



AGENDA REPORT
July 10, 2018

**Approval Re: Transfer of County Owned Property for Right of Way
Purposes – District 5.**

SUBJECT:

Approval Re: Transfer of County Owned Property for Right of Way Purposes – District 5.
(Fiscal Impact: None)

FISCAL IMPACT:

Fiscal Impact: FY 2017 – 2018: No Impact
FY 2018 – 2019: No Impact

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board authorize the transfer of a portion of County owned property to Public Works Department for use as additional right of way for John Rodes Blvd.

SUMMARY EXPLANATION and BACKGROUND:

The property is located in Section 35, Township 27 South, Range 36 East.

In October of 2013, the County purchased a parcel of land from Rodes Investment, LLC for uses related to the St. Johns Heritage Parkway Interchange with I-95, with reimbursement from Florida Department of Transportation for the portion of the parent parcel that was needed for the Interchange Project. Other portions of the parent parcel will be used related to the Ellis Road Improvement Project.

In anticipation of future improvements to the John Rodes Blvd. and Ellis Road intersection, Public Works would like to designate the land as described in the attached sketch and description for Parcel 101 as right of way.

ATTACHMENTS:

Description

- ▣ **John Rodes Transfer ROW-Sketch_Description**
- ▣ **John Rodes Transfer ROW-Location Map**
- ▣ **John Rodes Transfer ROW-WD 10-30-2013**
- ▣ **John Rodes Transfer ROW-CAO Review**



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 11, 2018

MEMORANDUM

TO: Andrew Holmes, Public Works Director

RE: Item F.16., Approval for Transfer of County-Owned Property for Right of Way Purposes

The Board of County Commissioners, in regular session on July 10, 2018, authorized the transfer of a portion of County-owned property to Public Works Development for use as additional right-of-way for John Rodes Blvd.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

PARCEL 101

SECTION 35, TOWNSHIP 27 SOUTH, RANGE 36 EAST

PARENT PARCEL ID NO.: 27-36-35-00-256

PURPOSE: FEE SIMPLE CONVEYANCE

LEGAL DESCRIPTION: PARCEL 101, FEE SIMPLE CONVEYANCE (BY SURVEYOR)

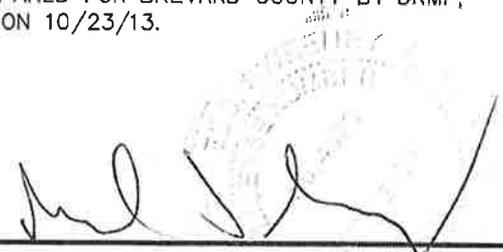
A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7002, PAGE 673 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING LOCATED WITHIN THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 35, TOWNSHIP 27 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 7002, PAGE 673; THENCE SOUTH 89° 47' 06" WEST ALONG THE SOUTH LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 40.00 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00° 16' 58" EAST FOR A DISTANCE OF 508.37 FEET TO A POINT ON THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7903, PAGE 606, SAID POINT ALSO BEING A POINT OF CURVATURE OF A NON-TANGENTIAL CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 8305.00 FEET, AN INCLUDED ANGLE OF 00° 12' 22", AND WHOSE LONG CHORD BEARS NORTH 84° 01' 43" EAST; THENCE ALONG THE ARC OF SAID CURVE AND ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7903, PAGE 606 FOR A DISTANCE OF 29.89 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE SOUTH 33° 44' 35" EAST ALONG SAID SOUTH LINE FOR A DISTANCE OF 18.38 FEET TO A POINT ON THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7002, PAGE 673, SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF JOHN RODES BOULEVARD; THENCE SOUTH 00° 16' 58" WEST ALONG THE EAST LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 496.05 FEET TO THE POINT OF BEGINNING; CONTAINING 0.47 ACRES (20,331 SQUARE FEET), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. THIS SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS; NO TITLE OPINION IS EXPRESSED OR IMPLIED.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF JOHN RODES BOULEVARD AS IDENTIFIED WITHIN OFFICIAL RECORDS BOOK 7002, PAGE 673 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AS BEING SOUTH 01°16'58"EAST, AN ASSUMED BEARING.
3. ONLY RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS ARE INDICATED HEREON. NO OWNERSHIP AND ENCUMBRANCE REPORT OR OTHER INFORMATION WAS FURNISHED TO THE SURVEYOR AND MAPPER.
4. REFERENCE MATERIAL:
 - a. TOPOGRAPHIC & RIGHT OF WAY SURVEY PREPARED FOR BREVARD COUNTY BY FRAZIER ENGINEERING, INC., PROJECT NO. 0011, DATED 2/18/02, LAST REVISION 6/5/01.
 - b. BOUNDARY SURVEY OF RODES INVESTMENT PARCEL PREPARED FOR BREVARD COUNTY BY DRMP, PROJECT NO. 06-809-008, DATED 10/21/13, LAST REVISION 10/23/13.



