



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.5.

10/24/2023

Subject:

Petition to Vacate, Re: Public Right-of-Way - Aspinwall Avenue & Unnamed Right-of-Way - "Plan of Town of Pineda" Plat Book 1 Page 41 - Rockledge - IR TIKI LLC, Brevard County, and Ashma Luthra - District 2
Acceptance of Quit Claim and Warranty Deed, Re: Lot 13, Block 51, Plan of Town of Pineda, Plat Book 1, Page 41, and portions of Aspinwall Ave and Unnamed Rights-of-Ways described as Parcel 101, lying in Plan of Town of Pineda, Plat Book 1, Page 41 - IR TIKI LLC, Brevard County, and Ashma Luthra - District 2

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

Dept/Office:

Public Works Department - Surveying & Mapping and Land Acquisition

Requested Action:

It is requested that the Board of County Commissioners (Board) conduct a public hearing to consider vacating part of a public right-of-way, established by the plat "Plan of Town of Pineda", Plat Book 1, Page 41, in Section 18, Township 26 South, Range 37 East. If approved, authorize the Chair to execute and/or accept the following attached documents: A) Resolution approving the vacate in accordance with Section 336.09, Florida Statutes; B) Resolution pursuant to Section 125.38, Florida Statutes, granting a utility easement from the County to Florida Power and Light; C) Acceptance of attached Utility Easement required as a condition of the vacate; and, D) any other related documents necessary to effectuate the vacating and acceptance of any associated deeds to the County.

Summary Explanation and Background:

Section 336.09, Florida Statutes, and Section 86-36, Brevard County Code, provide a method for the Board to vacate and abandon unused rights-of-way and easements. The petitioners own abutting parcels to the south and east of the areas to be vacated. The vacating will allow Brevard County to expand waterfront usage for the public at Rotary Park at Suntree and allow for Pineda Inn to complete renovations for parking. In accordance with Board Policy BCC-77, Vacating Public Access to Waterfront Property, the Board will review the vacating request at a public hearing to determine if the request is in the best interest of Brevard County and states that a super-majority vote is required to approve the vacating request. Furthermore, because the County will be vacating publicly owned access to shorelines, in order to comply with Policy 13.9 of the Coastal Management Element of the Brevard County Comprehensive Plan, the Board must make certain findings in the vacate resolution that the action is necessary and suitable mitigation measures are in place. The petitioners have agreed to deed property abutting the vacated rights-of-way to the County, which will increase ownership of shoreline property, and dedicate a utility easement to the County over a portion of the vacated right-of-way. The property is in Rockledge, South of Suntree Blvd. and East of US Highway 1.

As a condition of the vacate application, the Utility Services Department and Florida Power and Light required easements.

On October 9, 2023, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating. All pertinent County agencies and public utility companies have been notified. At this time, one objection from FPL has been resolved with an easement to FPL and one objection from Brevard County Utility Department has been resolved with a utility easement. Road & Bridge, Land Acquisition, and Natural Resources have no objection to the vacate request with the acceptance of the deeds for Lot 13, Block 51, Plan of Town of Pineda, and a portion of the vacated rights-of-way.

This item follows the policies and procedures as set forth in County Administrative Order AO-73; Board Policy BCC-77; Sections 125.38 and 336.09, Florida Statutes; Chapter 86, Article II, Brevard County Code; and Section 2-247, Brevard County Code.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice, and the proof of publication of the adopted resolution notice.

Upon execution by the Chair, Public Works Department will contact the Clerk's office to make arrangements to pick up the original documents attached hereto for recording in the Public Records of Brevard County, Florida.



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

October 25, 2023

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

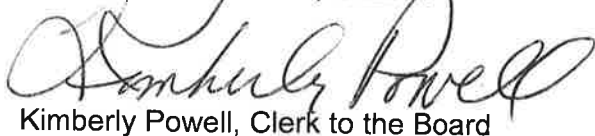
RE: Item G.5., Resolution, Acceptance of Quit Claim and Warranty Deed for Lot 13, Block 51, Plan of Town of Pineda, Plat Book 1, Page 41, and Portions of Aspinwall Avenue and Unnamed Right-of-Ways Described as Parcel 101, Lying in Plan of Town of Pineda, Plat Book 1, Page 41 – IR TIKI LLC, Brevard County, and Ashma Luthra

The Board of County Commissioners, in regular session on October 24, 2023, conducted a public hearing to consider vacating part of a public right-of-way, established by the plat "Plan of Town of Pineda", Plat Book 1, Page 41, in Section 18, Township 26 South, Range 37 East; executed and adopted Resolution 23-127; executed and adopted Resolution 23-128, pursuant to Section 125.38, Florida Statutes, granting a utility easement from the County to Florida Power and Light; accepted the utility easement required as a condition of the vacate; and authorized the Chair to sign any other related documents necessary to effectuate the vacating and acceptance of any associated deed to the County. Enclosed is a copy of Resolution 23-127 and a fully-executed Resolution 23-128.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/sm

Encls. a/s

Resolution 2023 - 127

Vacating a portion of a public right(s)-of-way, Aspinwall Avenue & Unnamed Right-of-Way, "Plan of Town of Pineda", Rockledge, Florida, lying in Section 18, Township 26 South, Range 37 East

WHEREAS, pursuant to Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **IR TIKI LLC, BREVARD COUNTY, & ASHMA LUTHRA** with the Board of County Commissioners to vacate certain public right(s)-of-way in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right(s)-of-way, nor does this action guarantee or transfer title; and

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the FLORIDA TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public rights-of-way will not be detrimental to Brevard County or the public, finds that the vacate is necessary for additional shoreline property to be obtained by the County which will better ensure expanded and continued public access to the Indian River Lagoon, and serves the best interests of Brevard County.

THEREFORE, BE IT RESOLVED that said public right(s)-of-way are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue for said purposes, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this Resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.


DONE, ORDERED AND ADOPTED, in regular session, this 24th day of October, 2023 A.D.

ATTEST:


Rachel Sadoff, Clerk

COPY

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


Rita Pritchett, Chair

As approved by the Board on:
October 24, 2023

Utility Easement: 1 of 5

Prepared by and return to:
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 26-37-18-DE-65-4

UTILITY EASEMENT

THIS INDENTURE made this 19th day of September, 2023, between IR Tiki LLC., a Florida limited liability company, whose address is 577 Barnes Boulevard, Suite 650, Rockledge, Florida 32955, as the first party, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, Florida.

WITNESSETH that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of operating, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and related facilities and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 18, Township 26 South, Range 37 East, Brevard County, Florida, and being more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein.

TO HAVE AND TO HOLD said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

(Signatures and Notary on next page)

Figure 7: Executed Utility Easement to be dedicated to Brevard County by IR TIKI, LLC, October 24, 2023.

Utility Easement: 2 of 5

IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness
Dinesh Pokala
Print Name
Virginia Respass
Witness
VIRGINIA Respass
Print Name

IR Tiki LLC, a Florida limited liability company

BY: *[Signature]*
Summit Shah, Manager

(Corporate Seal) NONE

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 19th day of September 2023, by Summit Shah, as Manager for IR Tiki LLC, a Florida limited liability company. Is ☒ personally known or ☐ produced Personally known as identification.

[Signature]

Notary Signature
SEAL

[Signature]



Figure 8: Executed Utility Easement to be dedicated to Brevard County by IR TIKI, LLC, October 24, 2023.

Utility Easement: 3 of 5


LEGAL DESCRIPTION PARCEL #800 <small>PARENT PARCEL ID#: 26-37-18-DE-65-4 PURPOSE: UTILITY EASEMENT</small>		EXHIBIT "A" SHEET 1 OF 3 <small>NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY</small>	
LEGAL DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE, (50 FEET IN WIDTH, PER PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EAST RIGHT-OF-WAY OF US HIGHWAY 1 (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 70020), AND RUN S21°16'54"E ALONG THE EAST RIGHT-OF-WAY OF US HIGHWAY 1, A DISTANCE OF 25.02 FEET TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY WITH THE CENTERLINE OF SAID ASPINWALL AVENUE, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED EASEMENT: THENCE DEPARTING SAID EAST RIGHT-OF-WAY, RUN N71°09'22"E ALONG SAID CENTERLINE OF ASPINWALL AVENUE, A DISTANCE OF 7.51 FEET; THENCE S21°16'54"E A DISTANCE OF 25.02 FEET TO THE SOUTH RIGHT-OF-WAY OF SAID ASPINWALL AVENUE; THENCE S71°09'22"W ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 7.51 FEET, TO SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1; THENCE N21°16'54"W ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 25.02 FEET, TO THE CENTERLINE TO ASPINWALL AVENUE, SAID POINT BEING THE POINT OF BEGINNING. CONTAINING: 187.67 SQUARE FEET, OR 0.004 ACRES, MORE OR LESS.			
<div style="border: 1px solid black; padding: 2px;">PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC;</div> <div style="border: 1px solid black; padding: 2px;">PREPARED BY: <div style="text-align: center;">MORGAN & Associates <small>Consulting Engineers, Inc. 504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</small></div></div> <div style="border: 1px solid black; padding: 2px;">PROJECT NO. 2022-048</div>		<div style="text-align: center;">I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTE.</div> <div style="text-align: center;">Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:58:05 -04'00</div> <div style="text-align: center;"> SAMUEL C. BOWERS PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED</div> <div style="border: 1px solid black; padding: 2px;">8/30/2023</div>	
DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS	DATE
DATE: 8/18/2023	DRAWING: 2022-048 PINEDA INN.DWG	1. 2. 3.	8/30/2023
		DESCRIPTION	SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST

Figure 9: Sketch & legal description located in Section 18, Township 26 South, Range 37 East.

Utility Easement: 4 of 5


LEGAL DESCRIPTION PARCEL #800 <small>PARENT PARCEL ID#: 26-37-18-DE-05-4 PURPOSE: UTILITY EASEMENT</small>		EXHIBIT "A" SHEET 2 OF 3 <small>NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE</small> THIS IS NOT A SURVEY	
SURVEYORS NOTES:			
1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.			
2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT: FIDELITY NATIONAL TITLE INSURANCE COMPANY CUSTOMER NO. 3642801; FILE NO.: LOBB110 (13) COMMITMENT DATE: 7/1/2022 AT 10:32 AM			
TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:			
1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON).			
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC; PREPARED BY:		<div style="text-align: center;">  MORGAN & Associates <i>Consulting Engineers, Inc.</i> <small>504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</small> </div>	
PROJECT NO. 2022-048		Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:58:20 -04'00	
DRAWN BY: JTH		SAMUEL C. BOWERS PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED	
CHECKED BY: CSB		8/30/2023	
DATE: 8/18/2023		SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST	
DRAWING: 2022-048 PINEDA INN.DWG		COUNTY COMMENTS	
REVISIONS		DATE	
1.		8/30/2023	
2.		DESCRIPTION	
3.		COUNTY COMMENTS	

Figure 10: Sketch & legal description located in Section 18, Township 26 South, Range 37 East.

Utility Easement: 5 of 5

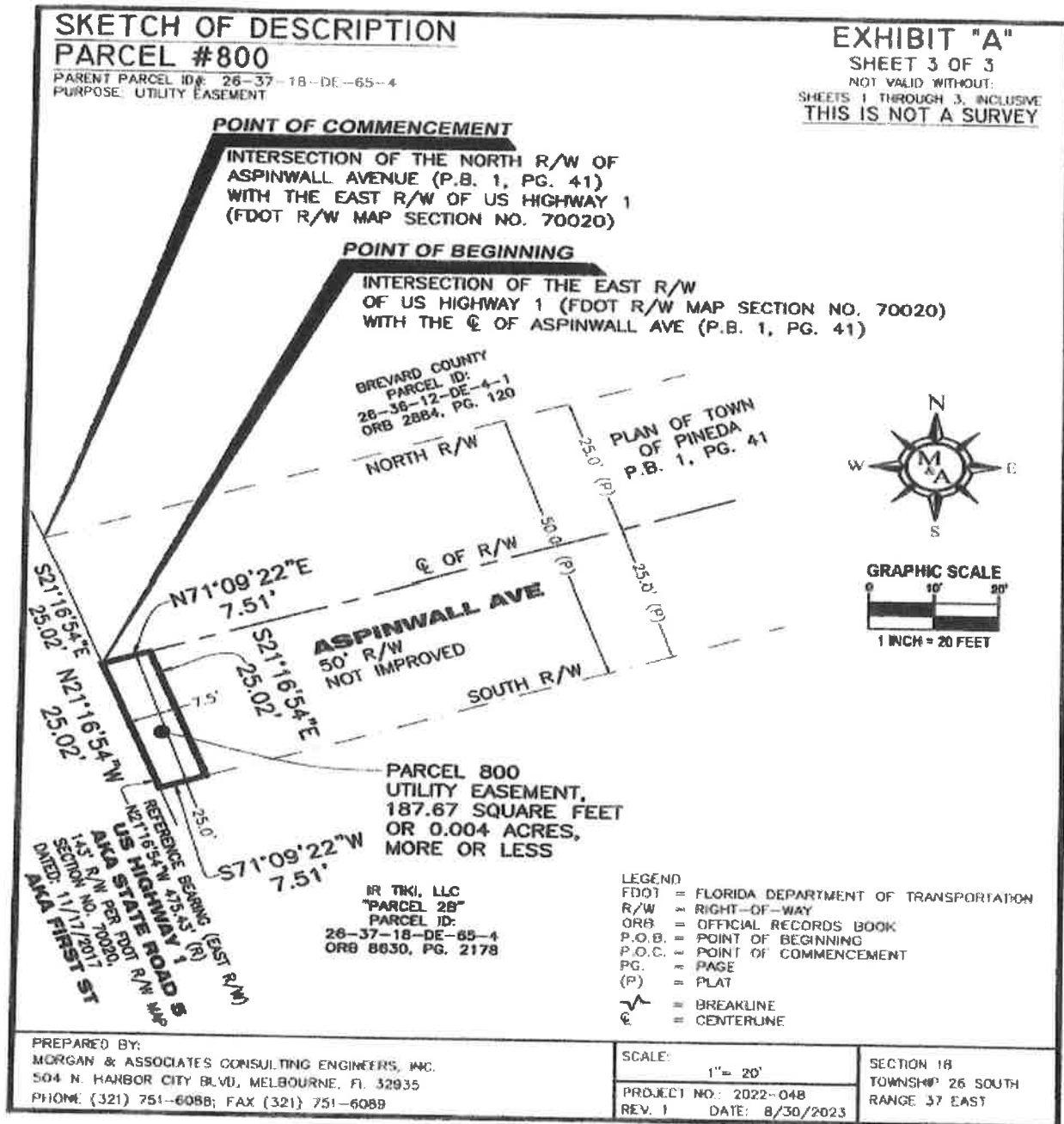


Figure 11: Sketch & legal description located in Section 18, Township 26 South, Range 37 East.

The sketch and description illustrate a 7.50-foot width portion of an easement to be dedicated as a utility easement to Brevard County lying east of US Highway 1, Rockledge, Florida. Prepared by: Samuel C. Bowers.

FPL Easement: 1 of 2

Work Request No. _____

Sec 18, Twp 26 S, Rge 37 E

Parcel I.D. 26-37-18-DE-65-4
(Maintained by County Appraiser)

EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Lauren Smedley
Co. Name: Florida Power & Light
Address: 9001 E. 8th Rd
Melbourne, FL 32904

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on August 11th, 2023

Signed, sealed and delivered in the presence of:

(Witness Signature)
Print Name: Dinesh Pokala
(Witness)

989-
(Witness Signature)

Print Name: YVONNE B GOAL
(Witness)

By: (Signature)

Print Name: SUMMIT SHAH

Print Address: IR TIKI, LLC

402 HIGHTPOINT DR Cocoa R
32926

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me by (physical presence or [] on-line notarization, this 11th day of August, 2023, by Summit Shah, the Manager of IR TIKI, LLC a Florida Limited Liability Company, who is personally known to me or has produced Personal Identification, and who did (did not) take an oath. as (Type of Identification)

My Commission Expires: 08-02-2025

ORIGINAL

Notary Public, Signature

Print Name Lauren Smedley



Figure 12: FPL easement document executed by Summit Shah for IR TIKI LLC.

FPL Easement: 2 of 2

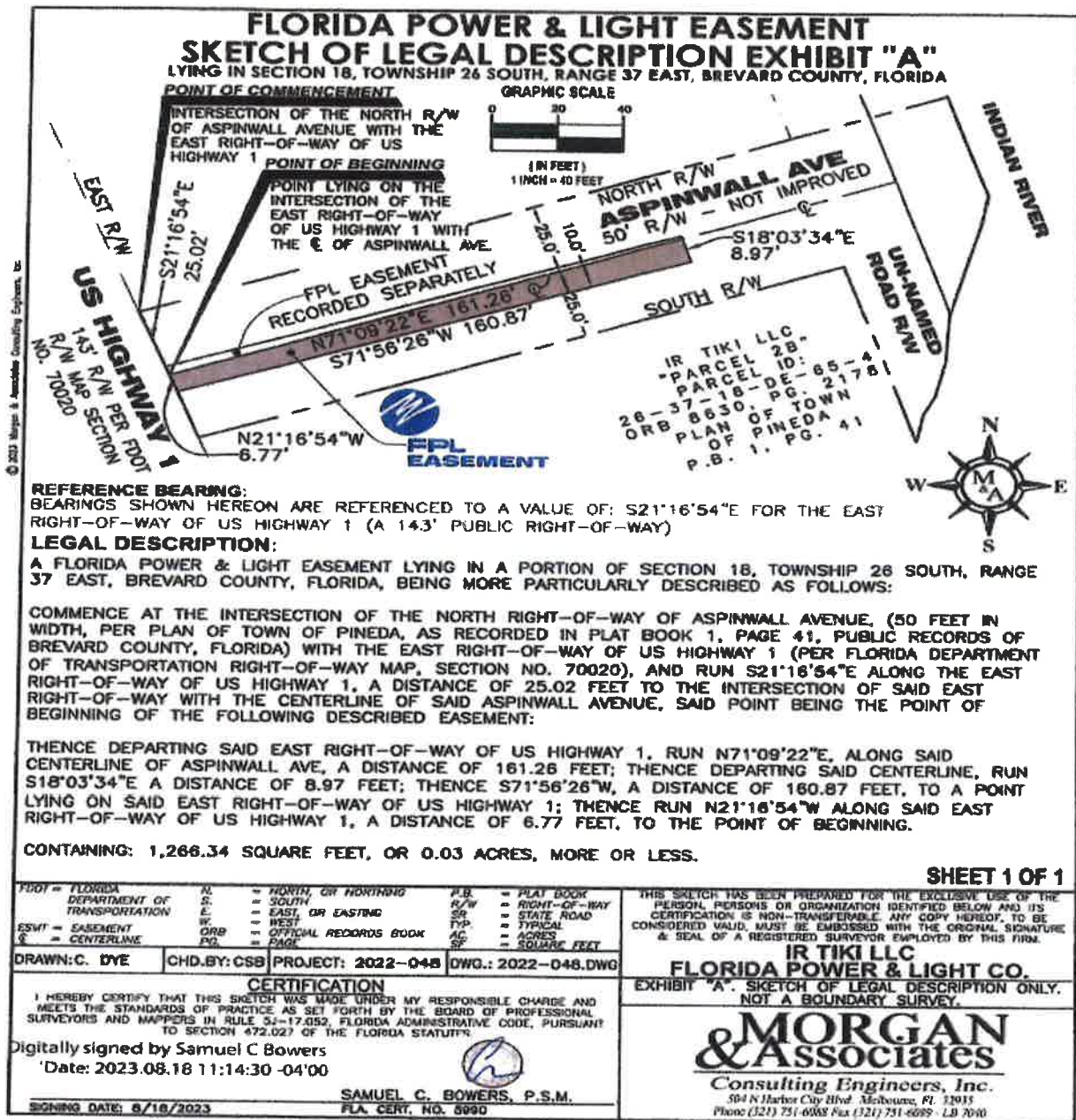


Figure 13: Sketch & Description located in Section 18, Township 26 South, Range 37 East.

