

Meeting Date: September 21, 2015

Agenda Item 15

REQUESTED COMMISSION ACTION:

Consent Ordinance Resolution Consideration Workshop

SHORT TITLE EUGENE H. WAGNER AND LENA SCHEID ARE REQUESTING TRANSFER OF OWNERSHIP OF VARIOUS PLOTS LOCATED IN THE MUNICIPAL CEMETERY'S NORTH LAWN BACK TO THE CITY OF POMPANO BEACH. (\$1,250.00).

SUMMARY OF PURPOSE AND WHY:

City Code 92.52(A) mandates the transfer or assignment of any cemetery lot or plot shall be valid with the consent in writing of the City Commission. This item includes two (2) Transfer of Assignments of Burial Right Agreements that transfer a total of 5 plots located in the municipal cemetery's south lawn from one owner back to the City. Total cost to the City is \$1,250.00.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

(1) Origin of request for this action:	<u>Two Owners of Various Cemetery Plots</u>
(2) Primary staff contact:	<u>Robert A. McCaughan, Public Works Director Ext 4097</u>
(3) Expiration of contract, if applicable:	<u>N/A</u>
(4) Fiscal impact and source of funding:	<u>\$1,250 001-0000-364-1000</u>

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
<u>Public Works</u>	<u>9/10/15</u>	<u>APPROVE</u>	<u>Robert A. McCaughan</u>
<u>Finance</u>	<u>9/11/15</u>	<u>APPROVE</u>	<u>S. Subble</u>
<u>Budget</u>	<u>9-15-15</u>	<u>APPROVE</u>	<u>[Signature]</u>

Advisory Board
 Development Services Director
 City Manager [Signature]

[Signature: Dennis W. Beach]

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>	<u>Workshop</u>
1st Reading	1st Reading	Results:	Results:
_____	_____	_____	_____
2nd Reading	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

TRANSFER AND ASSIGNMENT OF BURIAL RIGHT AGREEMENT

I (we), Lena Scheid
(Assignor)

of 801 S. Federal Hwy. #506
hereby (Address)

assign, transfer and set over this date to City of Pompano Beach
(Assignee)

Right(s), title and interest in and to Burial Right Agreement# 3245 entered to the 15 day of September 2015 between the City of Pompano Beach, a municipal corporation existing under the laws of the State of Florida, and being in Broward County, Florida and

Lena Scheid
(Assignor)

(Said burial agreement(s) attached hereto) subject to all the terms and conditions thereof, and do hereby remise, release and quit-claim unto the said City of Pompano Beach

(Assignee)

All my (our) right(s), title and interest in and to the Burial Right Agreement(s) described herein and agreed to be conveyed. Block 12 Lot(s) 5 Plot(s) 21, 22, 23 and 38 Lawn North Lawn

Lena M Scheid
(Assignor)

(Assignor)

(Witness)

Subscribed and sworn to/affirmed before me on _____, 201__, by _____ who is personally known to me or has presented _____ as identification.

Notary Public

The City Commission of the City of Pompano Beach, Florida, hereby accepts the foregoing assignment of Burial Right Agreement(s), subject to all terms and conditions thereof.

Lamar Fisher, Mayor

ATTEST: _____
Asceleta Hammond, City Clerk

cemetery plot

Pomano Beach Cemetery
400 S E 23rd Ave

T Nelson

My wife and I wish to sell our Cemetery Plot Block6 Lot4 plot4
I spoke to you on the phone morning of July 6th about it.

I'm sending you some of the Paper Work we have on it.

