



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.5.

9/13/2022

Subject:

Acceptance, Re: Binding Development Plan with Brian G. and Debra S. Lawson; and David and Alicia McCabe (District 1)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

In accordance with Section 62-1157, it is requested that the Board of County Commissioners accept, and the Chair sign, the Binding Development Plan.

Summary Explanation and Background:

A BDP (Binding Development Plan) is a voluntary agreement presented by the 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 the Board's approval of the zoning request. Following staff and legal review, the BDP is presented to the Board in recordable form as a Consent Agenda item in order to finalize the zoning action.

On September 1, 2022, the Board approved a rezoning request from GU to RR-1, with a BDP limited to 3 lots with one unit on each. The attached agreement includes this provision.

Clerk to the Board Instructions:

Upon recordation, please return two certified copies of the BDP to Planning & Development.

Resolution 22Z00005

On motion by Commissioner Pritchett, seconded by Commissioner Smith, the following resolution was adopted by a unanimous vote:

WHEREAS, Brian G. and Debra S. Lawson; and David and Alicia McCabe have requested a change of zoning classification from GU (General Use) to RR-1 (Rural Residential) with a BDP (Binding Development Plan) on property described as follows: Lot 4, Block 14, Canaveral Groves Subdivision, as recorded in ORB 8090, Pages 2064 - 2067, of the Public Records of Brevard County, Florida; and Lots 2, 3, 5, 23, 24, 25, and 26, Block 16, Canaveral Groves Subdivision, as recorded in ORB 8090, Pages 2064 - 2067, of the Public Records of Brevard County, Florida. Section 35, Township 23, Range 35. (11.80 +/- acres) Located on the west side of Grissom Pkwy., approx. 620 ft. south of Peroutka Lane. (Lot 23 = 4680 Grissom Pkwy., Cocoa; Lot 25 = 4700 Grissom Pkwy., Cocoa; Remaining Lots = No assigned address. In the Cocoa area.); and

WHEREAS, a public hearing of the Brevard County Planning and 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 and Zoning Board recommended that the application be approved with a BDP limiting density to four units; and

WHEREAS, the Board, after considering said application and Brevard County Planning and 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 with a BDP as recommended, with a BDP limiting density to three units; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from GU to RR-1, be approved with a BDP, recorded on 09/14/22, in ORB 9612, Pages 1995 - 1999, limited to three units. The Planning and 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 September 14, 2022.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

Kristine Zonka, Chair
Brevard County Commission

As approved by the Board on September 13, 2022.

ATTEST:

RACHEL SADOFF, CLERK

(SEAL)

Planning and Zoning Board Hearing – March 14, 2022

Board of County Commissioners Hearing - April 7, 2022

Board of County Commissioners Hearing (request to re-open public hearing) - August 4, 2022

Board of County Commissioners Hearing - September 1, 2022

Please note: A CUP (Conditional Use Permit) will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. CUPs for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development 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.**



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

September 14, 2022

M E M O R A N D U M

TO: Jennifer Jones, Zoning

RE: Item F.5., Binding Development Plan with Brian G. and Debra S. Lawson; and David and Alicia McCabe

The Board of County Commissioners, in regular session on September 13, 2022, executed Binding Development Plan Agreement with Brian G. and Debra S. Lawson; and David and Alicia McCabe, for property located in the South half of the Southeast quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 35, Township 23 South, Range 35 East, lying in Brevard County, Florida. Enclosed for your necessary action are two certified copies of the recorded documents.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/dt

Encls. (2)

Prepared by: Kimberly Bonder Rezanka, Esquire
LACEY LYONS REZANKA
Address: 1290 U.S. Hwy 1, Ste. 201
Rockledge, FL 32955

CFN 2022225934, OR BK 9612 PAGE 1995,
Recorded 09/14/2022 at 04:50 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:6

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 13 day of September, 2022 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and BRIAN LAWSON, DEBRA LAWSON, DAVID MCCABE, and ALICIA MCCABE ("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"; and

WHEREAS, Developer/Owner has requested the RR-1 zoning classification(s) and desires to develop the Property as single family residential, 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 impacts on abutting landowners 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. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. 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.
3. The Developer/Owner shall limit density to a maximum of three (3) lots with one house on each lot, and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.


