

2pg Attachments

Meeting Date
May 03, 2016



AGENDA	
Section	New Business
Item No.	VI A-1

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Marine Harbor Drive Right of Way (Barge Canal and Courtenay Parkway) – District 2
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DEPT/OFFICE:	Public Works Department
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Requested Action:

It is requested that the Board of County Commissioners consider taking action on the three options listed below for the disposal of surplus/unused right of way.

Summary Explanation & Background:

The subject property is located in Section 11, Township 24 South, Range 36 East.

Public Works staff has been contacted by Canaveral Crossroads, LLC (the adjacent property owner) in order to acquire a portion of unused right of way via a vacating request in order to create a passive open space and signage area. Staff has researched the title history of the subject property and determined that there is no reversionary clause so that if Canaveral Crossroads wished to purchase the right of way there is a possibility that approach could be taken.

It is requested that the Board consider the three options below and provide direction to staff:

1. Vacate as requested maintaining an easement over the vacated parcel in favor of Brevard County for drainage and utilities (In addition to the standard \$640 Administration fee paid for by the applicant, we will require a title policy be provided by the petitioner in the amount of \$15,000.00 for the easement conveyed back to the County).
2. Declare the area as surplus and sell to the adjacent property owner reserving an easement in favor of Brevard County for drainage and utilities (estimated sale to be \$8,200.00 based on the recent sale price of the adjacent property and again with a title policy in the amount of \$15,000.00 from the purchaser will be required for the retained easement).
3. Take no action and leave the parcel in question as right of way.

Fiscal impact: Option 1: None.
Option 2: Actual sale price.
Option 3: None.

Clerk to the Board Instructions: Forward Board action memorandum to Department.

Exhibits Attached: Maps

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

County Manager	Assistant County Manager	Department Director / Extension
	Assistant County Manager	 John Denninghoff / 57202



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

May 4, 2016

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item VI.A.1, Approval of Disposal of Surplus/Unused Right-of-Way for Marine Harbor Drive Right-of-Way (Barge Canal and Courtenay Parkway)

The Board of Commissioners, in regular session on May 3, 2016, approved Option 2 for disposal of surplus/unused right-of-way for Marine Harbor Drive; and authorized you to decide on sale amount.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/cm

cc: Finance
Budget



AERIAL MAP

CANAVERAL CROSSROAD, LLC –
PARCEL NO'S. 503 AND 505 – SECTION
11, TOWNSHIP 24 SOUTH, RANGE 36
EAST – DISTRICT 2 – PROPOSED
PARTIAL VACATING OF MARINE
HARBOR DRIVE

BOUNDARY SURVEY

EXHIBIT A SHEET 2 OF 2

SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST
PARCEL ID# N/A (PUBLIC RIGHT-OF-WAY)

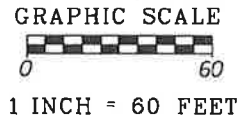
THIS SKETCH OF BOUNDARY SURVEY
IS NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2

U.S. ARMY CO.E. NORTH

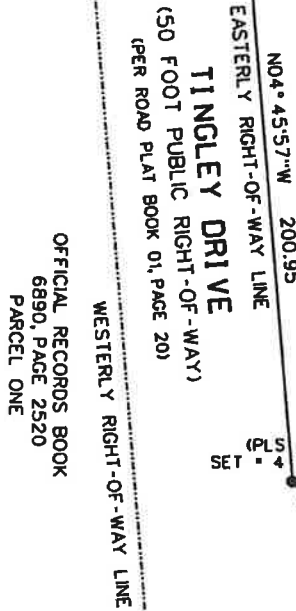
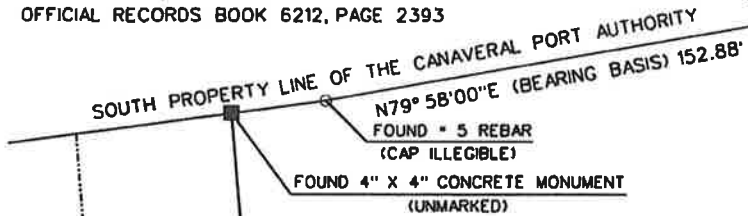
THIS IS A GRAPHIC DEPICTION OF
THE LEGAL DESCRIPTION ON SHEET 1

THE CANAVERAL PORT AUTHORITY
455 CHALLENGER ROAD, SUITE 301
CAPE CANAVERAL, FL. 32920

POINT-OF-COMMENCEMENT
POINT-OF-BEGINNING
O.R.B. 6212, PG 2393



FOUND # 5 REBAR STAMPED FL DOT AT THE
NORTHWEST CORNER OF O. R. B. 1218, PG. 924
OFFICIAL RECORDS BOOK 6212, PAGE 2393



CANAVERAL CROSSROADS, LLC
P.O. BOX 1511
ORLANDO, FL. 32801
OFFICIAL RECORDS BOOK 6890, PAGE 2520
PARCEL TWO
(PARCEL NO. 24-36-11-00-00505.0-0000.0)

(FL DOT)
FOUND # 5 REBAR
N79° 58' 06\"/>

S04° 33' 58\"/>



MARINE HARBOR DRIVE
(PUBLIC RIGHT-OF-WAY WIDTH VARIES)
(PER ROAD PLAT BOOK 01, PAGE 20)

NORTH COURTENAY PARKWAY
(PUBLIC RIGHT-OF-WAY WIDTH VARIES)

POINT-OF-BEGINNING
PARCEL TO BE VACATED
THE SOUTHERLY EXTENSION
OF THE WEST R/W LINE

LEGEND

- FOUND # 5 REBAR/EVIDENCE
- SET # 4 REBAR, PLS 5117
- ⊙ SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- FOUND CONCRETE MONUMENT
- ⊕ PERMANENT REFERENCE MARK

ABBREVIATIONS:

PLS PROFESSIONAL LAND SURVEYOR
DOT DEPARTMENT OF TRANSPORTATION
R/W RIGHT-OF-WAY LINE
P.O. POST OFFICE
POB POINT-OF-BEGINNING
POC POINT-OF-COMMENCEMENT
FL. FLORIDA
MEAS MEASURED
P.U.E. PUBLIC UTILITIES EASEMENT
U.S. UNITED STATES
C.D.E. CORPUS OF ENGINEERS
O.R.B. OFFICIAL RECORDS BOOK
PG. PAGE

PROJECT CAPECROSSINGVACATE
SECTION 11, TOWNSHIP 24
SOUTH, RANGE 36 EAST

KUGELMANN LAND SURVEYING, INC.

30 NORTH TROPICAL TRAIL, SUITE B
MERRITT ISLAND, FLORIDA 32953
L.B. NO. 6575 - PHONE (321) 459-0930

PREPARED BY: DAVID J. KUGELMANN, P.L.S.

Exhibit "B"

