



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

4/7/2026

Subject:

Approval, Re: Release of Reservation of Right of Entry for the Purpose of Exploration for Phosphate, Minerals, Metals, and Petroleum reserved in County Deed recorded in Official Records Book 6017, Page 656 and Corrective County Deed recorded in Official Records Book 6464, Page 1233 - District 1.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition Office

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the attached Release of Reservation of Right of Entry for the Purpose of Exploration for Phosphate, Minerals, Metals, and Petroleum.

Summary Explanation and Background:

The subject property is located in Section 3, Township 23 South, Range 35 East, north and south of Perimeter Road and on the east and west sides of Grissom Parkway in Titusville.

On August 28, 2009, Brevard County conveyed real property by County Deed to Titusville-Cocoa Airport Authority, a special taxing district of the State of Florida as recorded in Official Records Book 6017, Page 656 and corrected in Official Records Book 6464, Page 1233, reserving certain mineral rights.

Staff have been contacted by Ryan Wood, Managing Director of Industrial Development and Acquisitions for Hines, who is developing Space Coast Innovation Park, an industrial development, which will be located on Titusville-Cocoa Airport Authority land via a ground lease with Hines as the lessee. Hines counsel has raised the presence of mineral rights as a title concern with lenders and tenants. Because of the significant investment being made for this development, Hines is requesting the County execute a Release of Reservation of Right of Entry for the Purpose of Exploration for Phosphate, Minerals, Metals, and Petroleum which will waive the County's access rights to mine, develop, or extract minerals subsurface.

Pursuant to Section 270.11(2)(b), Florida Statute, local government may, at its discretion, sell or release reserved interest in any parcel of land, except that such sale or release shall be made upon petition of the owner of the parcel of land with a statement of reasons justifying such sale or release.

The User Department approves this request.

Clerk to the Board Instructions:

Upon execution by the Chair, the Public Works Department will contact the Clerk's office to make arrangements to pick up the original executed Release of Reservation of Right of Entry for the Purpose of Exploration for Phosphate, Minerals, Metals, and Petroleum.



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

April 08, 2026

MEMORANDUM

TO: Marc Bernath, Public Works Director

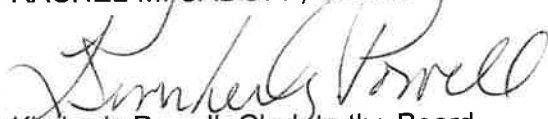
RE: Item F.4., Approval for Release of Reservation of Right of Entry for the Purpose of Exploration for Phosphate, Minerals, Metals, and Petroleum reserved in County Deed Recorded in Official Records Book 6017, Page 656 and Corrective County Deed Recorded in Official Records Book 6464, Page 1233

The Board of County Commissioners, in regular session on April 07, 2026, approved and authorized the Chair to execute the Release of Reservation of Right of Entry for the purpose of Exploration for Phosphate, Minerals, Metals, and Petroleum. Enclosed is the fully-executed Release of Reservation of Right of Entry.

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: Land Acquisition

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Release of Reservation of Right of Entry for the Purpose of Exploration for Phosphate, Minerals, Metals, and Petroleum reserved in County Deed recorded in Official Records Book 6017, Page 656 and Corrective County Deed recorded in Official Records Book 6464, Page 1233 – District 1.

AGENCY: Public Works Department / Land Acquisition Office

AGENCY CONTACT: Lisa J. Kruse / Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lisa Kruse Supervisor		_____	<u>3/10/26</u>
COUNTY ATTORNEY Greg Hughes Assistant County Attorney		_____	<u>3/16/2026</u>

Prepared by and return to:
Office of the County Attorney
2725 Judge Fran Jamieson Way, Building C
Viera, Florida 32940

**RELEASE OF RESERVATION OF RIGHT OF ENTRY
FOR THE PURPOSE OF EXPLORATION FOR
PHOSPHATE, MINERALS, METALS, AND PETROLEUM**

KNOW ALL MEN BY THESE PRESENTS: That BREVARD COUNTY, a political subdivision of the State of Florida, for and in consideration of mutual benefits, has released and by these presents does release unto TITUSVILLE-COCOA AIRPORT AUTHORITY, a special taxing district of the State of Florida, its successors and assigns, the right, interest, claim, and demand consisting of the right of entry for the purpose of exploration arising out of the following reservation, to-wit,

an undivided three-fourths interest in, and title in and to an undivided three-fourths interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half interest in all the petroleum that is or may be in, on, or under said land with the privilege to mine and develop the same.

