

5. **Acceptance of Deed from Minto LMWS, LLC, to Bay County**

Recommendation: Board accept a deed from LMWS, LLC, for a portion of the West Bay Parkway right of way, and authorize the chairman to execute the same.



**Bay County Board of County Commissioners
Agenda Item Summary**

Acceptance of Deed from Minto LMWS, LLC, to Bay County

DEPARTMENT MAKING REQUEST/NAME:

County Attorney
Brian Leebrick, County Attorney

MEETING DATE:

April 15, 2025

REQUESTED MOTION/ACTION:

Board accept a deed from LMWS, LLC, for a portion of the West Bay Parkway right of way, and authorize the chairman to execute the same.

AGENDA

Consent Agenda

BUDGETED ITEM?

BUDGET ACTION:

FINANCIAL IMPACT SUMMARY
STATEMENT:

BACKGROUND:

A portion of West Bay Parkway at Latitude at Watersound crosses a Florida Power & Light Company transmission line owned by the utility. The developer, LMWS, LLC, as secured title to that portion of the FP&L property and is proposing to convey it to the County for road and utility purposes.

Staff recommends the Board accept the deed from LMWS, LLC, and authorize the chairman to sign the same.

ATTACHMENTS:

Description

Type

This instrument prepared by
(and after recording should be returned to):

Rafael A. Aguilar, Esq.
Winston & Strawn LLP
200 S. Biscayne Blvd., Suite 200
Miami, Florida 33131

Parcel I.D. No.: _____

(Space Reserved for Clerk of Court)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into as of this ____ day of _____, 2025 by LMWS, LLC, a Delaware limited liability company ("Grantor"), having a mailing address at 4400 W. Sample Road, Suite 200, Coconut Creek, Florida 33073, to BAY COUNTY, FLORIDA, a political subdivision of the State of Florida ("Grantee"), having a mailing address at _____.

WITNESSETH:

GRANTOR, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, remise, release, convey and confirm and forever specially warrants to Grantee all Grantor's right, title, and interest in and to that certain land, situated in Bay County, Florida and more particularly described on Exhibit "A" attached hereto and by this reference expressly made a part hereof.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining (collectively, along with said land, the "Property").

THIS CONVEYANCE is subject to: real property taxes for the current year and all subsequent years, comprehensive land use plans, zoning restrictions, prohibitions and other requirements imposed by governmental authority, conditions, restrictions, covenants, reservations and easements of record, if any, but without intent to reimpose same.

TO HAVE and to hold the same in fee simple forever.

GRANTOR hereby covenants with Grantee that it is lawfully seized of the Property in fee simple, that it has good right and lawful authority to sell and convey the Property, that it hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but no others.

BY ACCEPTANCE HEREOF, Grantee acknowledges that the Property may be adjacent to real and/or personal property owned by Florida Power & Light Company ("FPL") and used by it as a public utility corporation of the State of Florida, and Grantee accepts the conveyance of the Property with full knowledge and subject to the use of FPL's adjacent land and/or personal property for such purposes or any other legally authorized use.

[Signature Appears on Following Page]

EXHIBIT A
To Special Warranty Deed
Legal Description of Property

