



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.10

2/23/2021

Subject:

Approval, Re: Resolution and Maintenance Map for a Portion of Fell Road Between Max K. Rodes Park and Minton Road - District 5.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

It is requested that the Board of County Commissioners adopt and authorize the chair to execute: 1) the Resolution and Maintenance Map and 2) instruct staff to record the Resolution and Maintenance Map.

Summary Explanation and Background:

The subject property is located in Section 12, Township 28 South, Range 36 East, west of Minton Road in West Melbourne.

In accordance with the requirements of Section 95.361 of the Florida Statutes, the Resolution and Maintenance Map require signatures of the Board of County Commissioners and the Clerk of the Circuit Court for recording purposes.

The Fell Road Maintenance Map was prepared by Michael J. Sweeney, County Surveyor, reviewed by Christine Schverak, Assistant County Attorney, and approved by Marc E. Bernath, Public Works Director and Susan G. Jackson, Assistant Public Works Director and Road and Bridge Manager. The map represents that portion of Fell Road between Max K. Rodes Park and Minton Road. The portions of maintained right of way shown on the Maintenance Map is supported by road maintenance logs that date back to 2013, whereby the Brevard County Road and Bridge program maintained the existing asphalt pavement, sodded shoulders and the adjacent road-side swales/ditches for a period of seven (7) years.

The area indicated on the Maintenance Map shall be dedicated to the Public to the extent of the width that has been maintained or repaired for the prescribed period, furthermore, the rights, title, easements, and appurtenances to the land as described on this Map shall be vested in Brevard County.

The User Department approves this request and recommends that the Board file the Maintenance Map in a Road Plat Book and record the Resolution in the Official Records of Brevard County, Florida in order to recognize the County's rights to portions of the Fell Road right-of-way.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

Clerk to the Board Instructions:

Upon execution by the Chair, Public Works Department will make arrangements to pick up the original executed Maintenance Map and original executed Resolution from the Clerk's office.



February 24, 2021

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

RE: Item F.10., Resolution and Maintenance Map for a Portion of Fell Road Between Max K. Rodes Park and Minton Road

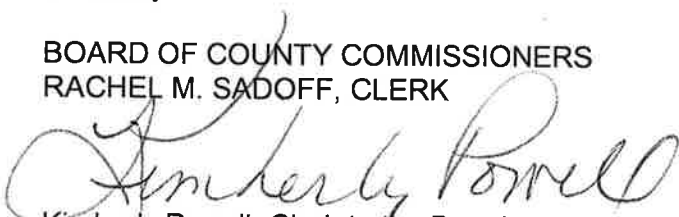
The Board of County Commissioners, in regular session on February 23, 2021, adopted Resolution No. 2021-012, for a portion of the Fell Road Maintenance Map; and instructed staff to record the same. Enclosed is a fully-executed Resolution and Maintenance Map.

Upon recordation, please return a fully-executed Agreement to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

Encl. (1)

RESOLUTION NO. 21-012
FELL ROAD MAINTENANCE MAP

WHEREAS, Brevard County maintains a certain road located in Brevard County, Florida described in "Exhibit A" attached and incorporated by this reference; and

WHEREAS, certain portions of the road are necessary for transportation and certain portions of the shoulders, swales and associated drainage appurtenances adjacent to said road are needed and used for the support and maintenance of said road (hereinafter collectively referred to as the "Roadway"), and said Roadway, has been used, constructed, maintained or repaired continuously and uninterrupted for seven (7) years by Brevard County, Florida, and all rights, title, easements and appurtenances to said Roadway vested in Brevard County, Florida, in accordance with the provisions of Section 95.361(2) and (3), Florida Statutes, or by other means of acquisition; and

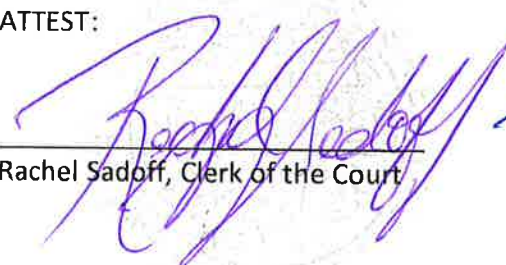
WHEREAS, it is the best interest of the citizens of Brevard County, Florida to declare said Roadway a dedicated public road.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida as follows:

1. The foregoing recitals are true and correct and incorporated to this Resolution by this reference.
2. The Board of County Commissioners of Brevard County, Florida declares the Roadway hereinabove described to constitute a dedicated public road and all rights, title, easements and appurtenances therein to be vested in Brevard County, Florida, in accordance with Section 95.361(2) and (3), Florida Statutes, or by other means of acquisition.
3. That this Resolution be recorded in the Public Records of Brevard County, Florida immediately upon adoption.
4. This Resolution shall take effect immediately upon its adoption.