The sketch and description illustrate a varying width portion of an easement to be dedicated as an FPL easement to FPL lying east of US Highway 1, Rockledge, Florida.
Prepared by: Samuel C. Bowers.

Resolution FPL Easement: 1 of 4

RESOLUTION NO. 23- 128

**RESOLUTION PURSUANT TO SECTION 125.38,
FLORIDA STATUTES AUTHORIZING THE CONVEYANCE
OF REAL PROPERTY INTEREST BY THE COUNTY.**

RECITALS

WHEREAS, Brevard County, Florida (County), a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as "COUNTY," owns certain real property described in Exhibit "A"; and

WHEREAS, the Florida Power and Light Company (FPL) is a corporation organized for the purpose of promoting community interest and welfare and FPL has requested a perpetual easement to provide electric service to the public; and

WHEREAS, said utility easement will not conflict with the County's use of the servient property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA that:

1. The recitals above are true and correct, and incorporated herein.
2. Pursuant to section 125.38, Florida Statutes, and section 2-247, Brevard County Code, this easement will serve a public purpose, is in the best interest of the County and will promote community interest and welfare. The easement shall be conveyed at nominal cost. The area of the easement is not needed for other County purposes that would conflict with FPL's use of the easement.
3. County agrees to convey a perpetual easement for the purpose of permitting Florida Power and Light Company (FPL) to place facilities within said easement area in order for FPL to provide electric service to the public.
4. This Resolution shall take effect immediately upon its adoption.

DONE, ORDERED, and ADOPTED in Regular Session this 24th day of October, 2023.

ATTEST:


Rachel Sadoff, Clerk of the Court

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


Rita Pritchett, Chair

As approved by the Board on 10/24/2023.

Figure 14: Resolution for the Board of County Commissioners to grant FPL an easement.

Resolution FPL Easement: 2 of 4

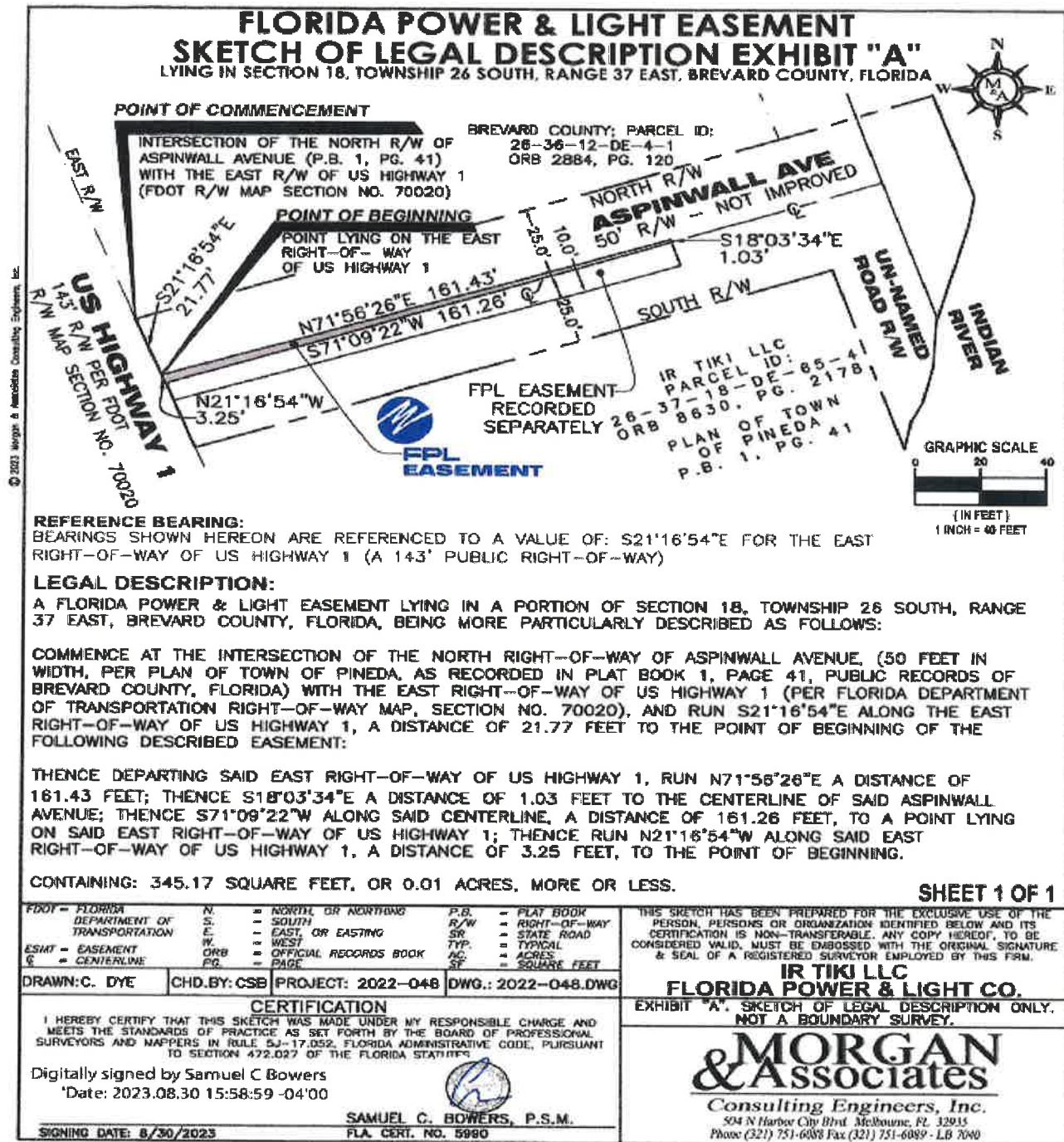


Figure 15: Sketch & description located in Section 18, Township 26 South, Range 37 East.

The sketch and description illustrate a varying width portion of an easement to be dedicated as an FPL easement to FPL lying east of US Highway 1, Rockledge, Florida.

Prepared by: Samuel C. Bowers.

Resolution FPL Easement: 3 of 4

Work Request No. _____
Sec. 18, Twp 28 S, Rge 37 E

Parcel I.D. 28-38-12-DE-4-1
(Maintained by County Appraiser)

Form 3722 (Blocked) Rev. 7/94

EASEMENT

This Instrument Prepared By

Name: Lauren Stemm
Co. Name: Florida Power & Light Company
Address: 9901 Ellis Road
Melbourne, FL 32904

pg 1 of 2

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement 3.25 feet in width described as follows:

Released for Court Court

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on October 24, 2023.

Signed and sealed and delivered in the presence of:

SmcDaniel

(Witness Signature)

Print Name: Samantha McDaniel

(Witness)

Kimberly Powell

(Witness Signature)

Print Name: Kimberly Powell

(Witness)

Brevard County, Florida

By: Rita Pritchett

Print Name: Rita Pritchett, Chair of the Brevard County Board of County Commissioners

Print Address: 2725 Judge Fran Jamieson Way
Melbourne, Florida 32940

Attest: Rachel Sadoff

Print Name: Rachel Sadoff, Clerk of the Court

Print Address: 400 South Street
Titusville, FL 32780

As approved by the Board 10/24/2023.

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me this 24th day of October, 2023, by Rita Pritchett, Chair of the Brevard County Board of County Commissioners, who is personally known to me or have produced _____ as identification, and who did (did not) take an oath.



CATHERINE LOUISE LIVELY
Commission # HH 058533
Expires October 29, 2024
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public Signature

Print Name

Catherine Louise Lively

My Commission Expires October 29, 2024

Figure 16: FPL easement to be executed by the Board of County Commissioners.

Resolution FPL Easement: 4 of 4

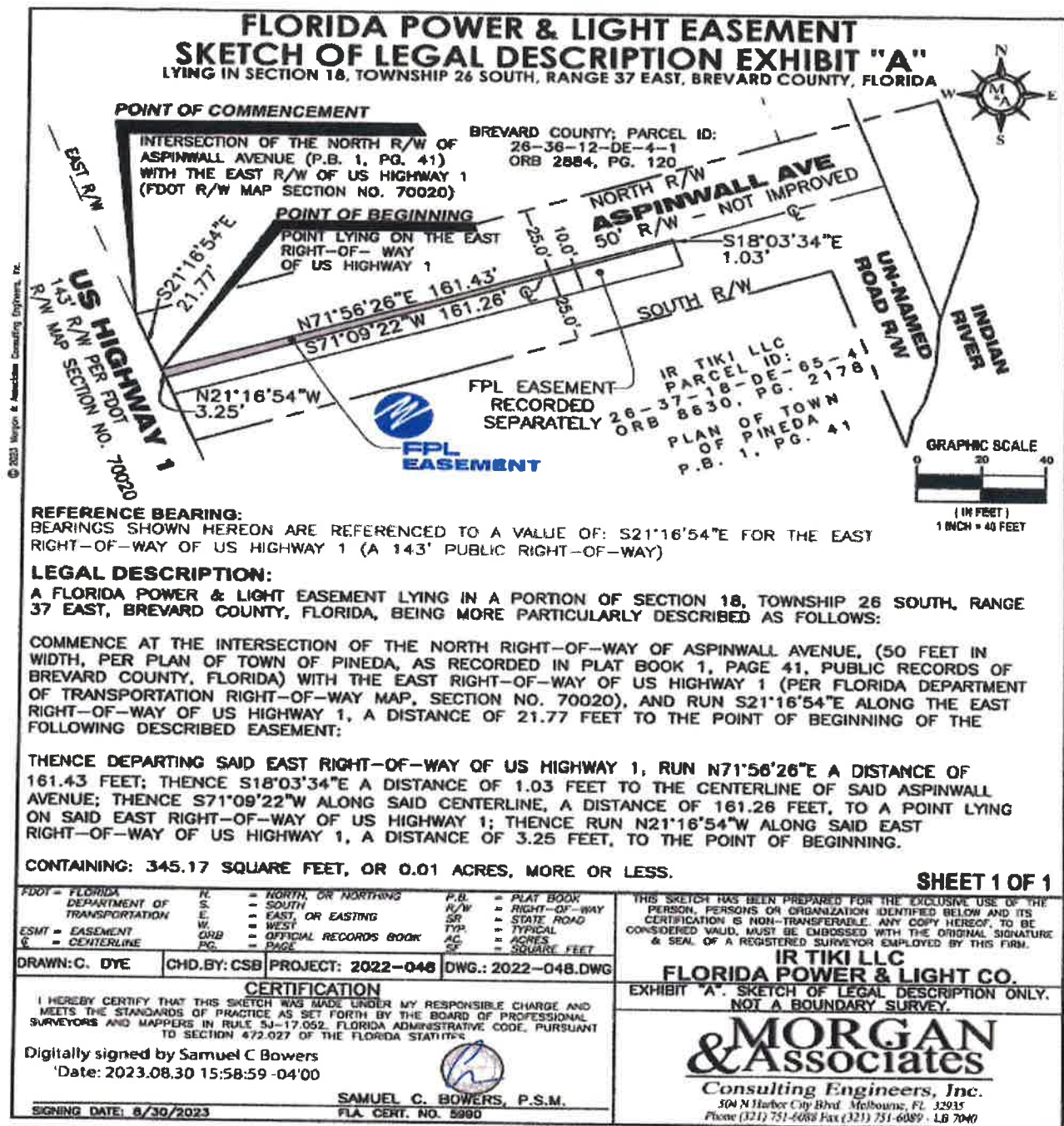


Figure 17: Sketch and description located in Section 18, Township 26 South, Range 37 East.

The sketch and description illustrate a varying width portion of an easement to be dedicated as an FPL easement to FPL lying east of US Highway 1, Rockledge, Florida.

Prepared by: Samuel C. Bowers.

Quit Claim Deeds (Parcel 101): 1 of 4

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-65-4

QUIT CLAIM DEED

THIS INDENTURE is made this 21st day of September, 2023 between
IR Tiki LLC, a Florida limited liability Company, whose address is 577 Barnes Boulevard, Suite
650, Rockledge, Florida 32955, as Grantor, and Brevard County, Florida, a political subdivision
of the State of Florida, Grantee, whose mailing address is 2725 Judge Fran Jamieson Way,
Melbourne, Florida 32940.

WITNESSTH: That said Grantor, for and in consideration of the sum of TEN AND NO/100
DOLLARS (\$10.00) and other valuable considerations, paid receipt of which is hereby
acknowledged, has hereby released and quit-claimed to the Grantee, its successors and
assigns, any of the Grantor's right, title, interest, and claim of demand which the Grantor(s) may
have in the following described land:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF, the Grantor having set their hand and seal this, the day and year first
above written,

Signed, sealed, and delivered in the presence of:

Dinesh
Witness

Dinesh Pokala
Print Name

Ginger Respass
Witness

Ginger Respass
Print Name

IR Tiki LLC, a Florida limited liability company

BY: [Signature]
Summit Shah, as Manager

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐
online notarization on this 21 day of September, 2023, by Summit Shah, as Manager for IR Tiki
LLC, a Florida limited liability company. Is ☒ personally known or ☐ produced Personally Known
as identification.



[Signature]
Notary Signature
SEAL
ORIGINAL

Figure 18: Quit Claim Deed signature page signed by Summit Shah on September 21, 2023.

Quit Claim Deed (Parcel 101): 2 of 54


LEGAL DESCRIPTION PARCEL #101 PARENT PARCEL ID# 26-37-18-DE-65-4 PURPOSE: FEE SIMPLE CONVEYANCE		EXHIBIT "A" SHEET 1 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY	
LEGAL DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE (A 50' WIDE RIGHT-OF-WAY AS RECORDED IN PLAN OF TOWN OF PINEDA, PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1 (SAID ROAD ALSO KNOWN AS STATE ROAD NO. 5, A 143' WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 70020) AND RUN N71°09'22"E ALONG THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE A DISTANCE OF 154.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE CONTINUE N71°09'22"E A DISTANCE OF 100.00 FEET TO THE EAST RIGHT-OF-WAY OF AN UN-NAMED ROAD RIGHT-OF-WAY, AND THE WEST LINE OF LOT 13, BLOCK 51, PER SAID PLAN OF TOWN OF PINEDA; THENCE S18°50'38"E ALONG SAID EAST RIGHT-OF-WAY OF SAID UN-NAMED ROAD, AND THE WEST LINE OF LOT 13, BLOCK 51, A DISTANCE OF 38.98 FEET TO A POINT LYING ON THE SAFE UPLAND LINE OF THE INDIAN RIVER, SAID SAFE UPLAND LINE HAVING AN ELEVATION OF -0.30 FEET NORTH AMERICAN VERTICAL DATUM OF 1988; THENCE RUN THE FOLLOWING (2) COURSES ALONG SAID SAFE UPLAND LINE OF THE INDIAN RIVER: (1) S10°31'01"W A DISTANCE OF 10.99 FEET; (2) S15°47'33"W A DISTANCE OF 34.51 FEET, TO THE CENTERLINE OF SAID UN-NAMED ROAD RIGHT-OF-WAY; THENCE DEPARTING SAID SAFE UPLAND LINE OF THE INDIAN RIVER, RUN N18°50'38"W ALONG SAID CENTERLINE A DISTANCE OF 24.10 FEET; THENCE RUN N73°40'36"W A DISTANCE OF 91.75 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING. CONTAINING: 3,448.04 SQUARE FEET, OR 0.08 ACRES, MORE OR LESS.			
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC; PREPARED BY:		I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES. Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:56:13 -04'00 	
MORGAN & Associates Consulting Engineers, Inc. 504 N Harbor City Blvd, Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040		PROJECT NO. 2022-048	
DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS	DATE
		1.	8/18/2023
		2.	8/30/2023
		3.	
DATE: 8/18/2023	DRAWING: 2022-048 PINEDA INN.DWG	DESCRIPTION COUNTY COMMENTS COUNTY COMMENTS	
		SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST	

Figure 19: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Quit Claim Deed (Parcel 101): 3 of 4



LEGAL DESCRIPTION		EXHIBIT "A"	
PARCEL #101		SHEET 2 OF 3	
<small>PARENT PARCEL ID#: 26-37-18-DE-65-4 PURPOSE: FEE SIMPLE CONVEYANCE</small>		<small>NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY</small>	
SURVEYORS NOTES:			
1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.			
2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT: FIDELITY NATIONAL TITLE INSURANCE COMPANY CUSTOMER NO. 3642801; FILE NO.: L088110 (13) COMMITMENT DATE: 7/1/2022 AT 10:32 AM			
3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON. THE SURVEYOR MAPPED THE SAFE UPLAND LINE ON DECEMBER 20, 2022, AS PART OF A BOUNDARY SURVEY BY MORGAN & ASSOCIATES, (PROJECT NO. 2022-048; DRAWING DATE: 1/25/2023.)			
TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:			
1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON)			
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC;		I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.	
PREPARED BY:		Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:56:26 -04'00	
 <small>504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</small>			
PROJECT NO. 2022-048		SAMUEL C. BOWERS 8/30/2023 PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED	
DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS	DATE
DATE: 8/18/2023		1.	8/18/2023
		2.	8/30/2023
		3.	
DRAWING: 2022-048 PINEDA INN.DWG		DESCRIPTION	
		COUNTY COMMENTS	
		COUNTY COMMENTS	
		SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST	

Figure 20: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Quit Claim Deed (Parcel 101): 4 of 4

