

New
ADD ON

Meeting Date
September 1, 2015



AGENDA	
Section	New Business
Item No.	VI D 1

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS



SUBJECT:	Titusville-Cocoa Airport Authority's Merritt Island Airport Runway Project
DEPT/OFFICE:	County Attorney's Office

Requested Action:
Authorize Chairman to sign the Assignment and Assumption of Dedication of Lands to Titusville-Cocoa Airport Authority

Summary Explanation & Background:
In 1964 the State Board of Trustees of the Internal Improvement Fund dedicated certain lands to the Board of County Commissioners for the purposes of expanding the Central Brevard Airport, which was managed by the BOCC at that time. The Titusville-Cocoa Airport Authority (TICO) presently manages the airport property and is seeking an assignment of the dedication as part of a runway expansion project. The cost to complete the assignment will be paid by TICO (\$630.00).

Contact: Christine Lepore, Assistant County Attorney
Phone/e-mail: (321) 633-2090/Christine.Lepore@BrevardCounty.us
Clerk to the Board Instructions:

Exhibits Attached: Assignment and Assumption of Dedication of lands to Titusville-Cocoa Airport Authority

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR <input type="checkbox"/>
County Manager	Assistant County Manager			Department Director / Extension Scott L. Knox, County Attorney/x52090		
Stockton Whitten	Assistant County Manager					



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

September 2, 2015

MEMORANDUM

TO: Scott Knox, County Attorney

Attn: Christine Lepore

RE: Item VI.D.1., Assignment and Assumption of Dedication from Internal Improvement Trust Fund of the State of Florida to Titusville-Cocoa Airport Authority for Merritt Island Airport Runway Project

The Board of County Commissioners, in regular session on September 1, 2015, authorized the Chairman to sign the Assignment and Assumption of Dedication of Lands to Titusville-Cocoa Airport Authority for Merritt Island Airport Runway Project. Enclosed are three executed Assignment and Assumption of Dedication for your action.

Upon execution by the State and the Titusville-Cocoa Airport Authority, please return a fully-executed document to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

✓ Tammy Etheridge, Deputy Clerk

/kg

Encl. (2)

cc: Contracts Administration



Sept. 1, 15

We Make a Difference

W.D.I.

October 2, 2015

Ms. Robin Fisher
Brevard County
400 South Street, Suite 1-A
Titusville, FL 32780

SUBJECT: Assignment and Assumption of Dedication #23821

Dear Ms. Fisher:

Please find enclosed the executed Assignment and Assumption of Dedication.

Please let me know if you need any additional information or documentation.

Respectfully submitted,

MICHAEL BAKER INTERNATIONAL

A handwritten signature in black ink, appearing to read "Mariben".

Mariben Espiritu Andersen
Environmental Manager

Enclosure

RECEIVED
OCT 06 2015
DISTRICT 1
COUNTY COMMISSION

ACCEPTANCE OF ASSIGNMENT AND ASSUMPTION OF DEDICATION NUMBER 23821

TITUSVILLE-COCOA AIRPORT AUTHORITY, a body politic and body corporate ("ASSIGNEE"), in consideration of the foregoing Assignment, subject to written consent of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, does hereby accept assignment of the Dedication and assumes and agrees for the benefit of ASSIGNOR to make all payments and perform all covenants, agreements, conditions and provisions of the Dedication. Further, ASSIGNEE agrees that it shall be bound for the due performance herein in the same manner as was ASSIGNOR, as the original entity named in the Dedication, for and during the remainder of the term of the Dedication and all renewals thereof.

TITUSVILLE-COCOA AIRPORT AUTHORITY,
a body politic and body corporate

By: *Michael D. Powell*
Michael D. Powell
Chief Executive Officer

Mary D. Jimenez
Witness

Mary D. Jimenez
Print/Type Witness Name

Kimberly Paschke
Witness

Kimberly J Paschke
Print/Type Witness Name

"ASSIGNEE"

STATE OF FLORIDA
COUNTY OF BREVARD

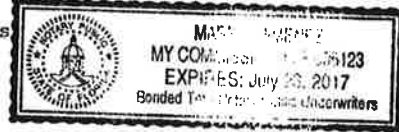
The foregoing instrument was acknowledged before me this 14th day of September, 2015, by Michael D. Powell as Chief Executive Officer of the Titusville-Cocoa Airport Authority, a body politic and body corporate, on behalf of the authority. He is personally known to me or has produced Known as identification.