This Resolution is **DONE, ORDERED, AND ADOPTED** in Regular Session, this 23 day of Feb 2021.

ATTEST:


Rachel Sadoff, Clerk of the Court

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


Rita Pritchett, Chair

As approved by the Board on: Feb. 23, 2021

Reviewed for legal form and content:

Christine M. Schworak 2/8/2021
Assistant County Attorney

Recorded
COPY

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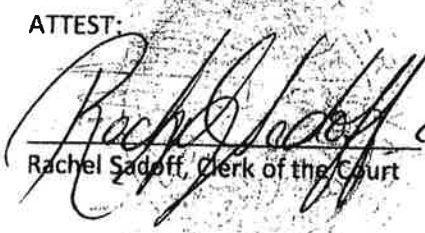
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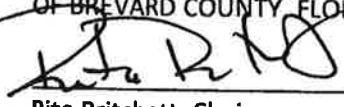
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Rita Pritchett, Chair

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Reviewed for legal form and content:

Christine M. Schworak 2/8/2021
Assistant County Attorney

LOCATION MAP FELL ROAD

Section 12, Township 28 South, Range 36 East - District 5

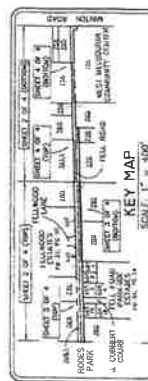
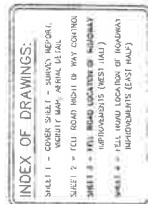
PROPERTY LOCATION: West of Minton Road in West Melbourne

OWNERS NAME: Brevard County



ROAD PLAT BOOK _____, PAGE _____
SECTION 12, TOWNSHIP 28 S. RANGE 36 E.
SHEET 1 OF 4

NOT VALID WITHOUT SHEETS 2, 3, AND 4 OF 4

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N 2019 AERIAL DETAIL

**BREVARD COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS
MAINTENANCE MAP**

[illegible]

Public Works
BREWARD COUNTY
PUBLIC WORKS DEPARTMENT
SUNBELT INC. & MAPYING DIVISION
STATE

[illegible]

THIS SURVEY MAP AND REPORT IS PREPARED AND
FOR THE USE OF THE FLORIDA DEPARTMENT OF
NATURAL RESOURCES, DIVISION OF REVENUE,
AND IS NOT TRANSFERABLE UNDER ANY
CIRCUMSTANCES. ANY ATTEMPT TO REPRODUCE THE
ORIGINAL RASSED SEAL OF A
FLORIDA LICENSED SURVEYOR AND TAPPER

