

Meeting Date
July 25, 2017



AGENDA	
Section	CONSENT
Item No.	II.A.5

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

SUBJECT:	Binding Development Plan, Re: Granite Property Development (f.k.a. Susie Moment) (District 1) FISCAL IMPACT: NONE
DEPT/OFFICE:	Planning & Development Department

Requested Action:

It is requested that the Board approve, and the Chairman sign, the subject Binding Development Plan.

Summary Explanation & Background:

A Binding Development Plan (BDP) is a voluntary agreement by a property owner to self-impose limits upon development of a property in support of a change of zoning or conditional use permit. Pursuant to Section 62-1157, a BDP shall be recorded in the public records within 120 days of approval of the zoning application by the Board. Following staff and legal review, a BDP is routinely presented to the Board in recordable form as a Consent agenda item in order to finalize the zoning action.

On May 25, 2017, the Board of County Commissioners approved a change of classification from PIP to RU-1-7, on property located on the east side of Railroad Ave., approx.. 0.5 mile south of Canaveral Groves Blvd. (3865 E. Railroad Ave., Cocoa), subject to a Binding Development Plan as follows:

- Developer/Owner shall limit density to four (4) dwelling units per acre, and density may be further restricted by any changes to the Comprehensive Plan, or the Land Development Regulations.
- Developer/Owner shall connect all lots to municipal water and sewer services to be provided by agreement with the City of Cocoa.

Staff Contact: Jennifer Jones

Clerk to the Board instruction: After recordation, forward two certified copies to the Planning and Development Department

Exhibits Attached: Binding Development Plan, with exhibits, and check for recording

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
Interim County Manager	Assistant County Manager	Department Director / Extension					
	Venetta Valdengo	Tad Calkins					
Frank Abbate	Interim Assistant County Manager	Planning & Development Dept. Ext. 56363					
	John Denninghoff						



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

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

July 26, 2017

**M E M O R A N D U M**

**TO:** Jennifer Jones, Zoning

**RE:** Item II.A.5, Binding Development Plan Agreement with Granite Property Development  
fka Susie Moment

The Board of County Commissioners, in regular session on July 25, 2017, executed Binding Development Plan with Granite Property Development, fka Susie Moment, for property located on the east side of Railroad Avenue, approximately .5 mile south of Canaveral Groves Blvd. Enclosed for your necessary action are two certified copies of the recorded document.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/dt

Encls. (2)

cc: Contracts Administration

**RESOLUTION NO. 16PZ00118**

On motion by Commissioner Barfield, seconded by Commissioner Isnardi, the following resolution was adopted by a unanimous vote:

**WHEREAS, GRANITE PROPERTY DEVELOPMENT, INC.** has requested a change of zoning classification from PIP (Planned Industrial Park), BU-1 (General Retail Commercial), RVP (Recreational Vehicle Park), and AU (Agricultural Residential), to RU-1-7 (Single-Family Residential) on property described as: SEE ATTACHED

**Section 06,**

**Township 24 S,**

**Range 36 E, and,**

**WHEREAS,** a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board recommended that the application be approved with a BDP (Binding Development Plan) limiting density to four (4) dwelling units per acre, and requiring connection to public water and sewer for the entire development; and,

**WHEREAS,** the Board, after considering said application and the Brevard County Planning & Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved as recommended; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from PIP (Planned Industrial Park), BU-1 (General Retail Commercial), RVP (Recreational Vehicle Park), and AU (Agricultural Residential), to RU-1-7 (Single-Family Residential), be APPROVED with a BDP, recorded in ORB 7946, Pages 389 – 393, dated July 26, 2017, limiting density to four (4) dwelling units per acre, and requiring connection to public water and sewer for the entire development. The zoning classification relating to the above described property shall be changed to RU-1-7, and the Planning & Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of July 26, 2017.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

  
by Curt Smith, Chairman  
Brevard County Commission

As approved by Brevard County Commission on July 25, 2017.