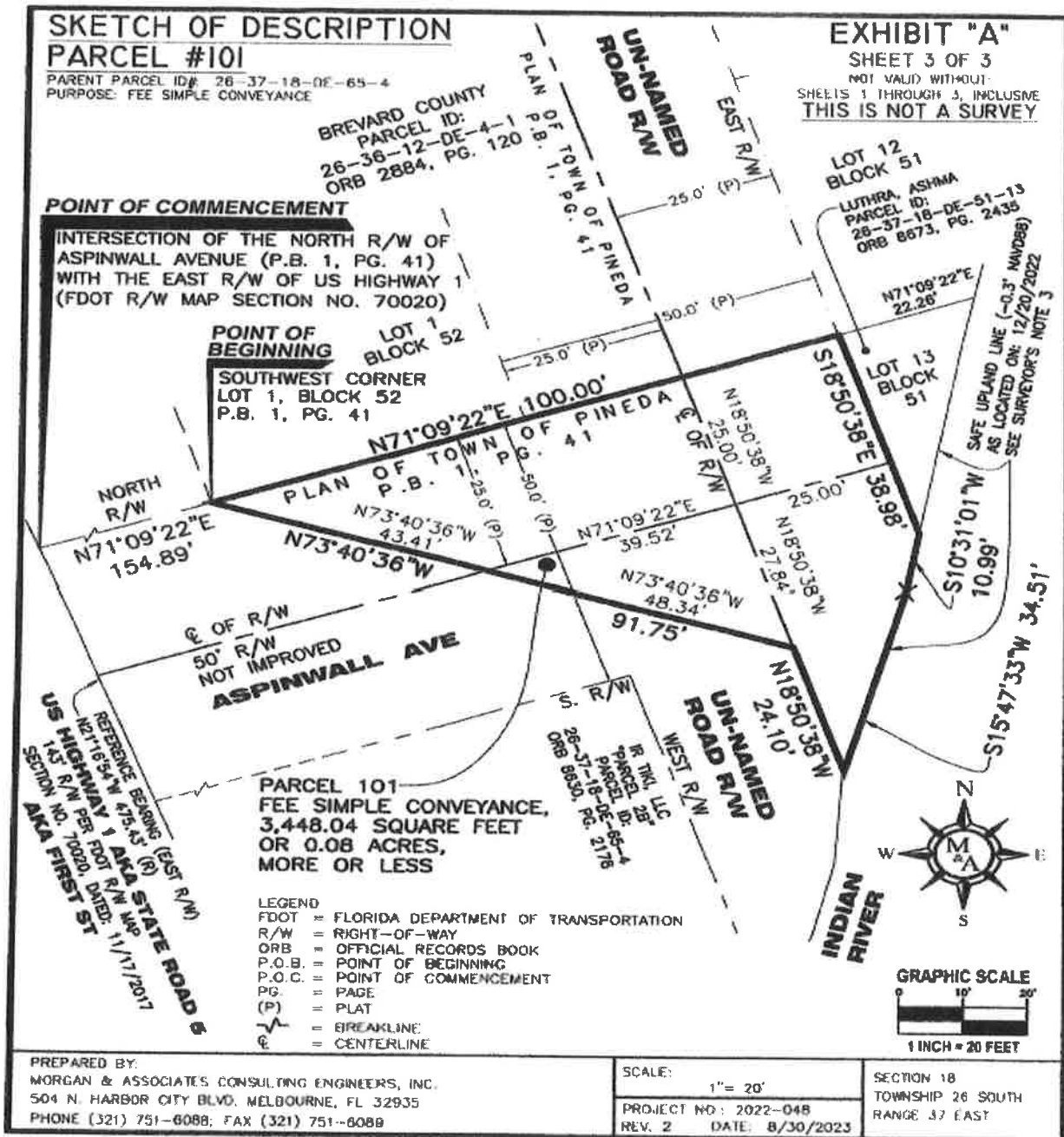


Figure 21: Sketch and description located in Section 18, Township 26 South, Range 37 East.

The sketch illustrates a varying-width portion of right-of-way to be dedicated as a fee simple conveyance to Brevard County known as Parcel 101, Rockledge, Florida. Prepared by:
Samuel C. Bowers.

Quit Claim Deed (Parcel 101): 1 of 4

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-65-4

QUIT CLAIM DEED

THIS INDENTURE is made this _____ day of _____, 2023 between Ashma Luthra, whose address is 4810 Honeyridge Lane, Merritt Island, Florida 32952, as Grantor, and Brevard County, Florida, a political subdivision of the State of Florida, Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Melbourne, Florida 32940.

WITNESSTH: That said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, paid receipt of which is hereby acknowledged, has hereby released and quit-claimed to the Grantee, its successors and assigns, any of the Grantor's right, title, interest, and claim of demand which the Grantor(s) may have in the following described land:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF, the Grantor having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

Witness

Print Name

Ashma Luthra

Witness

Print Name

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization on this ____ day of _____, 2023, by Ashma Luthra. Is ☐ personally known or ☐ produced _____ as identification.

Notary Signature
SEAL

Figure 22: Quit Claim Deed signature page to be executed by Ashma Luthra on a future date.

Quit Claim Deed (Parcel 101): 2 of 4



LEGAL DESCRIPTION PARCEL #101 PARENT PARCEL ID# 26-37-18-DE-85-4 PURPOSE: FEE SIMPLE CONVEYANCE		EXHIBIT "A" SHEET 1 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY	
LEGAL DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE (A 50' WIDE RIGHT-OF-WAY AS RECORDED IN PLAN OF TOWN OF PINEDA, PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1 (SAID ROAD ALSO KNOWN AS STATE ROAD NO. 5, A 143' WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 70020) AND RUN N71°09'22"E ALONG THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE A DISTANCE OF 154.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE CONTINUE N71°09'22"E A DISTANCE OF 100.00 FEET TO THE EAST RIGHT-OF-WAY OF AN UN-NAMED ROAD RIGHT-OF-WAY, AND THE WEST LINE OF LOT 13, BLOCK 51, PER SAID PLAN OF TOWN OF PINEDA; THENCE S18°50'38"E ALONG SAID EAST RIGHT-OF-WAY OF SAID UN-NAMED ROAD, AND THE WEST LINE OF LOT 13, BLOCK 51, A DISTANCE OF 38.98 FEET TO A POINT LYING ON THE SAFE UPLAND LINE OF THE INDIAN RIVER, SAID SAFE UPLAND LINE HAVING AN ELEVATION OF -0.30 FEET NORTH AMERICAN VERTICAL DATUM OF 1988; THENCE RUN THE FOLLOWING (2) COURSES ALONG SAID SAFE UPLAND LINE OF THE INDIAN RIVER: (1) S10°31'01"W A DISTANCE OF 10.99 FEET; (2) S15°47'33"W A DISTANCE OF 34.51 FEET, TO THE CENTERLINE OF SAID UN-NAMED ROAD RIGHT-OF-WAY; THENCE DEPARTING SAID SAFE UPLAND LINE OF THE INDIAN RIVER, RUN N18°50'38"W ALONG SAID CENTERLINE A DISTANCE OF 24.10 FEET; THENCE RUN N73°40'36"W A DISTANCE OF 91.75 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING. CONTAINING: 3,448.04 SQUARE FEET, OR 0.08 ACRES, MORE OR LESS.			
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC; PREPARED BY:		I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES. Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:56:13 -04'00	
 Consulting Engineers, Inc. 504 N Harbor City Blvd, Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040			
PROJECT NO. 2022-048 DRAWN BY: JTH DATE: 8/18/2023		SAMUEL C. BOWERS PROFESSIONAL SURVEYOR & MAPPER, PSM 5890 NOT VALID UNLESS SIGNED AND SEALED 8/30/2023	
CHECKED BY: CSB DRAWING: 2022-048 PINEDA INN.DWG	REVISIONS 1. 2. 3.	DATE 8/18/2023 8/30/2023	DESCRIPTION COUNTY COMMENTS COUNTY COMMENTS
		SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST	

Figure 23: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Quit Claim Deed (Parcel 101): 3 of 4



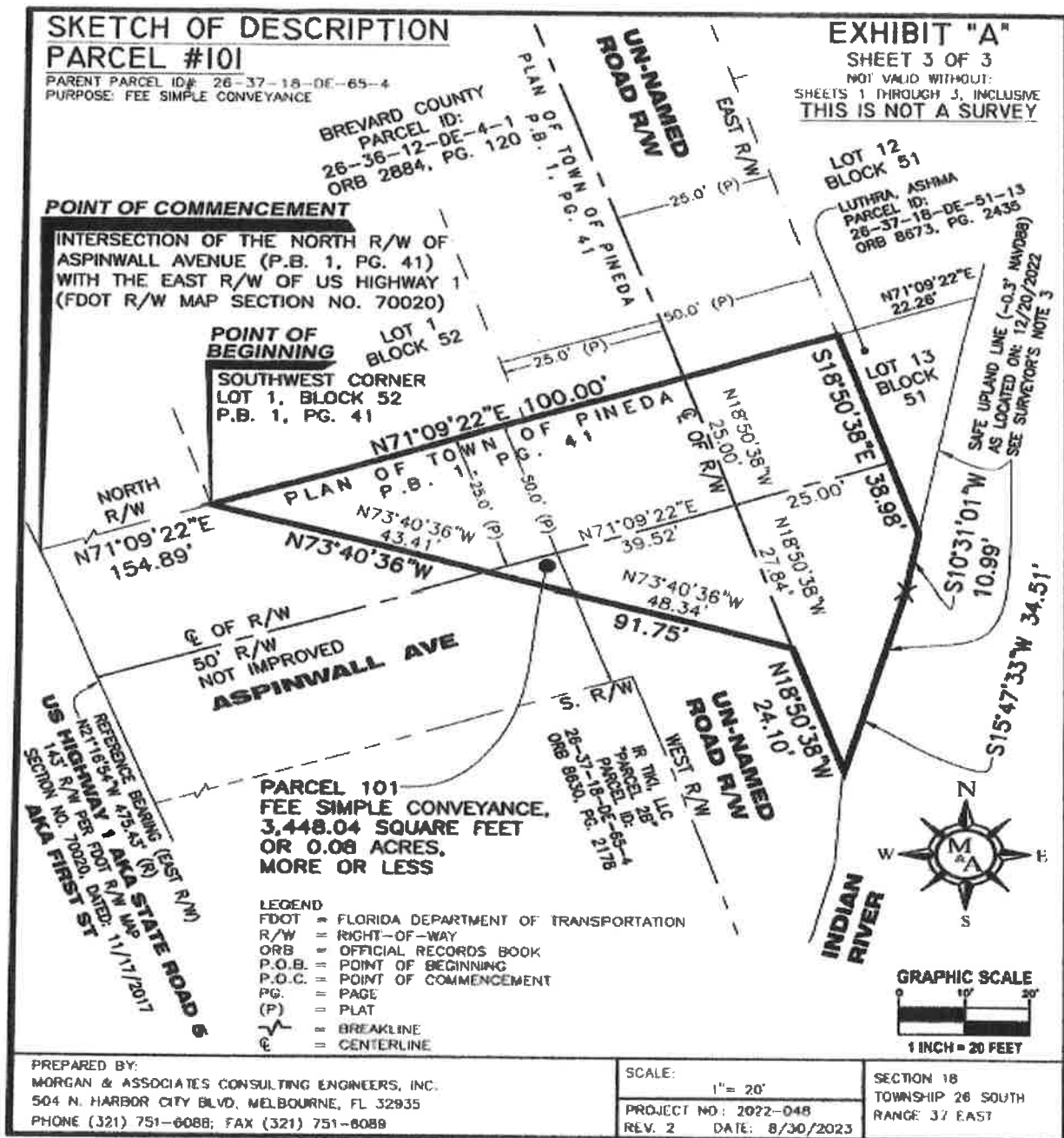
LEGAL DESCRIPTION PARCEL #101		EXHIBIT "A" SHEET 2 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE <u>THIS IS NOT A SURVEY</u>										
PARENT PARCEL ID#: 26-37-18-DE-65-4 PURPOSE: FEE SIMPLE CONVEYANCE												
SURVEYORS NOTES:												
1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.												
2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT: FIDELITY NATIONAL TITLE INSURANCE COMPANY CUSTOMER NO. 3642801; FILE NO.: L088110 (13) COMMITMENT DATE: 7/1/2022 AT 10:32 AM												
3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON. THE SURVEYOR MAPPED THE SAFE UPLAND LINE ON DECEMBER 20, 2022, AS PART OF A BOUNDARY SURVEY BY MORGAN & ASSOCIATES, (PROJECT NO. 2022-048; DRAWING DATE: 1/25/2023.)												
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1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON)												
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC;		I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.										
PREPARED BY:		Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:56:26 -04'00										
<div style="text-align: center;">  MORGAN & Associates <i>Consulting Engineers, Inc.</i> 504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040 </div>		<div style="text-align: center;">  </div>										
PROJECT NO. 2022-048		SAMUEL C. BOWERS PROFESSIONAL SURVEYOR & MAPPER, PSW 5990 NOT VALID UNLESS SIGNED AND SEALED										
DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">DATE</th> <th style="width: 60%;">DESCRIPTION</th> <th style="width: 20%;">SECTION 18</th> </tr> </thead> <tbody> <tr> <td>8/18/2023</td> <td>COUNTY COMMENTS</td> <td>TOWNSHIP 26 SOUTH</td> </tr> <tr> <td>8/30/2023</td> <td>COUNTY COMMENTS</td> <td>RANGE 37 EAST</td> </tr> </tbody> </table>	DATE	DESCRIPTION	SECTION 18	8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH	8/30/2023	COUNTY COMMENTS	RANGE 37 EAST
DATE	DESCRIPTION	SECTION 18										
8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH										
8/30/2023	COUNTY COMMENTS	RANGE 37 EAST										
DATE: 8/18/2023	DRAWING: 2022-048 PINEDA INN.DWG	1. 2. 3.										

Figure 24: Sketch and description located in Section 18, Township 26 South, Range 37 East.



Warranty Deed (Parcel 100): 1 of 4

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-51-13

WARRANTY DEED

THIS DEED is made this ____ day of September 2023, by Ashma Luthra, hereafter called the Grantor, whose mailing address is 4810 Honeyridge Lane, Merritt Island, Florida 32952, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940.

WITNESSETH that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with all riparian and littoral rights appertaining thereto.

The property as described in Exhibit A is vacant land and not the homestead property of the Grantor.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Print Name

Witness

Print Name

GRANTOR:

Ashma Luthra

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing Instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization on this ____ day of September 2023, by Ashma Luthra. Is ☐ personally known or ☐ produced _____ as identification.

Notary Signature
(SEAL)

Figure 26: Warranty Deed from Ashma Luthra to Brevard County for Lot 13, Plan of Town of Pineda, Rockledge, Florida, 32955.

Warranty Deed (Parcel 100): 2 of 4


LEGAL DESCRIPTION PARCEL #100 PARENT PARCEL ID#: 26-37-18-DE-51-13 PURPOSE: FEE SIMPLE CONVEYANCE LEGAL DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 13, BLOCK 51, PLAN OF TOWN OF PINEDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA CONTAINING: 428.59 SQUARE FEET, OR 0.01 ACRES, MORE OR LESS.		EXHIBIT "A" SHEET 1 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE <u>THIS IS NOT A SURVEY</u>																
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p>PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC; LUTHRA, ASHMA</p><p>PREPARED BY:</p><div style="text-align: center;">MORGAN & Associates <i>Consulting Engineers, Inc.</i> 504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - L.B 7040</div></div><div style="width: 50%;"><p>I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.</p><p>Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:54:46 -04'00</p><div style="text-align: right;"></div></div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 45%;"><p>PROJECT NO. 2022-048</p><table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 33%;">DRAWN BY: JTH</td><td style="width: 33%;">CHECKED BY: CSB</td><td style="width: 33%;">REVISIONS</td></tr><tr><td rowspan="3">DATE: 8/18/2023</td><td rowspan="3">DRAWING: 2022-048 PINEDA INK.DWG</td><td>1.</td></tr><tr><td>2.</td></tr><tr><td>3.</td></tr></table></div><div style="width: 50%;"><table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 25%;">DATE</td><td style="width: 45%;">DESCRIPTION</td><td style="width: 30%;">SECTION 18</td></tr><tr><td>8/18/2023</td><td>COUNTY COMMENTS</td><td>TOWNSHIP 26 SOUTH</td></tr><tr><td>8/30/2023</td><td>COUNTY COMMENTS</td><td>RANGE 37 EAST</td></tr></table></div></div>		DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS	DATE: 8/18/2023	DRAWING: 2022-048 PINEDA INK.DWG	1.	2.	3.	DATE	DESCRIPTION	SECTION 18	8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH	8/30/2023	COUNTY COMMENTS	RANGE 37 EAST
DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS																
DATE: 8/18/2023	DRAWING: 2022-048 PINEDA INK.DWG	1.																
		2.																
		3.																
DATE	DESCRIPTION	SECTION 18																
8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH																
8/30/2023	COUNTY COMMENTS	RANGE 37 EAST																

Figure 27: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Warranty Deed (Parcel 100): 3 of 4

LEGAL DESCRIPTION		EXHIBIT "A"	
PARCEL #100		SHEET 2 OF 3	
PARENT PARCEL ID#: 26-37-18-DE-51-13 PURPOSE: FEE SIMPLE CONVEYANCE		NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE <u>THIS IS NOT A SURVEY</u>	
SURVEYORS NOTES:			
1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.			
2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT: FIDELITY NATIONAL TITLE INSURANCE COMPANY CUSTOMER NO. 3642801; FILE NO.: L08B110 (13) COMMITMENT DATE: 7/1/2022 AT 10:32 AM			
3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON. THE SURVEYOR MAPPED THE SAFE UPLAND LINE ON DECEMBER 20, 2022, AS PART OF A BOUNDARY SURVEY BY MORGAN & ASSOCIATES, (PROJECT NO. 2022-048; DRAWING DATE: 1/25/2023.)			
TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:			
1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON)			
2. WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 8673, PAGE 2435. (AFFECTS THE SUBJECT PROPERTY).			
3. QUIT CLAIM DEED AS RECORDED IN OFFICIAL RECORDS BOOK 8091, PAGE 2995. (AFFECTS THE SUBJECT PROPERTY).			
4. QUIT CLAIM DEED AS RECORDED IN OFFICIAL RECORDS BOOK 4225, PAGE 263. (AFFECTS THE SUBJECT PROPERTY).			
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC; LUTHRA, ASHMA		I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTE	
PREPARED BY: <div style="text-align: center;">MORGAN & Associates Consulting Engineers, Inc. 504 N Harbor City Blvd. Melbourne, FL 32935 PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</div>		Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:55:13 -04'00	
DRAWN BY: JTH		CHECKED BY: CSB	
DATE: 8/18/2023		DRAWING: 2022-048 PINEDA BIN.DWG	
REVISIONS		DATE	
1.		8/18/2023	
2.		8/30/2023	
3.		DESCRIPTION	
		COUNTY COMMENTS	
		COUNTY COMMENTS	
		SECTION 18	
		TOWNSHIP 26 SOUTH	
		RANGE 37 EAST	