Mary D. Jimenez
Notary Public, State of Florida

Mary D. Jimenez
Print/Type Notary Name

Commission Number:

Commission Expires:



CONSENT TO ASSIGNMENT AND ASSUMPTION OF DEDICATION
Dedication Number 23821

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, the owner of the property described in the Dedication, consentsto the foregoing Assignment and Assumption of Dedication this 14th day of September, 2015

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

M. Sue Jones
Witness

M. Sue Jones
Print/Type Witness Name

Kathy C Griffin
Witness

Kathy C Griffin
Print/Type Witness Name

By: Cheryl C McCall
CHERYL C. MCCALL, CHIEF,
BUREAU OF PUBLIC LAND
ADMINISTRATION, DIVISION OF
STATE LANDS, STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

STATE OF FLORIDA
COUNTY OF LEON

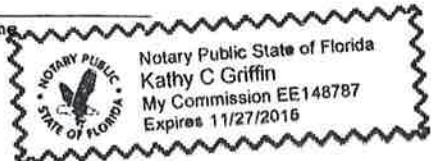
The foregoing instrument was acknowledged before me this 24th day of September, 2015, by Cheryl C. McCall, Chief, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of Environmental Protection, acting as agent on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. She is personally known to me.

Kathy C Griffin
Notary Public, State of Florida

Print/Type Notary Name

Commission Number:

Commission Expires:



Approved/Subject to Proper Execution:

By: James H. Hiner 7/23/15
DEF Attorney

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA

DEDICATION

NO. 23821

KNOW ALL MEN BY THESE PRESENTS: That the Trustees of the Internal Improvement Fund of the State of Florida, in pursuance of application by BREVARD COUNTY, a political subdivision of the State of Florida, by Resolution adopted July 9, 1964, for dedication of the lands hereinafter described expansion of the Central Brevard Airport, approved by said Trustees on July 28, 1964, have dedicated, and by these presents do hereby dedicate, the following described lands in Brevard County, Florida, to-wit:


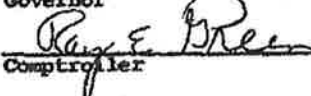
A parcel of submerged land lying East of Government Lots 2 and 3, Section 1, Township 25 South, Range 36 East, Brevard County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter (NW¹/₄) of said Section 1; thence North 1° 16' 02" West along the West line of said Section 1, a distance of 1504.66 feet to a point; thence South 71° 23' 04" East, a distance of 4240.0 feet to the Point of Beginning; thence North 18° 36' 56" East, 300.0 feet; thence North 71° 23' 04" West, 1520 feet, more or less, to a point in the high water line of Newfound Harbor; thence Southeasterly along the easterly of said high water line of Newfound Harbor, 700 feet, more or less, to a point; thence South 71° 23' 04" East, 1140 feet, more or less, to a point; thence North 18° 36' 56" East, 300 feet to the Point of Beginning.

The above described lands shall be used for the expansion of Central Brevard Airport only, under the supervision and management of the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, subject to the following provisions, to-wit:

In the event the said Board of County Commissioners of Brevard County shall (1) use said land for other than airport purposes or (2) for a period of three consecutive years shall fail and neglect to maintain and use the same for said purposes, the dedication hereby made shall, at the option of said Trustees, be subject to termination upon sixty days notice in writing by the Trustees to said Board of County Commissioners.

IN TESTIMONY WHEREOF, the said Trustees have hereunto subscribed their names and affixed their seal and have caused the seal of THE DEPARTMENT OF AGRICULTURE OF THE STATE OF FLORIDA to be hereunto affixed, at the Capitol, in the City of Tallahassee, on this the 1st day of September, A. D. 1964.

