

Meeting Date
July 7, 2015



AGENDA	
Section	Consent
Item No.	II A 2

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

SUBJECT:	Amendment 1 to Participation Agreement between Brevard County and the City of Rockledge (D2)
DEPT/OFFICE:	Natural Resources Management Department

Requested Action:

It is requested that the Board: (1) approve Amendment 1 to the Participation Agreement and authorize the Chairman to sign; and (2) authorize the Chairman to sign future joint conservation easements required for mitigation, subject to approval of the County Manager and the County Attorney's Office.

Summary Explanation & Background:

The County and the City of Rockledge previously entered into a Participation Agreement on March 4, 2003 for the joint acquisition of the 110 acre Falk Estate Property ("Property") to serve environmental and stormwater management goals of both Parties. The Parties acquired title to the Property on April 23, 2003, (Official Records of Brevard County, Florida Book 4951, Page 1262) and subsequently granted a Conservation Easement to the St. John's Water Management District on 36.471 acres of the Property as mitigation for the Barton Park Stormwater Retention Facility Project (OR Book 5482, Page 1441). The remaining 73.529 acres is available for additional mitigation or stormwater management goals.

The Parties desire to amend the Participation Agreement to reserve certain areas of the Property to each entity for drainage, stormwater treatment and mitigation purposes. Rockledge would be designated 66.6% of the 73.81 available acres or 49.21 acres for their use, and the County will retain 33.3% or 24.6 acres for use by the County. These percentages reflect the funding participation level for the original Property acquisition.

(1) It is therefore requested that the Board approve the amendment and authorize the Chairman to sign.  
(2) It is also requested that the Board authorize the Chairman to sign future joint conservation easements with the City as required by permitting authorities for mitigation purposes, subject to the approval of the County Manager and County Attorney's Office.

**Fiscal Impact: FY 14-15: No fiscal impact to County**

**Name:** Virginia Barker (52435) Natural Resources Management Department, 633-2016

Clerk to the Board instruction:  
Execute 2 copies and return to Natural Resources for coordination with Rockledge

Exhibits Attached:  
**Amendment 1 to Joint Participation Agreement**

Contract /Agreement (If attached): Reviewed by County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/>	PR <input type="checkbox"/>
County Manager  Stockton Whitten	Assistant County Manager		Department Director / Extension  Virginia Barker/X52435



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

July 8, 2015

MEMORANDUM

TO: Virginia Barker, Interim Director, Natural Resources Management Department

RE: Item II.A.2., Amendment 1 to Participation Agreement with City of Rockledge to Reserve Certain Areas of the Property to Each Entity for Drainage, Stormwater Treatment, and Mitigation Purposes

The Board of County Commissioners, in regular session on July 7, 2015, executed Amendment 1 to the Participation Agreement with the City of Rockledge to Reserve Certain Areas of the Property to Each Entity for Drainage, Stormwater Treatment, and Mitigation Purposes; and authorized the Chairman to sign future Joint Conservation Easements required for mitigation, subject to approval of the County Manager and the County Attorney's Office. Enclosed are an executed Amendment 1 to Participation Agreement, and a certified copy of Amendment 1 to Participation Agreement.

**Upon execution by City of Rockledge, please forward a fully-executed Amendment to this office for inclusion in the official minutes.**

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

/af

Encls. (2)

AMENDMENT 1 TO PARTICIPATION AGREEMENT BETWEEN BREVARD COUNTY, FLORIDA AND THE CITY OF ROCKLEDGE, FLORIDA

THIS AMENDMENT entered into this 7 day of July, 2015, by Brevard County, Florida, a political subdivision of the State of Florida ("COUNTY") and the CITY OF ROCKLEDGE, FLORIDA, a municipal subdivision of the State of Florida ("CITY").

WHEREAS, the Parties previously entered into a Participation Agreement on March 4, 2003, a copy of which is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the Participation Agreement involves the joint acquisition of the 110 acre Falk Estate Property ("Property") to serve the environmental and stormwater management goals of both Parties; and

WHEREAS, the Parties acquired title to the Property on April 23, 2003 (Official Records of Brevard County, Florida Book 4951, Page 1262) and subsequently granted a Conservation Easement to the St. John's Water Management District on 36.471 acres of the Property as mitigation for the Barton Park Stormwater Retention Facility Project (Official Records of Brevard County, Florida Book 5482, Page 1441) on May 17, 2005.

WHEREAS, the Parties desire to amend the Participation Agreement to designate certain areas of the Property reserved to each entity for drainage, stormwater treatment and mitigation purposes.

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, the Parties hereby agree as follows:

Paragraph 5 is deleted and replaced with the following:

5. The Falk Estate property will be managed for mitigation and stormwater quality purposes by both Parties. The County will manage the 24.60 acre portion depicted on Exhibit B-1 as Parcel 101, attached and incorporated herein. The City will manage the 49.21 acre portion depicted on Exhibit B-2 as Parcel 102, attached and incorporated herein. Each party will be solely responsible for the development and management costs associated with its assigned parcel.

All other terms and conditions of the Participation Agreement not inconsistent with the provisions of this Amendment shall remain in full force and effect.

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

By:   
Robin Fisher, Chairman

As approved by the Board on 07-07-15

ATTEST:

By:   
Scott Ellis, County Clerk

Reviewed for legal form and content:

Christine Lepore, Assistant County Attorney

**CITY OF ROCKLEDGE, FLORIDA**

By: \_\_\_\_\_  
Thomas J. Price, Mayor

ATTEST:

By: \_\_\_\_\_  
Betsi Beatty Moist, City Clerk

Approved by Counsel – City of Rockledge

\_\_\_\_\_  
Joseph E. Miniclier

**PARTICIPATION AGREEMENT  
BETWEEN  
BREVARD COUNTY, FLORIDA  
AND  
THE CITY OF ROCKLEDGE, FLORIDA**

**THIS PARTICIPATION AGREEMENT** is entered into this 4 day of March, 2003, by Brevard County, Florida, a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Suite A217, Viera, Florida 32940 ("COUNTY"), and the CITY OF ROCKLEDGE, FLORIDA, a municipal subdivision of the State of Florida, whose mailing address is Post Office Box 560488, Rockledge, Florida 32956-0488 ("CITY").

