

**Replacement**

AGENDA	
Section	Consent
Item No.	<b>II A 3</b>

Meeting Date
November 17, 2015



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

SUBJECT:	Approval Re: Permission to advertise a proposed exchange of property between Pinewick Partners, LLC and Brevard County - District 4 (Fiscal Impact: None)
DEPT/OFFICE:	Public Works Department / Land Acquisition Section

Requested Action:

It is requested that the Board of County Commissioners authorize the advertisement of a proposed exchange of property between Pinewick Partners, LLC and Brevard County as required by Section 125.37, F.S.

Summary Explanation & Background:

This subject property is located in Section 19, Township 26 South, Range 37 East.

Pinewick Partners, LLC, a Florida limited liability company, in conjunction with the development of their site (15-RW00412) as a Convenience Market/Store, located at the northeast corner of Wickham Road and Pineda Causeway Extension, has approached the County to enter into an agreement to exchange property.


The portion of property that Pinewick Partners is requesting in the exchange agreement is County-owned Parcel 101 (see attached), acquired as part of the Pineda Causeway Extension Improvements. The portion of property is located northerly and adjacent to Pinewick Partners property and remains unused by the County. The developer can and will utilize the County-owned parcel for needed site improvements.

The County is planning to utilize a portion of Pinewick Partners property for additional road right of way purposes.

Fiscal Impact: FY 2015-2016: No Impact  
**FY 2016-2017: No Impact**

Clerk to the Board Instructions: Return Board Approval Letter to Department.

Exhibits Attached: Copy of Public Notice, Property Fact Sheet and Location Map

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	Assistant County Manager					Department Director / Extension	 John P Denninghoff / 87202
Stockton Whitten	Assistant County Manager						



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

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

November 17, 2015

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.3., Permission to Advertise a Proposed Exchange of Property with Pinewick Partners, LLC

The Board of County Commissioners, in regular session on November 17, 2015, granted permission to advertise a proposed exchange of property with Pinewick Partners, LLC, for property located in Section 19, Township 26 South, Range 37 East.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

cc: Asset Management

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: PERMISSION TO ADVERTISE FOR A PROPOSED EXCHANGE OF  
PROPERTY BETWEEN PINEWICK PARTNERS, LLC AND BEVARD  
COUNTY BOARD OF COUNTY COMMISSIONERS-DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847(52886)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor		_____	11/12/15
COUNTY ATTORNEY Cristina Berrios Assistant County Attorney	<u>see attached</u>	_____	11/12/15
PUBLIC WORKS John Denninghoff, Director		_____	11/12/15

AGENDA DUE DATE: November 2, 2015 for the November 17, 2015 Board meeting

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE AGENCY CONTACT IMMEDIATELY.

**PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-6847) WHEN READY TO BE PICKED UP.**

**THANK YOU.**

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: PERMISSION TO ADVERTISE FOR A PROPOSED EXCHANGE OF  
PROPERTY BETWEEN PINEWICK PARTNERS, LLC AND BEVARD  
COUNTY BOARD OF COUNTY COMMISSIONERS-DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

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**REVIEW**

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor		_____	11/12/15
COUNTY ATTORNEY Cristina Berrios Assistant County Attorney		_____	11/12/15
PUBLIC WORKS John Denninghoff, Director	_____	_____	_____

AGENDA DUE DATE: November 2, 2015 for the November 17, 2015 Board meeting

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE AGENCY CONTACT IMMEDIATELY.

PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-6847) WHEN READY TO BE PICKED UP.

THANK YOU.

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: PERMISSION TO ADVERTISE FOR A PUBLIC HEARING RE; EXCHANGE AGREEMENT WITH PINEWICK PARTNERS, LLC AND BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS-DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847(52886)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>DPJ</u>	_____	<u>10/30/15</u>
COUNTY ATTORNEY Cristina Berrios Assistant County Attorney	<u>CB</u>	_____	<u>11/5/15</u>
PUBLIC WORKS John Denninghoff, Director	_____	_____	_____

AGENDA DUE DATE: November 2, 2015 for the November 17, 2015 Board meeting

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE AGENCY CONTACT IMMEDIATELY.

**PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-6847) WHEN READY TO BE PICKED UP.**

**THANK YOU.**

**PUBLIC NOTICE**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

As provided in Chapter 125.37 F.S., notice is hereby given that the Board of County Commissioners will hold a public hearing at 9:00 a.m. on December 15, 2015, at the Brevard County Government Center Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

The purpose of the hearing will be to consider an Exchange Agreement for property between Brevard County and Pinewick Partners, LLC.