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 Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.
5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs 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 September 1, 2022. 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 shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.
8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7 above.
9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

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

ATTEST:


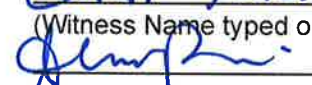
BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, FL 32940


Rachel M. Sadoff, Clerk of Court
(SEAL)


Kristine Zonka, Chair
As approved by the Board on Sept. 13, 2022

WITNESSES:


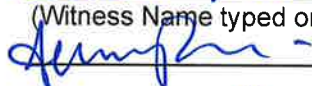
Brian Lawson



Cheri Patellis
(Witness Name typed or printed)

Amanda Persinger
(Witness Name typed or printed)


Brian Lawson

WITNESSES:

Debra Lawson


Cheri Patellis
(Witness Name typed or printed)

Amanda Persinger
(Witness Name typed or printed)


Debra Lawson

STATE OF Florida §
COUNTY OF Brevard §

The foregoing instrument was acknowledged before me, by means of physical presence or _____ online notarization, this 10th day of September, 2022, by Brian Lawson and Debra Lawson, who are personally known to me or who has produced as identification.



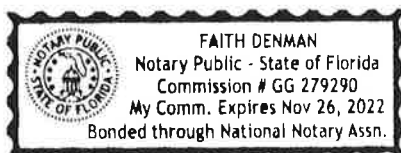
My commission expires

Notary Public

SEAL

Commission No.:

(Name typed, printed or stamped)



WITNESSES:

[Signature]

Cheri Patellis

(Witness Name typed or printed)

[Signature]

Amanda Persinger

(Witness Name typed or printed)

WITNESSES:

[Signature]

Cheri Patellis

(Witness Name typed or printed)

[Signature]

Amanda Persinger

(Witness Name typed or printed)

David McCabe

[Signature]

David McCabe

Alicia McCabe

[Signature]

Alicia McCabe

STATE OF Florida §

COUNTY OF Brevard §

The foregoing instrument was acknowledged before me, by means of ✓ physical presence or _____ online notarization, this 10th day of September, 2022, by David McCabe and Alicia McCabe, who are personally known to me or who has produced as identification.

Faith Denman

Notary Public

My commission expires

SEAL

Commission No.:

(Name typed, printed or stamped)

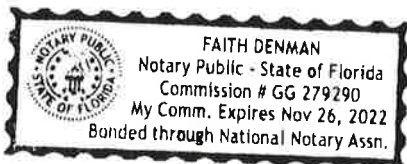


EXHIBIT 'A'

Parcel 1:

The South half of the Southeast quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 35, Township 23 South, Range 35 East, lying in Brevard County, Florida, a/k/a Lot 25, Block 16, unrecorded Canaveral Groves Subdivision of Section 35, Township 23 South, Range 35 East, according to the unrecorded plat thereof as recorded in Survey Book 2, Page 57, of the Public Records of Brevard County, Florida. Together with a 25.0 foot wide ingress and egress Easement for road purposes over the North 25.0 feet of Lot 4, Block 14, of said Canaveral Groves Subdivision and the South 25.0 feet of Lot 4, Block 16, of said Canaveral Groves Subdivision, the centerline of which being more particularly described as follows: Commence at the intersection of the West right of way line of Grissom Parkway (as presently located) and the North line of said Lot 4, Block 14, said point being the Northeast corner of said Lot 4, Block 14; thence run South 00 degrees 13 minutes 09 seconds East along said Westerly right of way line of said Grissom Parkway, a distance of 12.50 feet to the Point of Beginning; thence run North 89 degrees 59 minutes 17 seconds West along said centerline, parallel with the North line of said Lot 4, Block 14, and 12.50 feet South of said North line, a distance of 144.70 feet; thence run South 00 degrees 10 minutes 49 seconds East along said centerline, a distance of 12.90 feet; thence run North 89 degrees 59 minutes 40 seconds West along said centerline, parallel with the South line of said Lot 4, Block 16 and 12.50 feet North of said South line, a distance of 319.72 feet to the Westerly line of said Lot 4, Block 16, said point being the terminus of this 25.00 foot wide ingress and egress easement.