Figure 28: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Warranty Deed (Parcel 100): 4 of 4

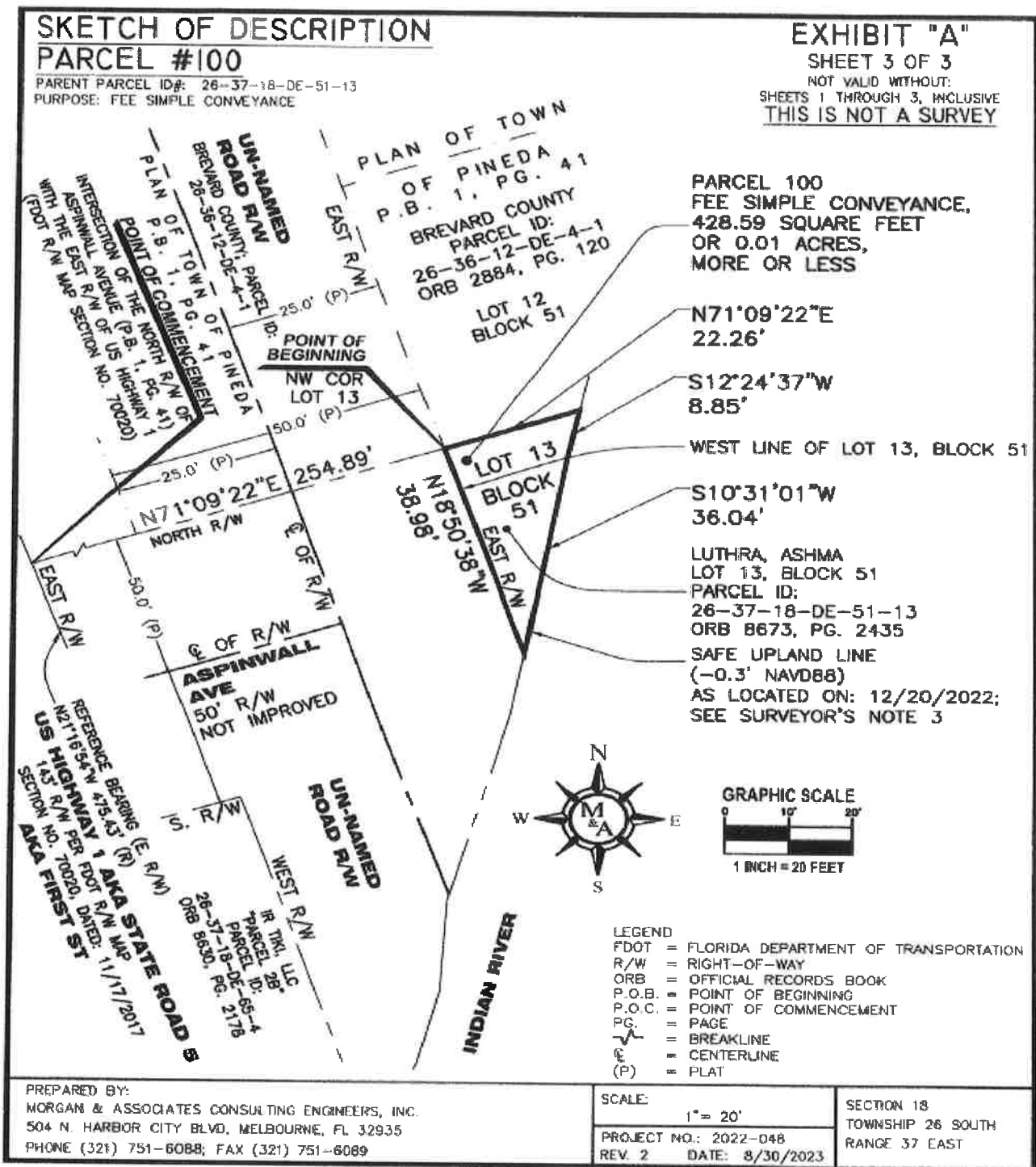


Figure 29: Sketch of a description of Lot 13, Plan of Town of Pineda.

The sketch illustrates Lot 13, Plan of Town of Pineda, to be dedicated as a fee simple conveyance to Brevard County known as Parcel 100, Rockledge, Florida. Prepared by:
Samuel C. Bowers.

Brevard County Property Appraiser Detail Sheet

Tax Account 2605971
 Owners IR TIKI LLC
 Mailing Address 577 BARNES BLVD, STE 650 ROCKLEDGE FL 32955
 Site Address 6533 S HIGHWAY 1 ROCKLEDGE FL 32955
 Parcel ID 26-37-18-DE-65-4
 Taxing District 2900 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 2100 - RESTAURANT / CAFETERIA
 Total Acres 1.72
 Site Code 0101 - U S 1 TO RIVER
 Plat Book/Page 0001/0041
 Subdivision PINEDA
 Land Description
 PINEDA ALL LOTS 1 THRU 10 BLK 65 & NWLY 25 FT OF
 VAC WALLACE AVE E OF HWY 1 & VAC FIRST ST E OF
 BLK 65 THEREOF
VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$1,255,770	\$1,099,600	\$1,099,600
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$1,255,770	\$1,099,600	\$1,099,600
Assessed Value School	\$1,255,770	\$1,099,600	\$1,099,600
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$1,255,770	\$1,099,600	\$1,099,600
Taxable Value School	\$1,255,770	\$1,099,600	\$1,099,600

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
01/06/2020	\$1,125,000	WD	--	8630/2178
07/28/2011	--	CT	--	6425/1110
09/29/2005	\$1,872,000	WD	--	5545/2133

Brevard County Property Appraiser Detail Sheet

Tax Account 2601539
 Owners BREVARD COUNTY
 Mailing Address 345 WENNER WAY C/O ASSET MANAGEMENT COCOA FL
 32926
 Site Address 6495 S HIGHWAY 1 ROCKLEDGE FL 32955
 Parcel ID 26-36-12-DE-4-1
 Taxing District 2900 - UNINCORP DISTRICT 2
 Exemptions EXCO - COUNTY OWNED PROPERTY
 Property Use 8622 - COUNTY OWNED - RELATED AMENITIES
 Total Acres 10.36
 Site Code 0101 - U S 1 TO RIVER
 Plat Book/Page 0001/0041
 Subdivision PINEDA
 Land Description
 PINEDA ALL BLOCKS 4,5,51 & 52 & ADJ VAC STREETS
 EXC HWY R/W AS DESC IN ORB 2884 PG 120 & EXC LOT
 13 BLK 51

VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$2,359,690	\$2,403,970	\$2,235,770
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$2,359,690	\$2,403,970	\$2,235,770
Assessed Value School	\$2,359,690	\$2,403,970	\$2,235,770
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$2,359,690	\$2,403,970	\$2,235,770
Taxable Value Non-School	\$0	\$0	\$0
Taxable Value School	\$0	\$0	\$0

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
02/01/1988	\$700,000	NN	--	2884/0120
01/01/1988	--	NN	--	2876/2043
08/01/1979	--	PT	--	2093/1050

Brevard County Property Appraiser Detail Sheet

Tax Account 2605969

Owners LUTHRA, ASHMA

Mailing Address 4810 HONEYRIDGE LN MERRITT ISLAND FL 32952

Site Address NONE

Parcel ID 26-37-18-DE-51-13

Taxing District 2900 - UNINCORP DISTRICT 2

Exemptions NONE

Property Use 1000 - VACANT COMMERCIAL LAND

Total Acres 0.14

Site Code 0110 - RIVER FRONT

Plat Book/Page 0001/0041

Subdivision PINEDA

Land Description PINEDA LOT 13 BLK 51 & E 1/2 OF VAC ST ON WEST

VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$2,530	\$2,530	\$2,530
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$2,530	\$2,530	\$2,530
Assessed Value School	\$2,530	\$2,530	\$2,530
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$2,530	\$2,530	\$2,530
Taxable Value School	\$2,530	\$2,530	\$2,530

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
02/19/2020	\$11,000	WD	--	8673/2435
02/09/2018	--	QC	--	8091/2995
08/30/2000	\$1,872,000	QC	--	4225/0263

Vicinity Map

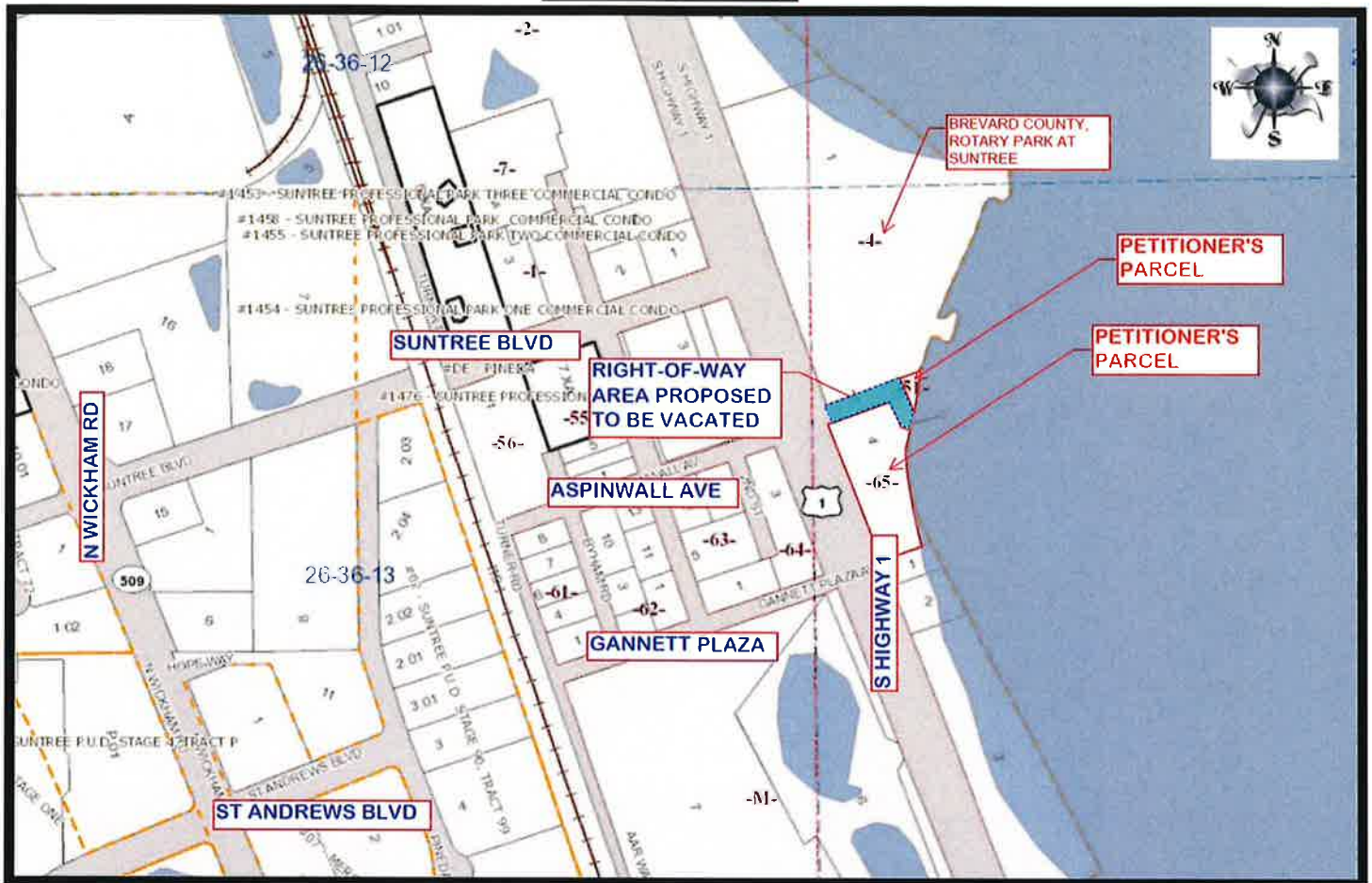


Figure 1: The vicinity map shows a highlighted area of the right-of-way Aspinwall Ave and Unnamed right-of-way to be vacated.

IR TIKI LLC, Brevard County, Ashma Luthra –
Aspinwall Avenue & Unnamed Right-of-Way –
Rockledge, FL, 32955 – “Plan of Town of
Pineda”, Plat Book 1, Page 41 – Section 18,
Township 26 South, Range 37 East – District 2
– Proposed Vacating of a portion of a Public
Right-of-Way Aspinwall Ave & Unnamed
Right-of-Way

Aerial Map



Figure 2: The aerial map shows a highlighted area of the right-of-way Aspinwall Ave and Unnamed right-of-way to be vacated.

IR TIKI LLC, Brevard County, Ashma Luthra –
Aspinwall Avenue & Unnamed Right-of-Way –
Rockledge, FL, 32955 – “Plan of Town of
Pineda”, Plat Book 1, Page 41 – Section 18,
Township 26 South, Range 37 East – District 2
– Proposed Vacating of a portion of a Public
Right-of-Way Aspinwall Ave & Unnamed
Right-of-Way

Plat Reference



Figure 3: Copy of the plat of the Plan of Town of Pineda dedicated to Brevard County on the 6th day of November 1894.

Petitioner's Boundary Survey Sheet 1 of 2

BOUNDARY SURVEY

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST

PARENT PARCEL ID NUMBER: 26--37--18--DE--65--4

PURPOSE OF DESCRIPTION: APPLICATION TO VACATE RIGHT-OF-WAY

LEGAL DESCRIPTION (BY SURVEYOR):

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF ASPINWALL AVENUE (A 50.00 FOOT RIGHT-OF-WAY), LYING IN PLAT OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING: 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS.

SURVEYORS NOTES:

1. TYPE OF SURVEY: BOUNDARY SURVEY.

2. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.

3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON.

LEGEND:

(C) = CALCULATED
(D) = DEED
(M) = MEASURED
(R) = RECORD
(P) = PLAT
CONC. = CONCRETE
D/W = DRIVEWAY
ESMT. = EASEMENT
FDEP = FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
ID = IDENTIFICATION
LB = LICENSED BUSINESS
L. = LEFT

NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988
NGVD29 = NATIONAL GEODETIC VERTICAL DATUM OF 1929
NO. = NUMBER
N.T.S. = NOT TO SCALE
ORB = OFFICIAL RECORDS BOOK
PG. = PAGE
P.B. = PLAT BOOK
PLS = PROFESSIONAL LAND SURVEYOR
R/W = RIGHT-OF-WAY
R. = RIGHT
S.R. = STATE ROAD
STA. = STATION
TYP = TYPICAL
COR. = CORNER
CL = CENTERLINE

N = NORTH OR NORTHING
E = EAST OR EASTING
S = SOUTH
W = WEST
NE = NORTHEAST
NW = NORTHWEST
SE = SOUTHEAST
SW = SOUTHWEST
± = PLUS OR MINUS
' = FEET OR ARCMINUTES
" = INCHES OR ARCSECONDS
° = DEGREES

— = BREAKLINE

● = CONCRETE LIGHT POLE

x11.3 = SPOT ELEVATION, AT GROUND

x11.37 = SPOT ELEVATION, HARD SURFACE

— = TRAFFIC SIGN

■ = CONCRETE MONUMENT FOUND

● = IRON MARKER FOUND

○ = 5/8" IRON MARKER SET, LB7040

△ = NAIL & DISK SET, LB7040

▲ = NAIL & DISK FOUND

PREPARED FOR:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC; LUTHRA, ASHMA

PREPARED BY: MORGAN & ASSOCIATES CONSULTING ENGINEERS, INC.
ADDRESS: 504 N. HARBOR CITY BLVD., MELBOURNE, FL 32935
PHONE: (321) 751-6088
FLORIDA LICENSED BUSINESS NO. 7040

CHRISTOPHER S. BOWERS
PROFESSIONAL SURVEYOR & MAPPER, PSM. NO. 5990
NOT VALID UNLESS SIGNED AND SEALED

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 3J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

DRAWN BY: JTH

CHECKED BY: CSB

DRAWING NO. 2022-048.DWG

SECTION 18

DATE: 5/23/2023

SHEET 1 OF 2

REVISION 1; COUNTY COMMENTS 5/22/2023
REVISION 2; COUNTY COMMENTS 5/23/2023

TOWNSHIP 26 SOUTH
RANGE 37 EAST

Figure 4: Boundary Survey. Sheet 1 of 2. Section 18, Township 26 South, Range 37 East.