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

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

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

**PROPERTY FACT SHEET**

**PROJECT: Pinewick Partners, LLC**

Owner:	Pinewick Partners, LLC
Parcel Location:	2905 Pineda Causeway, Melbourne, FL
Parent parcel Size:	2.99 Acres
Zoning Land Use:	C – Vacant Commercial
Improvements:	N/A (Proposed Wawa)
Topography:	Below Road Grade, property will be filled for construction
Flood Zone:	Zone: A-Special Flood Hazard Area (SFHA): area subject to inundation by the 1-percent-annual-chance flood event.
Tax Parcel:	26-37-19-00-00511.0-0000.00
Market Value:	\$188,790.00 (2015 Assessment) (Property Appraiser's Records)
Public Utilities:	All utilities available
Property Transaction: (Clerk of the Court Records)	Purchase date: 6/26/15 Sale amount: \$1,230,000.00



PARCEL #101: BREVARD COUNTY SURPLUS PARCEL TO BE CONVEYED TO PINEWICK PARTNERS, LLC

PARCEL #102 AND #103: PINEWICK PARTNERS TO CONVEY FEE SIMPLE INTEREST TO BREVARD COUNTY (TURN LANE AND SIDEWALK PURPOSES)

PARCEL #801: PINEWICK PARTNERS TO CONVEY SANITARY SEWER EASEMENT TO BREVARD COUNTY

## EXCHANGE AGREEMENT

**THIS AGREEMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between **PINEWICK PARTNERS, LLC, a Florida limited liability company,** and the **BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida** (hereinafter referred to as **COUNTY**).

### **WITNESSETH:**

**Section 1. Agreement to Exchange.** **PINEWICK PARTNERS, LLC,** and the **COUNTY,** in consideration of the mutual covenants and promises set forth in this Agreement and other valuable consideration, hereby agree to exchange with one another parcels of real property, described in this Agreement, on the terms and conditions set forth in this Agreement. The parties acknowledge that the exchange is conditioned on compliance with the notice and adoption by resolution requirements of section 125.37 Florida Statutes.

**Section 2. Property to be Transferred on December 15, 2015 to the COUNTY.** **PINEWICK PARTNERS, LLC** will transfer to the **COUNTY** that property described as Right of Way Parcels (Fee Simple Interest) #102 and #103, and Parcel #801, a Sanitary Sewer Easement, Exhibits are attached hereto.

**Section 3. Property to be Transferred on December 15, 2015 to PINEWICK PARTNERS, LLC.** The **COUNTY** will transfer to **PINEWICK PARTNERS, LLC** that property described as Parcel #101, attached hereto as County Deed with attached Exhibit "A".

**Section 4. Occupancy; Brokers.** The **COUNTY** represents with respect to Parcel #101 that there are no occupants in possession of such property except the **COUNTY** and that there is no brokerage commission or like fee compensation due to any party with respect to the conveyance of the property contemplated herein. **PINEWICK PARTNERS, LLC** represents with respect to Parcels #102 and #103, and the Sanitary Sewer Easement, that there is no brokerage commission or like fee compensation due to any party with respect to the conveyance of the property contemplated herein. Each party shall be entitled to possession of the property to be conveyed to it at the time of transfer and Board acceptance, December 15, 2015.

**Section 5. Title.** **PINEWICK PARTNERS, LLC** has provided a current title search to the **COUNTY** and it has been reviewed by staff and found that title is without defects.

**Section 6. Conveyance.** The **COUNTY'S** conveyance to **PINEWICK PARTNERS, LLC** shall be made by County Deed pursuant to Chapter 125.411, Florida Statutes. **PINEWICK PARTNERS, LLC** conveyance to the **COUNTY** shall be made by Warranty Deed and Sanitary Sewer Easement.

**Section 7. Notices.** Any notice to be delivered to either party under this Agreement or by any statute, decision, or rule of law shall be in writing and may be served personally or sent by registered or certified mail until a different address is furnished in writing addressed as follows:

**PINEWICK PARTNERS, LLC:**

Pinewick Partners, LLC  
7331 Office Park Place  
Suite #200  
Melbourne, FL 32940

**BREVARD COUNTY:**

Stockton Whitten, County Manager  
Brevard County Board of County Commissioners  
2725 Judge Fran Jamieson Way, Building C  
Viera, FL 32940

Any such notice, if necessary, shall be deemed given as of the date delivered, if served personally, or as of the date when deposited in any Post Office Box regularly maintained by the United States Postal Service, if mailed.

**Section 8. Default.** If a party fails to perform its obligations, covenants, and warranties under this Agreement, the other party shall be relieved of all obligations under this Agreement and may proceed in law or equity to enforce its legal rights under this Agreement. This Section 11 shall survive closing and County's delivery of the deed for Parcel B.