Parcel 2:

Lot 2, Block 16: The South 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, less the East 30 feet for road and less easements for utilities, lying and being in Brevard County, Florida.

Parcel 3:

Lot 5, Block 16: The North 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, lying and being in Brevard County, Florida. AND

Lot 6, Block 16: The South 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, lying and being in Brevard County, Florida.

Parcel 4:

The North 200 feet of the South 1690 feet of the North 7/8 of the East 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4, less the West 30 feet and less and except road right of way as described in Deeds recorded in Official Records Book 2983, Page 3441 and Official Records Book 2983, Page 3427, Public Records of Brevard County, Florida. Said above described parcel also known as Lot 4, Block 14, Canaveral Groves Unrecorded Subdivision of Section 35, Township 23 South, Range 35, Brevard County, Florida, less Grissom Road right of way.

Parcel 5:

The North 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, Brevard County, Florida, also known as Lot 3, Block 16, Canaveral Groves Unrecorded Subdivision of said Section 35.

AND

The South 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of of Section 35, Township 23 South, Range 35 East, Brevard County, Florida, also known as Lot 4, Block 16, Canaveral Groves Unrecorded Subdivision of said Section 35.

Parcel 6:

The South 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, less the West 30 feet thereof, lying and being in Brevard County, Florida. Less and except road right of way.

AND

The North 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, less the West 30 feet thereof, lying and being in Brevard County, Florida. Less and except road right of way.

Parcel 7:

The North 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4, less the West 30 feet for road, Section 35, Township 23 South, Range 35 East, Brevard County, Florida. Also known as Tract 26 in Block 16, Canaveral Groves Unrecorded Subdivision.

LESS AND EXCEPT:

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BEING (A.K.A.) LOT 23, BLOCK 16, CANAVERAL GROVES SUBDIVISION OF SAID SECTION 35, AN UNRECORDED MAP OF SURVEY RECORDED IN SURVEY BOOK 2, PAGE 57, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH 1/2 OF ADJACENT ROADS PER OFFICIAL RECORDS BOOK 1646, PAGE 130, OF SAID PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
TOGETHER WITH:

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BEING (A.K.A.) LOT 6, BLOCK 16, CANAVERAL GROVES SUBDIVISION OF SAID SECTION 35, AN UNRECORDED MAP OF SURVEY RECORDED IN SURVEY BOOK 2, PAGE 57, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH 1/2 OF ADJACENT ROADS PER OFFICIAL RECORDS BOOK 1646, PAGE 130, OF SAID PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
AND ALSO TOGETHER WITH:

THE SOUTH 25.00 FEET OF THE NORTH 200 FEET OF THE SOUTH 1690 FEET OF THE NORTH 7/8 OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 LESS AND EXCEPT ROAD RIGHT OF WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2983, PAGE 3427, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING (A.K.A.) THE SOUTH 25.00 FEET OF LOT 4, BLOCK 14, CANAVERAL GROVES SUBDIVISION OF SAID SECTION 35, AN UNRECORDED MAP OF SURVEY RECORDED IN SURVEY BOOK 2, PAGE 57, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH 1/2 OF ADJACENT ROADS PER OFFICIAL RECORDS BOOK 1646, PAGE 130, OF SAID PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

LESS AND EXCEPT GRISSOM PARKWAY ROAD RIGHT OF WAY, AND TOGETHER WITH THE SOUTH 28.11 FEET OF THE EAST 25.00 FEET OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 35 EAST.

AFFIDAVIT OF NO MORTGAGE

Brian Lawson and Debra Lawson, after being duly sworn, deposes and says:

1. I am the owner of the real property as more particularly described in **Exhibit "A"** attached hereto.
2. There are no mortgages on the Property.

Dated September 6, 2022.