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

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

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940
PHONE: (321) 633-2080



DRAWN BY: R. HENNING

CHECKED BY: M. J. SWEENEY

DRAWING NO. 27-36-35-00-256.0.dwg

SECTION 35

DATE: JUNE 13, 2018

SHEET: 1 OF 2

REVISIONS

DATE

DESCRIPTION

TOWNSHIP 27 SOUTH
RANGE 36 EAST

SKETCH OF DESCRIPTION

PARCEL 101

SECTION 35, TOWNSHIP 27 SOUTH, RANGE 36 EAST
 PARENT PARCEL ID NO.: 27-36-35-00-256
 PURPOSE: FEE SIMPLE CONVEYANCE

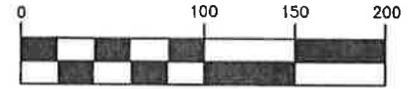


EXHIBIT "A"

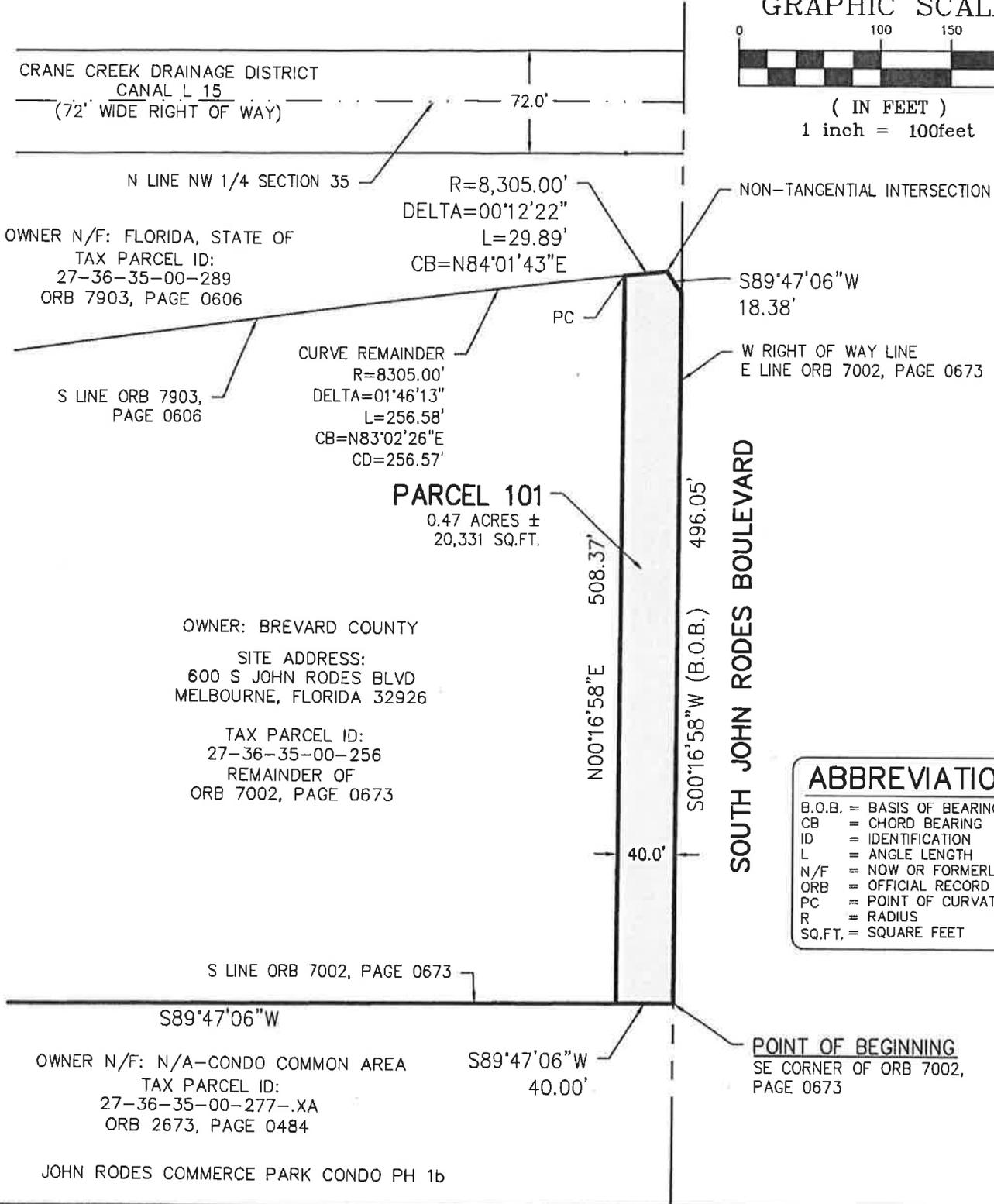
SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2
THIS IS NOT A SURVEY

