



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.2.

8/12/2025

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### Subject:

Approval, Re: Resolution Designating a Portion of County-Owned Parcel Identification Number 27-36-22-00-1 as Right-of-Way - District 5.

### Fiscal Impact:

Public Works/Local Option Gas Tax will pay for the transfer of the right-of-way \$4,769.55 to Natural Resources Management Department.

### Dept/Office:

Public Works Department / Land Acquisition / Natural Resources Management Department

### Requested Action:

It is requested that the Board of County Commissioners adopt the attached Resolution and authorize the Chairman to execute the Resolution designating a portion of the County-owned parcel as a public right-of-way.

### Summary Explanation and Background:

The subject property is located in Section 22, Township 27 South, Range 36 East, on the west side of Jones Road in Melbourne.

The Board of County Commissioners in regular session on March 26, 1996, authorized negotiations and purchase of the parcel for canal improvements for the Aurora Road Outfall Project. The County obtained fee simple ownership of the parcel by Warranty Deed for the purposes of diverting an outfall ditch to a County owned borrow pit on Eau Gallie Boulevard. The County successfully completed the project and utilized the parcel for its intended purposes.

In December 2011, the County completed an engineering report and preliminary road alignment known as the future Washingtonia Drive Extension Project. At the time, the project failed to meet purpose and need for federal funding due to the excess capacity on Interstate 95 (I-95). Today, it remains the only viable future North - South alternative to I-95 from Lake Andrew Drive to the St John's Heritage Parkway / Ellis Road interchange as the area continues to build out. Jones Road and Washingtonia Drive are located north of West Eau Gallie Boulevard on the west side of and runs parallel to I-95. This area continues to development and the City of Melbourne continues to annex properties and issue permits. The City supports the preservation of this connection.

To make the alignment feasible, and to follow the recommended alignment plan for the Washingtonia Drive Extension, a portion of the County owned parcel is required to be designated as right-of-way.

The Natural Resources Management Department is the custodian of the parcel and approves of this request.

The Public Works Department accepts the right-of-way.

This Resolution request follows the policies and procedures as set forth in Administrative Order 37 and Section 336.08, Florida Statutes.

**Clerk to the Board Instructions:**

Upon execution by the Chairman, the Public Works Department will contact the Clerk's office to make arrangements to pick up the original executed Resolution.



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

August 13, 2025

**M E M O R A N D U M**

**TO:** Marc Bernath, Public Works Director

**RE:** Item F.2., Approval of Resolution Designating a Portion of County-Owned Parcel Identification Number 27-36-22-00-1 as Right-of-Way

The Board of County Commissioners, in regular session on August 12, 2025, executed and adopted Resolution No. 25-068, designating a portion of the County-owned parcel to be designated as right-of-way pursuant to Section 336.08, Florida Statutes. Enclosed is the fully-executed Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sj

Encl. (1)

cc: Natural Resources Management  
Budget  
Finance

**RESOLUTION NO. 25-068**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA, DECLARING A PORTION OF COUNTY  
OWNED LAND TO BE DESIGNATED AS RIGHT OF WAY PURSUANT TO  
SECTION 336.08, FLORIDA STATUTES.

RECITALS

**WHEREAS**, Brevard County, Florida, a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as "COUNTY," owns certain real property described in Exhibit "A" (hereinafter the "PARCEL"); and

**WHEREAS**, the Board of County Commissioners in regular session on March 26, 1996, authorized negotiations and purchase of the PARCEL for canal improvements for the Aurora Road Outfall Project; and

**WHEREAS**, the COUNTY obtained fee simple ownership of the PARCEL by Warranty Deed for the purposes of diverting an outfall ditch to a County owned borrow pit on Eau Gallie Road; and

**WHEREAS**, the COUNTY successfully completed the project and utilized the PARCEL for its intended purpose; and

**WHEREAS**, in order to preserve the proper connection based on the recommended proposed alignment for the Washingtonia Drive Extension, the City of Melbourne has requested a portion of the PARCEL be designated as right-of-way; and