By: Brian Lawson
Brian Lawson

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 6th day of September, 2022, by Brian Lawson, who is personally known to me or who has produced as identification _____.

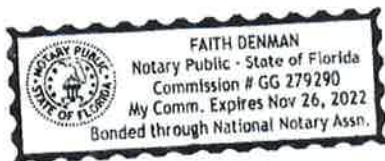
commission expires

Faith Denman My
Notary Public

SEAL

Commission No.:

(Name typed, printed or stamped)



By: Debra Lawson
Debra Lawson

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 6th day of September, 2022, by Debra Lawson, who is personally known to me or who has produced as identification _____.

commission expires

Faith Denman My
Notary Public

SEAL

Commission No.:

(Name typed, printed or stamped)

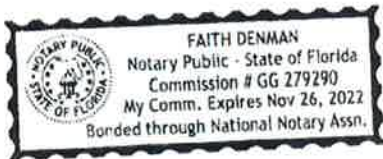


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Parcel 2:

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Parcel 3:

Lot 5, Block 16: The North 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, lying and being in Brevard County, Florida. AND

Lot 6, Block 16: The South 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, lying and being in Brevard County, Florida.

Parcel 4:

The North 200 feet of the South 1690 feet of the North 7/8 of the East 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4, less the West 30 feet and less and except road right of way as described in Deeds recorded in Official Records Book 2983, Page 3441 and Official Records Book 2983, Page 3427, Public Records of Brevard County, Florida. Said above described parcel also known as Lot 4, Block 14, Canaveral Groves Unrecorded Subdivision of Section 35, Township 23 South, Range 35, Brevard County, Florida, less Grissom Road right of way.

Parcel 5:

The North 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, Brevard County, Florida, also known as Lot 3, Block 16, Canaveral Groves Unrecorded Subdivision of said Section 35.

AND

The South 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of the South-east 1/4 of of Section 35, Township 23 South, Range 35 East, Brevard County, Florida, also known as Lot 4, Block 16, Canaveral Groves Unrecorded Subdivision of said Section 35.

Parcel 6:

The South 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, less the West 30 feet thereof, lying and being in Brevard County, Florida. Less and except road right of way.

AND

The North 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 23 South, Range 35 East, less the West 30 feet thereof, lying and being in Brevard County, Florida. Less and except road right of way.

Parcel 7:

The North 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4, less the West 30 feet for road, Section 35, Township 23 South, Range 35 East, Brevard County, Florida. Also known as Tract 26 in Block 16, Canaveral Groves Unrecorded Subdivision.

LESS AND EXCEPT (LAWSON'S HOMESTEAD):

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BEING (A.K.A.) LOT 23, BLOCK 16, CANAVERAL GROVES SUBDIVISION OF SAID SECTION 35, AN UNRECORDED MAP OF SURVEY RECORDED IN SURVEY BOOK 2, PAGE 57, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH 1/2 OF ADJACENT ROADS PER OFFICIAL RECORDS BOOK 1646, PAGE 130, OF SAID PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH:

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BEING (A.K.A.) LOT 6, BLOCK 16, CANAVERAL GROVES SUBDIVISION OF SAID SECTION 35, AN UNRECORDED MAP OF SURVEY RECORDED IN SURVEY BOOK 2, PAGE 57, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH 1/2 OF ADJACENT ROADS PER OFFICIAL RECORDS BOOK 1646, PAGE 130, OF SAID PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AND ALSO TOGETHER WITH:

THE SOUTH 25.00 FEET OF THE NORTH 200 FEET OF THE SOUTH 1690 FEET OF THE NORTH 7/8 OF THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 LESS AND EXCEPT ROAD RIGHT OF WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2983, PAGE 3427, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING (A.K.A.) THE SOUTH 25.00 FEET OF LOT 4, BLOCK 14, CANAVERAL GROVES SUBDIVISION OF SAID SECTION 35, AN UNRECORDED MAP OF SURVEY RECORDED IN SURVEY BOOK 2, PAGE 57, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH 1/2 OF ADJACENT ROADS PER OFFICIAL RECORDS BOOK 1646, PAGE 130, OF SAID PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

LESS AND EXCEPT GRISSOM PARKWAY ROAD RIGHT OF WAY, AND TOGETHER WITH THE SOUTH 28.11 FEET OF THE EAST 25.00 FEET OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 35 EAST.