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8. PLANET _____

9. COMET _____

10. NEBULA _____

11. QUASAR _____

12. BLACK HOLE _____

13. WHITE DWARF _____

14. RED DWARF _____

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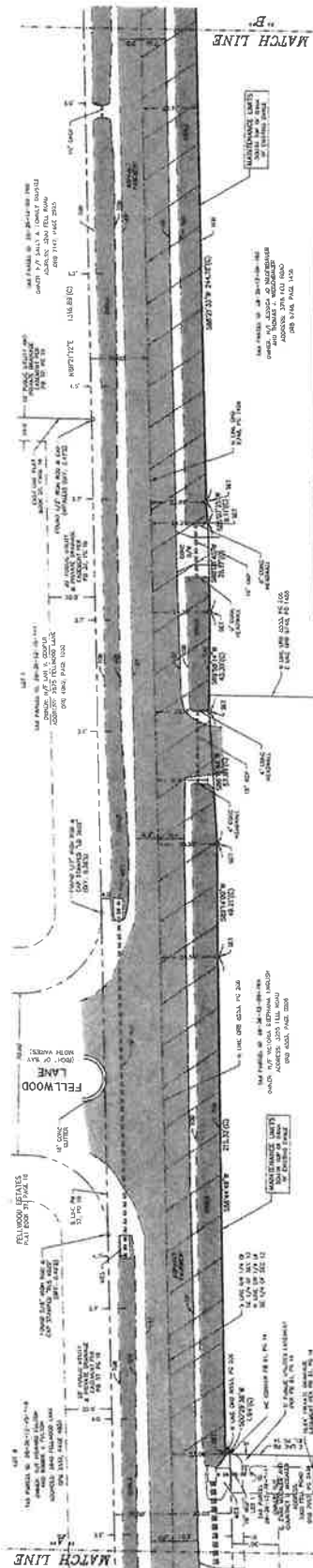
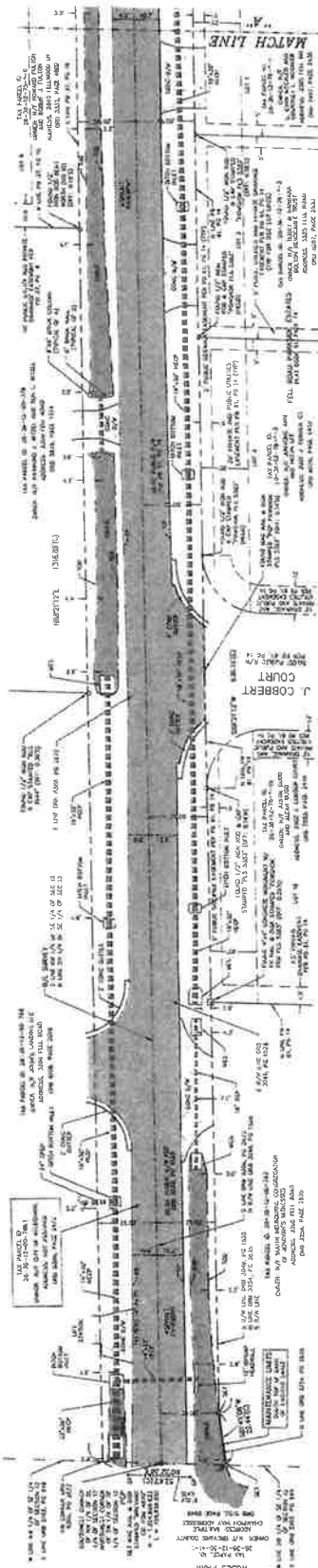
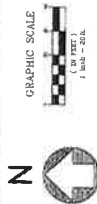
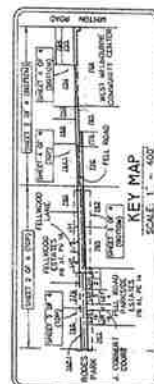
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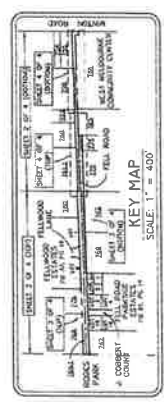
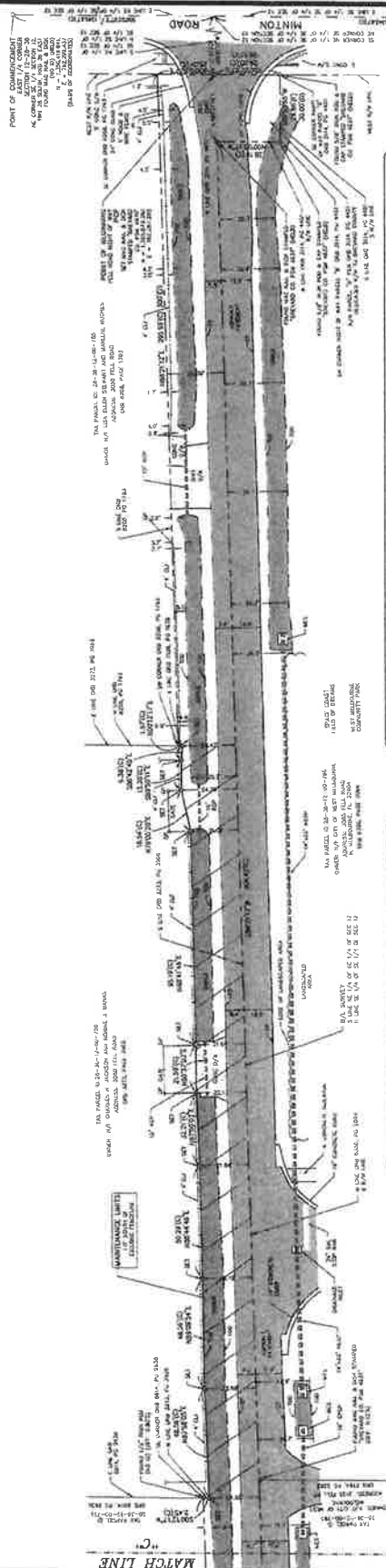
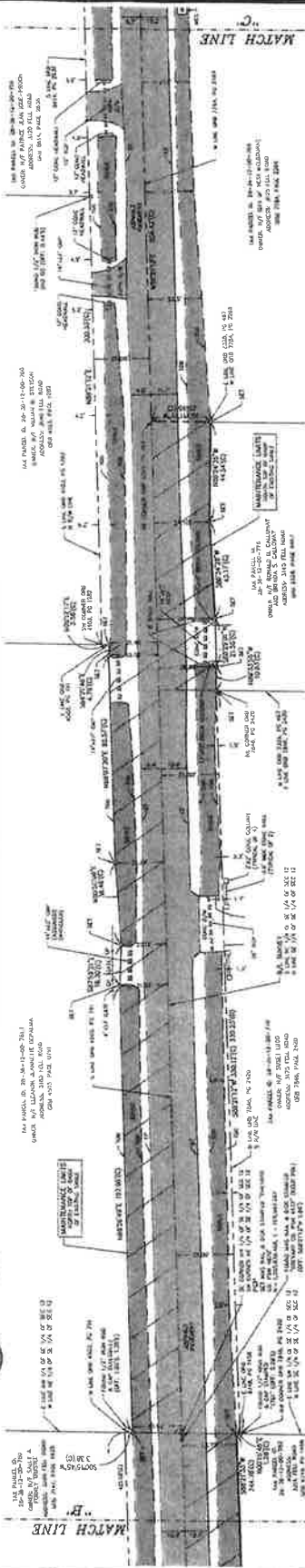
**SPECIFIC PURPOSE SURVEY
FELL ROAD MAINTENANCE MAP
WEST MELBOURNE, FLORIDA 32904**