GRAPHIC SCALE



(IN FEET)
 1 inch = 100feet



OWNER N/F: FLORIDA, STATE OF
 TAX PARCEL ID:
 27-36-35-00-289
 ORB 7903, PAGE 0606

S LINE ORB 7903,
 PAGE 0606

CURVE REMAINDER
 R=8305.00'
 DELTA=01°46'13"
 L=256.58'
 CB=N83°02'26"E
 CD=256.57'

PARCEL 101
 0.47 ACRES ±
 20,331 SQ.FT.

OWNER: BREVARD COUNTY
 SITE ADDRESS:
 600 S JOHN RODES BLVD
 MELBOURNE, FLORIDA 32926
 TAX PARCEL ID:
 27-36-35-00-256
 REMAINDER OF
 ORB 7002, PAGE 0673

S LINE ORB 7002, PAGE 0673

OWNER N/F: N/A-CONDO COMMON AREA
 TAX PARCEL ID:
 27-36-35-00-277-.XA
 ORB 2673, PAGE 0484

JOHN RODES COMMERCE PARK CONDO PH 1b

NON-TANGENTIAL INTERSECTION
 S89°47'06"W
 18.38'
 W RIGHT OF WAY LINE
 E LINE ORB 7002, PAGE 0673

SOUTH JOHN RODES BOULEVARD

ABBREVIATIONS

- B.O.B. = BASIS OF BEARING
- CB = CHORD BEARING
- ID = IDENTIFICATION
- L = ANGLE LENGTH
- N/F = NOW OR FORMERLY
- ORB = OFFICIAL RECORD BOOK
- PC = POINT OF CURVATURE
- R = RADIUS
- SQ.FT. = SQUARE FEET

POINT OF BEGINNING
 SE CORNER OF ORB 7002,
 PAGE 0673



PREPARED BY: BREVARD COUNTY PUBLIC WORKS
 SURVEYING AND MAPPING DIVISION
 ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
 VIERA, FLORIDA 32940
 PHONE: (321) 633-2080