Petitioner's Boundary Survey Sheet 2 of 2

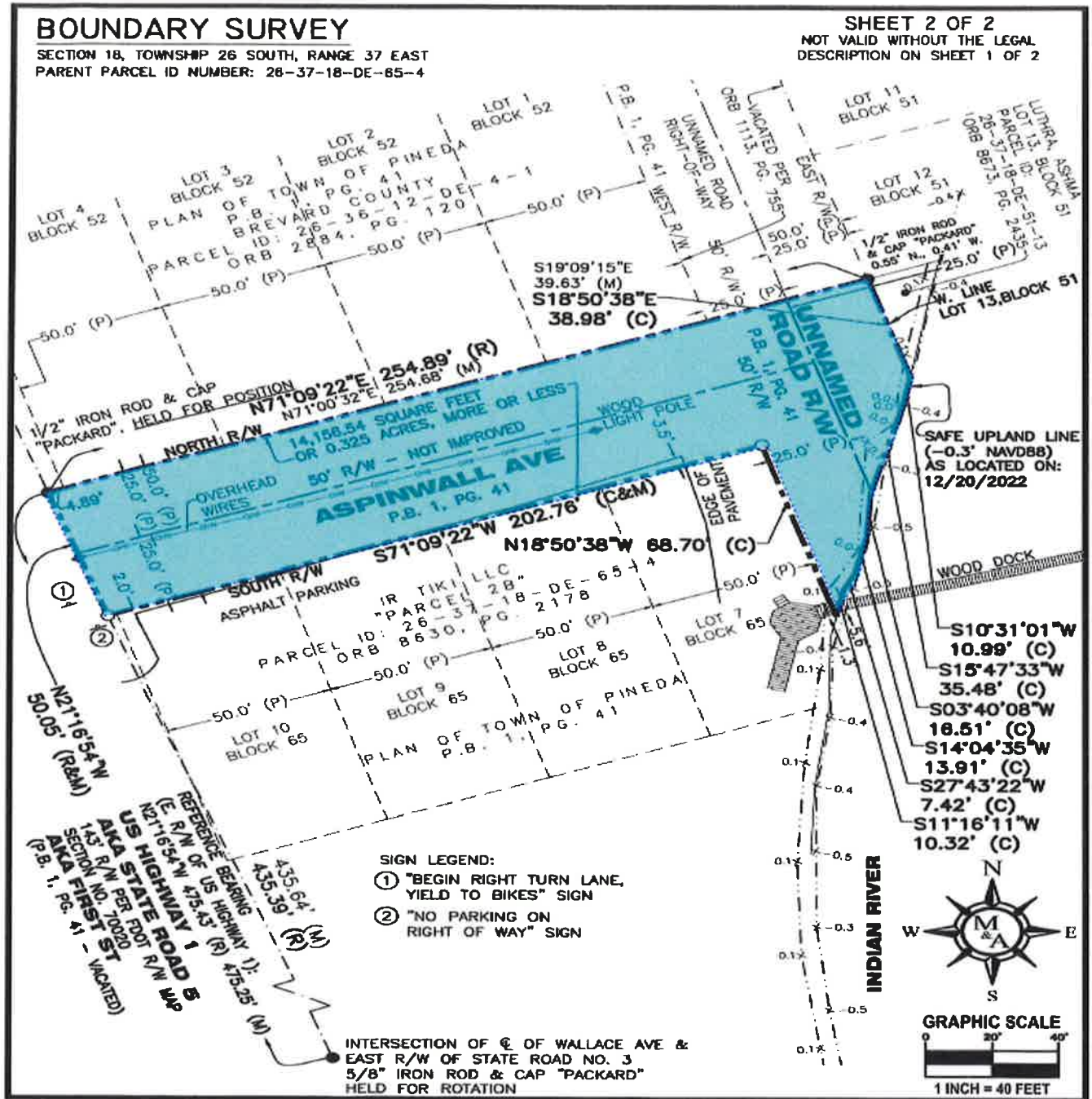


Figure 5: Boundary Survey. Sheet 2 of 2. Section 18, Township 26 South, Range 37 East.

The sketch illustrates a portion of a public right-of-way (Aspinwall Ave & Unnamed Right-of-Way) lying between Blocks 51, 52, and 65, plat of Plan of Town of Pineda, Rockledge, Florida. The coordinates depicted are as follows: North line: North 71°00'32" East, 254.68 feet, East line: South 18°50'38" East, 38.98 feet, South line: South 71°09'22" West, 202.76 feet, West line: North 21°16'54" West, 50.05 feet. Prepared by: Christopher S. Bowers.

Comment Sheet

Applicant: IR Tiki/Luthra/Brevard County (Aspinwall Avenue/Unnamed Right-of-Way)

Updated by: Amber Holley 20230719 at 14:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20230609	20230719	Yes	No Comment
FL Power & Light	20230609	20230615	Yes	No Objections with Easement
At&t	20230609	20230613	Yes	No Objections
Charter/Spectrum	20230609	20230613	Yes	No Objections
Florida Gas Tran.	20230609	20230613	Yes	No Objections
City of Melbourne	20230710	20230710	Yes	No Objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20230609	20230717	Yes	No objections to vacate with a WD for Lot 13
Land Planning	20230609	20230613	Yes	No objections
Utility Services	20230609	20230719	Yes	No objections
Storm Water	20230609	20230705	Yes	No objections to vacate with a WD for Lot 13
Zoning	20230609	20230613	Yes	No objections
Land Acquisition	20230609	20230703	Yes	No objections to vacate with a WD for Lot 13
Fire Dept	20230609	20230706	Yes	No Objections
Traffic Eng	20230609	20230705	Yes	No Objections

Public Hearing Legal Advertisement

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO 50.0 FT. WIDE PUBLIC RIGHTS-OF-WAYS (ASPINWALL AVENUE & UNNAMED RIGHT-OF-WAY), PLAT "PLAN OF TOWN OF PINEDA" IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, ROCKLEDGE, FL. NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by IR TIKI LLC, BREVARD COUNTY, ASHMA LUTHRA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF ASPINWALL AVENUE (A 50.00-FOOT RIGHT-OF-WAY), LYING IN PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51, CONTAINING 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS. PREPARED BY: CHRISTOPHER S. BOWERS, PSM. The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on October 24, 2022, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Figure 6: Copy of public hearing advertisement as published on October 9, 2023. See the next page for the full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO 50.0 FT. WIDE PUBLIC RIGHTS-OF-WAYS (ASPINWALL AVENUE & UNNAMED RIGHT-OF-WAY), PLAT "PLAN OF TOWN OF PINEDA" IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, ROCKLEDGE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **IR TIKI LLC, BREVARD COUNTY, ASHMA LUTHRA** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF ASPINWALL AVENUE (A 50.00-FOOT RIGHT-OF-WAY), LYING IN PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS. PREPARED BY: CHRISTOPHER S. BOWERS, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **9:00 A.M. on October 24, 2022**, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

LOCATION MAP

Section 18, Township 26 South, Range 37 East - District: 2

PROPERTY LOCATION: Property is located on the East Side of US 1 and South of Suntree Boulevard.

OWNERS NAME(S): IR TIKI, LLC, Brevard County, Ashma Luthra

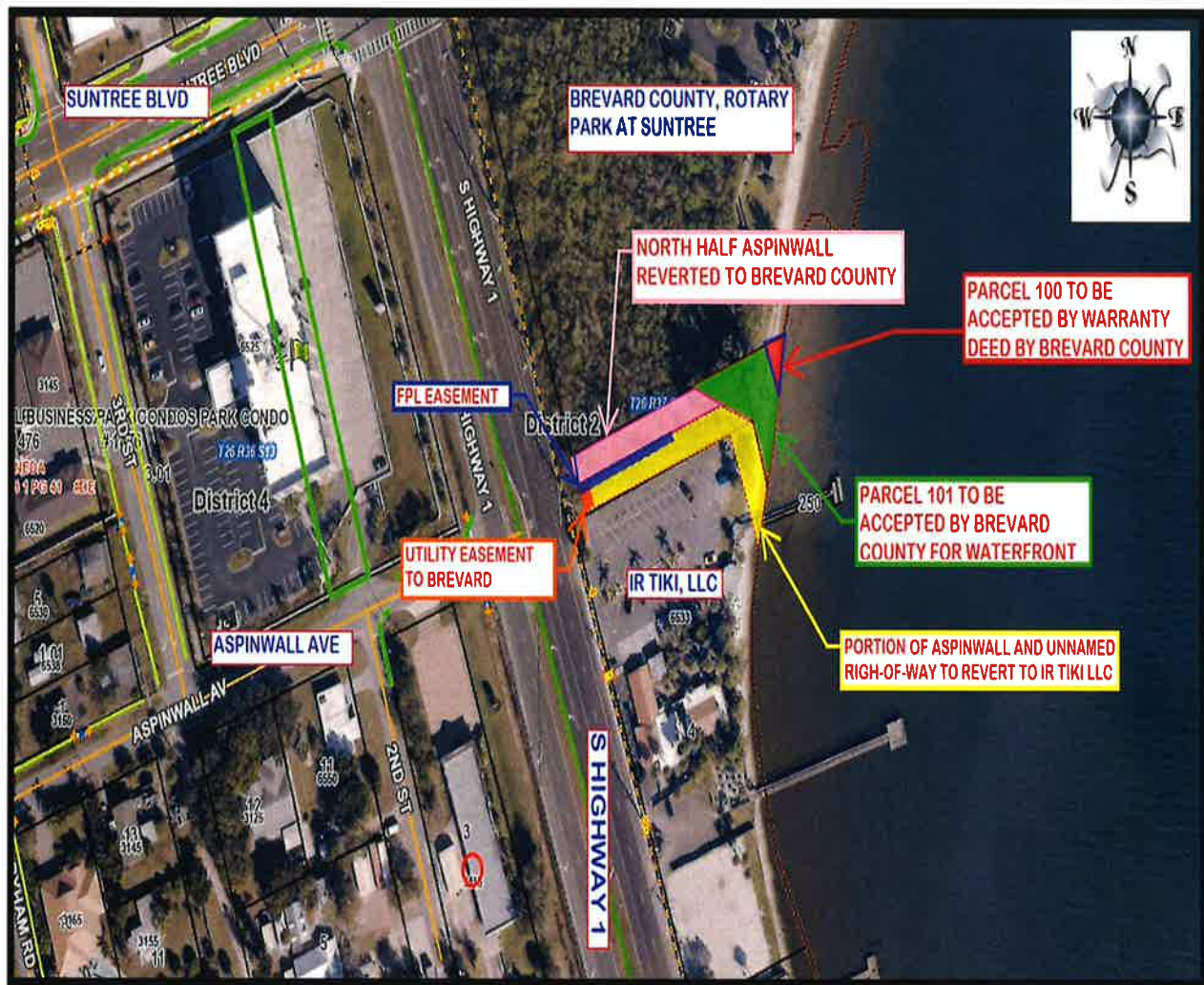


Figure 1: An image of an aerial location map showing portions of Aspinwall Ave and an Unnamed Right-of-Way to be vacated, deeded, and easements granted.

Resolution 2023 - 127

Vacating a portion of a public right(s)-of-way, Aspinwall Avenue & Unnamed Right-of-Way, "Plan of Town of Pineda", Rockledge, Florida, lying in Section 18, Township 26 South, Range 37 East

WHEREAS, pursuant to Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **IR TIKI LLC, BREVARD COUNTY, & ASHMA LUTHRA** with the Board of County Commissioners to vacate certain public right(s)-of-way in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right(s)-of-way, nor does this action guarantee or transfer title; and

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the FLORIDA TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public rights-of-way will not be detrimental to Brevard County or the public, finds that the vacate is necessary for additional shoreline property to be obtained by the County which will better ensure expanded and continued public access to the Indian River Lagoon, and serves the best interests of Brevard County.

THEREFORE, BE IT RESOLVED that said public right(s)-of-way are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue for said purposes, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this Resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 24th day of October, 2023 A.D.

ATTEST:


Rachel Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Rita Pritchett, Chair

CFN 2023244931, OR BK 9935 PAGE 2750,
Recorded 11/20/2023 at 01:51 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:5

As approved by the Board on:
October 24, 2023

BOUNDARY SURVEY

SHEET 1 OF 2
NOT VALID WITHOUT SHEET 2 OF 2

SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST
PARENT PARCEL ID NUMBER: 26-37-18-DE-65-4
PURPOSE OF DESCRIPTION: APPLICATION TO VACATE RIGHT-OF-WAY

LEGAL DESCRIPTION (BY SURVEYOR):

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF ASPINWALL AVENUE (A 50.00 FOOT RIGHT-OF-WAY), LYING IN PLAT OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING: 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS.

SURVEYORS NOTES:

1. TYPE OF SURVEY: BOUNDARY SURVEY.
2. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.
3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON.

LEGEND:

(C) = CALCULATED
(D) = DEED
(M) = MEASURED
(R) = RECORD
(P) = PLAT
CONC. = CONCRETE
D/W = DRIVEWAY
ESMT. = EASEMENT
FDEP = FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
ID = IDENTIFICATION
LB = LICENSED BUSINESS
L. = LEFT

NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988
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R/W = RIGHT-OF-WAY
R. = RIGHT
S.R. = STATE ROAD
STA. = STATION
TYP = TYPICAL
COR. = CORNER
CL = CENTERLINE

N = NORTH OR NORTHING
E = EAST OR EASTING
S = SOUTH
W = WEST
NE = NORTHEAST
NW = NORTHWEST
SE = SOUTHEAST
SW = SOUTHWEST
± = PLUS OR MINUS
' = FEET OR ARCMINUTES
" = INCHES OR ARCSECONDS
° = DEGREES

— = BREAKLINE
◆ = CONCRETE LIGHT POLE
x11.3 = SPOT ELEVATION, AT GROUND
x11.37 = SPOT ELEVATION, HARD SURFACE
— = TRAFFIC SIGN
■ = CONCRETE MONUMENT FOUND
● = IRON MARKER FOUND
○ = 5/8" IRON MARKER SET, LB7040
△ = NAIL & DISK SET, LB7040
▲ = NAIL & DISK FOUND

PREPARED FOR:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LCC; LUTHRA, ASHMA

PREPARED BY: MORGAN & ASSOCIATES CONSULTING ENGINEERS, INC.
ADDRESS: 504 N. HARBOR CITY BLVD., MELBOURNE, FL 32935
PHONE: (321) 751-6088
FLORIDA LICENSED BUSINESS NO. 7040

CHRISTOPHER S. BOWERS
PROFESSIONAL SURVEYOR & MAPPER, PSM. NO. 5990
NOT VALID UNLESS SIGNED AND SEALED

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

DRAWN BY: JTH

CHECKED BY: CSB

DRAWING NO. 2022-048.DWG

SECTION 18

DATE: 5/23/2023

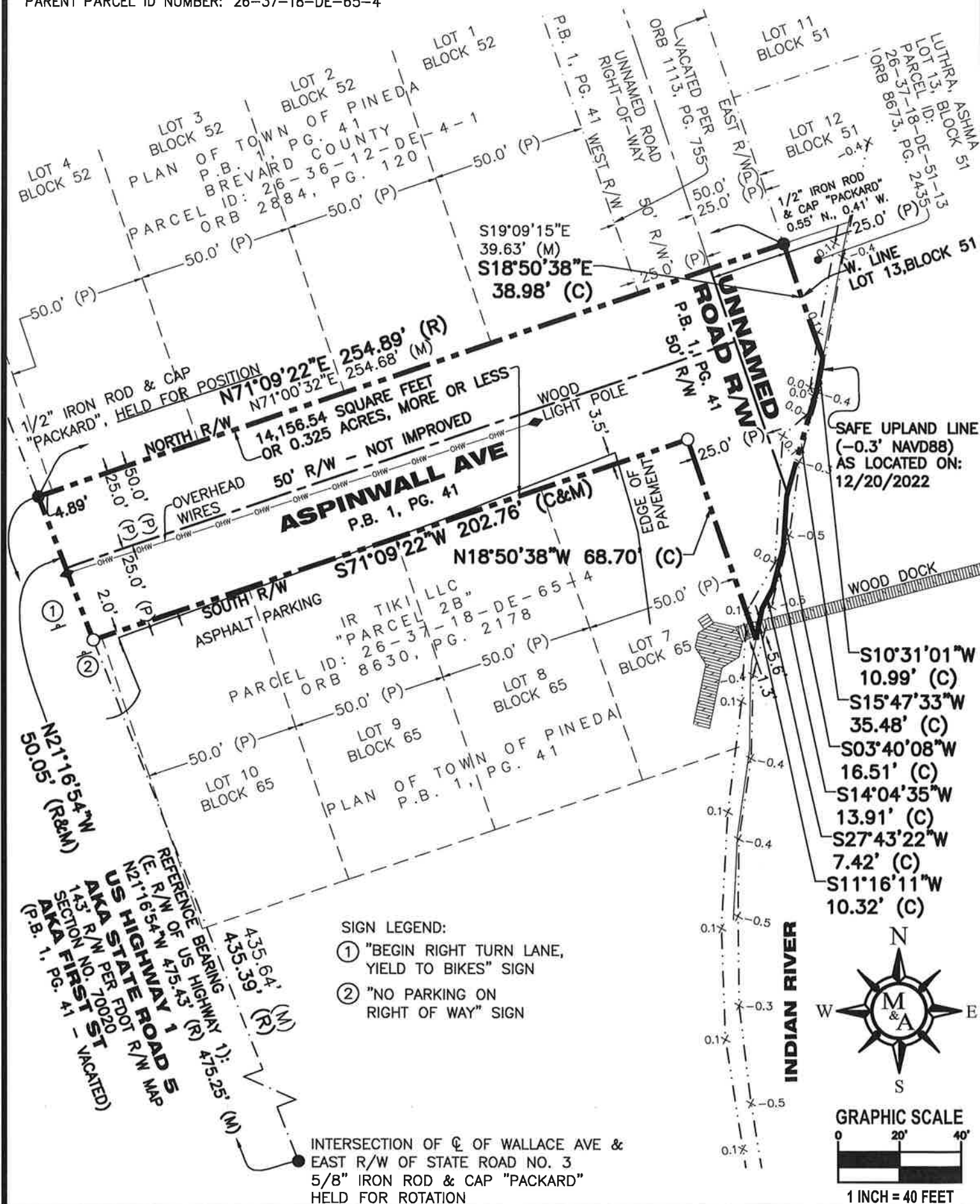
SHEET 1 OF 2

REVISION 1; COUNTY COMMENTS 5/22/2023
REVISION 2; COUNTY COMMENTS 5/23/2023

TOWNSHIP 26 SOUTH
RANGE 37 EAST

SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST
PARENT PARCEL ID NUMBER: 26-37-18-DE-65-4

SHEET 2 OF 2
NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2





Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Brevard County Clerk Donna Scott -Survey
Brevard Cty Public Works Dept
2725 Judge Fran Jamieson Way Bldg A
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

10/09/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/09/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$258.41

Order No: 9374471

Customer No: 1127286

PO #: 4500092228-10

of Copies:

-1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO 50.0 FT. WIDE PUBLIC RIGHTS-OF-WAYS (ASPINWALL AVENUE & UNNAMED RIGHT-OF-WAY), PLAT "PLAN OF TOWN OF PINEDA" IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, ROCKLEDGE, FL. NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by IR TIKI LLC, BREVARD COUNTY, ASHMA LUTHRA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF ASPINWALL AVENUE (A 50.00-FOOT RIGHT-OF-WAY), LYING IN PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 45, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 45 AND WEST OF LOT 13, BLOCK 51. CONTAINING 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS. PREPARED BY: CHRISTOPHER S. BOWERS, PSM. The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on October 24, 2022, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

NANCY HEYRMAN
Notary Public
State of Wisconsin



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

PROOF OF PUBLICATION

ORKS DEPT BREVARD CTY PUBLIC W
Brevard County Clerk Donna Scott -Survey
Brevard Cty Public Works Dept
2725 Judge Fran Jamieson Way Bldg A
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

10/31/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/31/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$195.14

Order No: 9450642

Customer No: 1127286

PO #:

of Copies:

1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NANCY HEYRMAN
Notary Public
State of Wisconsin

Ad#9450642 10/31/23

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC RIGHT(S)-OF-WAY, ASPINWALL AVENUE AND UNNAMED RIGHT-OF-WAY, "PLAN OF TOWN OF PINEDA", ROCKLEDGE, LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST - IR TIKI LLC, BREVARD COUNTY AND ASHMA LUTHRA TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN that on the 24th of October, 2023, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public right(s) of way, Aspinwall Avenue and Unnamed Right-of-Way, "Plan of Town of Pineda", Rockledge, lying in Section 18, Township 26 South, Range 37 East as petitioned by IR TIKI LLC, Brevard County and Ashma Luthra.

