

Meeting Date
November 21, 2017



AGENDA	
Section	Consent
Item No.	<i>II.A.9.</i>

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Permission to advertise a proposed exchange of property between R. C. Kirk & Ethyl May Kirk (Kirk) and Brevard County – District 1. (Fiscal Impact: None)
DEPT/OFFICE:	Public Works Department / Land Acquisition Section

Requested Action:

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

Summary Explanation & Background:

The subject properties are located in Sections 7 & 8, Township 21 South, Range 35 East.

The properties are located near Old Dixie Highway, North of Kelly Road and South of Brockett Road in Mims.

The County property described in Exhibit A separates the KIRK property from Old Dixie Highway right of way. The KIRK property described in Exhibit C separates the County property from Old Dixie Highway. KIRK desires to have access across the County property and the County desires access across the KIRK property. It is recommended to exchange the County property described in Exhibit A for the KIRK property described in Exhibit C. The County also desires to have KIRK transfer easement right for the purpose of landscaping and buffering between the County property and the KIRK property.

Based upon estimated values, the County parcel described in Exhibit A is \$9,200.00. The estimated value of the KIRK parcel described in Exhibit C and the easement parcel described in Exhibit B is \$4,700.00. KIRK has agreed to pay the difference of \$4,500.00 to the County and to grant the Buffer / Landscape Easement and Deed for the property needed by the County in exchange for the property needed by KIRK for access to Old Dixie Highway.

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

Clerk to the Board Instructions:

Exhibits Attached: Copy of Public Notice, Location Map

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR <input type="checkbox"/>
County Manager Frank Abbate <i>[Signature]</i>	Assistant County Manager John P. Denninghoff <i>[Signature]</i>	Interim Assistant County Manager Jim Liesenfelt <i>[Signature]</i>		Department Director / Extension Andrew J. Holmes, PE / 57202 <i>[Signature]</i>		



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

November 22, 2017

M E M O R A N D U M

TO: Andrew Holmes, Public Works Director

RE: Item II.A.4., Permission to Advertise Proposed Exchange of Property Between R. C. Kirk and Ethyl May Kirk (KIRK) and Brevard County

The Board of County Commissioners, in regular session on November 21, 2017, authorized advertisement of a proposed exchange of property between Brevard County and KIRK as required by Section 125.37, F. S.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

BOARD OF COUNTY COMMISSIONERS

AGENDA: PERMISSION TO ADVERTISE A PROPOSED EXCHANGE OF
PROPERTY BETWEEN R. C. KIRK & ETHYL MAY KIRK AND BREVARD
COUNTY BOARD OF COUNTY COMMISSIONERS - DISTRICT 1

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: DAN JONES LAND ACQUISITION SUPERVISOR

CONTACT PHONE: 321-690-6847 (5-2726)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>see attached</u>	_____	<u>11/1/17</u>
COUNTY ATTORNEY Eden Bentley Deputy County Attorney	<u>see attached</u>	_____	<u>11/2/17</u>
PUBLIC WORKS Andrew J. Holmes, Director	<u>Cells</u>	_____	<u>11/3/17</u>

AGENDA DUE DATE: November 7, 2016 for the November 21, 2017 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

Space

AGENDA: PERMISSION TO ADVERTISE A PROPOSED EXCHANGE OF PROPERTY BETWEEN R. C. KIRK & ETHYL/MAY KIRK AND BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS - DISTRICT 1

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REVIEW

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LAND ACQUISITION Dan Jones, Supervisor	<u><i>OPS</i></u>	_____	<u><i>11/1/17</i></u>
COUNTY ATTORNEY Eden Bentley Deputy County Attorney <i>As correct to Ethyl May</i>	<u><i>[Signature]</i></u>	_____	<u><i>11/2/17</i></u>
PUBLIC WORKS Andrew J. Holmes, Director	_____	_____	_____

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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 November 21, 2017, at the Brevard County Government Center Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