SCALE:
 1"=100'
 DRAWING NO.:
 27-36-35-00-256.0.dwg

SECTION 35
 TOWNSHIP 27 SOUTH
 RANGE 36 EAST

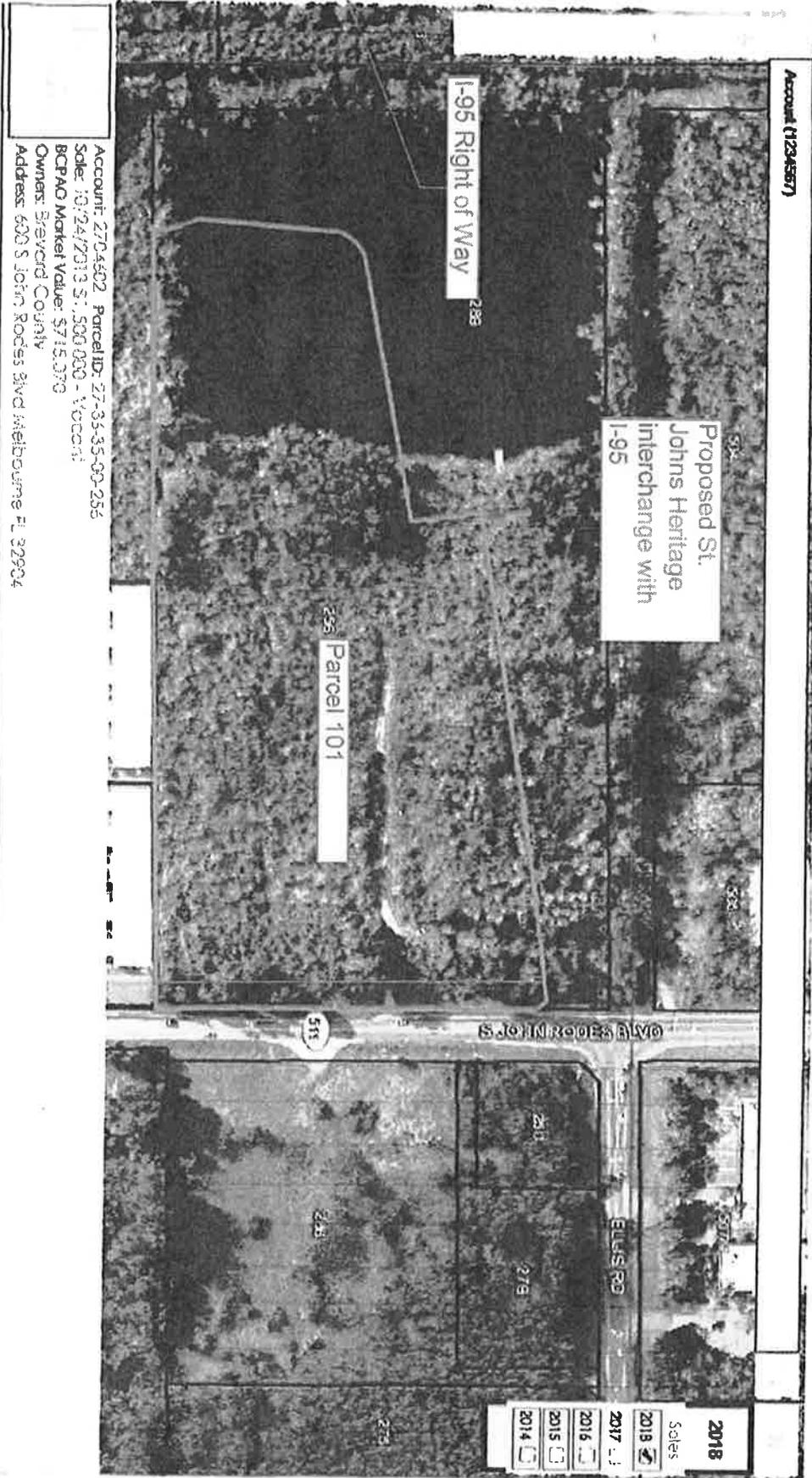
Location Map
 Additional Right of Way for John Rodas
 Parcel ID# 27-36-35-00-256
 Account # 2704602