The reservation was by virtue of Section 270.11, Florida Statutes, and that certain County Deed to Titusville-Cocoa Airport Authority, recorded August 28, 2009, in Official Records Book 6017, Page 656, and that Corrective County Deed recorded October 5, 2011, in Official Records Book 6464, Page 1233, both of the public records of Brevard County, Florida, conveying, the following described land situate, lying and being in Brevard County, Florida to wit:

See Exhibit "A" attached hereto and made a part hereof by reference.

Property Appraiser's Parcel Identification Numbers: 23-35-03-NN-E.2, 23-35-03-NN-A, 23-35-03-NN-B.

PROVIDED, HOWEVER, this release affects only those lands particularly described in Exhibits "B" and "C" attached hereto and by reference made a part hereof, lying and being in Brevard County, Florida, and the aforementioned reservation is hereby retained over all other lands not previously released from said reservation. This release does not release Brevard County's oil, gas, or other mineral interest, only the right of entry for the purpose of exploration.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair of said board, the 7th day of April 2026.

ATTEST:



Rachel M. Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 

Thad Altman, Chair

As approved by the Board on April 7, 2026

[Remainder of page intentionally left blank.]

Exhibit A

TRACT 1

A PARCEL OF LAND BEING A PORTION OF PARCEL E, ACCORDING TO THE PLAT OF ENTERPRISE PARK AS RECORDED IN PLAT BOOK 32, PAGE 74, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 3, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGIN AT THE NORTHEAST CORNER OF OFFICIAL RECORDS BOOK 5155 PAGE 351, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF GRISSOM PARKWAY, THENCE RUN $S83^{\circ}27'27''W$ ALONG THE NORTH LINE OF SAID OFFICIAL RECORDS BOOK 5155 PAGE 351, AND ALONG THE NORTH LINE OF OFFICIAL RECORDS BOOK 5626, PAGE 5118, OF SAID PUBLIC RECORDS, AND ITS WESTERLY EXTENSION, FOR A DISTANCE OF 1048 59 FEET, THENCE RUN $N00^{\circ}49'55''W$ FOR A DISTANCE OF 900 00 FEET TO A POINT ON THE SOUTH LINE OF OFFICIAL RECORDS BOOK 4462 PAGE 62, OF SAID PUBLIC RECORDS, THENCE RUN $S85^{\circ}07'17''E$ ALONG THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 4462 PAGE 62, AND ALONG THE SOUTH LINES OF OFFICIAL RECORDS BOOK 4084 PAGE 390 AND OFFICIAL RECORDS BOOK 5849 PAGE 6843, ALL OF SAID PUBLIC RECORDS, FOR A DISTANCE OF 1054 90 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 9900 00 FEET, SAID POINT BEING THE SOUTHEAST CORNER OF SAID OFFICIAL RECORDS BOOK 5849 PAGE 6843, AND ALSO BEING A POINT ON THE SAID WEST RIGHT OF WAY LINE OF GRISSOM PARKWAY, THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ}23'10''$, CHORD BEARING OF $S00^{\circ}29'08''E$, CHORD DISTANCE OF 66 71 FEET, FOR A DISTANCE OF 66 71 FEET TO THE POINT OF TANGENCY, THENCE RUN $S00^{\circ}17'33''E$ ALONG SAID WEST RIGHT OF WAY LINE OF GRISSOM PARKWAY FOR A DISTANCE OF 624 01 FEET TO THE POINT OF BEGINNING

