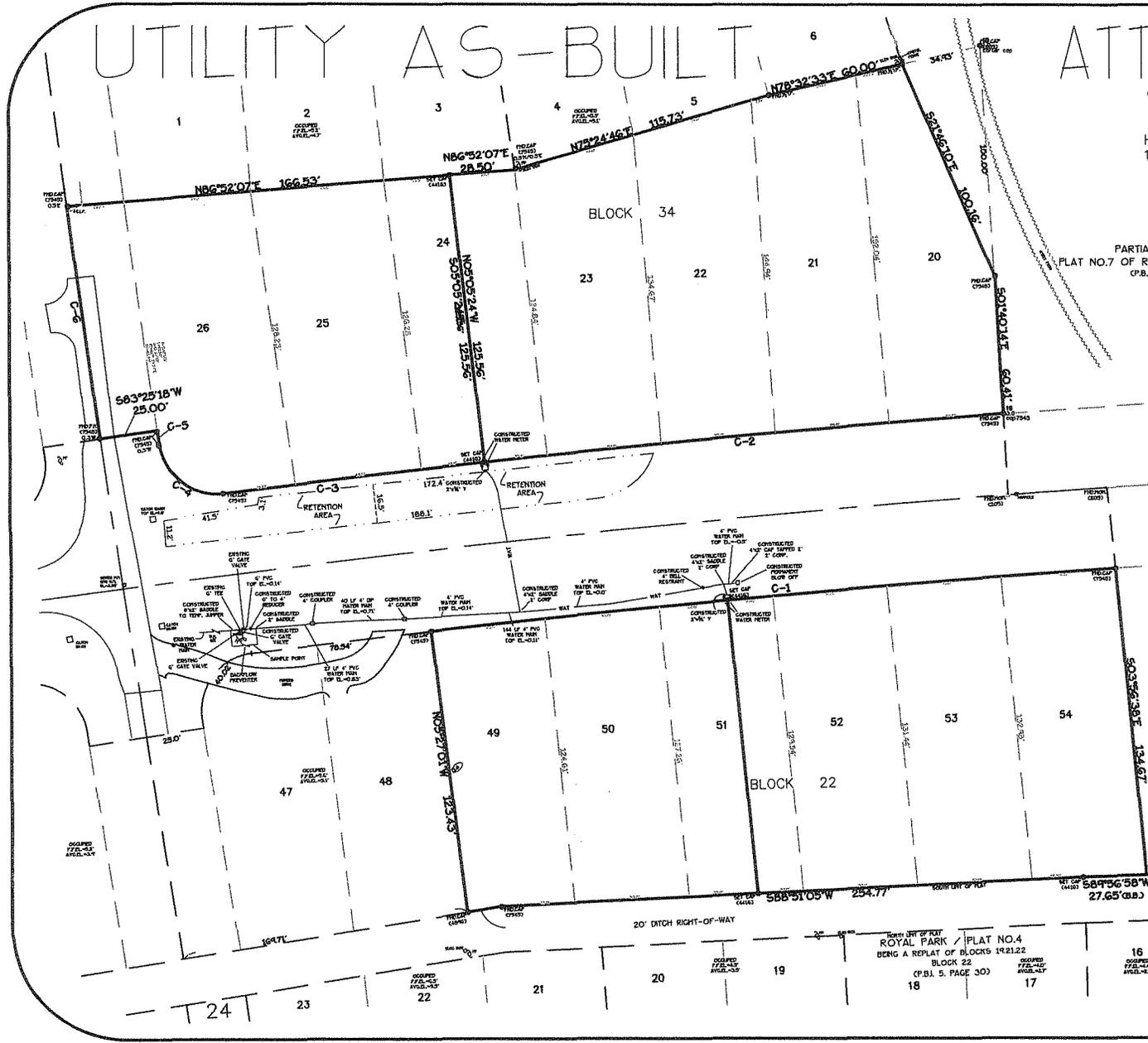
ELEVATIONS REFERENCED TO NAVD

THIS SURVEY MAP AND REPORT OR COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

William E. Hurst 10/27/15
WILLIAM E. HURST DATE
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA REGISTRATION NO. 6410

HAYHURST LAND SURVEYING INC.
 CERTIFICATE OF AUTHORIZATION NUMBER (S.J. 7354)
 SURVEYING AND MAPPING COMPANY
 446 9TH ST. S.W. Unit-7
 VERO BEACH, FL. 32982
 PHONE: (772) 589-8880
 FAX: (772) 770-3448

BOUNDARY/SITE	DATE	REVISIONS	BY:
BOUNDARY	3/30/15	ADD ORVEWAY	J.D.J.
BOUNDARY	5/21/15	RETENTION AREA	J.D.J.
BOUNDARY	9/2/15	LOCATE WATER LINE	J.D.J.
FIELD BOOK NO.	83		
FIELD DATE	2/2/15		
SCALE	1"=20'		
PLAN NO.	15-020/021		



North end of plat ROYAL PARK / PLAT NO.4 BEING A REPLAT OF BLOCKS 18,21,22 BLOCK 22 (P.B. 5, PAGE 30)

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