ATTEST:  
  
SCOTT ELLIS, CLERK  
(SEAL)

(P&Z Hearing – April 24, 2017)  
(BCC Zoning Hearing – May 4, 2017)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

(16PZ00118 – CONTINUED)

A parcel of land lying in **Section 6, Township 24S, Range 36E**, being all of Parcel 45 of ORB 2507, Page 2711, together with those portions of Parcel 47 of said ORB 2507, Page 2711 and Parcel 48, ORB 2589, Page 2750, all as recorded in the Public Records of Brevard County, Florida, which lie easterly of the 100-ft. wide FECRR right-of-way as shown on right-of-way and Track Map, Flagler System, Station 8763 plus 00.2 to Station 8868 plus 69.0 (dated 12-31-27); said overall subject parcel being more fully described as follows: Commence at the center of said Section 6 as marked by a concrete monument marked "RMR" as set by L.R. Paxton; thence N00deg16'00"W, along the west line of the NE ¼ of said Section 6 as survey by L.R. Paxton, a distance of 368.69 ft. to the NW corner of said Parcel 45 and to the Point of beginning of the lands herein described, which lies S00deg16'00"E and 189.53 ft. from a second (2<sup>nd</sup>) concrete monument marked "RMR" as set by L.R. Paxton; thence N89deg15'16"E, along the north line of said Parcel 45, a distance of 1,479.45 ft. to the NE corner of said Parcel 45 and to the westerly line of the 143-ft. wide right-of-way of U.S. Hwy No. 1 (a.k.a. S.R. No. 5) as shown on State of Florida Road Department right-of-way map section No. 7002-177 (dated September 1954); thence S14deg43'27"E, along the east line of said Parcel 45 and said westerly right-of-way line, a distance of 1,265.85 ft. to the SE corner of said Parcel 45; thence departing said westerly right-of-way line, S89deg35'26"W, along the south line of said Parcel 45, a distance of 1,642.81 ft. to the easterly right-of-way line said railway; thence along the westerly line of said Parcel 45, the following five (5) courses to wit N19deg18'36"W, along said easterly railway right-of-way line, a distance of 220.77 ft.; N89deg35'26"E, departing said easterly railway right-of-way line, a distance of 177 ft.; N00deg16'00"W, a distance of 210 ft.; S89deg35'26"W, a distance of 249.42 ft. to said easterly railway right-of-way line; N19deg18'36"W; along said easterly railway right-of-way and along the westerly line of those portions of said Parcels 47 and 48, which lie easterly of said railway right-of-way, a total distance of 1,096.92 ft. to the north line of said Parcel 48; thence departing said easterly railway right-of-way line, N89deg29'30"E, along the north line of said Parcel 48, a distance of 350.29 ft. to said west line of the NE ¼ as surveyed by L.R. Paxton; thence S00deg16'00"E, along said west line of the NE ¼ and the east line of said Parcel 48, a distance of 257.71 ft. to the point of beginning. (48.258 acres) Located on the west side of U.S. Hwy 1, approx. 100 ft. north of Pam Lem St. (No assigned address. In the Cocoa area.)

On motion by Commissioner Barfield, seconded by Commissioner Isnardi, the following resolution was adopted by a unanimous vote:

**WHEREAS, GRANITE PROPERTY DEVELOPMENT (f.k.a. Susie Moment)** has requested a Small Scale Plan Amendment (17S.02) to change the Future Land Use designation from PLNIP (Planned Industrial) to Residential 4, and a change of zoning classification from PIP (Planned Industrial Park) to RU-1-7 (Single-Family Residential) on property described as Tax Parcel 771, as recorded in ORB 6534, Pages 1312 – 1313, of the Public Records of Brevard County, Florida. (1.02 acres) Located on the east side of Railroad Ave., approx. 0.5 mile south of Canaveral Groves Blvd. (3865 E. Railroad Ave., Cocoa); and

**Section 06, Township 24 S, Range 36 E, and,**

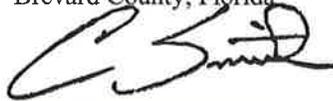
**WHEREAS,** a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board/Local Planning Agency recommended that the application be approved(\*) with a BDP (Binding Development Plan) limited to four (4) dwelling units per acre, and requiring requiring connection to public water and sewer for the entire development; and,

**WHEREAS,** the Board, after considering said application and the Brevard County Planning & Zoning Board's/Local Planning Agency's recommendations, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved as recommended; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested Small Scale Plan Amendment to change the Future Land Use designation from PLNIP to Residential 4, and a change of classification from PIP to RU-1-7, be APPROVED with a BDP, recorded in ORB 7946, Pages 490 – 493, dated July 26, 2017, limited to four (4) dwelling units per acre, and requiring connection to public water and sewer for the entire development. The zoning classification relating to the above described property be changed to RU-1-7, and the Planning & Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of July 26, 2017.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida



by Curt Smith, Chairman  
Brevard County Commission

As approved by Brevard County Commission on July 25, 2017.