**WHEREAS**, the recommended alignment for the Washingtonia Drive Extension was identified in the Preliminary Engineering Report by DRMP dated December 2011; and

**WHEREAS**, the proposed alignment for the Washingtonia Drive Extension encumbers portions of Jones Road; and

**WHEREAS**, in order to make the alignment feasible, and to follow the recommended alignment plan for the Washingtonia Drive Extension, a portion of the County owned parcel is required to be designated as County right-of-way; and

**WHEREAS**, by and through this Resolution, the attached Exhibit A shall be declared as right-of-way; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA that:

1. The recitals above are true and correct, and incorporated herein.
2. The COUNTY finds that the parcel at Exhibit "A" shall be designated as Right-of-Way for the future Washingtonia Parkway Extension project.

3. This Resolution shall take effect immediately upon its adoption.

**DONE, ORDERED, and ADOPTED** in Regular Session this 22 day of July, 2025.

ATTEST:



Rachel Sadoff, Clerk of the Court

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

BY:   
Rob Feltner, Chairman

As approved by the Board on . **AUG 12 2025**

# LEGAL DESCRIPTION

## PARCEL 101

PARENT PARCEL ID#: 27-36-22-00-1

PURPOSE: RIGHT OF WAY FEE SIMPLE

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

LEGAL DESCRIPTION: PARCEL 101, RIGHT OF WAY FEE SIMPLE (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3658, PAGE 4923, SAID LANDS BEING A PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 27 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE RIGHT OF WAY OF JONES ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 614, PAGE 357 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22 WITH THE WEST RIGHT OF WAY LINE OF SAID JONES ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 614, PAGE 357; THENCE SOUTH 00° 04' 37" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 549.60 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 2925.00 FEET, A CENTRAL ANGLE OF 02° 14' 18", AND WHOSE LONG CHORD BEARS SOUTH 16° 53' 15" WEST; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 114.26 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE, SAID LINE BEING THE SOUTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22; THENCE NORTH 88° 56' 13" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 125.70 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 2805.00 FEET, A CENTRAL ANGLE OF 13° 44' 46", AND WHOSE LONG CHORD BEARS NORTH 11° 52' 54" EAST; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 672.96 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE, SAID LINE BEING THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22; THENCE SOUTH 88° 56' 15" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 19.90 FEET TO THE POINT OF BEGINNING, CONTAINING 48,180 SQUARE FEET (1.11 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AGREEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD. THE SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS.

### SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY OF ANY TYPE BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE WEST RIGHT OF JONES ROAD AS BEING SOUTH 00° 04' 37" EAST, AN ASSUMED BEARING.
3. REFERENCE MATERIAL:
  - A. O&E REPORT PREPARED BY NEW REVELATIONS, CRAIG KARLSON, FILE NUMBER 24-1339, EFFECTIVE DATE 12/12/2020.
  - B. PLAT OF SURVEY FOR GARY G. GOODWIN, PREPARED BY BRIEL & ASSOCIATES LAND SURVEYORS, INC., PROJECT NO. 88-381, DATED 6/14/1988.

### ABBREVIATIONS:

AKA = ALSO KNOWN AS  
BOB = BASIS OF BEARING  
BOC = BEGINNING OF CURVE  
CL = CENTERLINE  
COR = CORNER  
DB = DEED BOOK  
DELTA = INCLUDED ANGLE

L = ARC LENGTH  
LF = LINEAR FEET  
N/F = NOW OR FORMERLY  
NTL = NON-TANGENTIAL  
ORB = OFFICIAL RECORD BOOK  
PB = PLAT BOOK  
POB = POINT OF BEGINNING  
PC = POINT OF CURVATURE

PG = PAGE  
R = RADIUS OR RANGE  
R/W = RIGHT OF WAY  
SECT = SECTION  
SQ FT = SQUARE FEET  
TP = TAX PARCEL  
TYP = TYPICAL  
W/ = WITH



PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
PHONE: (321) 633-2080



DRAWN BY: D WEY	CHECKED BY: M SWEENEY	PROJECT NO. CAO_20250121			SECTION 22 TOWNSHIP 27 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 2/6/2025	SHEET: 1 OF 2				

# SKETCH OF DESCRIPTION PARCEL 101

PARENT PARCEL ID#: 27-36-22-00-1  
PURPOSE: RIGHT OF WAY FEE SIMPLE

TP: 27-36-22-00-6  
OWNER: THIRREL A ALTMAN SR TRUST;  
ROBERTA M ALTMAN TRUST  
ORB 4529, PAGE 2829

W R/W LINE PER  
ORB 614, PAGE 357

POB: PARCEL 101  
INTERSECTION N LINE OF S 1/2, NW 1/4,  
NE 1/4 SECTION 22, T27S, R36E WITH W  
R/W LINE JONES ROAD ORB 614, PAGE 357;

S88°56'15"E  
19.90'  
NTL

N LINE S 1/2, NW 1/4, NE 1/4  
SECTION 22

50' EASEMENT PER ORB 988, PAGE 684

TP: 27-36-22-00-1  
OWNER: BREVARD COUNTY  
ORB 3658, PAGE 4923

S 1/2, NW 1/4, NE 1/4 SECTION 22

R=2805.00  
DELTA=013°44'46"  
L=672.96'  
CHORD BRG=N11°52'54"E  
CHORD=671.35'

PARCEL 101  
RIGHT OF WAY, FEE SIMPLE  
48,180 SQ FT  
1.11 ACRES

S LINE S 1/2, NW 1/4,  
NE 1/4 SECTION 22

TP: 27-36-22-00-2  
OWNER: PORT VILLAGE LLC  
ORB 8372, PAGE 37

N88°56'13"W  
125.70'  
NTL

BOC

W R/W LINE

BOC

R=2925.00  
DELTA=002°14'18"  
L=114.26'  
CHORD BRG=S16°53'15"W  
CHORD=114.25'

TP: 27-36-22-00-3  
OWNER: R & S TARPON  
PROPERTIES INC  
ORB 7830, PAGE 2107

EXHIBIT "A"

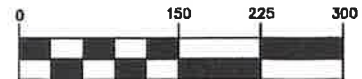
SHEET 2 OF 2  
NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1



GRAPHIC SCALE



( IN FEET )  
1 inch = 150 feet

E R/W LINE  
PER ORB 614,  
PAGE 357

TP: 27-36-22-00-1  
OWNER: BREVARD COUNTY  
ORB 3658, PAGE 4923

NE 1/4, NE 1/4 SECTION 22

JONES ROAD, 100' WIDE R/W PER ORB 614, PAGE 357  
(NAME PER ORB 1606, PAGE 258)

S00°04'37"E 549.60' BOB



PREPARED BY: BREVARD COUNTY PUBLIC WORKS  
SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

SCALE:

1" = 150'

PROJECT NO.:

CAO\_20250121

SECTION 22  
TOWNSHIP 27 SOUTH  
RANGE 36 EAST

## BOARD OF COUNTY COMMISSIONERS

### AGENDA REVIEW SHEET

AGENDA: Resolution Designating a Portion of County-Owned Parcel Identification  
Number 27-36-22-00-1 as Right-of-Way – District 5

AGENCY: Public Works Department / Land Acquisition Office

AGENCY CONTACT: Lucy Hamelers/ Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		<hr/>	<u>7-1-2025</u>
COUNTY ATTORNEY Greg Hughes Assistant County Attorney		<hr/>	<u>7/3/2025</u>



## LOCATION MAP

### Section 22, Township 27 South, Range 36 East - District 5

PROPERTY LOCATION: Property is located on the west Side of Interstate 95, on the east and west side of Jones Road.

OWNERS NAME(S): Brevard County