THE LAND DESCRIBED ABOVE CONTAINS 19 110 ACRES, MORE OR LESS

TRACT 2

19 49 +/- acre parcel
23-35-03-NN-0000A 0

Block A, except ORB 2752, Page 1559 of the Enterprise Park subdivision as recorded in Plat Book 32, Page 74 of the Public Records of Brevard County, Florida

TRACT 3

13 49 ACRES +/- Acre parcel
23-35-03-NN-0000B 0

Block B of the Enterprise subdivision as recorded in Plat Book 32, Page 74 of the Public Records of Brevard County, Florida

LEGAL DESCRIPTION

SECTION 3, TOWNSHIP 23 SOUTH, RANGE 35 EAST

PORTION OF PARCEL ID NUMBER
23-35-03-NN-0000E 0-0000 00 OWNED BY
TITUSVILLE-COCOA AIRPORT AUTHORITY

PURPOSE TO PROVIDE A CORRECTIVE DEED FOR PROPERTY
PREVIOUSLY CONVEYED IN ORB 6017, PAGE 656

SHEET 1 OF 2

NOT VALID WITHOUT
SHEET 2 OF 2

"EXHIBIT A"

LEGAL DESCRIPTION

(PREPARED BY SURVEYOR JULY 1 2010)

A PARCEL OF LAND BEING A PORTION OF PARCEL E ACCORDING TO THE PLAT OF ENTERPRISE PARK AS RECORDED IN PLAT BOOK 32 PAGE 74 PUBLIC RECORDS OF BREVARD COUNTY FLORIDA LYING IN SECTION 3 TOWNSHIP 23 SOUTH RANGE 35 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGIN AT THE NORTHEAST CORNER OF OFFICIAL RECORDS BOOK 5155 PAGE 351, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF GRISSOM PARKWAY, THENCE RUN S83°27'27"W ALONG THE NORTH LINE OF SAID OFFICIAL RECORDS BOOK 5155 PAGE 351 AND ALONG THE NORTH LINE OF OFFICIAL RECORDS BOOK 5626, PAGE 5118 OF SAID PUBLIC RECORDS, AND ITS WESTERLY EXTENSION FOR A DISTANCE OF 1048.59 FEET THENCE RUN N00°49'55"W FOR A DISTANCE OF 900.00 FEET TO A POINT ON THE SOUTH LINE OF OFFICIAL RECORDS BOOK 4462 PAGE 62 OF SAID PUBLIC RECORDS, THENCE RUN S85°07'17"E ALONG THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 4462 PAGE 62 AND ALONG THE SOUTH LINES OF OFFICIAL RECORDS BOOK 4084 PAGE 390 AND OFFICIAL RECORDS BOOK 5849 PAGE 6843, ALL OF SAID PUBLIC RECORDS FOR A DISTANCE OF 1054.90 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 9900.00 FEET, SAID POINT BEING THE SOUTHEAST CORNER OF SAID OFFICIAL RECORDS BOOK 5849 PAGE 6843, AND ALSO BEING A POINT ON THE SAID WEST RIGHT OF WAY LINE OF GRISSOM PARKWAY THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°23'10" CHORD BEARING OF S00°29'08"E CHORD DISTANCE OF 66.71 FEET FOR A DISTANCE OF 66.71 FEET TO THE POINT OF TANGENCY THENCE RUN S00°17'33"E ALONG SAID WEST RIGHT OF WAY LINE OF GRISSOM PARKWAY FOR A DISTANCE OF 624.01 FEET TO THE POINT OF BEGINNING

THE LAND DESCRIBED ABOVE CONTAINS 19.110 ACRES MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS RIGHTS OF WAY COVENANTS AND RESTRICTIONS OF RECORD THIS SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS NO TITLE OPINION IS EXPRESSED OR IMPLIED - NO SURVEY OF SAID LAND HAS BEEN PERFORMED