ATTEST:



SCOTT ELLIS, CLERK  
(SEAL)

(P&Z/LPA Hearing – May 8, 2017)

(\*) LPA Recommendation – Approved Small Scale Plan Amendment

(BCC Zoning Hearing – May 25, 2017)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

Prepared by:  
John L. Soileau, Esq.  
3490 North U.S. Highway 1  
Cocoa, FL 32926

CFN 2017156328, OR BK 7946 PAGE 490,  
Recorded 07/26/2017 at 03:04 PM, Scott Ellis, Clerk of Courts,  
Brevard County  
# Pgs:4

### BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this, 25 day of July, 2017 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and GRANITE PROPERTY DEVELOPMENT, INC, a Florida corporation (hereinafter referred to as "Developer/Owner").

#### RECITALS

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested the RU-1-7 zoning classification(s) and desires to develop the Property as a single family residential subdivision, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impact on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

2. The Developer/Owner shall limit density to four (4) dwelling units per acre, and density may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.

3. The developer/Owner shall connect all lots to municipal water and sewer services to be provided by agreement with the City of Cocoa.

4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Comprehensive Plan or Land Development Regulations as they may apply to the Property.

5. Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in the Public Records of Brevard County, Florida.

6. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties, and shall run with the subject Property unless or until rezoned, and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above-referenced conditions as approved by the Board of County Commissioners on May 4, 2017. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

7. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as they may be amended.

8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility, and must be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any mandatory condition is a violation of this Agreement, constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7 above.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST

  
[Signature]  
Scott Ellis, Clerk  
(SEAL)

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

[Signature]  
Curt Smith, Chairman  
As approved by the Board on July 25, 2017

(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES

[Signature]  
Chase Rogers  
[Signature]  
Jay Breig  
(Witness Name typed or printed)

DEVELOPER/OWNER

GRANITE PROPERTY DEVELOPMENT, INC.

By: [Signature]  
As its President  
15450 NW 27 AVENUE  
MIAMI GARDENS, FL 33054  
(Address)

STATE OF Flor. DA §  
COUNTY OF PALM BEACH §

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of JUNE, 2017, by DAVID DUKE, as President of GRANITE PROPERTY DEVELOPMENT, INC., who is personally known to me or who has produced \_\_\_\_\_ as identification.

My commission expires 11/2/19  
SEAL

[Signature]  
Notary Public  
CHASE ROGERS  
(Name typed, printed or stamped)

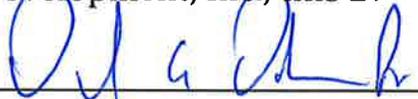
Commission No. FF 932543  
**CHASE R ROGERS**  
MY COMMISSION # **FF032543**  
EXPIRES **November 02, 2019**  
FloridaNotaryService.com



# AFFIDAVIT

I, Daniel A. Duke, Jr., President of Granite Property Development, Inc. does hereby swear and affirm this 27<sup>th</sup> day of June 2017, that there is no mortgage, lien or other encumbrance on the property described in the legal description attached hereto and made a part hereof as Exhibit "A".

Signed by Daniel A. Duke, Jr., President of Granite Property Development, Inc., this 27<sup>th</sup> day of June, 2017.

  
\_\_\_\_\_  
Daniel A. Duke, Jr., President

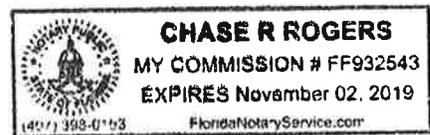
On this 27<sup>th</sup> day of JUNE, 2017, before me, the undersigned notary public, personally appeared Daniel A. Duke, Jr., the person who subscribed to the foregoing instrument, as the President of Granite Property Development, Inc., a Florida corporation, and acknowledged that he executed the same on behalf of said corporation and that he is duly authorized to do so. He is personally known to me or has produced a Florida driver's license \_\_\_\_\_ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Commission Expires: 11/2/19