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF ASPINWALL AVENUE (A 50.00-FOOT RIGHT-OF-WAY), LYING IN PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS. PREPARED BY: CHRISTOPHER S. BOWERS, PSM.

The Board further renounced and disclaimed any right of the County in and to said public right(s)-of way. BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA RACHEL M. SADOFF, CLERK BY: Kimberly Powell, Clerk to the Board

Work Request No. _____
Sec. 18, Twp 26 S, Rge 37 E
Parcel I.D. 26-36-12-DE-4-1
(Maintained by County Appraiser)
Form 3722 (Stocked) Rev. 7/94

EASEMENT

This Instrument Prepared By

Name: Lauren Stenm
Co. Name: Florida Power & Light Company
Address: 8001 Ellis Road
Melbourne, FL 32904

pg 1 of 2

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement 3.25 feet in width described as follows:

Received for Court Cost

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on October 24, 2023.

Signed and sealed and delivered in the presence of:

Sam Daniel

(Witness Signature)

Print Name: Samantha McDaniel

(Witness)

Kimberly Powell

(Witness Signature)

Print Name: Kimberly Powell

(Witness)

Brevard County, Florida

By: Rita Pritchett

Print Name: Rita Pritchett, Chair of the Brevard County Board of County Commissioners

Print Address: 2725 Judge Fray Jamieson Way
Titusville, Florida 32780

Attest: Rachel Sadoff

Print Name: Rachel Sadoff, Clerk of the Court

Print Address: 400 South Street
Titusville, FL 32780

As approved by the Board 10/24/2023.

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me this 24th day of October, 2023, by Rita Pritchett, Chair of the Brevard County Board of County Commissioners, who is personally known to me or have produced as identification, and who did (did not) take an oath.



Notary Public Signature

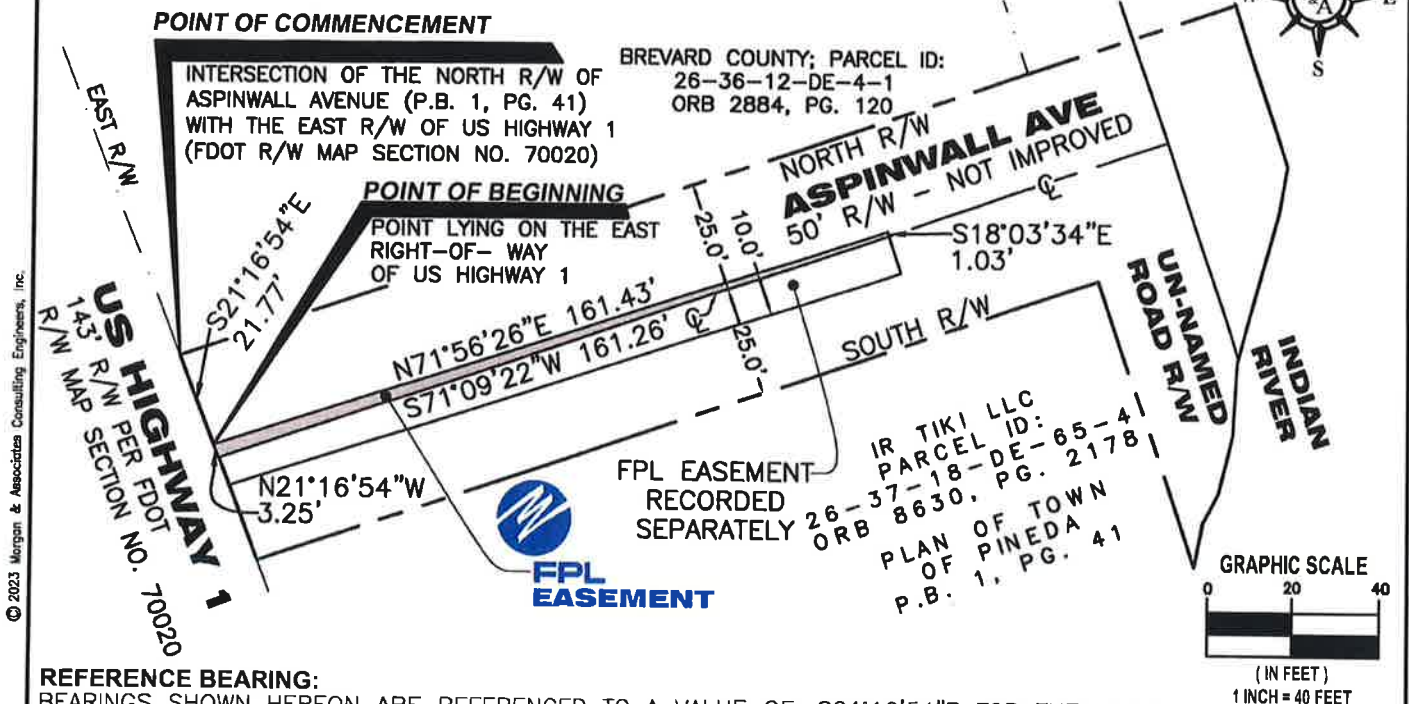
Print Name

Catherine Louise Lively

My Commission Expires October 29, 2024

FLORIDA POWER & LIGHT EASEMENT SKETCH OF LEGAL DESCRIPTION EXHIBIT "A"

LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA



REFERENCE BEARING:

BEARINGS SHOWN HEREON ARE REFERENCED TO A VALUE OF: S21°16'54"E FOR THE EAST RIGHT-OF-WAY OF US HIGHWAY 1 (A 143' PUBLIC RIGHT-OF-WAY)

LEGAL DESCRIPTION:

A FLORIDA POWER & LIGHT EASEMENT LYING IN A PORTION OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE, (50 FEET IN WIDTH, PER PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EAST RIGHT-OF-WAY OF US HIGHWAY 1 (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 70020), AND RUN S21°16'54"E ALONG THE EAST RIGHT-OF-WAY OF US HIGHWAY 1, A DISTANCE OF 21.77 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED EASEMENT:

THENCE DEPARTING SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1, RUN N71°56'26"E A DISTANCE OF 161.43 FEET; THENCE S18°03'34"E A DISTANCE OF 1.03 FEET TO THE CENTERLINE OF SAID ASPINWALL AVENUE; THENCE S71°09'22"W ALONG SAID CENTERLINE, A DISTANCE OF 161.26 FEET, TO A POINT LYING ON SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1; THENCE RUN N21°16'54"W ALONG SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1, A DISTANCE OF 3.25 FEET, TO THE POINT OF BEGINNING.

CONTAINING: 345.17 SQUARE FEET, OR 0.01 ACRES, MORE OR LESS.

SHEET 1 OF 1

FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION	N. = NORTH, OR NORTHING	P.B. = PLAT BOOK
ESMT = EASEMENT	S. = SOUTH	R/W = RIGHT-OF-WAY
CL = CENTERLINE	E. = EAST, OR EASTING	SR = STATE ROAD
	W. = WEST	TYP. = TYPICAL
	ORB = OFFICIAL RECORDS BOOK	AC. = ACRES
	PG. = PAGE	SF = SQUARE FEET

DRAWN: C. DYE CHD. BY: CSB PROJECT: 2022-048 DWG.: 2022-048.DWG

CERTIFICATION

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES

Digitally signed by Samuel C Bowers

'Date: 2023.08.30 15:58:59 -04'00



SAMUEL C. BOWERS, P.S.M.
FLA. CERT. NO. 5990

SIGNING DATE: 8/30/2023

THIS SKETCH HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ORGANIZATION IDENTIFIED BELOW AND ITS CERTIFICATION IS NON-TRANSFERABLE. ANY COPY HEREOF, TO BE CONSIDERED VALID, MUST BE EMBOSSED WITH THE ORIGINAL SIGNATURE & SEAL OF A REGISTERED SURVEYOR EMPLOYED BY THIS FIRM.

IR TIKI LLC
FLORIDA POWER & LIGHT CO.

EXHIBIT "A". SKETCH OF LEGAL DESCRIPTION ONLY.
NOT A BOUNDARY SURVEY.

MORGAN & Associates
Consulting Engineers, Inc.

594 N Harbor City Blvd. Melbourne, FL 32935
Phone (321) 751-6088 Fax (321) 751-6089 - 1.B 7040

Work Request No. _____

Sec. 18, Twp 26 S, Rge 37 EParcel I.D. 26-37-18-DE-65-4
(Maintained by County Appraiser)**EASEMENT
(BUSINESS)**

This Instrument Prepared By

Name: Lauren Stemm
Co. Name: Florida Power & Light
Address: 9001 Ellis Rd
Melbourne, FL 32904

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on August 11th, 2023

Signed, sealed and delivered in the presence of:

Dinesh
(Witness' Signature)Print Name: Dinesh Pokala
(Witness)YB9-
(Witness' Signature)Print Name: YVONNE B GOAL
(Witness)By: [Signature]Print Name: SUMMIT SHAWPrint Address: IR TIKI, LLC
402 HIGHTPOINT DR COCOA FL
32926

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me by ☒ physical presence or ☐ on-line notarization, this 11th day of August, 2023 by Summit Shaw, the Manager of IR TIKI, LLC a Florida Limited Liability Company, who is personally known to me or has produced Personal ID as identification, and who did (did not) take an oath. (Type of Identification)

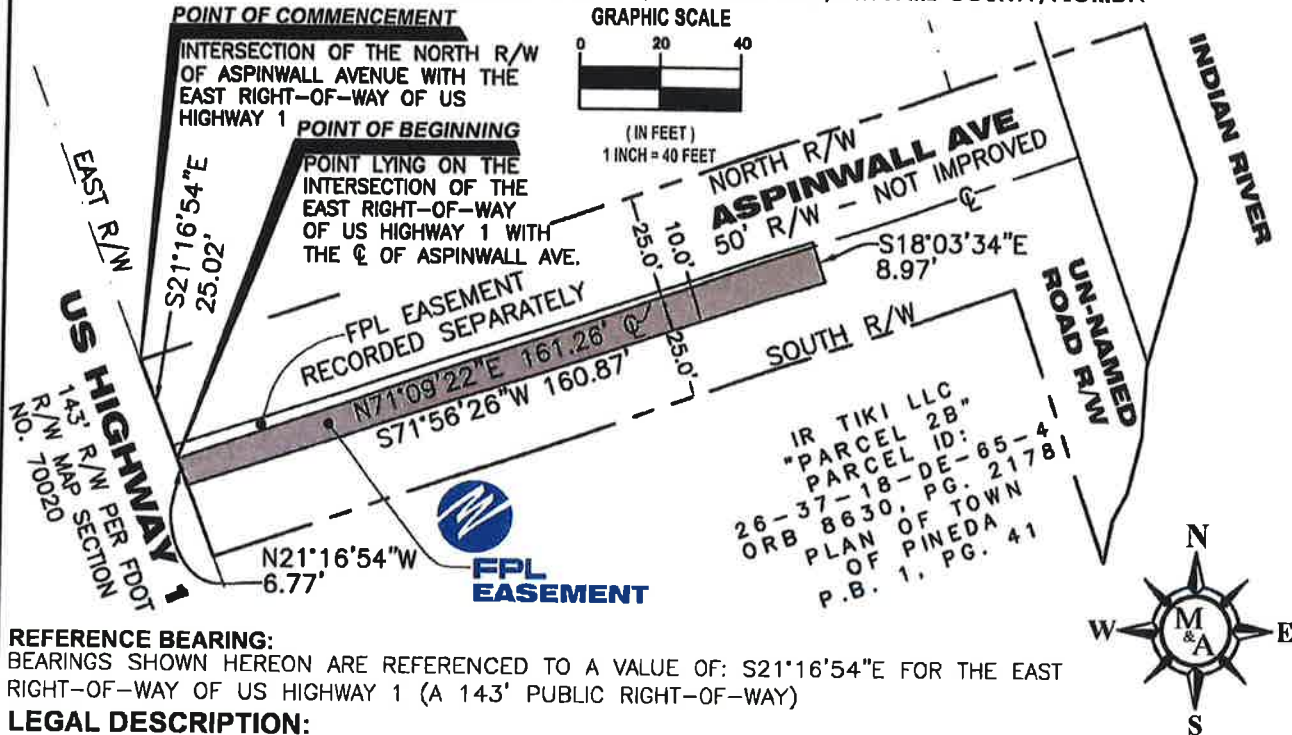
My Commission Expires: 08-02-2025

Notary Public, Signature

Print Name: Lauren Smedley**ORIGINAL**

FLORIDA POWER & LIGHT EASEMENT SKETCH OF LEGAL DESCRIPTION EXHIBIT "A"

LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA



REFERENCE BEARING:

BEARINGS SHOWN HEREON ARE REFERENCED TO A VALUE OF: S21°16'54"E FOR THE EAST RIGHT-OF-WAY OF US HIGHWAY 1 (A 143' PUBLIC RIGHT-OF-WAY)

LEGAL DESCRIPTION:

A FLORIDA POWER & LIGHT EASEMENT LYING IN A PORTION OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE, (50 FEET IN WIDTH, PER PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EAST RIGHT-OF-WAY OF US HIGHWAY 1 (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 70020), AND RUN S21°16'54"E ALONG THE EAST RIGHT-OF-WAY OF US HIGHWAY 1, A DISTANCE OF 25.02 FEET TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY WITH THE CENTERLINE OF SAID ASPINWALL AVENUE, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED EASEMENT:

THENCE DEPARTING SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1, RUN N71°09'22"E, ALONG SAID CENTERLINE OF ASPINWALL AVE, A DISTANCE OF 161.26 FEET; THENCE DEPARTING SAID CENTERLINE, RUN S18°03'34"E A DISTANCE OF 8.97 FEET; THENCE S71°56'26"W, A DISTANCE OF 160.87 FEET, TO A POINT LYING ON SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1; THENCE RUN N21°16'54"W ALONG SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1, A DISTANCE OF 6.77 FEET, TO THE POINT OF BEGINNING.

CONTAINING: 1,266.34 SQUARE FEET, OR 0.03 ACRES, MORE OR LESS.

SHEET 1 OF 1

FDOY = FLORIDA DEPARTMENT OF TRANSPORTATION	N. = NORTH, OR NORTHING S. = SOUTH E. = EAST, OR EASTING W. = WEST ORB = OFFICIAL RECORDS BOOK PG. = PAGE	P.B. = PLAT BOOK R/W = RIGHT-OF-WAY SR = STATE ROAD TYP. = TYPICAL AC. = ACRES SF = SQUARE FEET
---	--	--

DRAWN: C. DYE CHD. BY: CSB PROJECT: 2022-048 DWG.: 2022-048.DWG

CERTIFICATION

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 3J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Digitally signed by Samuel C Bowers
Date: 2023.08.18 11:14:30 -04'00



SAMUEL C. BOWERS, P.S.M.
FLA. CERT. NO. 5990

SIGNING DATE: 8/18/2023

THIS SKETCH HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ORGANIZATION IDENTIFIED BELOW AND ITS CERTIFICATION IS NON-TRANSFERABLE. ANY COPY HEREOF, TO BE CONSIDERED VALID, MUST BE EMBOSSED WITH THE ORIGINAL SIGNATURE & SEAL OF A REGISTERED SURVEYOR EMPLOYED BY THIS FIRM.

IR TIKI LLC
FLORIDA POWER & LIGHT CO.

EXHIBIT "A". SKETCH OF LEGAL DESCRIPTION ONLY.
NOT A BOUNDARY SURVEY.

MORGAN & Associates

Consulting Engineers, Inc.
504 N Harbor City Blvd. Melbourne, FL 32935
Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

Prepared by and return to:
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 26-37-18-DE-65-4

UTILITY EASEMENT

THIS INDENTURE made this 19th day of September, 2023, between IR Tiki LLC., a Florida limited liability company, whose address is 577 Barnes Boulevard, Suite 650, Rockledge, Florida 32955, as the first party, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, Florida.

WITNESSETH that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of operating, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and related facilities and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 18, Township 26 South, Range 37 East, Brevard County, Florida, and being more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein.

TO HAVE AND TO HOLD said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

(Signatures and Notary on next page)

IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

Dinesh Pokala
Witness
Dinesh Pokala
Print Name
Virginia Respass
Witness
VIRGINIA RESPASS
Print Name

IR Tiki LLC, a Florida limited liability company

BY: Summit Shah
Summit Shah, Manager

(Corporate Seal) NONE

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 19th day of September 2023, by Summit Shah, as Manager for IR Tiki LLC, a Florida limited liability company. Is ☒ personally known or ☐ produced Personally known as identification.

ORIGINAL

Notary Signature
SEAL

ORIGINAL



LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: UTILITY EASEMENT

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT:

SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE, (50 FEET IN WIDTH, PER PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EAST RIGHT-OF-WAY OF US HIGHWAY 1 (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 70020), AND RUN S21°16'54"E ALONG THE EAST RIGHT-OF-WAY OF US HIGHWAY 1, A DISTANCE OF 25.02 FEET TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY WITH THE CENTERLINE OF SAID ASPINWALL AVENUE, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED EASEMENT:

THENCE DEPARTING SAID EAST RIGHT-OF-WAY, RUN N71°09'22"E ALONG SAID CENTERLINE OF ASPINWALL AVENUE, A DISTANCE OF 7.51 FEET;

THENCE S21°16'54"E A DISTANCE OF 25.02 FEET TO THE SOUTH RIGHT-OF-WAY OF SAID ASPINWALL AVENUE;

THENCE S71°09'22"W ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 7.51 FEET, TO SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1;

THENCE N21°16'54"W ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 25.02 FEET, TO THE CENTERLINE TO ASPINWALL AVENUE, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING: 187.67 SQUARE FEET, OR 0.004 ACRES, MORE OR LESS.

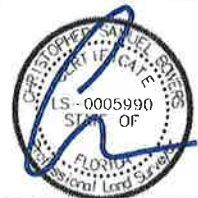
I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTE:

Digitally signed by

Samuel C Bowers

Date: 2023.08.30

'15:58:05 -04'00



PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC;

PREPARED BY:

MORGAN & Associates

Consulting Engineers, Inc.

504 N Harbor City Blvd. Melbourne, FL 32935

PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

DRAWN BY: JTH

CHECKED BY: CSB

REVISIONS

1.

2.

3.