**Section 9. Assigns, Choice of Law, Venue, Attorney's Fees, Entire Agreement, Paragraph Headings.**

- A. The terms, conditions, warranties, covenant, and obligations contained in this Agreement shall in every case apply to and be binding on the parties and their respective successors and assigns.
- B. This Agreement shall be interpreted under the laws of the State of Florida and the terms, rights, and remedies provided for under this Agreement, and at law or equity shall be those given under the laws under the State of Florida, or when the laws of the State of Florida are preempted by the laws of the United States, under the laws of the United States of America. The venue of any litigation arising out of this Agreement shall be in Brevard County, Florida. In the event of any litigation arising out of this Agreement, each party shall bear its own attorney's fees and costs.
- C. The section and paragraph headings given throughout this Agreement have been inserted only for convenience in reference and in no way limit, describe, or define the scope of this Agreement or any sections, paragraphs, or provisions thereof.
- D. This Agreement contains the entire Agreement of the parties. There are no oral understandings, terms, or conditions and neither party has relied upon any representations, express or implied, not contained in this Agreement. All prior understandings, terms, or conditions are deemed merged into this Agreement. This Agreement cannot be amended, changed, or supplemented orally.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**PINEWICK PARTNERS, LLC**, a Florida limited liability company

By: \_\_\_\_\_  
Daniel M. Renfro, Manager

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness (printed)

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness (printed)

Attest:

**BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS,**  
a political subdivision of the State of Florida

\_\_\_\_\_  
Scott Ellis, Clerk

By: \_\_\_\_\_  
Robin Fisher, Chairman  
As Approved by the Board of County  
Commissioners on \_\_\_\_\_.

Reviewed for form and legal content:

\_\_\_\_\_  
Cristina Berrios, Assistant County Attorney

# SKETCH & DESCRIPTION

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST  
 A. PARCEL 101  
 B. PARENT PARCEL: 26-37-19-00-00528.0-0000.00  
 C. PURPOSE: FEE SIMPLE

**NOT A BOUNDARY SURVEY**

**LEGAL DESCRIPTION:**

A PART OF PROPERTY DESCRIBED IN BREVARD COUNTY OFFICIAL RECORD BOOK 4513, PAGE 1488 AND BEING A PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 19, RUN S86°51'21"E ALONG THE SOUTH LINE OF SAID SECTION 19 A DISTANCE OF 655.94 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4, OF SAID SECTION 19; THENCE N00°53'41"W A DISTANCE OF 322.75 FEET TO THE NORTH LINE OF THE SOUTH 1/2, OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4 OF SAID SECTION 19; THENCE N86°45'32"W ALONG THE SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19 A DISTANCE OF 19.72 TO THE POINT OF BEGINNING AND THE NORTHERLY RIGHT OF WAY LINE OF PINEDA CAUSEWAY EXTENSION ROAD; THENCE CONTINUE N86°45'32"W ALONG AFORESAID NORTH LINE A DISTANCE OF 58.91 FEET TO THE WESTERLY BOUNDARY LINE OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 4513, PAGE 1488; THENCE S15°14'43"W A DISTANCE OF 31.30 FEET; THENCE S56°08'13"W A DISTANCE OF 114.38 FEET; THENCE S12°10'32"E A DISTANCE OF 45.70 TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF PINEDA CAUSEWAY EXTENSION WHICH POINT IS ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1453.00 FEET AND A CHORD BEARING OF N48°24'10"E, THROUGH A CENTRAL ANGLE OF 8°02'30", FOR A DISTANCE OF 203.93 FEET TO THE POINT OF BEGINNING. CONTAINS 6,304 SQUARE FEET, MORE OR LESS.

BEARINGS BASED ON STATE PLANE COORDINATE SYSTEM GRID BEARING S86°51'21"E ALONG THE SOUTH LINE OF SECTION 19 PER RIGHT OF WAY MAP FOR PINEDA CAUSEWAY EXTENSION ROAD.

PREPARED BY:



1350 MALABAR ROAD S.E., SUITE 1, PALM BAY, FLORIDA 32907  
 Brevard(321)724-2940 Indian River(772)589-3228 Fax(321)951-4879  
 E-MAIL: SMITHSURVEYING @ AOL.COM  
 CERTIFICATE OF AUTHORIZATION L.B. 7426

*Kevin A. Smith*  
 KEVIN A. SMITH - FLORIDA CERTIFICATE NO. 4457  
 (NOT VALID UNLESS SIGNED AND SEALED)

PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

DRAWN BY: <u>A. TEJADA</u> DATE: <u>JUNE 15, 2015</u> REVISION: <u>JULY 20, 2015</u>	CHECKED BY: <u>KAS</u> SHEET <u>1</u> OF <u>2</u>	DRAWING NO. <u>14-2127.DWG</u> _____ _____ _____	SECTION <u>19</u> TOWNSHIP <u>26</u> SOUTH RANGE <u>37</u> EAST
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# SKETCH & DESCRIPTION

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1

SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST  
A. PARCEL 101  
B. PARENT PARCEL: 26-37-19-00-00528.0-0000.00  
C. PURPOSE: FEE SIMPLE

PARCEL  
26-37-19-00-00510.A-0000.00  
(O.R.B. 5551, PG. 7622)

NOT A BOUNDARY SURVEY

PARCEL  
26-37-19-00511.0-0000.00  
(O.R.B. 7397, PG. 2318)