Brevard County Property Appraiser
 Dana Bickley, CFA

MapView 0

GoogleView 0

StreetView 0



Account: 2704602 Parcel ID: 27-36-35-00-256
 Sale: 10/24/2013 \$1,500,000 - Vendor:
 BCPAO Market Value: \$715,079
 Owners: Brevard County
 Address: 600 S John Rodas Blvd Melbourne FL 32904

INSTRUCTIONS (/Docs/misc/Instructions_MapSearch.pdf(20170405))

Prepared by and return to:

The Title Station, Inc.

Mailing address only:

3683 S. Sherwood Circle

Cocoa, Florida 32926

Parcel ID Number: 27-36-35-00-00256.0-0000.00

\$1,500,000.00 - sales price

Warranty Deed

This Warranty Deed, made effective on October 29, 2013, A.D. By **Rodes Investment, LLC**, a Florida limited liability company, hereinafter called the grantor, to **Brevard County, Florida**, whose post office address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land ("Property") situate in Brevard County, Florida, viz:

The North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 35, Township 27 South, Range 36 East, less and excepting road and canal right of ways, being more particularly described as follows:

Commencing at the Northwest corner of said Section 35, run South 00 degrees 24 minutes 29 Seconds West, along the West line of the Northwest 1/4 of said Section 35, a distance of 36.00 feet, thence run North 89 degrees 44 minutes 14 seconds East, a distance of 88.01 feet to the intersection of the East right of way of Crane Creek Drainage District Main Canal (a 88 foot right of way) and the South right of way of Crane Creek Drainage District Canal L-15 (a 72 foot right of way) and the POINT OF BEGINNING of the herein described parcel, thence continue North 89 degrees 44 minutes 14 seconds East, along said South right of way, a distance of 1189.09 feet to the West right of way of John Rodes Boulevard, thence South 00 degrees 16 minutes 58 seconds West, along said West right of way, a distance of 594.33 feet to the South line of the North half (1/2) of the Northwest one quarter (1/4) of the Northwest one quarter (1/4) of Section 35, thence South 89 degrees 47 minutes 06 seconds West, along Said South line, a distance of 1191.54 feet to the aforesaid East right of way of Crane Creek Drainage District Main Canal, thence North 00 degrees 24 minutes 29 seconds East, along said East right of way, a distance of 593.35 feet to the POINT OF BEGINNING.

Subject to taxes for the year 2014 and subsequent years.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of the Property in fee simple; that the grantor has good right and lawful authority to sell and convey the Property; that the grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever; and that the Property is free of all encumbrances except taxes, accruing subsequent to December 31, 2012.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness #1 signature

ROBERT L. COCHRAN
Witness #1 printed name

[Signature]
Witness #2 signature

Linda Brooks
Witness #2 printed name

Rodes Investment, LLC

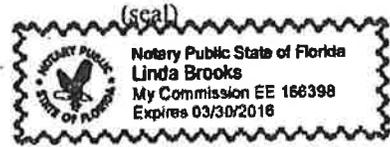
By: [Signature] (Seal)
Robert L. Cochran, Jr., Managing Member
Post Office Box 33307, Indialantic, FL 32903

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me on October 24th, 2013, by Robert L. Cochran, Jr. as Managing Member of Rodes Investment, LLC, a Florida limited liability company, who is authorized to sign on behalf of said company, who is/are personally known to me or produced _____ as identification, and did not take an oath.