  
\_\_\_\_\_  
Signature of Notary Public

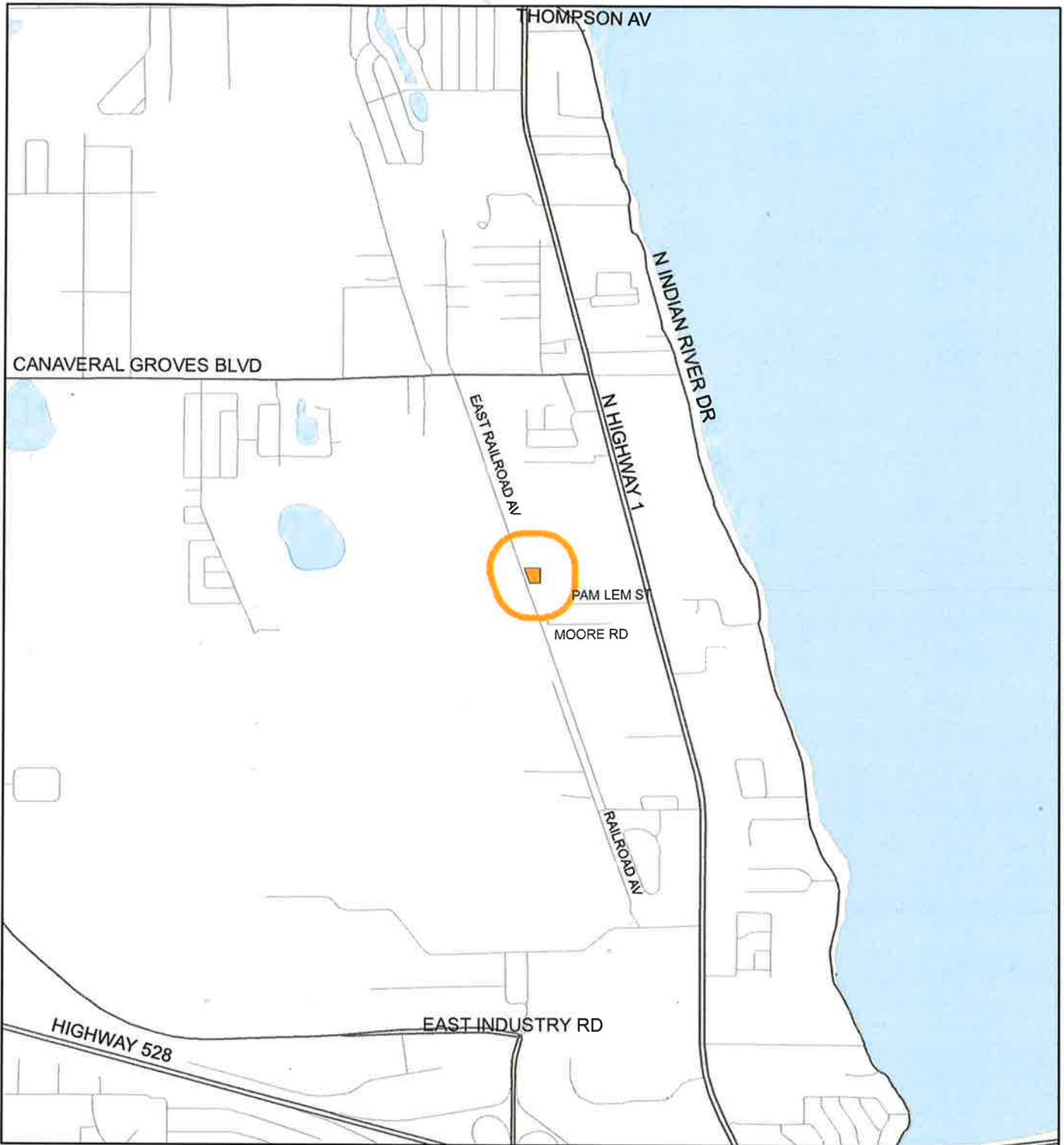
CHASE ROGERS  
\_\_\_\_\_  
Print Name of Notary Public



# LOCATION MAP

MOMENT, SUSIE L.