PARCEL 101  
0.1447 ACRE

P.O.B.  
58.91'  
N86°45'32"W  
19.72'

NORTH LINE OF THE SOUTH 1/2  
OF THE SW 1/4, SW 1/4, SW  
1/4 OF SECTION 19

BOUNDARY LINE OF  
O.R.B. 4513, PG. 1488  
S56°08'13"W 114.38'

S15°14'43"W  
31.30'

A=203.93'

RIGHT OF WAY LINE

EAST LINE OF THE SW 1/4, SW  
1/4, SW 1/4 OF SECTION 19

322.75'

N00°53'41"W

**PINEDA CAUSEWAY  
EXTENSION ROAD**  
PUBLIC RIGHT OF WAY WIDTH VARIES  
(ROAD PLAT BOOK 2, PAGE 43,  
BREVARD COUNTY, FLORIDA)

REMAINDER OF PARCEL  
26-37-19-00-00528.0-0000.00  
(O.R.B. 4513, PG. 1488)

SOUTH LINE OF SECTION 19



SCALE: 1" = 40'

PREPARED BY:



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CERTIFICATE OF AUTHORIZATION L.B. 7426

WICKHAM ROAD

100' PUBLIC ROAD RIGHT OF WAY

WEST LINE OF SECTION 19-26-37

P.O.C.

24 19  
25 30

BASELINE OF SURVEY  
S86°51'21"E 655.94'

(NON-RADIAL)  
S12°10'32"E  
45.70'

(RADIAL)  
S37°17'55"E 60.00'

R=1453.00'

D=8°02'30"  
CHORD= N48°24'10"E

75'

**SKETCH & DESCRIPTION**SHEET 1 OF 3  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 3 OF 3

SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST

- A. PARCEL 102  
 B. PARENT PARCEL: 26-37-19-00-00511.0-0000.00  
 C. PURPOSE: RIGHT OF WAY

**NOT A BOUNDARY SURVEY****LEGAL DESCRIPTION – RIGHT OF WAY PARCEL 102: (BY SURVEYOR)**

A PART OF PROPERTY DESCRIBED IN BREVARD COUNTY OFFICIAL RECORD BOOK 4513, PAGE 1488, AS RECORDED IN THE PUBLIC RECORDS BREVARD COUNTY, AND A PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


FROM THE SOUTHWEST CORNER OF SAID SECTION 19, RUN S86°51'21"E ALONG THE SOUTH LINE OF SAID SECTION 19 A DISTANCE OF 50.13 FEET TO THE EAST RIGHT OF WAY LINE OF WCKHAM ROAD; THENCE CONTINUE S86°51'21"E ALONG THE NORTHERLY RIGHT OF WAY LINE OF PINEDA CAUSEWAY EXTENSION A DISTANCE OF 158.78 TO A POINT ON SAID NORTHERLY RIGHT OF WAY LINE, SAID POINT BEING ON A NON-TANGENT CURVE BEING CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1453.00 FEET, A CENTRAL ANGLE OF 3°33'42", AND A CHORD BEARING N63°06'01"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID AND ALONG SAID RIGHT OF WAY LINE CURVE A DISTANCE OF 90.32 FEET; THENCE S28°40'50"E, ALONG SAID ALONG SAID RIGHT OF WAY LINE AND IN A RADIAL DIRECTION, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; SAID POINT ALSO BEING A POINT ON A CURVE WHICH IS CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1463.00 FEET, A CENTRAL ANGLE OF 8°42'36" AND A CHORD BEARING OF N56°57'52"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 222.40 FEET TO A POINT ON A NON-RADIAL RIGHT OF WAY LINE OF AFORESAID NORTHERLY RIGHT OF WAY LINE OF THE PINEDA CAUSEWAY; THENCE S12°10'32"E A DISTANCE OF 5.52 FEET TO A POINT ON A CURVE WHICH IS CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1468.00 FEET, A CENTRAL ANGLE OF 8°37'05" AND A CHORD BEARING OF S57°00'38"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 220.81 FEET TO A POINT ON SAID NORTHERLY RIGHT OF WAY LINE; THENCE N28°40'50"W ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.  
 CONTAINS 1,108 SQUARE FEET, (0.025 ACRES) MORE OR LESS.

BEARINGS BASED ON STATE PLANE COORDINATE SYSTEM GRID BEARING S86°51'21"E ALONG THE SOUTH LINE OF SECTION 19 PER RIGHT OF WAY MAP FOR PINEDA CAUSEWAY EXTENSION.

PREPARED BY:



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 Brevard(321)724-2940 Indian River(772)589-3228 Fax(321)951-4879  
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 KEVIN A. SMITH – FLORIDA CERTIFICATE NO. 4457  
 (NOT VALID UNLESS SIGNED AND SEALED)

PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

DRAWN BY: P.A.D.