My commission expires: 3/30/2016

[Signature]
Notary Public



BOARD OF COUNTY COMMISSIONERS

AGENDA: TRANSFER OF COUNTY OWNED PROPERTY TO PUBLIC WORKS
FOR ADDITIONAL RIGHT OF WAY FOR JOHN RODES BLVD.-
DISTRICT 5

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: DAN JONES, LAND ACQUISITION SUPERVISOR

CONTACT PHONE: 321-690-6847

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>DPJ</u>	_____	<u>6/24/18</u>
COUNTY ATTORNEY Eden Bentley <u>JAD BREWER</u> <i>Asst.</i> County Attorney	<u>JAB</u>	_____	<u>6/27/18</u>

AGENDA DUE DATE: June 26, 2018 for the July 10, 2018 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.

LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

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SECTION 35, TOWNSHIP 27 SOUTH, RANGE 36 EAST

PARENT PARCEL ID NO.: 27-36-35-00-256

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

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

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940
PHONE: (321) 633-2080



DRAWN BY: R. HENNING	CHECKED BY: M. J. SWEENEY	DRAWING NO. 27-36-35-00-256.0.dwg			SECTION 35 TOWNSHIP 27 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: JUNE 13, 2018	SHEET: 1 OF 2				

SKETCH OF DESCRIPTION

PARCEL 101

SECTION 35, TOWNSHIP 27 SOUTH, RANGE 36 EAST
 PARENT PARCEL ID NO.: 27-36-35-00-256
 PURPOSE: FEE SIMPLE CONVEYANCE



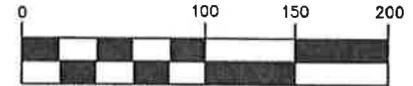
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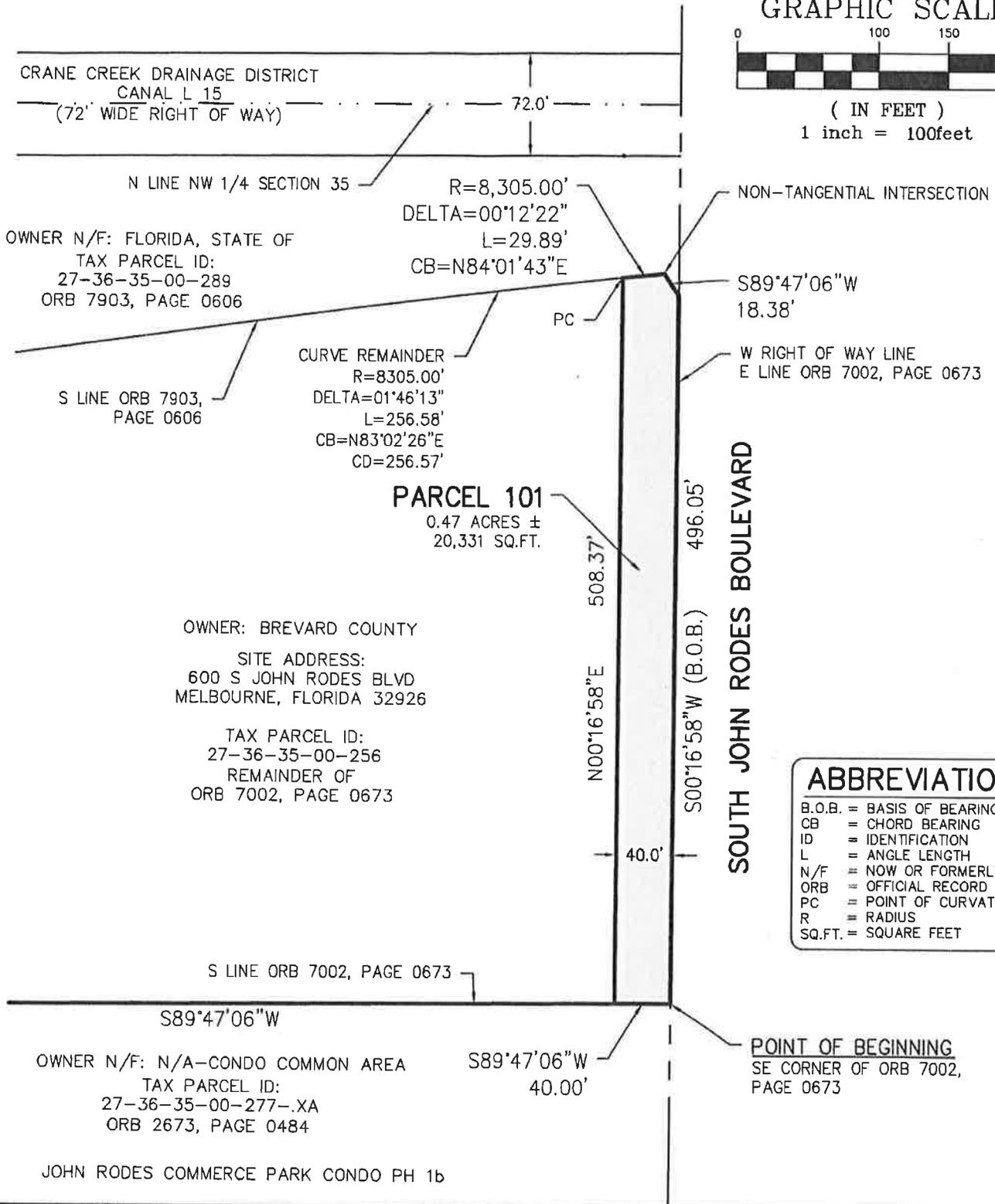
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(IN FEET)