17PZ00038 and Small Scale Amendment 17S.02



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

-  Buffer
-  Subject Property

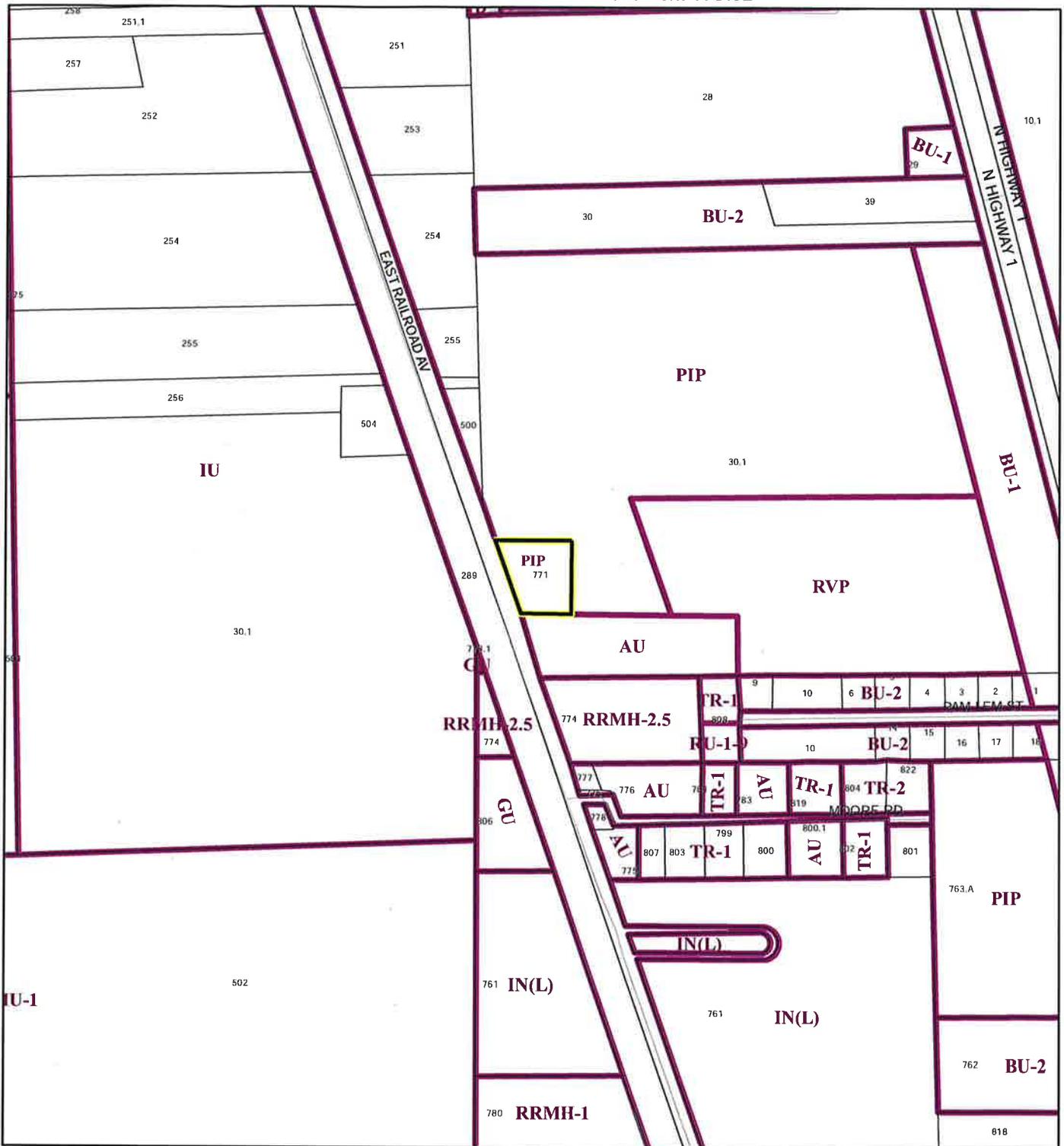
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 3/10/2017

# ZONING MAP

MOMENT, SUSIE L.

17PZ00038 and Small Scale Amendment 17S.02



1:4,800 or 1 inch = 400 feet

 Subject Property

 Parcels

 Zoning

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 3/10/2017

#### IV. PUBLIC HEARINGS

##### B. PLANNING & ZONING BOARD AGENDA MONDAY, May 8, 2017 – 3:00 P.M.

&

##### BOARD OF COUNTY COMMISSIONERS THURSDAY, May 25, 2017 – 5:00 P.M.

Both at the  
**BREVARD COUNTY GOVERNMENT CENTER**  
2725 Judge Fran Jamieson Way, Bldg. C, Viera, Florida