What's Next ??? Phone # 561 371 6231 or Address 1314 North O
street

Lake Worth, Fl 33460

Eunice J. Wagner

Eugene H. Wagner

TRANSFER AND ASSIGNMENT OF BURIAL AGREEMENT

For value received, I (we), JAMES TAYLOR
(assignor)
of 3514 N.E. 70th Ave Silver Springs, Florida 334488 hereby
(address)
assign, transfer and set over to Eugene Wagner and Eunice Joan (Taylor) Wagner
(assignee)
right(s), title and interest in and to Burial Right Agreement(s) 2619 entered into
on the 18 day of December A.D. 2003 between the City of
Pompano Beach, a municipal corporation existing under the laws of the State of Florida
and being in Broward County, Florida, and James Taylor
(assignor)
(said burial agreement(s) attached hereto) subject to all the terms and conditions
thereof, and do hereby remise, release and quit-claim unto the said

Eugene H Wagner and Eunice Joan (Taylor) Wagner
(assignee)
all my (our) rights(s) title and interest in and to the Burial Right Agreement(s), Described
herein and agree to be conveyed

James L Taylor
(ASSIGNOR)
Block: 6 Lot 4 Plot 4 North Lawn

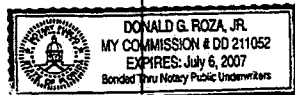
(ASSIGNOR)

(WITNESS)

Subscribed and sworn to/affirmed before me on January 16, 2004
by James L Taylor who is personally known to me or has

presented drivers lic as identification

[Signature]
(Notary)



The City Commission of the city of Pompano Beach, Florida hereby accepts the
foregoing assignment of Burial Right Agreement(s), subject to all terms and conditions
thereof.

[Signature]
MAYOR - KAY MCGINN

ATTEST
[Signature]
(CITY CLERK) MARY L. CHAMBERS

Pompano Beach Cemetery
Burial Right Agreement

2619

THIS INDENTURE, made this 1st day of July, A.D. 1985,
between CITY OF POMPANO BEACH, a municipal corporation existing under the laws of the State of Florida,
and being in Broward County, Florida, Party of the First Part, and Margaret B. & James A. Taylor
of the County of Broward and State of
Florida, Parties of the Second Part, whose address is 470 SE 4th Court, Pompano
Beach, FL 33060

WITNESSETH, that the said Party of the First Part for and in consideration of the sum of \$ 400.00
to it in hand paid by the Parties of the Second Part, receipt of which is hereby acknowledged, does hereby
give and grant to the said Parties of the Second Part, the exclusive and perpetual Right of Burial of the hu-
man dead in that certain parcel of land, situate, lying and being in Broward County, Florida, to wit:

Block 6, Lot 4, of Plot 4 of Pompano Beach Cemetery
according to a plat thereof recorded in Plat Book 41, Page 40,
of the public records of Broward County, Florida.

The right hereby granted and given shall be exercised and used in accordance with the Rules and
Regulations of the Board of Trustees, governing such property now in existence, and as hereafter prescribed,
altered or amended from time to time. The Party of the Second Part, by acceptance of this Burial Right
Agreement, acknowledges that he or she has received a copy of the Rules and Regulations now in effect,
and does agree that such rules and regulations may be amended or altered from time to time by the Board of
Trustees, and as so amended will be valid and binding against the right herein given and granted. The Party
of the Second Part does hereby agree that the premises above described shall remain under the perpetual
care of the Party of the First Part in accordance with the Rules and Regulations now or hereafter in effect;
and Party of the First Part hereby agrees that a true and correct copy of current Rules and Regulations in
existence shall be kept in the office of the Cemetery Management for inspection by Party of Second Part
at all reasonable times.

IN WITNESS WHEREOF, the said City of Pompano Beach has caused these presents to be signed in
its name by its Mayor-Commissioner and City Manager and its corporate seal to be affixed, attested by
its City Clerk the day and year above written.

PARTY OF THE SECOND PART

CITY OF POMPANO BEACH

By James A. Taylor

By [Signature]
CITY MANAGER

By Margaret B. Taylor

[Signature]
MAYOR-COMMISSIONER

[Signature]
WITNESS

ATTEST

WITNESS

Signed, sealed and delivered (SEAL)

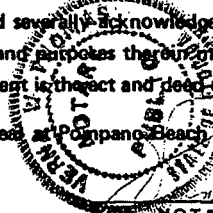
in our presence:

STATE OF FLORIDA
COUNTY OF BROWARD

[Signature]
WITNESS

I HEREBY CERTIFY, that on this 9th day of July, A.D. 1985 before me
personally appeared James E. Soleyard, E. B. Lincum and Sandra C. Ruzon
respectively, City Manager, Mayor-Commissioner and City Clerk of the City of Pompano Beach, a municipal
corporation existing under the laws of the State of Florida, to me known to be the persons described in and
who executed the foregoing instrument, and severally acknowledged the execution thereof to be their free
act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto
the official seal of said City and said instrument in the act and deed of said City.