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PREPARED BY: BREVARD COUNTY PUBLIC WORKS
 SURVEYING AND MAPPING DIVISION
 ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
 VIERA, FLORIDA 32940
 PHONE: (321) 633-2080

SCALE: 1"=100'
 DRAWING NO.: 27-36-35-00-256.0.dwg

SECTION 35
 TOWNSHIP 27 SOUTH
 RANGE 36 EAST

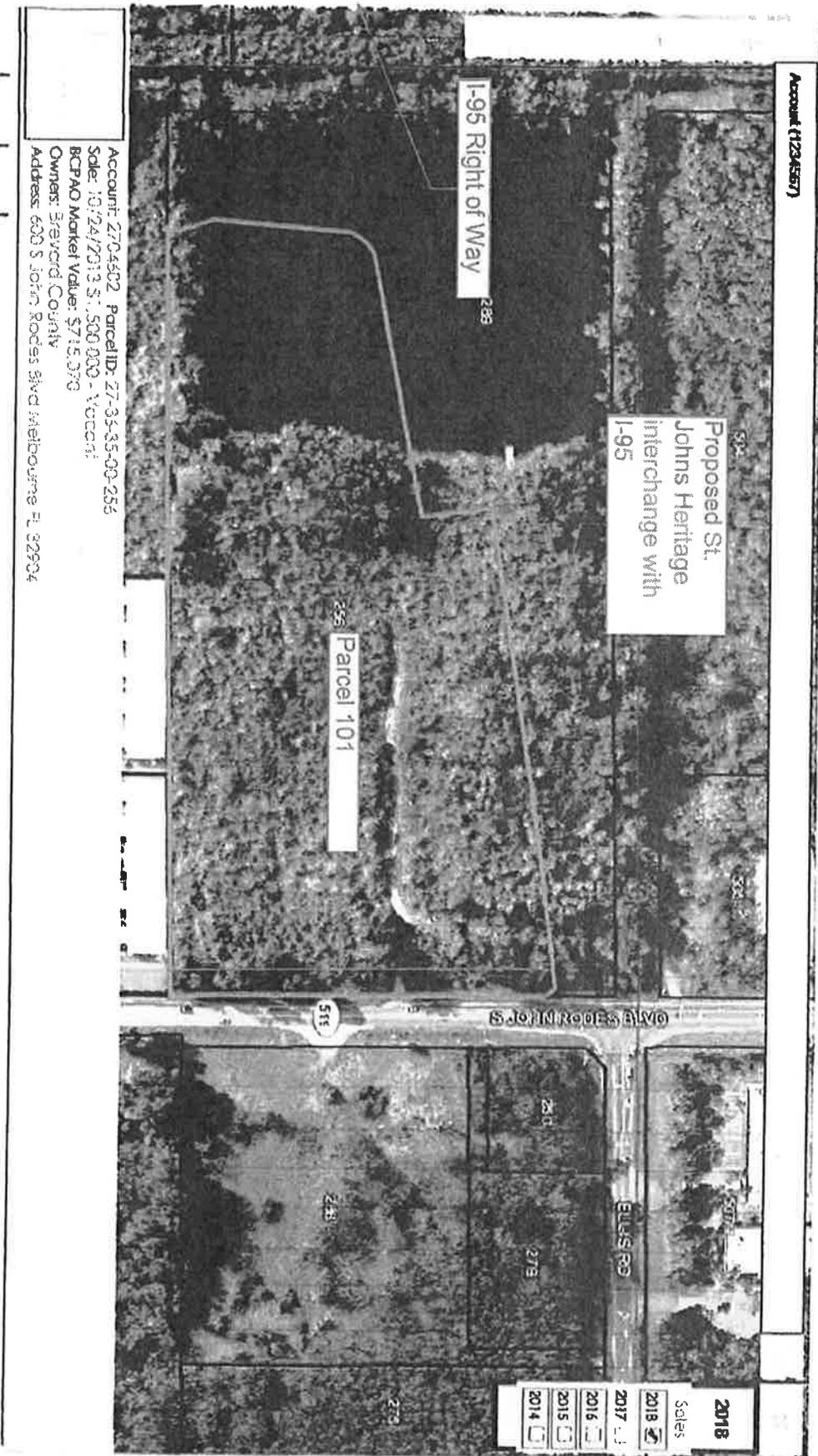
Location Map
 Additional Right of Way for John Rodas
 Parcel ID# 27-36-35-00-256
 Account # 2704602

Brevard County Property Appraiser
 Dana Bickley, CFA

MapView 0

GoogleView 0

StreetView 0



Account: 2704602, ParcelID: 27-36-35-00-256
 Sale: 10/24/2013 \$: 500,000 - V00001
 BCPAO Market Value: \$715,370
 Owners: Brevard County
 Address: 600 S John Rodas Blvd Melbourne FL 32904

INSTRUCTIONS (/Docs/misc/Instructions_MapSearch.pdf/20170405)

2

Prepared by and return to:

The Title Station, Inc.

Mailing address only:

3683 S. Sherwood Circle

Cocoa, Florida 32926

Parcel ID Number: 27-36-35-00-00256.0-0000.00

\$1,500,000.00 - sales price

Warranty Deed

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Subject to taxes for the year 2014 and subsequent years.

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And the grantor hereby covenants with said grantee that the grantor is lawfully seized of the Property in fee simple; that the grantor has good right and lawful authority to sell and convey the Property; that the grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever; and that the Property is free of all encumbrances except taxes accruing subsequent to December 31, 2012.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness #1 signature

ROBERT L. COCHRAN
Witness #1 printed name

[Signature]
Witness #2 signature

Linda Brooks
Witness #2 printed name

Rodes Investment, LLC

By: [Signature] (Seal)
Robert L. Cochran, Jr., Managing Member
Post Office Box 33307, Indialantic, FL 32903

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me on October 24th, 2013, by Robert L. Cochran, Jr. as Managing Member of Rodes Investment, LLC, a Florida limited liability company, who is/are personally known to me or produced _____ as identification, and did not take an oath.

My commission expires: 3/30/2016

[Signature]
Notary Public