**WHEREAS**, the COUNTY and the CITY are negotiating the terms of an Agreement of Purchase and Sale (the "Falk Estate Agreement") between the COUNTY and the CITY as Buyers, and Jonathan D. Rahn, as Personal Representative of the Estate of Hilda Falk, Rachel Steckler, Trustee, now known as Rachel O'Kaine, Trustee, and Harold Reiter as Seller for the acquisition of a parcel known as the "Falk Estate Property", in Brevard County, the location of which is generally depicted on Exhibit "A" attached hereto and by this reference made a part hereof; and

**WHEREAS**, the Falk Estate Property is comprised of approximately 110 acres and is eligible for funding under the COUNTY and CITY acquisition programs for purchase of environmentally significant lands within Brevard County; and

**WHEREAS**, the Falk Estate Property is environmentally significant property lying within the City of Rockledge in northeastern Brevard County; and

**WHEREAS**, the COUNTY has agreed to pay one-third (1/3) of the purchase price of the Falk Estate Property and the CITY has agreed to pay two-thirds (2/3) of the purchase price of the Falk Estate Property; and

**WHEREAS**, the purchase of said property will further the environmental and stormwater management goals of the above named public entities.

**NOW, THEREFORE**, for and in consideration of the premises which are made part of this Agreement, and of the mutual covenants and conditions hereinafter contained, and for other good and valuable considerations, the receipt of which is hereby acknowledged, the parties hereto do warrant and agree as follows:

1. The estimated purchase price to be paid pursuant to the Falk Estate Agreement is \$96,000.00, for an estimated 110 acres.
2. The cost of appraisals, title insurance, environmental site assessments, surveys, recording fees, and other pre-acquisition and acquisition related costs attributable to Buyer under the terms of the Purchase Agreement for the Falk Estate property shall be shared one-third (1/3) by the COUNTY and two-thirds by the CITY.
3. Interest in the Falk Estate Property, following closing, will be divided with the COUNTY holding one-third (1/3) interest and the City holding two-thirds (2/3) interest.
4. The COUNTY'S and CITY'S obligation to fund its specified percentage of the purchase price and closing costs for the Falk Estate property, is contingent upon COUNTY'S and CITY'S review and approval of appraisal reports, title insurance, survey, environmental site assessment, remediation activities, closing documents, any other matters affecting closing, at the reasonable discretion of the COUNTY'S and CITY'S legal counsel, and payment by the COUNTY and the CITY of their One-Third (1/3) and Two-Third (2/3) share of the purchase price and closing costs for the Falk Estate property; provided however, payment by each party of it's proportionate share of funds to the closing agent for closing shall be the evidenced approval of all such matters prior to closing.
5. Following closing, the Falk Estate property will be managed by the CITY. It is the intent of the CITY to possibly utilize a portion of the property for construction of a stormwater management retrofit pond and for mitigation purposes in conjunction with another water quality improvement project.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement to become effective as of the date and year first above written.

**BREVARD COUNTY BOARD  
OF COUNTY COMMISSIONERS**

Jacob Colon  
 Jacob Colon, Chairman  
 As Approved by the Board on 3-4-03


ATTEST:  
Scott Ellis  
 Scott Ellis  
 Title: Clerk

DATE: \_\_\_\_\_

**Reviewed for legal form and content:**

W.B. Horvath *the Falk Estate*  
 (Assistant) County Attorney *contract*  
*contains*  
*no obligat* *Wend*

**CITY OF ROCKLEDGE, FLORIDA**

  
Print Name: Larry L. Schultz  
Title: Mayor

DATE: 02-19-03

**ATTEST:**

  
Print Name: Betsy Beatty Moist  
Title: City Clerk

**Approved by Counsel - City of Rockledge**


  
Joseph E. Miniclier

Exhibit A

That part of the Northeast ¼ of Section 17, Township 25 South, Range 36 East, Brevard County, Florida, lying South of GREEN ACRES ESTATES, according to the plat thereof as recorded in Plat Book 11, Page 51, Public Records of Brevard County, Florida; lying West of FISKE LAKE ESTATES UNIT NO. 1, according to the plat thereof as recorded in Plat Book 21, Page 90, Public Records of Brevard County, Florida; and lying North and West of SILVER PINES ESTATES NO. 2, according to the plat thereof as recorded in Plat Book 14, Page 103, Public Records of Brevard County, Florida;

AND

That part of the Northwest ¼ of Section 17, Township 25 South, Range 36 East, Brevard County, Florida, lying North and East of the property described in Official Records Book 2717, Page 1360, Public Records of Brevard County, Florida; lying North and West of SILVER PINES ESTATES NO. 2, according to the plat thereof as recorded in Plat Book 14, Page 103 and SILVER PINES ESTATES NO. 3, according to the plat thereof as recorded in Plat Book 15, Page 147, both of the Public Records of Brevard County, Florida; lying West of FISKE LAKE ESTATES UNIT NO. 1, according to the plat thereof as recorded in Plat Book 21, Page 90, Public Records of Brevard County, Florida; and lying South and West of GREEN ACRES ESTATES, according to the plat thereof as recorded in Plat Book 11, Page 51, Public Records of Brevard County, Florida;

LESS AND EXCEPT the following:-

Those lands described in Official Records Book 1136, Page 747, Public Records of Brevard County, Florida; and

Those lands described in Official Records Book 2962, Page 1995, Public Records of Brevard County, Florida; and

That portion of the Property that is situated North of GREEN ACRES ESTATES, according to the plat thereof as recorded in Plat Book 11, Page 51, Public Records of Brevard County, Florida, and East of a line described as the extension of the West line of said subdivision as extended North to the North line of said Section 17;

The Property is vacant and is not now nor has it ever been the homestead property of or contiguous to the homestead property of the Grantor or either of them or of Hilda Falk, during her lifetime, or any family member of the foregoing.