AND LESS AND EXCEPT (MCCABES' PROPERTY):

CANAVERAL GROVES SUBD PER SB 2 PG 57 LOT 4 BLK 14 & 1/2 OF ADJ ROADS & CANALS PER ORB 1646 PG 130, 1733 PG 1012 EXC ORB 2983 PG'S 3427 & 3441, ORB 8168 PG 1134; otherwise described as Tax Parcel ID. 23-35-35-01-14-4

AND

CANAVERAL GROVES SUBD PER SB 2 PG 57 LOT 5 BLK 16 & 1/2 OF ADJ ROADS PER ORB 1646 PG 130 EXC ORB 8168 PG 1134; otherwise described as Tax Parcel ID 23-35-35-01-16-5

AND


CANAVERAL GROVES SUBD PER SB 2 PG 57 LOT 24 BLK 16 & 1/2 OF ADJ ROADS PER ORB 1646 PG 130 EX RD R/W; otherwise described as Tax Parcel ID 23-35-01-16-24

AFFIDAVIT OF NO MORTGAGE

David McCabe and Alicia McCabe, after being duly sworn, deposes and says:

1. I am the owner of the real property as more particularly described in Exhibit "A" attached hereto.
2. There are no mortgages on the Property.

Dated September 6, 2022.

By: 
David McCabe

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 6th day of September, 2022, by David McCabe, who is personally known to me or who has produced as identification _____.

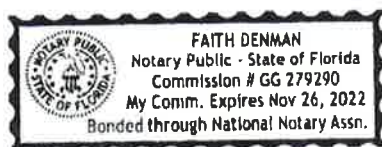
My commission expires


Notary Public

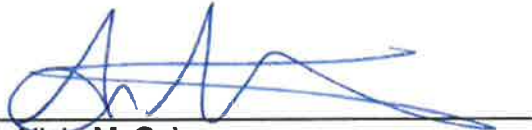
SEAL

Commission No.:

(Name typed, printed or stamped)



By:


Alicia McCabe

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 6th day of September, 2022, by Alicia McCabe, who is personally known to me or who has produced as identification _____.

My commission expires


Notary Public

SEAL

Commission No.:

(Name typed, printed or stamped)

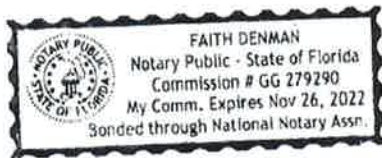


EXHIBIT "A" – LEGAL DESCRIPTION

CANAVERAL GROVES SUBD PER SB 2 PG 57 LOT 4 BLK 14 & 1/2 OF ADJ ROADS & CANALS PER ORB 1646 PG 130, 1733 PG 1012 EXC ORB 2983 PG'S 3427 & 3441, ORB 8168 PG 1134; otherwise described as Tax Parcel ID. 23-35-35-01-14-4