DATE: 8/18/2023

DRAWING: 2022-048 PINEDA
INN.DWG

SAMUEL C. BOWERS 8/30/2023
PROFESSIONAL SURVEYOR & MAPPER, PSM 5990
NOT VALID UNLESS SIGNED AND SEALED

DATE	DESCRIPTION	SECTION 18
8/30/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH
		RANGE 37 EAST

LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: UTILITY EASEMENT

EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT:

SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

SURVEYORS NOTES:

1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.
2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
CUSTOMER NO. 3642801; FILE NO.: L088110 (13)
COMMITMENT DATE: 7/1/2022 AT 10:32 AM

TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:

1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON).

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Digitally signed by

Samuel C Bowers

Date: 2023.08.30

'15:58:20 -04'00



SAMUEL C. BOWERS 8/30/2023
PROFESSIONAL SURVEYOR & MAPPER, PSM 5990
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC;

PREPARED BY:

MORGAN & Associates

Consulting Engineers, Inc.

504 N Harbor City Blvd. Melbourne, FL 32935

PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

DRAWN BY: JTH

CHECKED BY: CSB

REVISIONS

1.

2.

3.

DATE: 8/18/2023

DRAWING: 2022-048 PINEDA
INN.DWG

DATE

8/30/2023

DESCRIPTION

COUNTY COMMENTS

SECTION 18

TOWNSHIP 26 SOUTH

RANGE 37 EAST

SKETCH OF DESCRIPTION PARCEL #800

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: UTILITY EASEMENT

EXHIBIT "A"

SHEET 3 OF 3

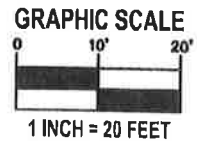
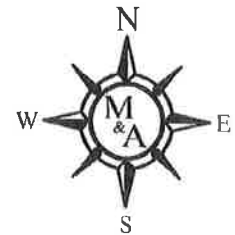
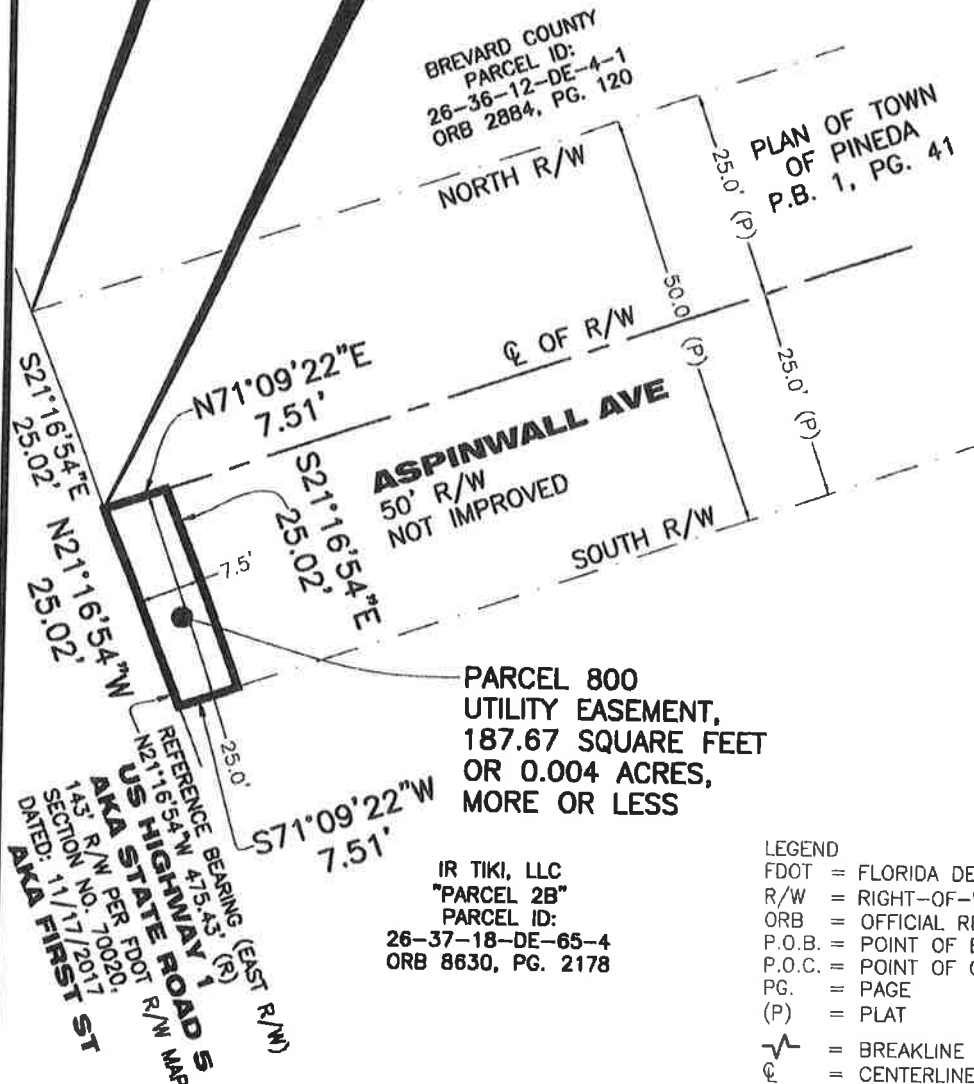
NOT VALID WITHOUT:
SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

POINT OF COMMENCEMENT

INTERSECTION OF THE NORTH R/W OF
ASPINWALL AVENUE (P.B. 1, PG. 41)
WITH THE EAST R/W OF US HIGHWAY 1
(FDOT R/W MAP SECTION NO. 70020)

POINT OF BEGINNING

INTERSECTION OF THE EAST R/W
OF US HIGHWAY 1 (FDOT R/W MAP SECTION NO. 70020)
WITH THE $\frac{1}{2}$ OF ASPINWALL AVE (P.B. 1, PG. 41)



LEGEND

FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
R/W = RIGHT-OF-WAY
ORB = OFFICIAL RECORDS BOOK
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
PG. = PAGE
(P) = PLAT
~ = BREAKLINE
 $\frac{1}{2}$ = CENTERLINE

PREPARED BY:
MORGAN & ASSOCIATES CONSULTING ENGINEERS, INC.
504 N. HARBOR CITY BLVD, MELBOURNE, FL 32935
PHONE (321) 751-6088; FAX (321) 751-6089

SCALE:

1" = 20'

PROJECT NO.: 2022-048

REV. 1 DATE: 8/30/2023

SECTION 18

TOWNSHIP 26 SOUTH
RANGE 37 EAST

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-65-4

QUIT CLAIM DEED

THIS INDENTURE is made this 21st day of September, 2023 between
IR Tiki LLC, a Florida limited liability Company, whose address is 577 Barnes Boulevard, Suite
650, Rockledge, Florida 32955, as Grantor, and Brevard County, Florida, a political subdivision
of the State of Florida, Grantee, whose mailing address is 2725 Judge Fran Jamieson Way,
Melbourne, Florida 32940.

WITNESSTH: That said Grantor, for and in consideration of the sum of TEN AND NO/100
DOLLARS (\$10.00) and other valuable considerations, paid receipt of which is hereby
acknowledged, has hereby released and quit-claimed to the Grantee, its successors and
assigns, any of the Grantor's right, title, interest, and claim of demand which the Grantor(s) may
have in the following described land:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF, the Grantor having set their hand and seal this, the day and year first
above written,

Signed, sealed, and delivered in the presence of:

Dinesh
Witness

Dinesh Pokala.
Print Name

Ginger Respass
Witness

Ginger Respass
Print Name

IR Tiki LLC, a Florida limited liability company

BY: [Signature]
Summit Shah, as Manager

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐
online notarization on this 21 day of September, 2023, by Summit Shah, as Manager for IR Tiki
LLC, a Florida limited liability company. Is ☒ personally known or ☐ produced Personally Known
as identification.



Notary Signature
SEAL

[Signature]
ORIGINAL

LEGAL DESCRIPTION

PARCEL #101

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT:
SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE (A 50' WIDE RIGHT-OF-WAY AS RECORDED IN PLAN OF TOWN OF PINEDA, PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1 (SAID ROAD ALSO KNOWN AS STATE ROAD NO. 5, A 143' WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 70020) AND RUN N71°09'22"E ALONG THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE A DISTANCE OF 154.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL:

THENCE CONTINUE N71°09'22"E A DISTANCE OF 100.00 FEET TO THE EAST RIGHT-OF-WAY OF AN UN-NAMED ROAD RIGHT-OF-WAY, AND THE WEST LINE OF LOT 13, BLOCK 51, PER SAID PLAN OF TOWN OF PINEDA; THENCE S18°50'38"E ALONG SAID EAST RIGHT-OF-WAY OF SAID UN-NAMED ROAD, AND THE WEST LINE OF LOT 13, BLOCK 51, A DISTANCE OF 38.98 FEET TO A POINT LYING ON THE SAFE UPLAND LINE OF THE INDIAN RIVER, SAID SAFE UPLAND LINE HAVING AN ELEVATION OF -0.30 FEET NORTH AMERICAN VERTICAL DATUM OF 1988; THENCE RUN THE FOLLOWING (2) COURSES ALONG SAID SAFE UPLAND LINE OF THE INDIAN RIVER:

- (1) S10°31'01"W A DISTANCE OF 10.99 FEET;
- (2) S15°47'33"W A DISTANCE OF 34.51 FEET, TO THE CENTERLINE OF SAID UN-NAMED ROAD RIGHT-OF-WAY;

THENCE DEPARTING SAID SAFE UPLAND LINE OF THE INDIAN RIVER, RUN N18°50'38"W ALONG SAID CENTERLINE A DISTANCE OF 24.10 FEET; THENCE RUN N73°40'36"W A DISTANCE OF 91.75 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING: 3,448.04 SQUARE FEET, OR 0.08 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Digitally signed by

Samuel C Bowers

Date: 2023.08.30

'15:56:13 -04'00



SAMUEL C. BOWERS 8/30/2023
PROFESSIONAL SURVEYOR & MAPPER, PSM 5990
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC;

PREPARED BY:

MORGAN & Associates
Consulting Engineers, Inc.

504 N Harbor City Blvd. Melbourne, FL 32935
PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

DRAWN BY: JTH

CHECKED BY: CSB

REVISIONS

DATE

DESCRIPTION

SECTION 18

DATE: 8/18/2023

DRAWING: 2022-048 PINEDA
INN.DWG

1.
2.
3.

8/18/2023

COUNTY COMMENTS

TOWNSHIP 26 SOUTH

8/30/2023

COUNTY COMMENTS

RANGE 37 EAST

LEGAL DESCRIPTION
PARCEL #101

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT:

SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

SURVEYORS NOTES:

1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.
2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
CUSTOMER NO. 3642801; FILE NO.: L088110 (13)
COMMITMENT DATE: 7/1/2022 AT 10:32 AM
3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON. THE SURVEYOR MAPPED THE SAFE UPLAND LINE ON DECEMBER 20, 2022, AS PART OF A BOUNDARY SURVEY BY MORGAN & ASSOCIATES, (PROJECT NO. 2022-048; DRAWING DATE: 1/25/2023.)

TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:

1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON)

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Digitally signed by

Samuel C Bowers

Date: 2023.08.30

'15:56:26 -04'00



PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC;

PREPARED BY:

MORGAN & Associates
Consulting Engineers, Inc.

504 N Harbor City Blvd. Melbourne, FL 32935

PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

DRAWN BY: JTH

CHECKED BY: CSB

REVISIONS

1.

DATE
8/18/2023

DESCRIPTION
COUNTY COMMENTS

SECTION 18

TOWNSHIP 26 SOUTH
RANGE 37 EAST

DATE: 8/18/2023

DRAWING: 2022-048 PINEDA
INN.DWG

2.
3.

8/30/2023

COUNTY COMMENTS

SKETCH OF DESCRIPTION

PARCEL #101

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: FEE SIMPLE CONVEYANCE

BREVARD COUNTY
PARCEL ID:
26-36-12-DE-4-1
ORB 2884, PG. 120

EXHIBIT "A"

SHEET 3 OF 3

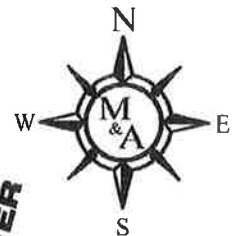
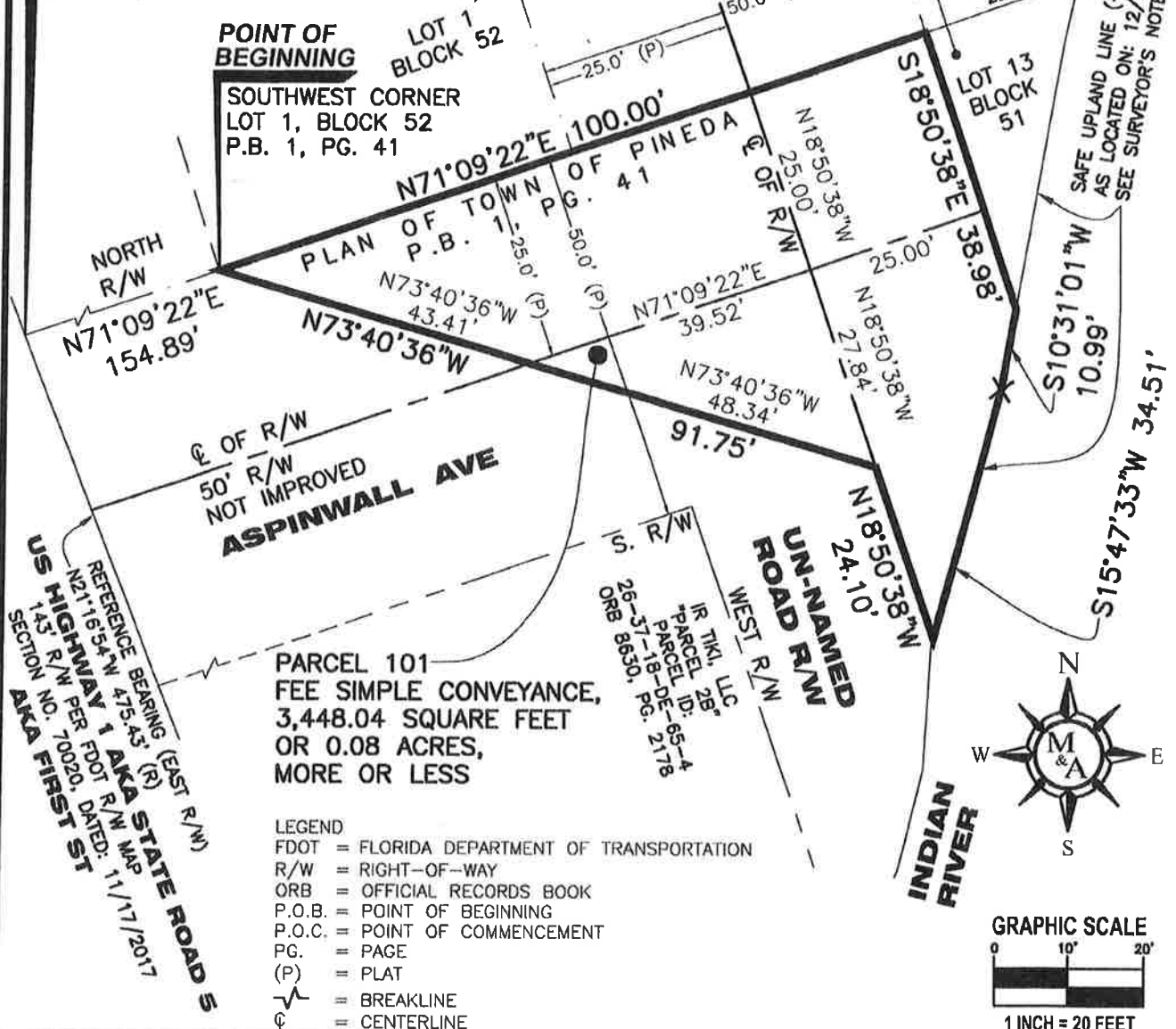
NOT VALID WITHOUT:
SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

POINT OF COMMENCEMENT

INTERSECTION OF THE NORTH R/W OF
ASPINWALL AVENUE (P.B. 1, PG. 41)
WITH THE EAST R/W OF US HIGHWAY 1
(FDOT R/W MAP SECTION NO. 70020)

POINT OF BEGINNING

SOUTHWEST CORNER
LOT 1, BLOCK 52
P.B. 1, PG. 41



GRAPHIC SCALE



1 INCH = 20 FEET

LEGEND

FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
R/W = RIGHT-OF-WAY
ORB = OFFICIAL RECORDS BOOK
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
PG. = PAGE
(P) = PLAT
— = BREAKLINE
C = CENTERLINE

PREPARED BY:
MORGAN & ASSOCIATES CONSULTING ENGINEERS, INC.
504 N. HARBOR CITY BLVD, MELBOURNE, FL 32935
PHONE (321) 751-6088; FAX (321) 751-6089

SCALE:
1" = 20'

PROJECT NO.: 2022-048
REV. 2 DATE: 8/30/2023

SECTION 18
TOWNSHIP 26 SOUTH
RANGE 37 EAST

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-65-4

QUIT CLAIM DEED

THIS INDENTURE is made this 3rd day of October, 2023 between
Ashma Luthra, whose address is 4810 Honeyridge Lane, Merritt Island, Florida 32952, as
Grantor, and Brevard County, Florida, a political subdivision of the State of Florida, Grantee,
whose mailing address is 2725 Judge Fran Jamieson Way, Melbourne, Florida 32940.

WITNESSTH: That said Grantor, for and in consideration of the sum of TEN AND NO/100
DOLLARS (\$10.00) and other valuable considerations, paid receipt of which is hereby
acknowledged, has hereby released and quit-claimed to the Grantee, its successors and
assigns, any of the Grantor's right, title, interest, and claim of demand which the Grantor(s) may
have in the following described land:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF, the Grantor having set their hand and seal this, the day and year first
above written,

Signed, sealed, and delivered in the presence of:

Ressie Gross
Witness

Ressie Gross
Print Name

Celina Edwards
Witness

Celina Edwards
Print Name

Ashma Luthra
Ashma Luthra

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐
online notarization on this 3 day of Oct., 2023, by Ashma Luthra. Is ☐ personally known or
☒ produced FL DL as identification.