# LEGAL DESCRIPTION

## PARCEL 101

PARENT PARCEL ID#: 25-36-17-00-00002.0-0000.00

PURPOSE: PROPERTY CONVEYANCE

### EXHIBIT "BI"

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2 & 3 OF 3

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

### LEGAL DESCRIPTION: PARCEL 101 (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4951, PAGE 1262 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN THE NORTH ONE-HALF OF SECTION 17, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

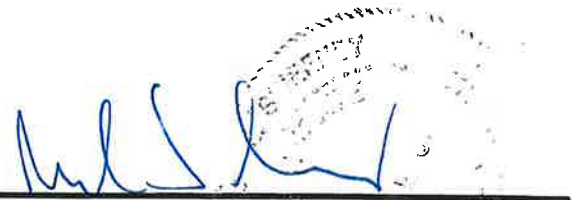
COMMENCE AT THE SOUTHWEST CORNER OF THE NORTH ONE-HALF OF SAID SECTION 17, SAID POINT BEING A FOUND 4"x4" CONCRETE MONUMENT WITH ONE-HALF INCH IRON ROD WITH NO IDENTIFICATION; THENCE NORTH 00° 47' 38" EAST ALONG THE WEST LINE OF SAID NORTH ONE-HALF FOR A DISTANCE OF 541.43 FEET; THENCE SOUTH 89° 01' 48" EAST FOR A DISTANCE OF 45.00 FEET TO THE SOUTHWEST CORNER OF SAID DESCRIBED LANDS, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE NORTH 00° 47' 38" EAST ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3809, PAGE 2218, SAID LINE ALSO BEING A LINE PARALLEL TO AND 45.00 FEET EASTERLY OF THE WEST LINE OF SAID NORTH ONE-HALF FOR A DISTANCE OF 969.28 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89° 50' 41" EAST FOR A DISTANCE OF 1182.68 FEET TO A POINT ON THE WEST LINE OF A CONSERVATION EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 5482, PAGE 1447; THENCE SOUTH 00° 09' 18" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 903.46 FEET TO A POINT ON THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3809, PAGE 2218; THENCE THE FOLLOWING EIGHT (8) COURSES ALONG THE NORTH LINE OF SAID DESCRIBED LANDS; THENCE (1) NORTH 89° 49' 00" WEST FOR A DISTANCE OF 457.78 FEET; THENCE (2) NORTH 00° 11' 00" EAST FOR A DISTANCE OF 10.00 FEET; THENCE (3) NORTH 89° 49' 00" WEST FOR A DISTANCE OF 300.00 FEET; THENCE (4) NORTH 64° 34' 08" WEST FOR A DISTANCE OF 108.00 FEET; THENCE (5) SOUTH 59° 23' 48" WEST FOR A DISTANCE OF 90.00 FEET; THENCE (6) NORTH 89° 01' 48" WEST FOR A DISTANCE OF 154.73 FEET; THENCE (7) SOUTH 00° 47' 38" WEST FOR A DISTANCE OF 80.00 FEET; THENCE (8) NORTH 89° 01' 48" WEST A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING; CONTAINING 24.60 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 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.

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY OF ANY TYPE BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. THIS SKETCH IS BASED ON A BOUNDARY SURVEY OF FALK ESTATE PROPERTY PREPARED BY BREVARD COUNTY TRANSPORTATION ENGINEERING, SURVEYING AND MAPPING, PROJECT NUMBER 03-11-012, DATED 3/31/03.
3. BEARINGS ARE BASED ON ASSUMED NORTH REFERENCED TO THE NORTH LINE OF GREEN ACRES ESTATES, PLAT BOOK 11, PAGE 51, WHICH BEARS SOUTH 89° 58' 30" WEST AS SHOWN ON THE PLAT AND THE BOUNDARY SURVEY REFERENCED IN ABOVE NOTE 2.



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

PREPARED FOR: BREVARD COUNTY  
NATURAL RESOURCES MANAGEMENT OFFICE  
ENVIRONMENTAL SECTION SUPERVISOR: JOHN ROYAL

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: R. HENNING	CHECKED BY: M. J. SWEENEY	PROJECT NO. 15-02-035		SECTION 17 TOWNSHIP 25 SOUTH RANGE 36 EAST
		REVISIONS	DATE	
DATE: MAY 7, 2015	SHEET: 1 OF 3		6/22/15	CHANGED EXHIBIT NUMBER