DATE: JUNE 1, 2015

REVISION: JULY 28, 2015

SEPT. 25, 2015

CHECKED BY: KAS

SHEET 1 OF 3

DRAWING NO. 14-2127.DWG

JOB NO. 15-1596

SECTION 19

TOWNSHIP 26 SOUTH

RANGE 37 EAST

**SKETCH & DESCRIPTION**

SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST

SHEET 2 OF 3  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 3 OF 3

- A. PARCEL 103  
 B. PARENT PARCEL: 26-37-19-00-00511.0-0000.00  
 C. PURPOSE: RIGHT OF WAY

**NOT A BOUNDARY SURVEY****LEGAL DESCRIPTION - RIGHT OF WAY PARCEL 103: (BY SURVEYOR)**

A PART OF PROPERTY DESCRIBED IN BREVARD COUNTY OFFICIAL RECORD BOOK 4513, PAGE 1488, AS RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, AND PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SAID SECTION 19, RUN S86°51'21"E ALONG THE SOUTH LINE OF SAID SECTION 19 A DISTANCE OF 50.13 FEET TO THE EAST RIGHT OF WAY LINE OF WICKHAM ROAD; THENCE N1°00'10"W ALONG SAID EAST RIGHT OF WAY LINE OF WICKHAM ROAD A DISTANCE OF 68.36 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE N1°00'10"W ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 255.46 FEET TO THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7226, PAGE 2342; THENCE S86°45'32"E ALONG SAID SOUTH LINE A DISTANCE OF 8.02 FEET; THENCE S1°00'10"E A DISTANCE OF 221.75 FEET; THENCE S12°34'33"W A DISTANCE OF 34.07 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,909 SQUARE FEET, (0.044 ACRES) MORE OR LESS.

BEARINGS BASED ON STATE PLANE COORDINATE SYSTEM GRID BEARING S86°51'21"E ALONG THE SOUTH LINE OF SECTION 19 PER RIGHT OF WAY MAP FOR PINEDA CAUSEWAY EXTENSION.

PREPARED BY:



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 CERTIFICATE OF AUTHORIZATION L.B. 7426

PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

DRAWN BY: <u>P.A.D.</u>	CHECKED BY: <u>KAS</u>	DRAWING NO. <u>14-2127.DWG</u>	SECTION <u>19</u>
DATE: <u>JUNE 1, 2015</u>	SHEET <u>2</u> OF <u>3</u>	JOB NO. <u>15-1596</u>	TOWNSHIP <u>26</u> SOUTH
REVISION: <u>JULY 28, 2015</u>			RANGE <u>37</u> EAST
<u>SEPT. 25, 2015</u>			



# SKETCH & DESCRIPTION

SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST

SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF

- A. PARCEL 801
- B. PARENT PARCEL: 26-37-19-00-00511.0-0000.00
- C. PURPOSE: SANITARY SEWER EASEMENT

NOT A BOUNDARY SURVEY

## LEGAL DESCRIPTION: EASEMENT PARCEL 801 (BY SURVEYOR)

A 20 FEET WIDE PARCEL BEING PART OF PROPERTY DESCRIBED IN BREVARD COUNTY OFFICIAL RECORD BOOK 4513, PAGE 1488, AS RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, AND A PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BOUNDED ON THE SOUTH BY THE SOUTH LINE OF SAID SECTION 19 AND LYING 10 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

FROM THE SOUTHWEST CORNER OF SAID SECTION 19, RUN S86°51'21"E ALONG THE SOUTH LINE OF SAID SECTION 19 A DISTANCE OF 50.13 FEET TO THE EAST RIGHT OF WAY LINE OF WICKHAM ROAD; THENCE CONTINUE S86°51'21"E ALONG THE SOUTH LINE OF SAID SECTION 19 A DISTANCE OF 106.90 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE OF EASEMENT; THENCE N59°27'43"E A DISTANCE OF 245.18 FEET TO THE TERMINUS OF SAID CENTERLINE OF EASEMENT. CONTAINS 4,604 SQUARE FEET, (0.11 ACRES) MORE OR LESS

BEARINGS BASED ON STATE PLANE COORDINATE SYSTEM GRID BEARING S86°51'21"E ALONG THE SOUTH LINE OF SECTION 19 PER RIGHT OF WAY MAP FOR PINEDA CAUSEWAY EXTENSION.