LEGEND

	BOUNDARY LINE
	LOT LINE
	CENTERLINE
	PLAT LINE
	RIGHT OF WAY LINE
	SUBJECT PARCEL (TRACT 1)

SURVEYOR'S NOTES

1. BEARINGS ARE BASED ON ASSUMED NORTH REFERENCED TO THE CENTERLINE OF GRISSOM PARKWAY WHICH BEARS N00°17'33"W AS SHOWN ON THE PLAT OF ENTERPRISE PARK PLAT BOOK 32, PAGE 74, PUBLIC RECORDS OF BREVARD COUNTY FLORIDA
2. THIS SKETCH IS NOT INTENDED TO LOCATE ANY ABOVE GROUND OR UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS EXCEPT AS SHOWN
3. NO INSTRUMENTS OF RECORD REGARDING EASEMENTS RIGHTS OF WAY AND RESTRICTIONS OF RECORD WERE PROVIDED TO THE SURVEYOR A SEARCH OF THE PUBLIC RECORDS WAS NOT PERFORMED BY THIS SURVEYOR NO TITLE OPINION IS EXPRESSED OR IMPLIED
4. THE DATA FOR THIS SKETCH AND DESCRIPTION WAS EXTRACTED FROM VARIOUS MAPS AND DEEDS - THIS SKETCH IS NOT A SURVEY OF ANY TYPE AS DEFINED IN CHAPTER 5J-17 SUBSECTION 5J-17.050 FLORIDA ADMINISTRATIVE CODE

PREPARED FOR

BREVARD COUNTY ENVIRONMENTALLY
ENDANGERED LANDS PROGRAM, JENNY ASHBURY
TITUSVILLE-COCOA AIRPORT AUTHORITY

SUSAN G JACKSON, PSM NO 4637
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY BREVARD COUNTY PUBLIC WORKS SURVEYING & MAPPING DIVISION

ADDRESS 2725 JUDGE FRANK JAMIESON WAY BUILDING A, SUITE A220 VIERA, FL 32940

PHONE (321) 633-2000, FAX (321) 633-2005, E-MAIL susan.jackson@brevard.net

DRAWN BY <u>M CORNELL</u>	CHECKED BY <u>S G JACKSON</u>	DRAWING NO <u>11-04-017</u>	SECTION <u>3</u>
DATE <u>07-01-11</u>	SHEET <u>1</u> OF <u>2</u>	PROJ FOLDER <u>SPACEPORT/1104017</u>	TOWNSHIP <u>23</u> SOUTH
		REVISIONS	RANGE <u>35</u> EAST

SKETCH OF DESCRIPTION

SECTION 3 TOWNSHIP 23 SOUTH RANGE 35 EAST

THIS IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION ON SHEET 1 OF 2

THIS SKETCH IS NOT A SURVEY AND IS NOT VALID WITHOUT SHEET 1 OF 2

SHEET 2 OF 2

ABBREVIATION

C	= CALCULATED
CL	= CENTERLINE
D	= DEED
FM	= FIELD MEASURED
ORB	= OFFICIAL RECORD BOOK
PB	= PLAT BOOK
PC	= POINT OF CURVATURE
PG	= PAGE
POC	= POINT ON A CURVE
PT	= POINT OF TANGENCY
R/W	= RIGHT OF WAY
R	= RADIUS
DA	= DELTA ANGLE
AL	= ARC LENGTH
CB	= CHORD BEARING
CD	= CHORD DISTANCE