# SKETCH OF DESCRIPTION

## PARCEL 101

PARENT PARCEL ID#: 25-36-17-00-00002.0-0000.00  
 PURPOSE: PROPERTY CONVEYANCE

# EXHIBIT "BI"

SHEET 2 OF 3

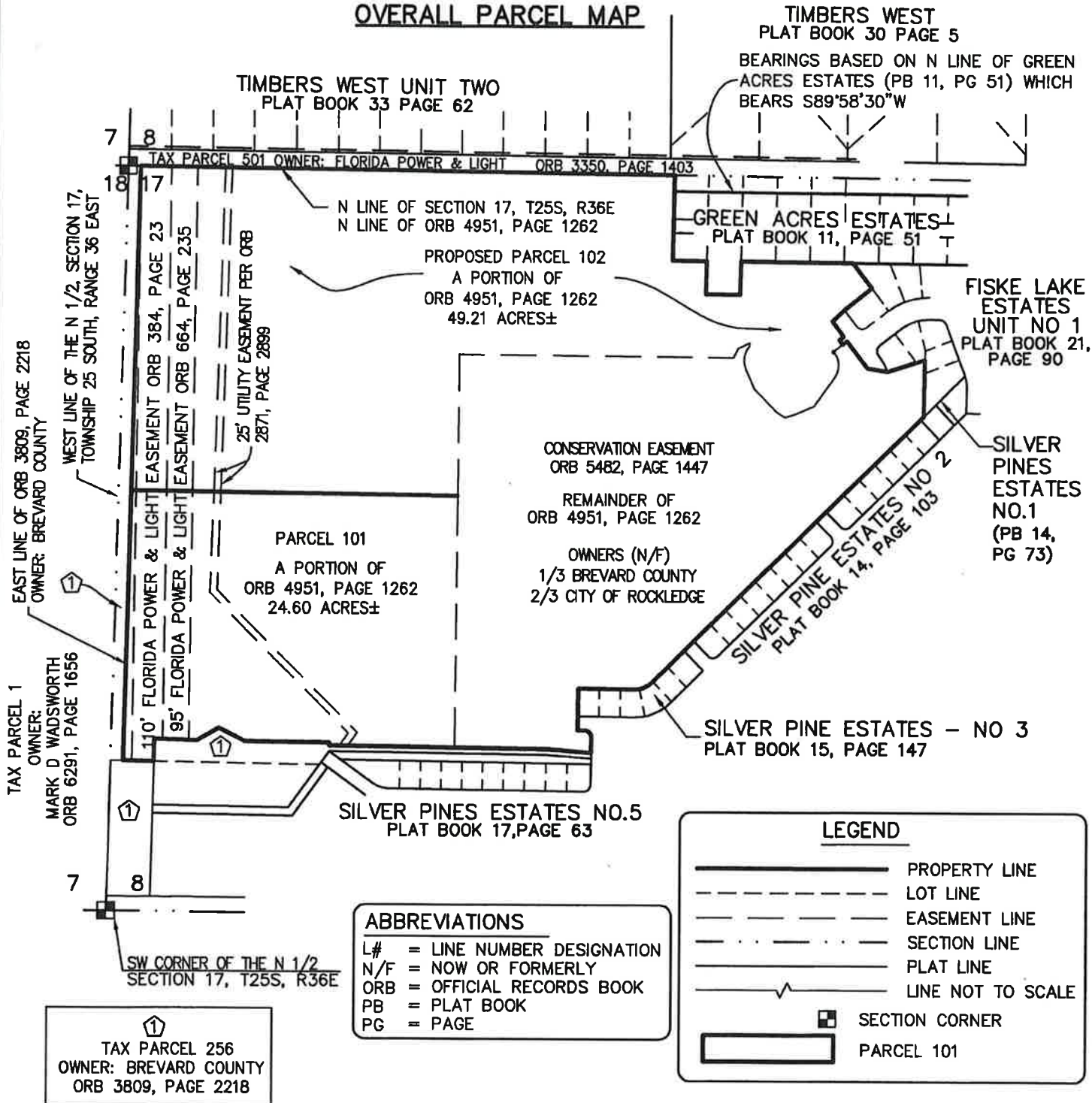
NOT VALID WITHOUT SHEETS 1 & 3 OF 3

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1



### OVERALL PARCEL MAP



**ABBREVIATIONS**

L# = LINE NUMBER DESIGNATION  
 N/F = NOW OR FORMERLY  
 ORB = OFFICIAL RECORDS BOOK  
 PB = PLAT BOOK  
 PG = PAGE

**LEGEND**

- PROPERTY LINE
- LOT LINE
- EASEMENT LINE
- SECTION LINE
- PLAT LINE
- LINE NOT TO SCALE
- SECTION CORNER
- PARCEL 101

# SKETCH OF DESCRIPTION

## PARCEL 101

PARENT PARCEL ID#: 25-36-17-00-00002.0-0000.00  
 PURPOSE: PROPERTY CONVEYANCE



# EXHIBIT "BI"

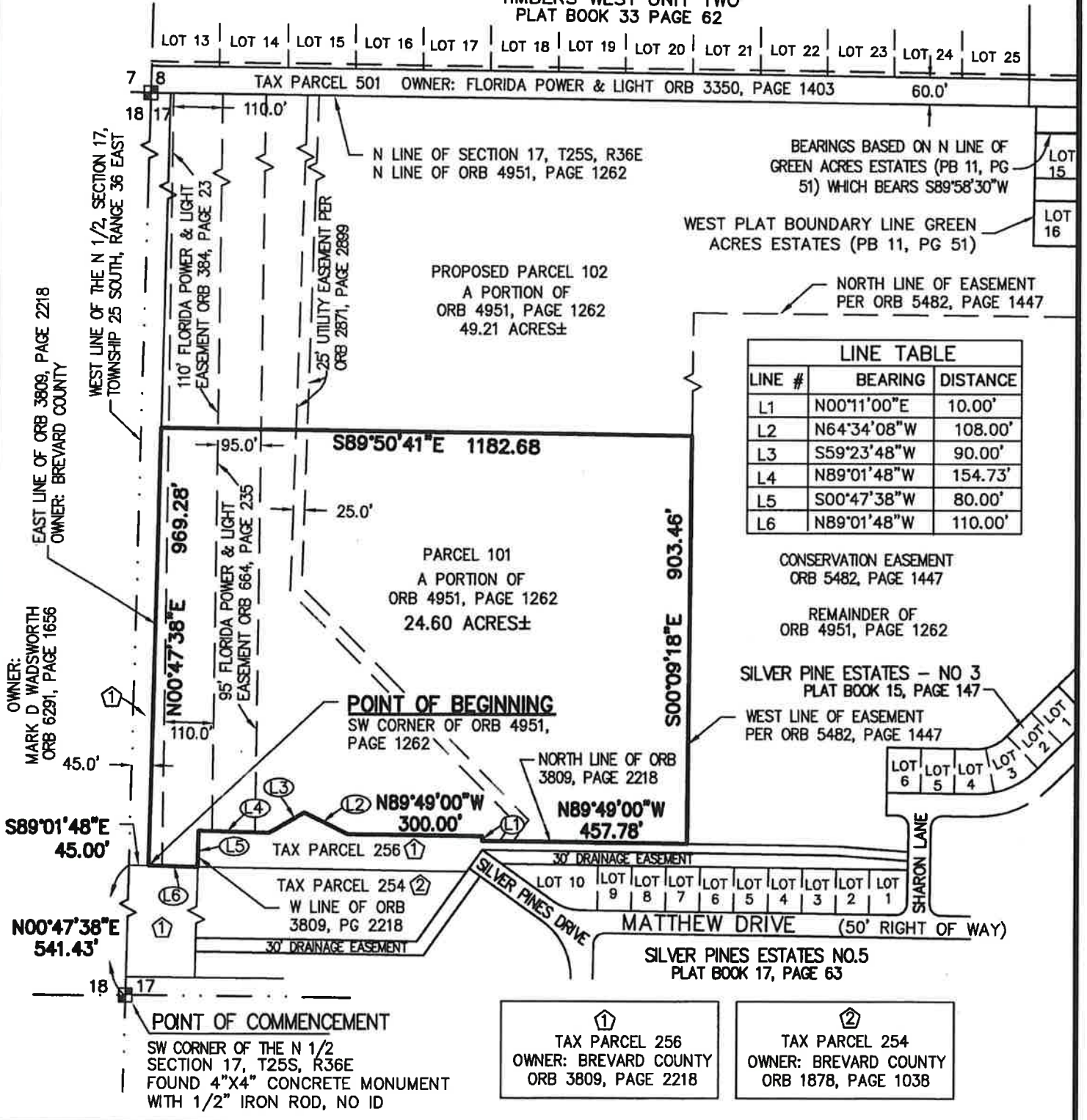
SHEET 3 OF 3

NOT VALID WITHOUT SHEETS 1 & 2 OF 3

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

TIMBERS WEST UNIT TWO  
 PLAT BOOK 33 PAGE 62



BEARINGS BASED ON N LINE OF GREEN ACRES ESTATES (PB 11, PG 51) WHICH BEARS S89°58'30"W  
 WEST PLAT BOUNDARY LINE GREEN ACRES ESTATES (PB 11, PG 51)