WITNESS my signature and official seal of Pompano Beach in the County of Broward and State of
Florida, the day and year last aforesaid.



[Signature] 2619
NOTARY PUBLIC, STATE OF FLORIDA

PUBLIC WORKS ADMINISTRATION

1201 N.E. 5th Avenue
P.O. Box 1300
Pompano Beach, Florida 33061



Phone: (954) 786-4061
(954) 786-4106
FAX: (954) 786-4028

City of Pompano Beach, Florida

March 1, 2004

Mr. James Taylor
3514 N.E. 70th Avenue
Silver Springs, Florida 33448

Dear Mr. Taylor:

I've attached the fully executed Transfer and Assignment of Burial Agreement for your records.

Sincerely,

A handwritten signature in cursive script that reads "Ruth E. Bobbi".

Ruth E. Bobbi
Dept. Head Secretary

/r

Attachment

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(assignor)

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and being in Broward County, Florida, and James Taylor

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(said burial agreement(s) attached hereto) subject to all the terms and conditions thereof, and do hereby remise, release and quit-claim unto the said

Eugene H Wagner and Eunice Joan (Taylor) Wagner

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James L Taylor

(ASSIGNOR)

Block: 6 Lot 4 Plot 4 North Lawn

(ASSIGNOR)

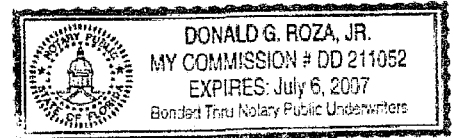
(WITNESS)

Subscribed and sworn to/affirmed before me on January 16, 2004 by James L Taylor who is personally known to me or has

presented drivers lic. as identification

[Signature]

(Notary)



The City Commission of the city of Pompano Beach, Florida hereby accepts the foregoing assignment of Burial Right Agreement(s), subject to all terms and conditions thereof.

MAYOR -- KAY MCGINN

ATTEST

(CITY CLERK)

LENA SCHEID
801 S. FEDERAL HWY. #506
POMPANO BEACH, FL 33064

July 20, 2015

Mr. Terrance H. Nelson II
Cemetery Supervisor
City of Pompano Beach
400 SE 23rd Ave.
Pompano Beach, FL 33062

Dear Mr. Nelson,

Re: Clarence Scheid – Cremation Plots (4)

This letter is to confirm that I would like to sell my deceased husband's (Clarence Scheid) four (4) Cremation Plots back to the City of Pompano.

The referenced plots are listed on the attached e-mail you sent to my daughter Rosalie Santelli on June 18, 2015. Thank you for your prompt expedition of this request.

Sincerely,


Lena Scheid

Attachment (1)



Rosalie Santelli

From: Terrance Nelson Jr. [Terrance.NelsonJr@copbfl.com]
Sent: Thursday, June 18, 2015 2:24 PM
To: Rosalie Santelli
Cc: Harold Beard
Subject: RE: Clarence Scheid - Cremation Plots (4)

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Ms. Kudish,

The Plots are:

NL 12-5-38 \$175.00

NL 12-5-21 \$225.00

NL 12-5-22 \$225.00

NL 12-5-23 \$225.00

Total \$850.00

Terrance H. Nelson II
City of Pompano Beach
Public Works Department
P: 954-786-4138
Terrance.Nelsonjr@copbfl.com



From: Rosalie Santelli [mailto:santell@comcast.net]
Sent: Thursday, June 18, 2015 1:50 PM
To: Terrance Nelson Jr.
Subject: FW: Clarence Scheid - Cremation Plots (4)
Importance: High