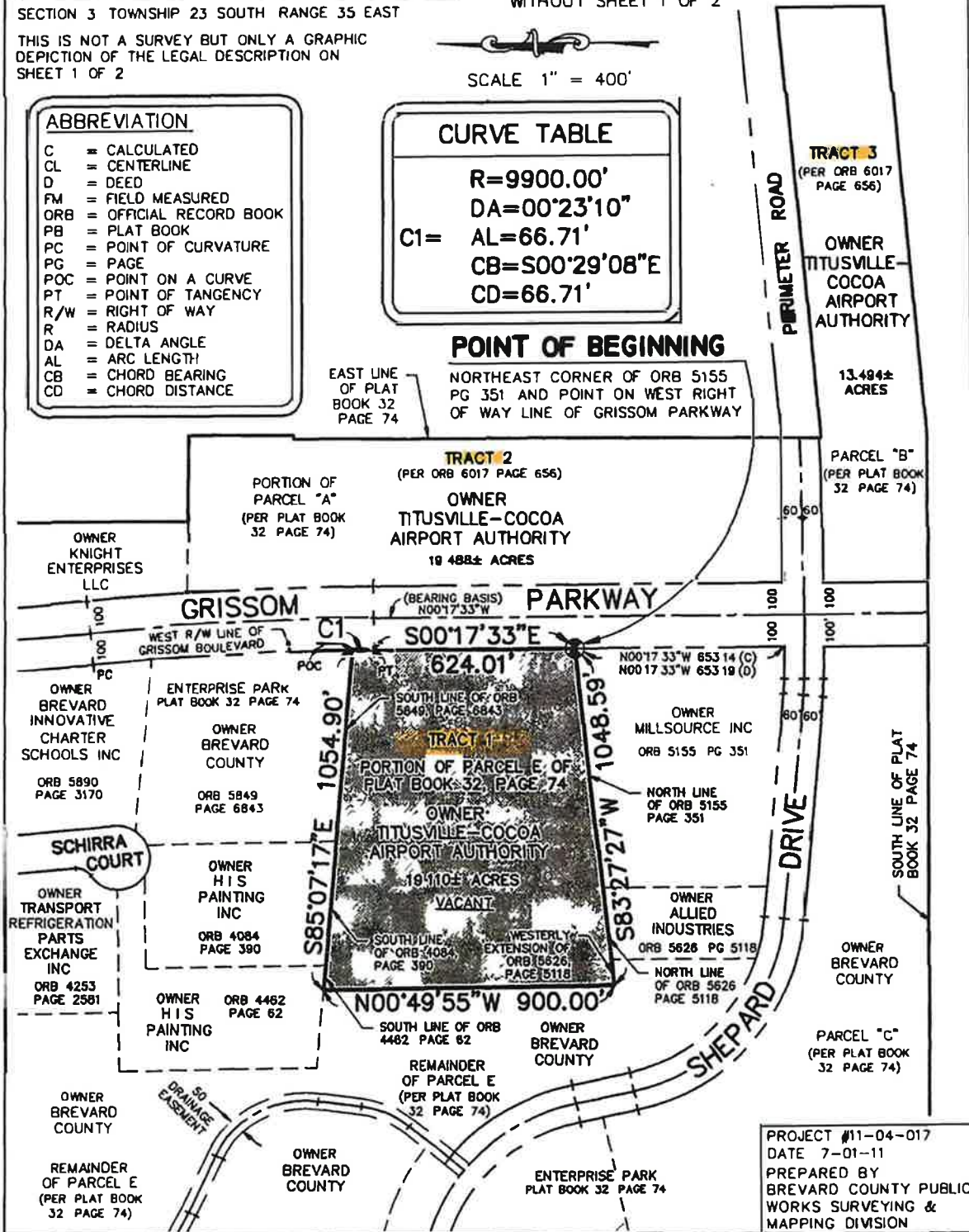
CURVE TABLE

R=9900.00'
DA=00°23'10"
C1= AL=66.71'
CB=S00°29'08"E
CD=66.71'

POINT OF BEGINNING

NORTHEAST CORNER OF ORB 5155 PG 351 AND POINT ON WEST RIGHT OF WAY LINE OF GRISSOM PARKWAY

SCALE 1" = 400'



LOCATION MAP

Section 03, Township 23 South, Range 35 East – District 1

PROPERTY LOCATION: North and south of Perimeter Road and on the east and west sides of Grissom Parkway in Titusville.

OWNERS NAME(S): Titusville-Cocoa Airport Authority