PROPOSED PARCEL 102  
 A PORTION OF ORB 4951, PAGE 1262  
 49.21 ACRES±

PARCEL 101  
 A PORTION OF ORB 4951, PAGE 1262  
 24.60 ACRES±

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N00°11'00"E	10.00'
L2	N64°34'08"W	108.00'
L3	S59°23'48"W	90.00'
L4	N89°01'48"W	154.73'
L5	S00°47'38"W	80.00'
L6	N89°01'48"W	110.00'

CONSERVATION EASEMENT ORB 5482, PAGE 1447

REMAINDER OF ORB 4951, PAGE 1262

SILVER PINE ESTATES - NO 3  
 PLAT BOOK 15, PAGE 147

WEST LINE OF EASEMENT PER ORB 5482, PAGE 1447

① TAX PARCEL 256  
 OWNER: BREVARD COUNTY  
 ORB 3809, PAGE 2218

② TAX PARCEL 254  
 OWNER: BREVARD COUNTY  
 ORB 1878, PAGE 1038



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"=300'  
 PROJECT NO.: 15-02-035

SECTION 17  
 TOWNSHIP 25 SOUTH  
 RANGE 36 EAST

# LEGAL DESCRIPTION

## EXHIBIT "B2"

### PARCEL 102

PARENT PARCEL ID#: 25-36-17-00-00002.0-0000.00  
PURPOSE: PROPERTY CONVEYANCE


SHEET 1 OF 5  
NOT VALID WITHOUT SHEETS 2, 3, 4, & 5 OF 5  
**THIS IS NOT A SURVEY**  
SEE SURVEYORS NOTE #1

#### LEGAL DESCRIPTION: PARCEL 102 (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4951, PAGE 1262 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN THE NORTH ONE-HALF OF SECTION 17, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTH ONE-HALF OF SAID SECTION 17, SAID POINT BEING A FOUND ONE-HALF INCH IRON ROD AND CAP STAMPED 'RLS 1812'; THENCE SOUTH 89° 50' 41" EAST ALONG THE NORTH LINE OF SAID NORTH ONE-HALF FOR A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 89° 50' 41" EAST ALONG THE NORTH LINE OF SAID NORTH ONE-HALF FOR A DISTANCE OF 1933.01 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 839, PAGE 913; THENCE SOUTH 00° 26' 00" WEST ALONG THE WEST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 839, PAGE 913 AND ALONG THE WEST LINE OF GREEN ACRES ESTATES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 51 FOR A DISTANCE OF 308.96 FEET TO THE SOUTHWEST CORNER OF SAID GREEN ACRES ESTATES; THENCE NORTH 89° 58' 53" EAST ALONG THE SOUTH LINE OF SAID GREEN ACRES ESTATES FOR A DISTANCE OF 125.00 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2962, PAGE 1995; THENCE SOUTH 00° 26' 00" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 120.00 FEET; THENCE NORTH 89° 58' 53" EAST ALONG THE SOUTH LINE OF AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 125.00 FEET; THENCE NORTH 00° 26' 00" EAST ALONG THE EAST LINE OF AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 120.00 FEET TO A POINT ON THE SOUTH LINE OF SAID GREEN ACRES ESTATES; THENCE NORTH 89° 58' 53" EAST ALONG THE SOUTH LINE OF SAID GREEN ACRES ESTATES FOR A DISTANCE OF 407.20 FEET TO A POINT ON THE WESTERLY LINE OF FISKE LAKE ESTATES UNIT NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 90; THENCE SOUTH 37° 50' 35" EAST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 114.38 FEET; THENCE SOUTH 50° 33' 55" WEST CONTINUING ALONG THE WESTERLY LINE OF SAID FISKE LAKE ESTATES UNIT NO. 1 FOR A DISTANCE OF 126.59 FEET; THENCE SOUTH 47° 23' 39" WEST CONTINUING ALONG THE WESTERLY LINE OF SAID FISKE LAKE ESTATES UNIT NO. 1 FOR A DISTANCE OF 60.14 FEET; THENCE SOUTH 37° 50' 35" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID FISKE LAKE ESTATES UNIT NO. 1 FOR A DISTANCE OF 69.86 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1137, PAGE 747; THENCE SOUTH 52° 09' 25" WEST ALONG THE NORTHWESTERLY LINE OF AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 20.00 FEET; THENCE SOUTH 37° 50' 35" EAST ALONG THE SOUTHWESTERLY LINE OF AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 20.00 FEET; THENCE THE FOLLOWING FOURTEEN (14) COURSES ALONG THE NORTHERLY AND WESTERLY LINES OF THAT CONSERVATION EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 5482, PAGE 1447: THENCE (1) SOUTH 52° 09' 25" WEST FOR A DISTANCE OF 42.93 FEET TO THE POINT OF CURVATURE OF A NON-TANGENTIAL CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 76° 37' 56" AND WHOSE LONG CHORD BEARS SOUTH 03° 29' 11" EAST; THENCE (2) ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 100.31 FEET; THENCE (3) SOUTH 34° 49' 46" WEST FOR A DISTANCE OF 127.87 FEET; THENCE (4) SOUTH 66° 46' 14" WEST FOR A DISTANCE OF 77.28 FEET;