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

#### DISTRICT 1

**IV.B.1. (17PZ00038) – SUSIE L. MOMENT –** (Douglas Engle) – requests a Small Scale Plan Amendment (17S.02), to change the Future Land Use Designation from PLNIP to Residential 4; and a change of classification from PIP to RU-1-7 with a BDP limited to four (4) units per acre, on 1.02 acres, located on the east side of Railroad Ave., approx. 0.5 mile south of Canaveral Groves Blvd. (3865 E. Railroad Ave., Cocoa)

*LPA Recommendation: Cannon/McLellan – Approved. Vote was unanimous.*

*P&Z Recommendation: McLellan/Cannon – Approved with a BDP limited to four (4) units per acre. Vote was unanimous.*

**BCC ACTION: Pritchett/Barfield – APPROVED as recommended, and adopted Ordinance No. 17-14, Small Scale Plan Amendment 17S.02. Vote was unanimous. BDP TO BE SCHEDULED AS A CONSENT ITEM ON A SUBSEQUENT BCC AGENDA, PER POLICY BCC-52. RESOLUTION NUMBER TO BE ASSIGNED UPON RECEIPT OF RECORDED BDP.**

**IV.B.2. (17PZ00043) – BRIAN D. & TAMMY M. BOSSARD –** request a change of classification from RU-1-13 to RU-2-4, and an amendment to an existing BDP, limited to two (2) units, on 0.85 acres, located on the west side of Indian River Drive, approx. 0.20 mile north of Brookhill Dr. (3745 N. Indian River Dr., Cocoa)

*P&Z Recommendation: Moia/LaMarr – Approved with a BDP limited to two (2) units. Vote was unanimous.*

**BCC ACTION: Tobia/Isnardi – APPROVED as recommended. Vote was 4:1, with Pritchett voting nay. BDP TO BE SCHEDULED AS A CONSENT ITEM ON A SUBSEQUENT BCC AGENDA, PER POLICY BCC-52. RESOLUTION NUMBER TO BE ASSIGNED UPON RECEIPT OF RECORDED BDP.**

**IV.B.3. (17PZ00046) – DANA HIPPLE –** (Robert Hipple) – requests a change of classification from GU to AU(L), on 2.46 acres, located on the south side of Rayburn Rd., approx. 480 ft. west of Britt Rd. (4725 Rayburn Rd., Cocoa)

*P&Z Recommendation: Lawandales/McLellan – Approved with BDP limited to three (3) horses, and no other AU(L) uses. Vote was unanimous.*

**BCC ACTION: Pritchett/Isnardi – APPROVED as recommended. Vote was unanimous. BDP TO BE SCHEDULED AS A CONSENT ITEM ON A SUBSEQUENT BCC AGENDA, PER POLICY BCC-52. RESOLUTION NUMBER TO BE ASSIGNED UPON RECEIPT OF RECORDED BDP.**

#### IV.B.4. (NMI ITEM)

**PLANNING AND ZONING BOARD RECOMMENDATIONS OF MAY 8, 2017; AND NORTH MERRITT ISLAND BOARD RECOMMENDATION OF MAY 11, 2017**

- Item IV.B.1. Susie L. Moment. Pritchett/Barfield, approved with a BDP limited to (4) four units per acre, and adopted Ordinance No. 17-14 (17S.02).
- Item IV.B.2. Brian D. and Tammy M. Bossard. Tobia/Isnardi, approved with a BDP limited to two (2) units. Commissioner Pritchett voting nay.
- Item IV.B.3. Dana Hipple. Pritchett/Isnardi, approved with a BDP limited to three (3) horses, and no other AU(L) uses.
- Item IV.B.4. Eric and Amanda Obloy. Automatically tabled to August 3, 2017, Zoning meeting.
- Item IV.B.5. Gerard and Naresa Cancro. Isnardi/Barfield, approved with BDP retaining all BU-1 uses; and limiting the BU-2 use to dog boarding, grooming, training, and retail sales of related products.
- Item IV.B.6. St. George's by the Lake. Isnardi/Barfield, approved with BDP to include no residential overnight stay, limited to a school with 42 students, no new construction, and to stay within its original footprint. Commissioner Tobia voting nay.
- Item IV.B.7. LTM of Florida Holding, LLC. Isnardi/Barfield, tabled to August 3, 2017, Zoning meeting.
- Item IV.B.8. SRK Viera Village Associates, L.P. Isnardi/Barfield, approved as recommended.