PREPARED BY:



1350 MALABAR ROAD S.E., SUITE 1, PALM BAY, FLORIDA 32907  
Brevard(321)724-2940 Indian River(772)589-3228 Fax(321)951-4879  
E-MAIL: SMITHSURVEYING @ AOL.COM  
CERTIFICATE OF AUTHORIZATION LB. 7426

*Kevin A. Smith*  
KEVIN A. SMITH - FLORIDA CERTIFICATE NO. 4457  
(NOT VALID UNLESS SIGNED AND SEALED)

PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

DRAWN BY: P.A.D.  
DATE: JUNE 1, 2015  
REVISION: JULY 28, 2015  
SEPT. 25, 2015

CHECKED BY: KAS  
SHEET 1 OF 2

DRAWING NO. 14-2127.DWG  
JOB NO. 15-1596  
\_\_\_\_\_  
\_\_\_\_\_

SECTION 19  
TOWNSHIP 26 SOUTH  
RANGE 37 EAST



**COUNTY DEED**

**THIS DEED**, made this \_\_\_\_ day of \_\_\_\_\_, 2015 by **Brevard County, Florida**, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, party of the first part, and **Pinewick Partners, LLC**, a Florida limited liability company, whose mailing address is 7331 Office Park, Place, Suite #200, Melbourne, Florida 32940, as party of the second part.

**WITNESSETH** that the said party of the first part, for and in consideration of the sum of \$ 10.00 to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, their heirs and assigns forever, the following described land, situate, lying and being in the County of Brevard to wit:

**See Attached Exhibit "A" attached hereto and made a part of the this Agreement**

**IN WITNESS WHEREOF**, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman and said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

\_\_\_\_\_  
Scott Ellis, Clerk to the Board

By: \_\_\_\_\_  
Robin Fisher, Chairman

State of Florida,  
County of Brevard

I hereby certify, that on this day personally appeared to me, an officer duly authorized to administer oaths and take acknowledgements, Robin Fisher, well known to me to be the person described in and who executed the foregoing deed, and that he acknowledged before me that he executed the same freely and voluntarily for the purpose therein expressed and that he is personally known to me or has produced \_\_\_\_\_ as identification and that he did/did not take an oath.

Witness my hand and official seal in the County and State last aforesaid, this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

Commission Expires \_\_\_\_\_

Commission No.: \_\_\_\_\_

Board Meeting: \_\_\_\_\_

Agenda Item #: \_\_\_\_\_

# SKETCH & DESCRIPTION

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST  
 A. PARCEL 101  
 B. PARENT PARCEL: 26-37-19-00-00528.0-0000.00  
 C. PURPOSE: FEE SIMPLE

**NOT A BOUNDARY SURVEY**

**LEGAL DESCRIPTION:**

A PART OF PROPERTY DESCRIBED IN BREVARD COUNTY OFFICIAL RECORD BOOK 4513, PAGE 1488 AND BEING A PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 19, RUN S86°51'21"E ALONG THE SOUTH LINE OF SAID SECTION 19 A DISTANCE OF 655.94 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4, OF SAID SECTION 19; THENCE N00°53'41"W A DISTANCE OF 322.75 FEET TO THE NORTH LINE OF THE SOUTH 1/2, OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4 OF SAID SECTION 19; THENCE N86°45'32"W ALONG THE SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19 A DISTANCE OF 19.72 TO THE POINT OF BEGINNING AND THE NORTHERLY RIGHT OF WAY LINE OF PINEDA CAUSEWAY EXTENSION ROAD; THENCE CONTINUE N86°45'32"W ALONG AFORESAID NORTH LINE A DISTANCE OF 58.91 FEET TO THE WESTERLY BOUNDARY LINE OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 4513, PAGE 1488; THENCE S15°14'43"W A DISTANCE OF 31.30 FEET; THENCE S56°08'13"W A DISTANCE OF 114.38 FEET; THENCE S12°10'32"E A DISTANCE OF 45.70 TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF PINEDA CAUSEWAY EXTENSION WHICH POINT IS ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1453.00 FEET AND A CHORD BEARING OF N48°24'10"E, THROUGH A CENTRAL ANGLE OF 8°02'30", FOR A DISTANCE OF 203.93 FEET TO THE POINT OF BEGINNING. CONTAINS 6,304 SQUARE FEET, MORE OR LESS.

BEARINGS BASED ON STATE PLANE COORDINATE SYSTEM GRID BEARING S86°51'21"E ALONG THE SOUTH LINE OF SECTION 19 PER RIGHT OF WAY MAP FOR PINEDA CAUSEWAY EXTENSION ROAD.

PREPARED BY:



1350 MALABAR ROAD S.E., SUITE 1, PALM BAY, FLORIDA 32907  
 Brevard(321)724-2940 Indian River(772)589-3228 Fax(321)951-4879  
 E-MAIL: SMITHSURVEYING @ AOL.COM  
 CERTIFICATE OF AUTHORIZATION L.B. 7426

*[Handwritten Signature]*  
 KEVIN A. SMITH - FLORIDA CERTIFICATE NO. 4457  
 (NOT VALID UNLESS SIGNED AND SEALED)

PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

DRAWN BY: <u>A. TEJADA</u>  DATE: <u>JUNE 15, 2015</u> REVISION: <u>JULY 20, 2015</u>	CHECKED BY: <u>KAS</u>  SHEET <u>1</u> OF <u>2</u>	DRAWING NO. <u>14-2127.DWG</u> _____ _____ _____	SECTION <u>19</u> TOWNSHIP <u>26</u> SOUTH RANGE <u>37</u> EAST
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# SKETCH & DESCRIPTION