CONTINUED ON SHEET 2 OF 5



PREPARED FOR: BREVARD COUNTY  
NATURAL RESOURCES MANAGEMENT OFFICE  
ENVIRONMENTAL SECTION SUPERVISOR: JOHN ROYAL

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: R. HENNING	CHECKED BY: M. J. SWEENEY	PROJECT NO. 15-02-035		SECTION 17 TOWNSHIP 25 SOUTH RANGE 36 EAST
		REVISIONS	DATE	
DATE: MAY 7, 2015	SHEET: 1 OF 5		6/22/15	CHANGED EXHIBIT NUMBER

# LEGAL DESCRIPTION

## PARCEL 102

PARENT PARCEL ID#:  
25-36-17-00-00002.0-0000.00  
PURPOSE: PROPERTY CONVEYANCE

# EXHIBIT "B2"

SHEET 2 OF 5

NOT VALID WITHOUT SHEETS 1, 3, 4 & 5 OF 5

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

CONTINUED FROM SHEET 1 OF 5

THENCE (5) SOUTH 73° 01' 36" WEST FOR A DISTANCE OF 36.80 FEET; THENCE (6) NORTH 59° 47' 22" WEST FOR A DISTANCE OF 31.27 FEET; THENCE (7) NORTH 45° 02' 45" WEST FOR A DISTANCE OF 121.27 FEET; THENCE (8) NORTH 24° 03' 04" WEST FOR A DISTANCE OF 78.56 FEET TO THE POINT OF CURVATURE OF A NON-TANGENTIAL CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 64° 51' 02" AND WHOSE LONG CHORD BEARS NORTH 08° 22' 35" EAST; THENCE (9) ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 84.89 FEET; THENCE (10) NORTH 07° 23' 08" EAST FOR A DISTANCE OF 13.34 FEET; THENCE (11) SOUTH 64° 35' 23" WEST FOR A DISTANCE OF 46.57 FEET; THENCE (12) SOUTH 25° 25' 03" WEST FOR A DISTANCE OF 36.91 FEET; THENCE (13) SOUTH 89° 52' 29" WEST FOR A DISTANCE OF 993.54 FEET; THENCE (14) SOUTH 00° 09' 18" EAST FOR A DISTANCE OF 515.44 FEET; THENCE DEPARTING THE WESTERLY LINES OF SAID CONSERVATION EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 5482, PAGE 1447, RUN NORTH 89° 50' 41" WEST FOR A DISTANCE OF 1182.68 FEET TO A POINT ON THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3809, PAGE 2218; THENCE NORTH 00° 47' 38" EAST ALONG SAID EAST LINE, SAID LINE BEING PARALLEL TO AND 45.00 FEET EASTERLY OF SAID WEST LINE OF THE NORTH ONE-HALF FOR A DISTANCE OF 1175.89 FEET TO THE POINT OF BEGINNING; CONTAINING 49.21 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 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.

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY OF ANY TYPE BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. THIS SKETCH IS BASED ON A BOUNDARY SURVEY OF FALK ESTATE PROPERTY PREPARED BY BREVARD COUNTY TRANSPORTATION ENGINEERING, SURVEYING AND MAPPING, PROJECT NUMBER 03-11-012, DATED 3/31/03.
3. BEARINGS ARE BASED ON ASSUMED NORTH REFERENCED TO THE NORTH LINE OF GREEN ACRES ESTATES, PLAT BOOK 11, PAGE 51, WHICH BEARS SOUTH 89° 58' 30" WEST AS SHOWN ON THE PLAT AND THE BOUNDARY SURVEY REFERENCED IN ABOVE NOTE 2.



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"=300'

PROJECT NO.:

15-02-035

SECTION 17

TOWNSHIP 25 SOUTH

RANGE 36 EAST

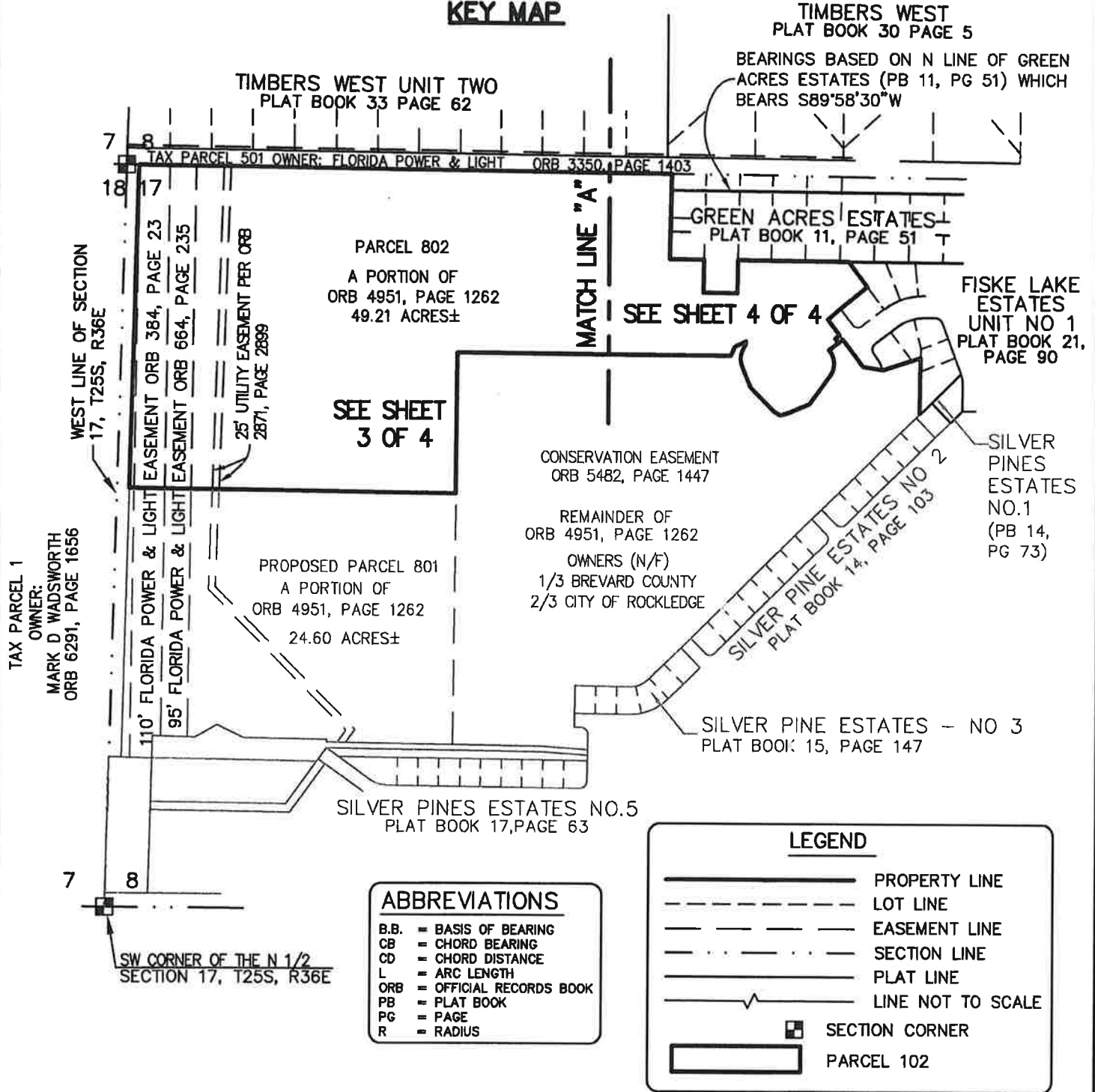
# SKETCH OF DESCRIPTION

## PARCEL 102

PARENT PARCEL ID#: 27-36-26-00-00500.0-0000.00  
 PURPOSE: PROPERTY CONVEYANCE

# EXHIBIT "B2"

SHEET 3 OF 5  
 NOT VALID WITHOUT SHEETS 1, 2, 4 & 5 OF 5  
**THIS IS NOT A SURVEY**  
 SEE SURVEYORS NOTE #1



ABBREVIATIONS	
B.B.	= BASIS OF BEARING
CB	= CHORD BEARING
CD	= CHORD DISTANCE
L	= ARC LENGTH
ORB	= OFFICIAL RECORDS BOOK
PB	= PLAT BOOK
PG	= PAGE
R	= RADIUS

LEGEND	
	PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	SECTION LINE
	PLAT LINE
	LINE NOT TO SCALE
	SECTION CORNER
	PARCEL 102



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 ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
 VERA, FLORIDA 32940  
 PHONE: (321) 633-2080

SCALE:  
 1"=500'  
 PROJECT NO.:  
 15-02-035

SECTION 17  
 TOWNSHIP 25 SOUTH  
 RANGE 36 EAST

# SKETCH OF DESCRIPTION

## PARCEL 102



EXHIBIT "B2"

SHEET 4 OF 5

NOT VALID WITHOUT SHEETS 1, 2, 3 & 5 OF 5

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

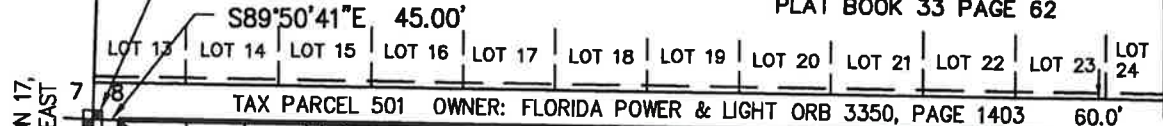
PARENT PARCEL ID#: 25-36-17-00-00002.0-0000.00

PURPOSE: PROPERTY CONVEYANCE

**POINT OF COMMENCEMENT**

NW CORNER OF THE N 1/2 OF SECTION 17, T25S, R36E  
FOUND 1/2" IRON ROD & CAP STAMPED "RLS 1812"

TIMBERS WEST UNIT TWO  
PLAT BOOK 33 PAGE 62



S89°50'41"E 1933.01'

N LINE OF THE N 1/2 OF SECTION 17, T25S, R36E

**POINT OF BEGINNING**

NW CORNER OF ORB 4951, PAGE 1262

PARCEL 802  
A PORTION OF  
ORB 4951, PAGE 1262  
49.21 ACRES±

S89°52'29"W 993.54'

NORTH LINE OF EASEMENT  
PER ORB 5482, PAGE 1447

CONSERVATION EASEMENT  
ORB 5482, PAGE 1447

REMAINDER OF  
ORB 4951, PAGE 1262

S00°09'18"E 515.44'

N89°50'41"W 1182.68

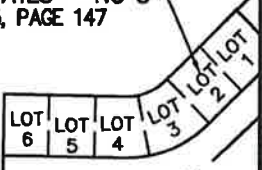
PROPOSED PARCEL 101  
A PORTION OF  
ORB 4951, PAGE 1262  
24.60 ACRES±

WEST LINE OF EASEMENT  
PER ORB 5482, PAGE 1447

SILVER PINE ESTATES - NO 3  
PLAT BOOK 15, PAGE 147

SOUTH LINE OF ORB  
4951, PAGE 1262

NORTH LINE OF ORB  
3717, PAGE 1360



OWNER:  
MARK D WADSWORTH  
ORB 6291, PAGE 1656

W LINE OF ORB  
3809 PG 2218

TAX PARCEL 256

TAX PARCEL 254  
OWNER: BREVARD COUNTY  
ORB 1878, PAGE 1038



SILVER PINES ESTATES NO.5  
PLAT BOOK 17, PAGE 63

SW CORNER OF THE N 1/2  
SECTION 17, T25S, R36E

TAX PARCEL 256  
OWNER: BREVARD COUNTY  
ORB 3809, PAGE 2218

MATCH LINE "A" (SEE SHEET 4 OF 4)



