

EXPLANATION OF CONSENT AGENDA ITEM E.1.c (10) – April 15, 2015

ITEM:

Consideration of approving the execution of the Bill of Sale forms to dedicate the waterlines, water mains, and appurtenances to the City of Cocoa for the potable water service for NCB6.

EXPLANATION:

In order to supply potable water to North Cargo Berth 6, Canaveral Port Authority installs the necessary watermains and appurtenances and deed them to the City of Cocoa for use in providing potable water to the sites. The Bill of Sale forms included in the backup needs to be executed in order to provide potable water to the project.

Staff Recommends Approval

Prepared by: David W. Perley AIC/CPE

A handwritten signature in black ink, appearing to read "D. W. Perley", is written below the typed name.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS,

That CANAVERAL PORT AUTHORITY, a corporation, and _____, a corporation, hereinafter called "Sellers", and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, to them paid by the CITY OF COCOA, FLORIDA, a municipal corporation organized and existing under the laws of the State of Florida, hereinafter called "City", the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents do grant, bargain, sell, transfer, and deliver unto the said "City", its successors and assigns, the following described property, assets and rights, to-wit:

All of the water lines, water mains and appurtenances located

23 LF of 8-inch and 970 LF of 10-inch water main parallel to NCB6 (cleared by FDEP 3/25/15, Permit 0124889-922-DSGP) and 8-inch along Payne Way (cleared by FDEP 1/28/15, Permit 0124889-929-DSGP) and 6-inch along Magellan Road (cleared by FDEP 1/28/15, Permit 0124889-933-DSGP)

TO HAVE AND TO HOLD all of the foregoing unto the City, its Successors and assigns, for its own use forever, free and clear and discharged of and from any and all obligations, claims or liens. AND the Sellers do hereby covenant to and with the city, its Successors and assigns, that they are the lawful owners of the above Described personal property and assets; that said personal property And Assets are free from all encumbrances; that Sellers have good right to Sell said personal property and assets, and that Sellers will warrant and defend the sale of its said personal property and assets hereby made, unto the city, its successors and assigns, against the lawful claims and demands of all persons whosoever. The City, by the acceptance of this Bill of Sale, acknowledges And agrees that the Sellers make no warranties or representations either expressed or implied, as to the fitness and condition of the personal property and assets hereinabove described, the city agreeing that said personal property and assets are being conveyed to it in an "as is" condition.

WITNESS WHEREOF Sellers have caused this Bill of Sale to be signed in their name by their proper officers, and their corporate seals to be affixed, attested by their Secretaries, the day and year above written. signed, sealed and delivered

WITNESS

By: _____
PRESIDENT CHAIRMAN

WITNESS

Attest: _____
SECRETARY
(CORPORATE SEAL)

WITNESS

By: _____
PRESIDENT CHAIRMAN

WITNESS

Attest: _____
SECRETARY
(CORPORATE SEAL)

STATE OF

COUNTY OF

I HEREBY CERTIFY that on this day before me personally appeared ^{Chairman} _____ and _____, President and Secretary respectively of _____, a corporation Under the laws of the State of _____, to me known to be the persons who signed the foregoing instrument and severally acknowledged the execution thereof to be their free act and deed for the uses and purposed therein mentioned. He/She 1) has produced satisfactory evidence with identification or 2) is personally known by me and did not take an oath. WITNESS my hand and official seal at _____, said County and State, This _____ day of _____, 20_____.

NOTARY PUBLIC