 (SEAL)
Governor
 (SEAL)
Comptroller



Trustees I.I. Fund



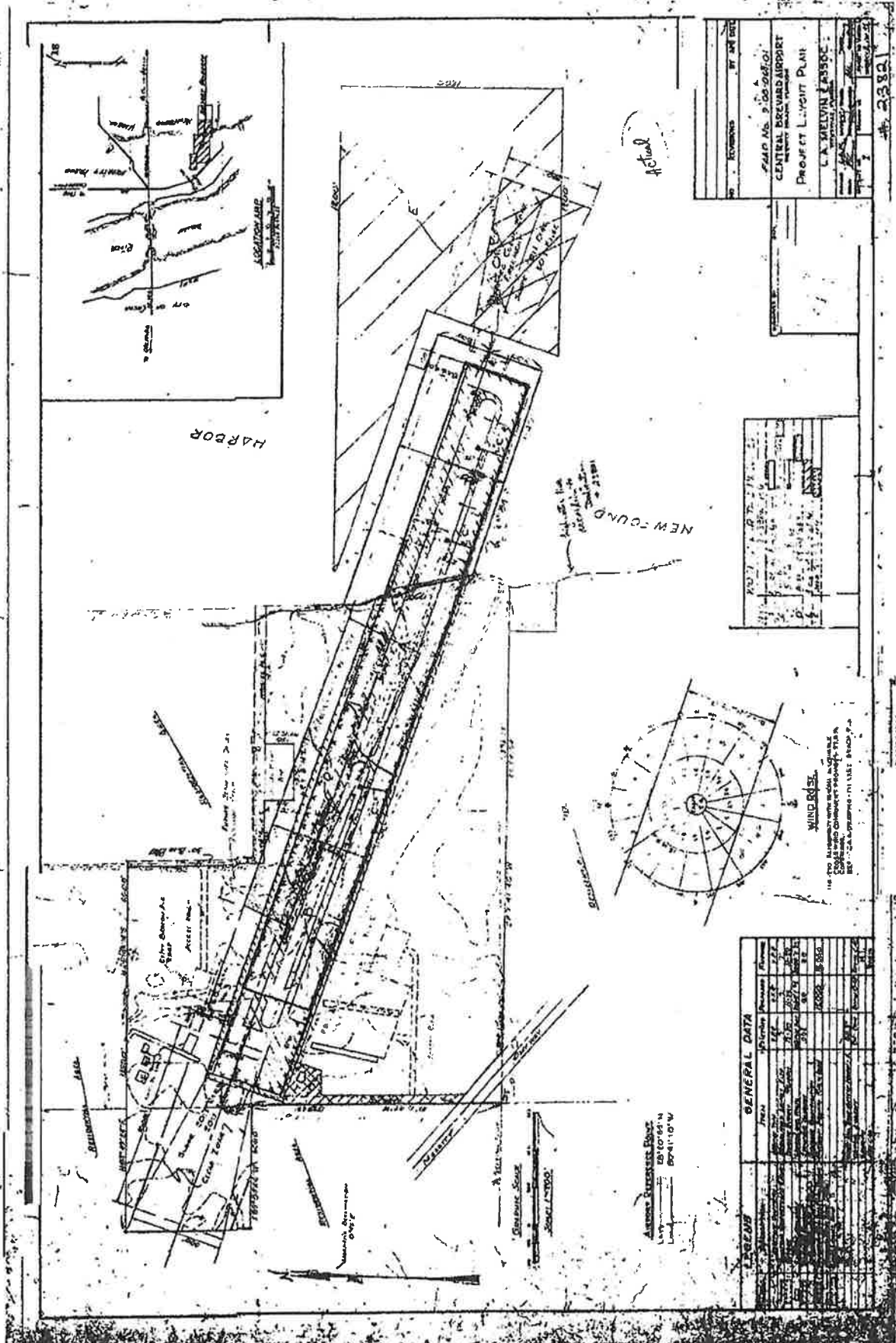
Dept. of Agriculture

John Larson (SEAL)
 Treasurer

James W. Kymal (SEAL)
 Attorney General

David Cannon (SEAL)
 Commissioner of Agriculture

As and Constituting the Trustees of the Internal Improvement Fund of the State of Florida.



DRAWING NO. 23821
 PROJECT NO. 23821
 PROJECT NAME: CENTRAL BROWARD AIRPORT
 PROJECT LOCATION: PROJECT LAYOUT PLAN
 DATE: 11/11/50
 DRAWN BY: L. A. MELVIN
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]

GENERAL DATA

Item	Description	Quantity	Unit	Remarks
1	Runway	1.00	mi	
2	Taxiway	1.00	mi	
3	Harbor	1.00	mi	
4	Other	1.00	mi	
5	Other	1.00	mi	
6	Other	1.00	mi	
7	Other	1.00	mi	
8	Other	1.00	mi	
9	Other	1.00	mi	
10	Other	1.00	mi	