

Deleted

Meeting Date
03/06/2018



AGENDA	
Section	Consent
Item No.	II.A.7

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

SUBJECT:	Approval Re: Permission to Advertise a revised proposed exchange of property between R. C. Kirk & Ethyl Maye Kirk (Kirk) and Brevard County – District 1. (Fiscal Impact: None)
DEPT/OFFICE:	Public Works Department / Land Acquisition Section

Requested Action:  
 It is requested that the Board of County Commissioners authorize advertisement of a revised proposed exchange of property between Brevard County and KIRK as required by Section 125.37, F. S.

Summary Explanation & Background:

The subject properties are located in Sections 7 & 8, Township 21 South, Range 35 East.

The Board (at their regular meeting dated November 21, 2017) authorized the advertisement of a proposed exchange agreement between KIRK and Brevard County related to property in the area of Old Dixie Highway, North of Kelly Road and South of Brockett Road in Mims. The Agreement has been modified to allow for enhanced use by the County.

The County property described in Exhibit A separates the KIRK property from Old Dixie Highway right of way. The KIRK property described in Exhibit C separates the County property from Old Dixie Highway. KIRK desires to have access across the County property and the County desires access across the KIRK Property. Kirk proposes to exchange the County property described in Exhibit A for the KIRK property described in Exhibit C. The County also desires to have KIRK transfer easement right to the County for the purpose of landscaping and buffering between the County property and the KIRK property.

Based upon revised estimated values, the value of the County parcel described in Exhibit A is estimated at \$3,600.00. The County will retain additional rights to include full right of ingress egress (with no requirement to construct a road or other improvements within the area), drainage easement, right to store road construction materials until property is developed by Kirk within the area deeded to KIRK. The estimated combined value of the KIRK parcel described in Exhibit C and the easement parcel described in Exhibit B is \$3,600.00. KIRK has agreed to grant the Buffer / Landscape Easement and Deed for the property needed by the County in exchange for the property needed by KIRK for access to Old Dixie Highway.

Fiscal Impact: FY 2017-2018: No Impact  
**FY 2018-2019: No Impact**

Clerk to the Board Instructions:

Exhibits Attached: Copy of Public Notice, Location Map

Contract /Agreement (If attached): Reviewed by County Attorney    Yes        No        PR

County Manager Frank Abbate	Assistant County Manager, John Denninghoff	Department Director / Extension Andrew J. Holmes, PE / 57202 
	Interim Assistant County Manager Jim Liesenfelt	

PUBLIC NOTICE  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

As provided in Chapter 125.37 F.S., notice is hereby given that the Board of County Commissioners will hold a public hearing at 5:00 p.m. on March 6, 2018, at the Brevard County Government Center Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

The purpose of the hearing will be to consider an Exchange Agreement for property between Brevard County and R. C. Kirk and Ethyl May Kirk. The parcels are in close proximity to each other and are located near Old Dixie Highway, South of Brockett Road and North of Kelly Road in Mims.

The proposed Exchange Agreement terms are as follows. The County shall transfer a 70 foot wide portion of County property to Kirk subject to reservations of easements (drainage & access including utilities) in favor of the county and limited to use for access (including utilities). Kirk shall transfer property west of the County parcel and adjacent to Old Dixie Highway to the County. Additionally, Kirk shall grant a landscape and buffering easement to the County on Kirk property lying to the east of the County owned parcel.

In accordance with the Americans with Disabilities Act and Section 286.26 of the Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify Dan Jones at 321-690-6847 in the Public Works Department, Land Acquisition Section, no later than 48 hours prior to the meeting.

A copy of the proposed agreement may be obtained by contacting Dan Jones, Land Acquisition Specialist at 321-690-6847.

Persons seeking to preserve a verbatim transcript of the record meeting must make those arrangements at their own expense.



- E
- L
- M
- P

Composite of Exhibits related to the KIRK / Brevard Exchange



1:3,600