AND

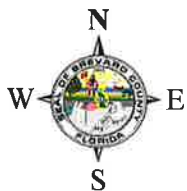
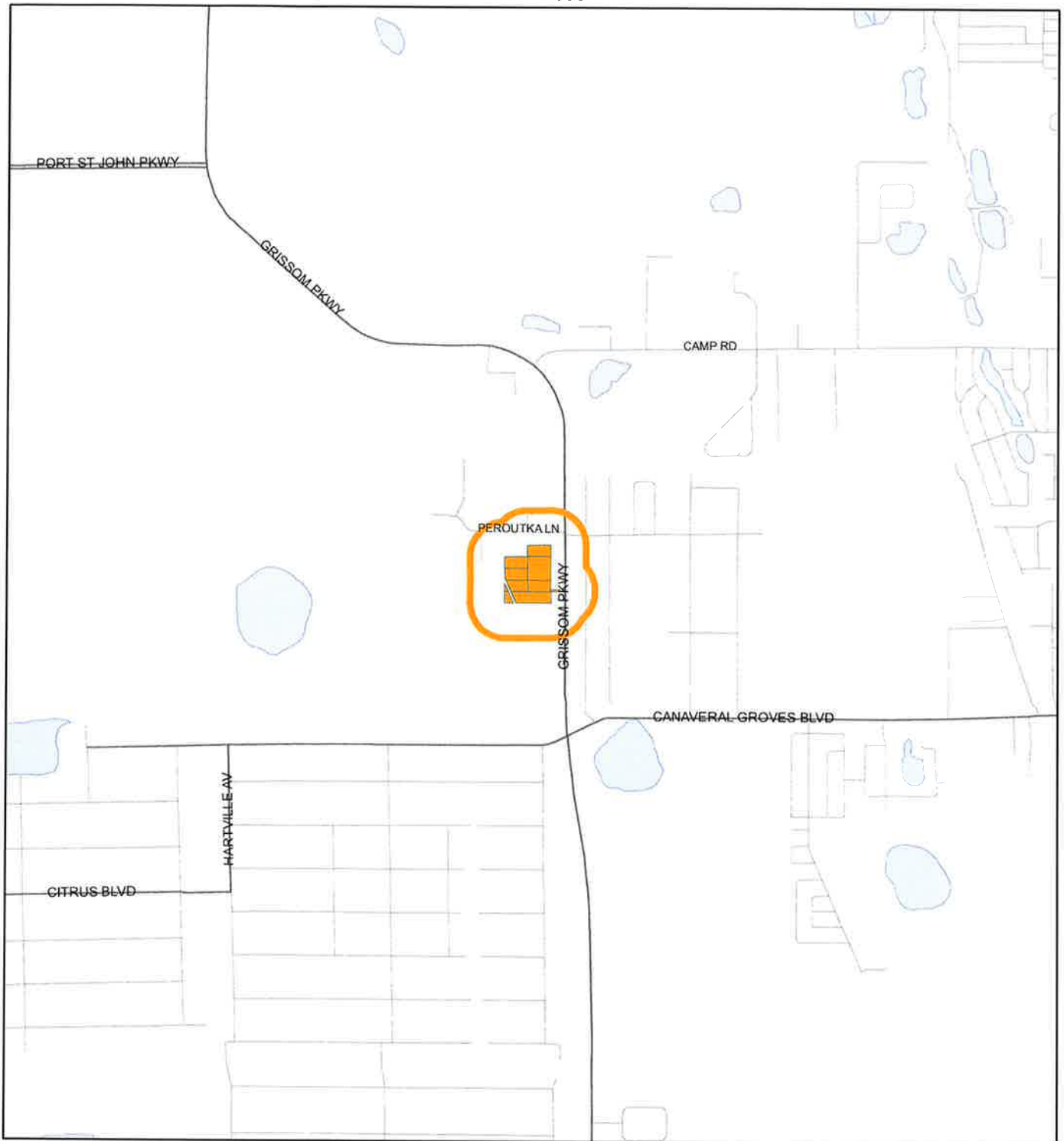
CANAVERAL GROVES SUBD PER SB 2 PG 57 LOT 5 BLK 16 & 1/2 OF ADJ ROADS PER ORB 1646 PG 130 EXC ORB 8168 PG 1134; otherwise described as Tax Parcel ID 23-35-35-01-16-5

AND

CANAVERAL GROVES SUBD PER SB 2 PG 57 LOT 24 BLK 16 & 1/2 OF ADJ ROADS PER ORB 1646 PG 130 EX RD R/W; otherwise described as Tax Parcel ID 23-35-01-16-24

LOCATION MAP

LAWSON, Brian G and Debra S; and McCABE, David and Alicia
22Z00005



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

Buffer Distance: 500 feet

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 BoCC - GIS Date: 8/16/2022

Buffer
Subject Property

ZONING MAP

LAWSON, Brian G and Debra S; and McCABE, David and Alicia

22Z00005



1:4,800 or 1 inch = 400 feet

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.

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- Subject Property
- Parcels
- Zoning