SECTION 12, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA

[illegible][illegible][illegible]EVARD COUNTY PUBLIC
WORKS DEPARTMENT

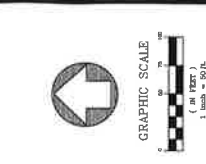
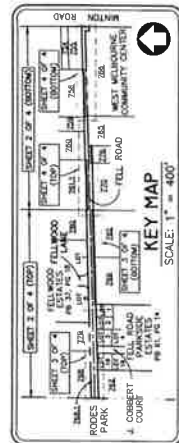
ROAD PLAT BOOK _____ PAGE _____
SECTION 12 TOWNSHIP 28 S. RANGE 36 E.
SHEET 4 OF 4
NOT VALID WITHOUT SHEET 1, 2, AND 3 OF 4

NOT VALID WITHOUT SHEET 1, 2, AND 3 OF 4

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ROAD PLAT BOOK 5, PAGE 28
SECTION 12 TOWNSHIP 28 S, RANGE 36 E
SHEET 2 OF 4

NOT VALID WITHOUT SHEETS 1, 3, AND 4 OF 4



BREVARD COUNTY
PUBLIC WORKS
SURVEYING &
MAPPING DIVISION

2725 JUDGE FRAN
JAMIESON WAY

BUILDING A, SUITE A220
MIAMI, FL 32940
PHONE (321)633-2080

SALE: 1" = 50'