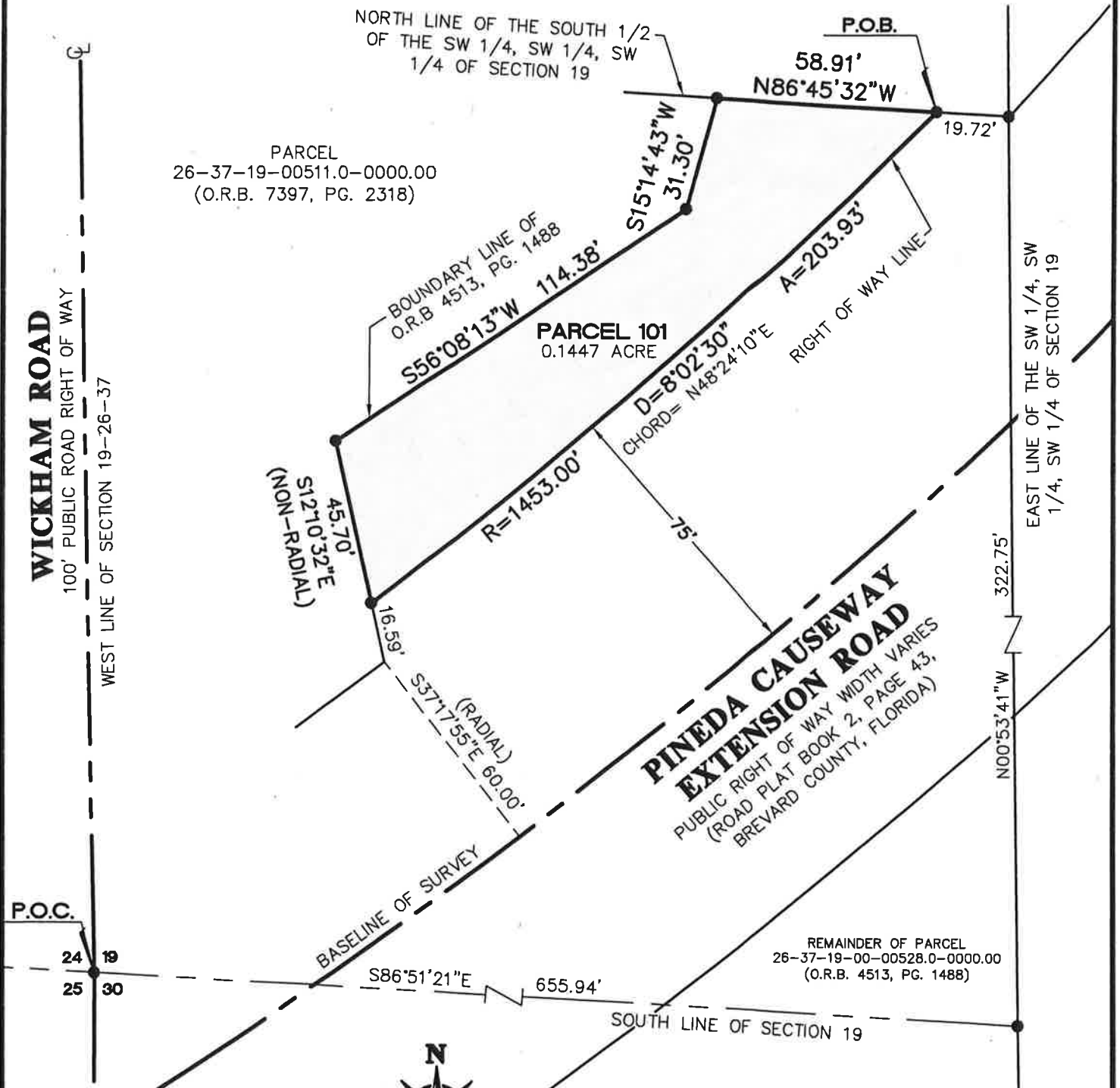
SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1

SECTION 19, TOWNSHIP 26 SOUTH, RANGE 37 EAST  
A. PARCEL 101  
B. PARENT PARCEL: 26-37-19-00-00528.0-0000.00  
C. PURPOSE: FEE SIMPLE

PARCEL  
26-37-19-00-00510.A-0000.00  
(O.R.B. 5551, PG. 7622)

**NOT A BOUNDARY SURVEY**



SCALE: 1" = 40'

PREPARED BY:

**SMITH & Associates**  
SURVEYING & MAPPING, INC.

1350 MALABAR ROAD S.E., SUITE 1, PALM BAY, FLORIDA 32907  
 Brevard(321)724-2940 Indian River(772)589-3228 Fax(321)951-4879  
 E-MAIL: SMITHSURVEYING @ AOL.COM  
 CERTIFICATE OF AUTHORIZATION L.B. 7426