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15-02-035

SECTION 17  
TOWNSHIP 25 SOUTH  
RANGE 36 EAST

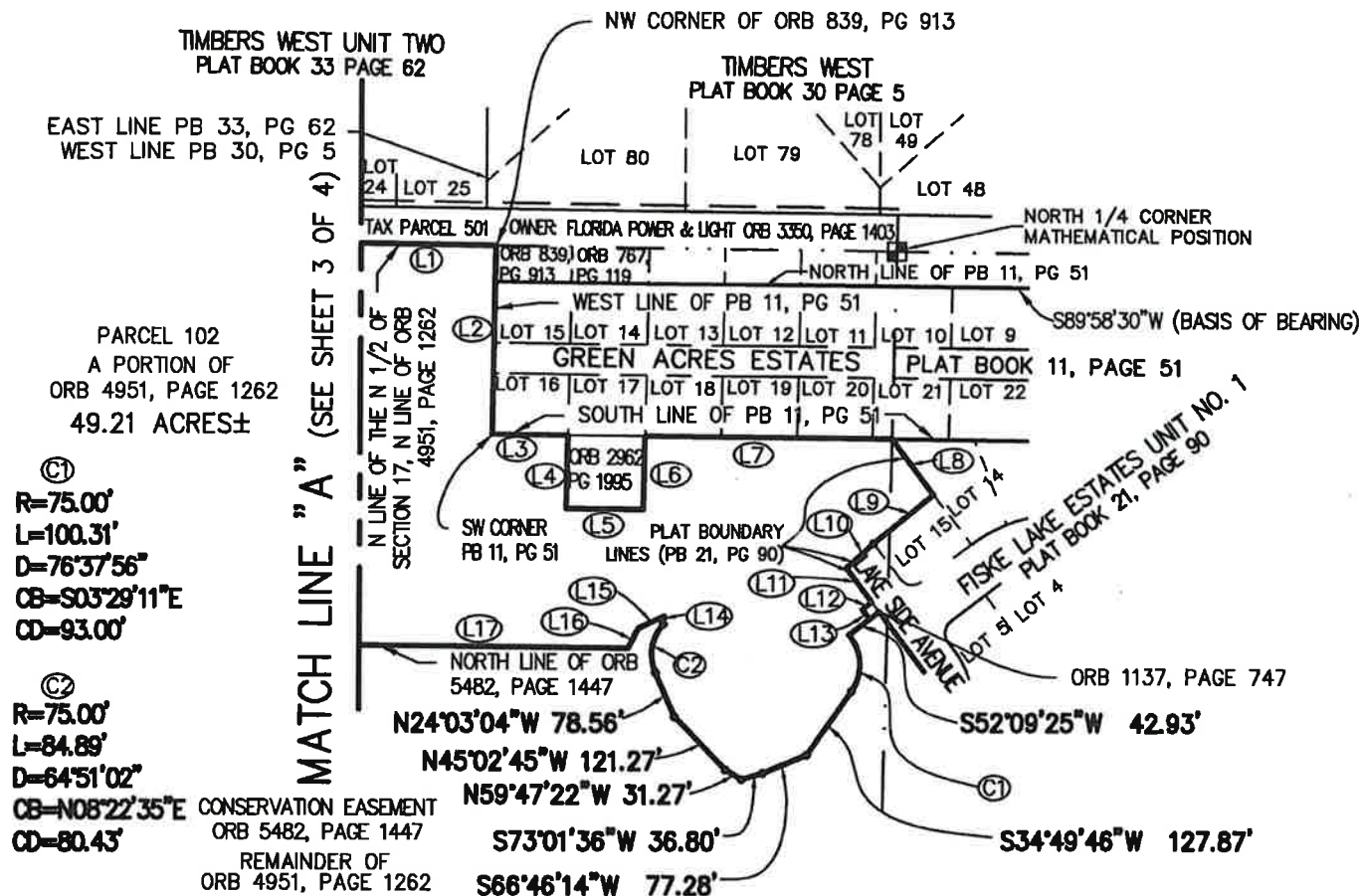
# SKETCH OF DESCRIPTION

## PARCEL 102

PARENT PARCEL ID#: 25-36-17-00-00002.0-0000.00  
 PURPOSE: PROPERTY CONVEYANCE

# EXHIBIT "B2"

SHEET 5 OF 5  
 NOT VALID WITHOUT SHEETS 1, 2, 3 & 4 OF 5  
**THIS IS NOT A SURVEY**  
 SEE SURVEYORS NOTE #1



PARCEL 102  
 A PORTION OF  
 ORB 4951, PAGE 1262  
 49.21 ACRES±

Ⓒ1  
 R=75.00'  
 L=100.31'  
 D=76°37'56"  
 CB=S03°29'11"E  
 CD=93.00'

Ⓒ2  
 R=75.00'  
 L=84.89'  
 D=64°51'02"  
 CB=N08°22'35"E CONSERVATION EASEMENT  
 ORB 5482, PAGE 1447  
 REMAINDER OF  
 ORB 4951, PAGE 1262  
 CD=80.43'

LINE TABLE

LINE #	BEARING	DISTANCE	DESCRIPTION OF LINE
L1	S89°50'41"E	1933.01'	N LINE OF THE N 1/2 OF SEC. 17
L2	S00°26'00"W	308.96'	W LINE OF ORB 839, PAGE 913 AND W LINE OF PB 11, PG 51
L3	N89°58'53"E	125.00'	S LINE OF PLAT BOOK 11, PAGE 51
L4	S00°26'00"W	120.00'	W LINE OF ORB 2962, PG 1995
L5	N89°58'53"E	125.00'	S LINE OF ORB 2962, PG 1995
L6	N00°26'00"E	120.00'	E LINE OF ORB 2962, PG 1995
L7	N89°58'53"E	407.20'	S LINE OF PLAT BOOK 11, PAGE 51
L8	S37°50'35"E	114.38'	WESTERLY LINE OF PLAT BOOK 21, PAGE 90
L9	S50°33'55"W	126.59'	WESTERLY LINE OF PLAT BOOK 21, PAGE 90
L10	S47°23'39"W	60.14'	WESTERLY LINE OF PLAT BOOK 21, PAGE 90
L11	S37°50'35"E	69.86'	WESTERLY LINE OF PLAT BOOK 21, PAGE 90
L12	S52°09'25"W	20.00'	NORTHWESTERLY LINE OF ORB 1137, PG 747
L13	S37°50'35"E	20.00'	SOUTHWESTERLY LINE OF ORB 1137, PG 747
L14	N07°23'08"E	13.34'	NORTHERLY LINE OF ORB 5482, PG 1447
L15	S64°35'23"W	46.57'	NORTHERLY LINE OF ORB 5482, PG 1447
L16	S25°25'03"W	36.91'	NORTHERLY LINE OF ORB 5482, PG 1447
L17	S89°52'29"W	993.54'	NORTHERLY LINE OF ORB 5482, PG 1447



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