UNITY CHIEF: G. GORDON

SALES ETC: M. CORNELL

BOOK ID: M.J. SALINITY
 FILED BOOK: 623 PAGE: 52-71, 78
 FILED BOOK: 624 PAGE: 35-38
 PROJECT NUMBER: 20-02-048

REFERENCE PRODUCT : N/A
 NAME : 283612 SP 20020204
 ME : FILL - FILL

DATE	REVISION
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REVIEW MAP

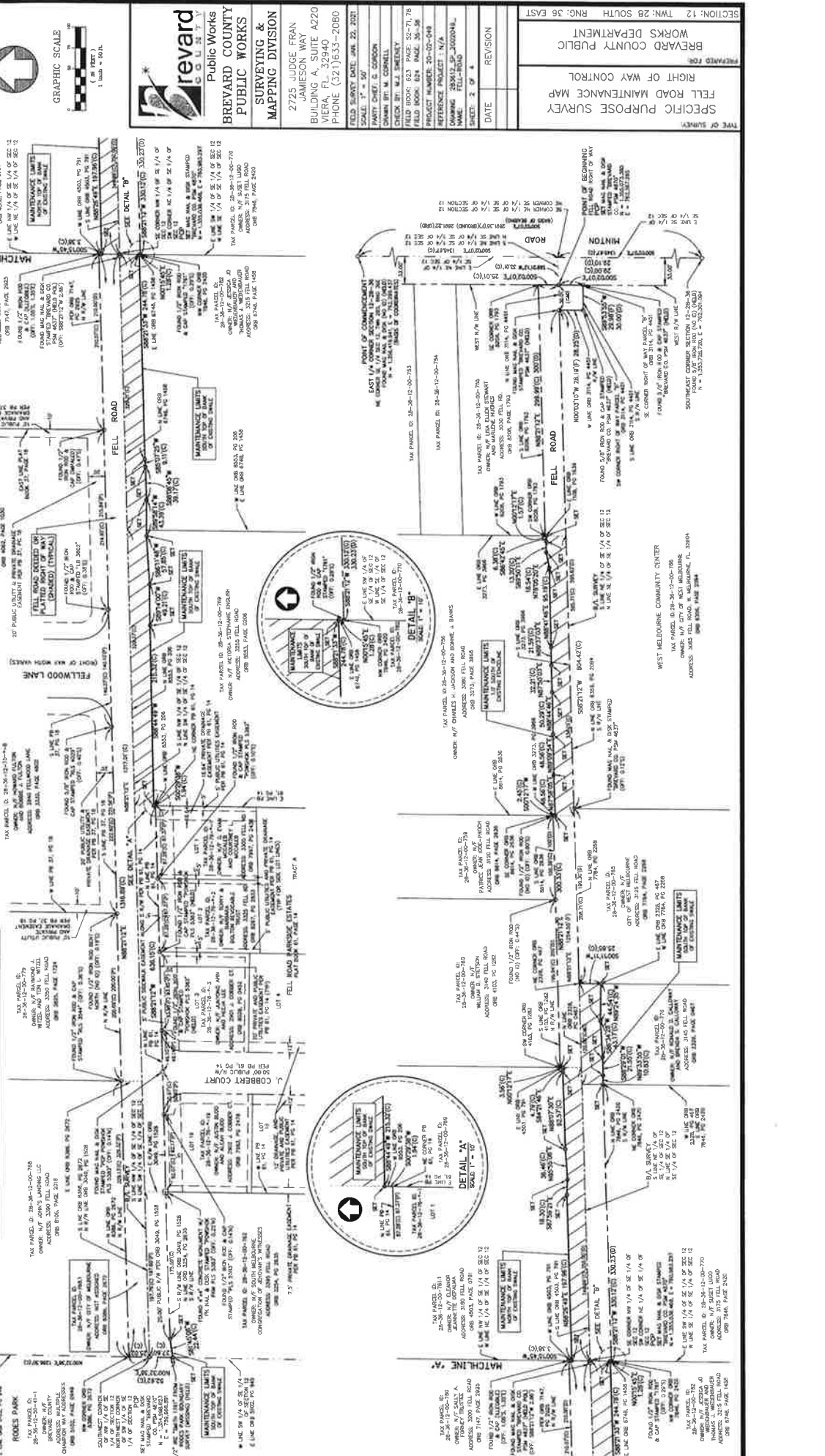
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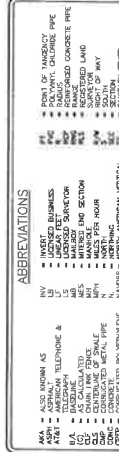
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ROAD PLAT BOOK 5, PAGE 30
SECTION 12 TOWNSHIP 28 S, RANGE 36 E
SHEET 4 OF 4

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[illegible]

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Maintain Map and Resolution for Fell Road – District 5.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 (58336)

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u>LA</u>	<u> </u>	<u>2-1-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	<u> </u>	<u>2-9-2021</u>