**PREPARED BY AND RETURN TO:**

JOHN L SOILEAU, ESQ.  
Watson, Soileau, Deleo  
& Burgett P.A.  
3490 North US Highway 1  
Cocoa, Florida 32926  
(321) 631-1550  
Our File No: 17-2875  
REC: \$18.50  
DOC:

**CORRECTIVE WARRANTY DEED**

GRANTOR: **Susie L Moment**

GRANTEE: **Granite Property Development, Inc., a Florida corporation**

GRANTEE'S MAILING ADDRESS: **15450 NW 27<sup>th</sup> Avenue  
Miami Gardens, FL 33054**

DATE: **July 10, 2017**

LEGAL DESCRIPTION OF PROPERTY LOCATED IN FLORIDA:

**SEE EXHIBIT "A"**

**THE VACANT PROPERTY HEREIN DESCRIBED IS NOT AND HAS NEVER BEEN THE HOMESTEAD PROPERTY OF THE GRANTOR, NOR IS IT ADJACENT THERETO.**

**This deed is being recorded to correct a Scrivener's Error in deed recorded in Official Records Book 7932, Page 1084, Public Records of Brevard County, Florida.**

The Grantor, for and in consideration of the sum of TEN DOLLARS, and other good and valuable considerations to the Grantor in hand paid by the Grantee, the receipt of which is acknowledged, has granted, bargained and sold to the Grantee, and the Grantee's heirs and assigns forever the land described above. The Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to restrictions and matters appearing on the plat or otherwise common to the subdivision; public utility easements of record and taxes for the year 2017 which are not yet due and payable.

Execution of deed witnessed by:

GRANTOR:

*Lacey Van Gilder*  
Witness Name: Lacey Van Gilder

*Susie L. Moment*  
Susie L Moment  
6635 Dallas Avenue  
Cocoa, FL 32927

*Theresa A. Pratt*  
Witness Name: Theresa A. Pratt

**ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of July, 2017, by Susie L Moment, who is personally known to me or who has produced FL Drivers Lic as identification and who did not take an oath.

Notary Public: *Theresa A. Pratt*  
State of Florida at Large (SEAL.)  
My Commission Expires:



**EXHIBIT "A"**

All that property as described in Deed Book 260, page 505, of the Public Records of Brevard County, Florida, and being more particularly described as follows:

A parcel of land lying in Section 6, Township 24 South, Range 36 East, Brevard County, Florida, being more particularly described as follows:

Commencing at the intersection of the Easterly right of way line of Florida East Coast Railroad (100 foot right of way) and the North line of Parcel 48 as described in Official Records Book 2589, page 2750 of the Public Records of Brevard County, Florida; thence S 19 degrees 32'08" E along said Easterly right of way line a distance of 1097.45 feet to the Point of Beginning of the herein described parcel; thence N 89 degrees 21'43" E a distance of 249.51 feet; thence S 00 degrees 29'43" E a distance of 210.00 feet; thence S 89 degrees 21'43"W a distance of 177.09 feet to a point lying on the Easterly right of way line of the Florida East Coast Railroad; thence N 19 degrees 32'08" W along said aforementioned Easterly right of way line a distance of 221.96 feet to the Point of Beginning.

Less and Except rights of way for Railroad Ave.

**BrevardClerk.Us**  
 Scott Ellis, Clerk of Court

700 South Park Avenue, Bldg. B  
 P.O. Box 2767  
 Titusville, FL 32781-2767  
 (321) 637-2006

DBLIVE Transaction  
 #: 1943964  
 Receipt #: 61907117  
 Cashier Date: 7/26/2017  
 3:04:56 PM



Print Date:  
 7/26/2017 3:04:57 PM

Customer Information	Transaction Information	Payment Summary
( ) GREGORY WOOD 2407 BIGNONIA ST MELBOURNE, FL 32901	Date Received: 07/26/2017 Source Code: Titusville - Six Story Q Code: Titusville - Six Story Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$35.50 Total Payments \$35.50

1 Payments	
CHECK 8039	\$35.50

1 Recorded Items		
(AG) AGREEMENT	BK/PG: 7946/490 CFN:2017156328 Date: 7/26/2017 3:04:55 PM From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	4	\$35.50
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00

0 Search Items
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1 Miscellaneous Items	
(AGTR) AGENT TRANSMITTAL	