Trishia Otto
Notary Signature
SEAL



LEGAL DESCRIPTION

PARCEL #101

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT:
SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE (A 50' WIDE RIGHT-OF-WAY AS RECORDED IN PLAN OF TOWN OF PINEDA, PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1 (SAID ROAD ALSO KNOWN AS STATE ROAD NO. 5, A 143' WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 70020) AND RUN N71°09'22"E ALONG THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE A DISTANCE OF 154.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL:

THENCE CONTINUE N71°09'22"E A DISTANCE OF 100.00 FEET TO THE EAST RIGHT-OF-WAY OF AN UN-NAMED ROAD RIGHT-OF-WAY, AND THE WEST LINE OF LOT 13, BLOCK 51, PER SAID PLAN OF TOWN OF PINEDA; THENCE S18°50'38"E ALONG SAID EAST RIGHT-OF-WAY OF SAID UN-NAMED ROAD, AND THE WEST LINE OF LOT 13, BLOCK 51, A DISTANCE OF 38.98 FEET TO A POINT LYING ON THE SAFE UPLAND LINE OF THE INDIAN RIVER, SAID SAFE UPLAND LINE HAVING AN ELEVATION OF -0.30 FEET NORTH AMERICAN VERTICAL DATUM OF 1988; THENCE RUN THE FOLLOWING (2) COURSES ALONG SAID SAFE UPLAND LINE OF THE INDIAN RIVER:

(1) S10°31'01"W A DISTANCE OF 10.99 FEET;

(2) S15°47'33"W A DISTANCE OF 34.51 FEET, TO THE CENTERLINE OF SAID UN-NAMED ROAD RIGHT-OF-WAY;

THENCE DEPARTING SAID SAFE UPLAND LINE OF THE INDIAN RIVER, RUN N18°50'38"W ALONG SAID CENTERLINE A DISTANCE OF 24.10 FEET; THENCE RUN N73°40'36"W A DISTANCE OF 91.75 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING: 3,448.04 SQUARE FEET, OR 0.08 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Digitally signed by

Samuel C Bowers

Date: 2023.08.30

'15:56:13 -04'00



SAMUEL C. BOWERS 8/30/2023
PROFESSIONAL SURVEYOR & MAPPER, PSM 5990
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC;

PREPARED BY:

MORGAN & Associates

Consulting Engineers, Inc.

504 N Harbor City Blvd. Melbourne, FL 32935

PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

DRAWN BY: JTH

CHECKED BY: CSB

REVISIONS

1.

DATE

8/18/2023

DESCRIPTION

COUNTY COMMENTS

SECTION 18

TOWNSHIP 26 SOUTH

DATE: 8/18/2023

DRAWING: 2022-048 PINEDA
INN.DWG

2.

8/30/2023

COUNTY COMMENTS

RANGE 37 EAST

3.

LEGAL DESCRIPTION

PARCEL #101

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT:
SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

SURVEYORS NOTES:

1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.
2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
CUSTOMER NO. 3642801; FILE NO.: L088110 (13)
COMMITMENT DATE: 7/1/2022 AT 10:32 AM
3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON. THE SURVEYOR MAPPED THE SAFE UPLAND LINE ON DECEMBER 20, 2022, AS PART OF A BOUNDARY SURVEY BY MORGAN & ASSOCIATES, (PROJECT NO. 2022-048; DRAWING DATE: 1/25/2023.)

TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:

1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON)

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Digitally signed by
Samuel C Bowers
Date: 2023.08.30
'15:56:26 -04'00



PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC;

PREPARED BY:

MORGAN & Associates

Consulting Engineers, Inc.

504 N Harbor City Blvd. Melbourne, FL 32935

PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

DRAWN BY: JTH

CHECKED BY: CSB

REVISIONS

1.

DATE

8/18/2023

DESCRIPTION

COUNTY COMMENTS

SECTION 18

TOWNSHIP 26 SOUTH

DATE: 8/18/2023

DRAWING: 2022-048 PINEDA
INN.DWG

2.

8/30/2023

COUNTY COMMENTS

RANGE 37 EAST

3.

SAMUEL C. BOWERS

8/30/2023

PROFESSIONAL SURVEYOR & MAPPER, PSM 5990

NOT VALID UNLESS SIGNED AND SEALED

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: FEE SIMPLE CONVEYANCE

PARENT PARCEL ID#: 26-37-18-DE-65-4
PURPOSE: FEE SIMPLE CONVEYANCE

DE-65-4
BREVARD COUNTY
PARCEL ID:
26-36-12-DE-4-1
ORB 2884, PG. 120

INTERSECTION OF THE NORTH R/W OF
ASPINWALL AVENUE (P.B. 1, PG. 41)
WITH THE EAST R/W OF US HIGHWAY 1
(FDOT R/W MAP SECTION NO. 70020)

LOT 1
BLOCK 52

**SOUTHWEST CORNER
LOT 1, BLOCK 52
P.B. 1, PG. 41**

WEST CORNER
BLOCK 52
PG. 41

N71°09'22"E 100.00
PLAN OF TOWN OF PINEDA
P.B. 1 PG. 41
25.00
50.00

LOT 1
BLOCK 52

NORTH
R/W

R/W
N71°09'22"E
154.89'

Q OF R/W



50' R/W
NOT IMPROVED
DINWA

0' R/W
NOT IMPROVED
ASPINWALL AVE

PARCEL 101—
FEE SIMPLE CONVEYANCE,
3,448.04 SQUARE FEET
OR 0.08 ACRES,
MORE OR LESS

FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
R/W = RIGHT-OF-WAY
ORB = OFFICIAL RECORDS BOOK
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
PG. = PAGE
(P) = PLAT
~ = BREAKLINE
C = CENTERLINE

FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
R/W = RIGHT-OF-WAY
ORB = OFFICIAL RECORDS BOOK
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
PG. = PAGE
(P) = PLAT
~ = BREAKLINE
C = CENTERLINE

 = BREAKLINE
 = CENTERLINE

SHEET 3 OF 3

NOT VALID WITHOUT:
SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

LOT 12
BLOCK 51

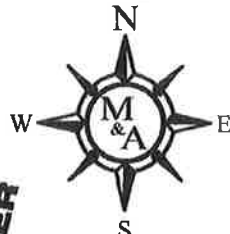
—LUTHRA, ASHMA
PARCEL ID:
26-37-18-DE-51-13
ORB 8673, PG. 2435

N71°09'22"E
22.26'

LOT 13
BLOCK
51

SAFE UPLAND LINE (-0.3' NAV)
AS LOCATED ON: 12/20/2022
SEE SURVEYOR'S NOTE 3

S15°47'33"W 34.51'



GRAPHIC SCALE

1 INCH = 20 FEET

PREPARED BY:
MORGAN & ASSOCIATES CONSULTING ENGINEERS, INC.
504 N. HARBOR CITY BLVD, MELBOURNE, FL 32935
PHONE (321) 751-6088; FAX (321) 751-6089

SCALE: 1" = 20'

PROJECT NO.: 2022-048
REV. 2 DATE: 8/30/2023

SECTION 18
TOWNSHIP 26 SOUTH
RANGE 37 EAST

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-51-13

CFN 2023244962, OR BK 9935 PAGE 2853,
Recorded 11/20/2023 at 02:11 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Doc D: \$0.70 # Pgs:5

WARRANTY DEED

THIS DEED is made this 11 day of September 2023, by Ashma Luthra, hereafter called the Grantor, whose mailing address is 4810 Honeyridge Lane, Merritt Island, Florida 32952, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940.

WITNESSETH that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with all riparian and littoral rights appertaining thereto.

The property as described in Exhibit A is vacant land and not the homestead property of the Grantor.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness
Aja Johnson
Print Name
[Signature]

[Signature]
Witness
Don Pervey
Print Name

GRANTOR:

[Signature]
Ashma Luthra

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization on this ____ day of September 2023, by Ashma Luthra. Is ☐ personally known or ☐ produced _____ as identification.

X SEE ATTACHED
Notary Public

Notary Signature
(SEAL)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Bernardino)

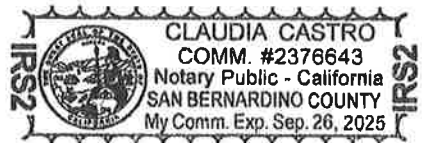
On 11-08-2023 before me, Claudia Castro, Notary Public
(insert name and title of the officer)

personally appeared Ashma Lythra
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



LEGAL DESCRIPTION

PARCEL #100

PARENT PARCEL ID#: 26-37-18-DE-51-13
PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT:

SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 13, BLOCK 51, PLAN OF TOWN OF PINEDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

CONTAINING: 428.59 SQUARE FEET, OR 0.01 ACRES, MORE OR LESS.

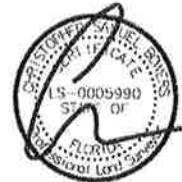
I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Digitally signed by

Samuel C Bowers

Date: 2023.08.30

'15:54:46 -04'00



SAMUEL C. BOWERS 8/30/2023
PROFESSIONAL SURVEYOR & MAPPER, PSM 5990
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC; LUTHRA, ASHMA

PREPARED BY:

MORGAN & Associates
Consulting Engineers, Inc.

504 N Harbor City Blvd. Melbourne, FL 32935

PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

DRAWN BY: JTH

CHECKED BY: CSB

REVISIONS

1.

2.

3.

DATE

8/18/2023

DESCRIPTION

COUNTY COMMENTS

8/30/2023

COUNTY COMMENTS

SECTION 18

TOWNSHIP 26 SOUTH

RANGE 37 EAST

DATE: 8/18/2023

DRAWING: 2022-048 PINEDA
INN.DWG

LEGAL DESCRIPTION

PARCEL #100

PARENT PARCEL ID#: 26-37-18-DE-51-13
PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT:
SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY

SURVEYORS NOTES:

1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.
2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
CUSTOMER NO. 3642801; FILE NO.: L088110 (13)
COMMITMENT DATE: 7/1/2022 AT 10:32 AM
3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON. THE SURVEYOR MAPPED THE SAFE UPLAND LINE ON DECEMBER 20, 2022, AS PART OF A BOUNDARY SURVEY BY MORGAN & ASSOCIATES, (PROJECT NO. 2022-048; DRAWING DATE: 1/25/2023.)

TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:

1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON)
2. WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 8673, PAGE 2435. (AFFECTS THE SUBJECT PROPERTY).
3. QUIT CLAIM DEED AS RECORDED IN OFFICIAL RECORDS BOOK 8091, PAGE 2995. (AFFECTS THE SUBJECT PROPERTY).
4. QUIT CLAIM DEED AS RECORDED IN OFFICIAL RECORDS BOOK 4225, PAGE 263. (AFFECTS THE SUBJECT PROPERTY).

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA

STATUTE

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
IR TIKI, LLC; LUTHRA, ASHMA

PREPARED BY:

MORGAN & Associates

Consulting Engineers, Inc.

504 N Harbor City Blvd. Melbourne, FL 32935

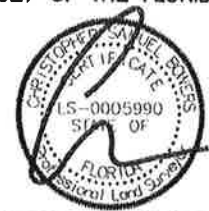
PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040

Digitally signed by

Samuel C Bowers

Date: 2023.08.30

'15:55:13 -04'00



SAMUEL C. BOWERS 8/30/2023
PROFESSIONAL SURVEYOR & MAPPER, PSM 5990
NOT VALID UNLESS SIGNED AND SEALED

DRAWN BY: JTH

CHECKED BY: CSB

REVISIONS

DATE

DESCRIPTION

SECTION 18

1.

8/18/2023

COUNTY COMMENTS

TOWNSHIP 26 SOUTH

2.

8/30/2023

COUNTY COMMENTS

RANGE 37 EAST

3.

DATE: 8/18/2023

DRAWING: 2022-048 PINEDA
INN.DWG

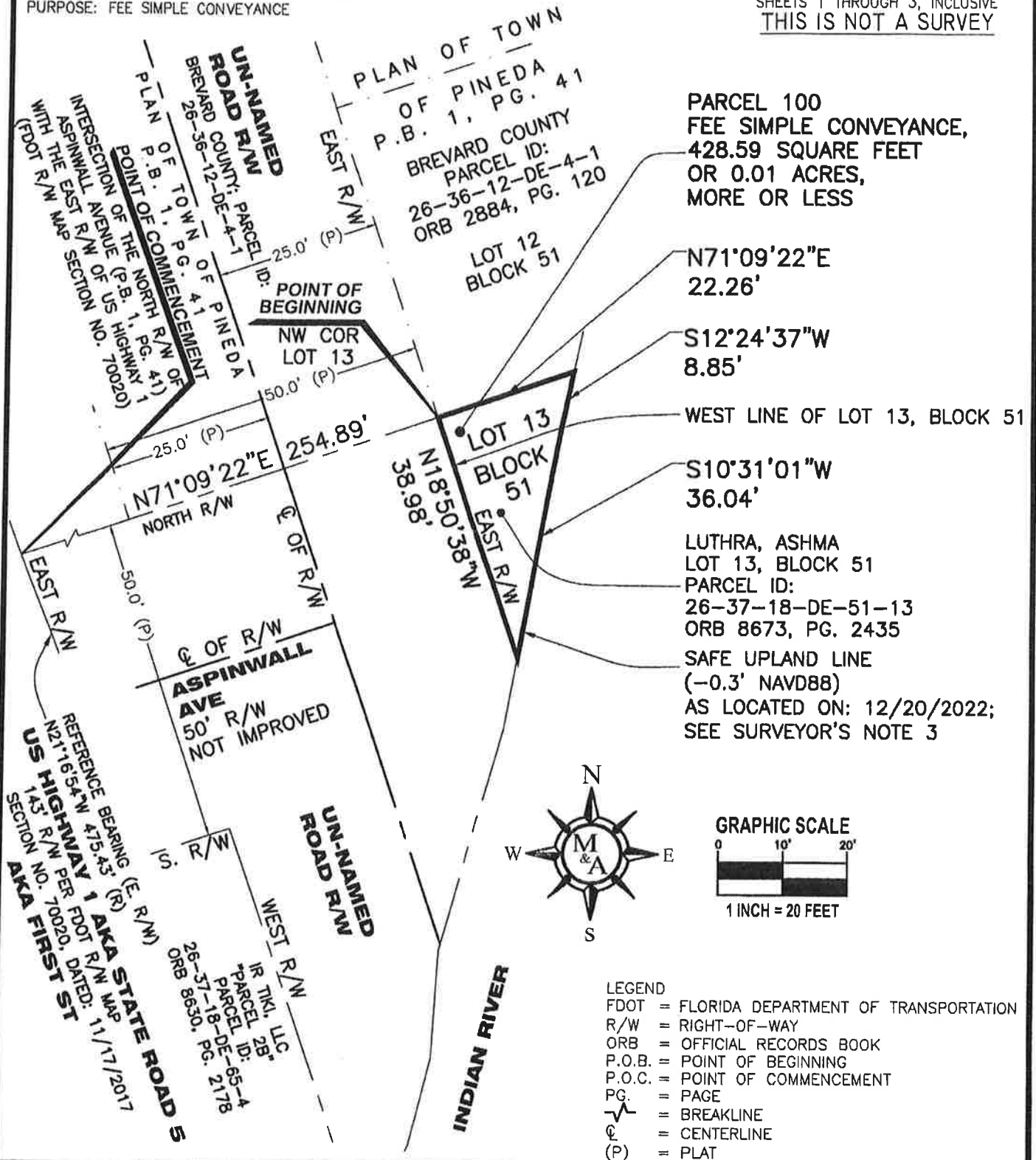
SKETCH OF DESCRIPTION PARCEL #100

PARENT PARCEL ID#: 26-37-18-DE-51-13
PURPOSE: FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 3 OF 3

NOT VALID WITHOUT:
SHEETS 1 THROUGH 3, INCLUSIVE
THIS IS NOT A SURVEY



PREPARED BY:
MORGAN & ASSOCIATES CONSULTING ENGINEERS, INC.
504 N. HARBOR CITY BLVD, MELBOURNE, FL 32935
PHONE (321) 751-6088; FAX (321) 751-6089

SCALE:

1" = 20'

PROJECT NO.: 2022-048

REV. 2 DATE: 8/30/2023

SECTION 18
TOWNSHIP 26 SOUTH
RANGE 37 EAST



November 27, 2023

IR TIKI, LLC
577 Barnes Boulevard Suite 650
Rockledge, FL 32955

Dear Sir/Madam:

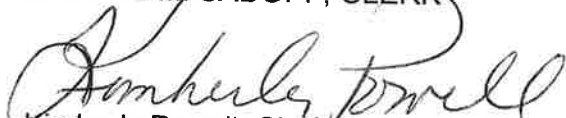
Re: Resolution Vacating a Portion of a Public Rights-of-Way, Aspinwall Avenue and Unnamed Right-of-Way, "Plan of Town of Pineda", Rockledge

The Board of County Commissioners, in regular session on October 24, 2023, adopted Resolution No. 23-127, vacating a portion of a public rights-of-way, Aspinwall Avenue and unnamed right-of-way, Plan of Town of Pineda", Rockledge, as petitioned by you. Said Resolution has been recorded in ORBK 9935, Pages 2750 through 2754. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works



November 27, 2023

MEMORANDUM

TO: Marc Bernath, Public Works Director Attn: Amber Holley

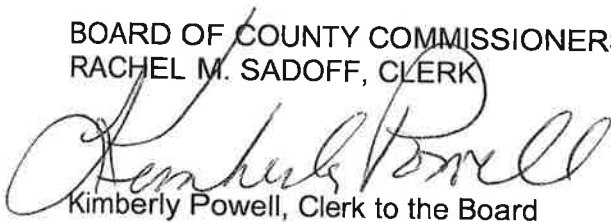
RE: Advertising Bills for Resolution Vacating a Portion of a Public Rights-of-Way, Aspinwall Avenue and Unnamed Right-of-Way "Plan of Town of Pineda", Rockledge

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 23-127, vacating a portion of a public rights-of-way, Aspinwall Avenue and unnamed right-of-way "Plan of Town of Pineda", Rockledge, as petitioned by IR TIKI LLC, Brevard County, and Ashma Luthra. Said Resolution was adopted by the Board of County Commissioners, in regular session on October 24, 2023.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC RIGHT(S)-OF-WAY, ASPINWALL AVENUE AND UNNAMED RIGHT-OF-WAY, "PLAN OF TOWN OF PINEDA", ROCKLEDGE, LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST – IR TIKI LLC, BREVARD COUNTY AND ASHMA LUTHRA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 24th of October, 2023, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public right(s)-of-way, Aspinwall Avenue and Unnamed Right-of-Way, "Plan of Town of Pineda", Rockledge, lying in Section 18, Township 26 South, Range 37 East as petitioned by IR TIKI LLC, Brevard County and Ashma Luthra.

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF ASPINWALL AVENUE (A 50.00-FOOT RIGHT-OF-WAY), LYING IN PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS. PREPARED BY: CHRISTOPHER S. BOWERS, PSM.

The Board further renounced and disclaimed any right of the County in and to said public right(s)-of way.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

RACHEL M. SADOFF, CLERK

BY: Kimberly Powell, Clerk to the Board

Florida TODAY:

Please advertise in the October 31, 2023, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF ASPINWALL AVENUE (A 50.00-FOOT RIGHT-OF-WAY), LYING IN PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS. PREPARED BY: CHRISTOPHER S. BOWERS, PSM.