## PROPERTY FACT SHEET

### PROJECT: Pinewick Partners, LLC

Owner:	Pinewick Partners, LLC
Parcel Location:	2905 Pineda Causeway, Melbourne, FL
Parent parcel Size:	2.99 Acres
Zoning Land Use:	C – Vacant Commercial
Improvements:	N/A (Proposed Wawa)
Topography:	Below Road Grade, property will be filled for construction
Flood Zone:	Zone: A-Special Flood Hazard Area (SFHA): area subject to inundation by the 1-percent-annual-chance flood event.
Tax Parcel:	26-37-19-00-00511.0-0000.00
Market Value:	\$188,790.00 (2015 Assessment) (Property Appraiser's Records)
Public Utilities:	All utilities available
Property Transaction: (Clerk of the Court Records)	Purchase date: 6/26/15 Sale amount: \$1,230,000.00

## SUMMARY OF CONVEYANCES

Surplus Parcel #101: Area (Fee Simple) 6,304 sq. /ft. (.144 Acre) [.28/sq./ft.]  
To be conveyed to **Pinewick** Estimated Market Value per Property Appraiser:  
**Partners, Inc.** By County Deed **\$1,736.64**

Parcel #102: Area (Fee Simple) 1,108 sq. / ft. (.025 Acre) [\$9.44/sq./ft.]  
to be conveyed to **the County** by Estimated Market Value per Property Appraiser  
Pinewick Partners, LLC **\$10,460.00\***

Parcel #103: Area (Fee Simple) 1,909 sq. / ft. (.044 Acre) [\$9.44/sq. /ft.]  
to be conveyed to **the County** by Estimated Market Value Per Property Appraiser  
Pinewick Partners, LLC **\$18,021.00\***

Parcel #801: Area of Sanitary Sewer 4,604 sq. / ft.) (.11 Acre) (@ 50% Fee Value)  
being conveyed to **the County** by Estimated Market Value: **\$21,730.00\***  
Pinewick Partners, LLC

Total Area being conveyed to the County 7,621 sq. /ft. (.18 Acres)  
Fee and Easement Estimated Total Value: **\$50, 211.00\***

\*Estimated Values based on Sale 6/26/2015 to Pinewick Partners, LLC \$1,230,000.00



old

Meeting Date
November 17, 2015



AGENDA	
Section	Consent
Item No.	II.A.3

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

SUBJECT:	Approval Re: Permission to advertise a proposed Exchange Agreement between Pinewick Partners, LLC and Brevard County - District 4 (Fiscal Impact: None)
DEPT/OFFICE:	Public Works Department / Land Acquisition Section

Requested Action:

It is requested that the Board of County Commissioners authorize the advertisement of a proposed Exchange Agreement between Pinewick Partners, LLC and Brevard County as required by Section 125.37, F.S.

Summary Explanation & Background:

This subject property is located in Section 19, Township 26 South, Range 37 East.

Pinewick Partners, LLC, a Florida limited liability company, in conjunction with the development of their site (15-RW00412) as a Convenience Market/Store, located at the northeast corner of Wickham Road and Pineda Causeway Extension, has approached the County to enter into an agreement to exchange property.

The portion of property that Pinewick Partners is requesting in the exchange agreement is County-owned Parcel 101 (see attached), acquired as part of the Pineda Causeway Extension Improvements. The portion of property is located northerly and adjacent to Pinewick Partners property and remains unused by the County. The developer can and will utilize the County-owned parcel for needed site improvements.



The County is planning to utilize a portion of Pinewick Partners property for additional road right of way purposes.

Fiscal Impact: FY 2015-2016: No Impact  
**FY 2016-2017: No Impact**

Clerk to the Board Instructions: Return Board Approval Letter to Department.

Exhibits Attached: Copy of Public Notice, Exchange Agreement with Exhibit A, County Deed with Exhibit A, Property Fact Sheet and Summary of Conveyances, and Location Map

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

County Manager 	Assistant County Manager	Department Director / Extension  John P Denninghoff / 57202
Stockton Whitten	Assistant County Manager	

o/d

PUBLIC NOTICE  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

As provided in Chapter 125.37 F.S., notice is hereby given that the Board of County Commissioners will hold a public hearing at 9:00 a.m. on December 15, 2015, at the Brevard County Government Center Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

The purpose of the hearing will be to consider an Exchange Agreement for property between Brevard County and Pinewick Partners, LLC.

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

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

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



PARCEL #101: BREVARD COUNTY SURPLUS PARCEL TO BE CONVEYED TO PINEWICK PARTNERS, LLC

PARCEL #102 AND #103: PINEWICK PARTNERS TO CONVEY FEE SIMPLE INTEREST TO BREVARD COUNTY (TURN LANE AND SIDEWALK PURPOSES)

PARCEL #801: PINEWICK PARTNERS TO CONVEY SANITARY SEWER EASEMENT TO BREVARD COUNTY