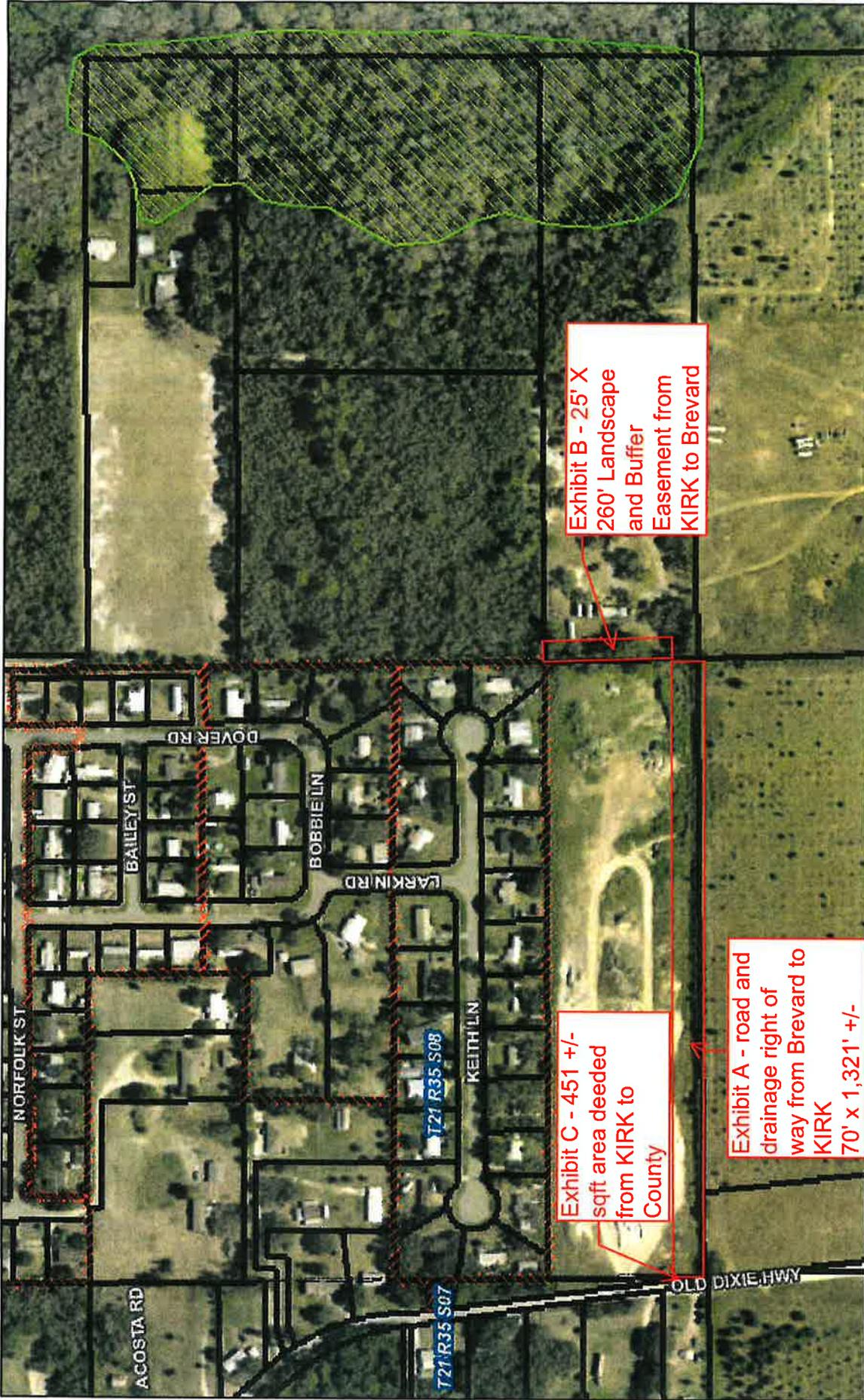
The purpose of the hearing will be to consider an Exchange Agreement for property between Brevard County and R. C. Kirk and Ethyl May Kirk. The parcels are in close proximity to each other and are located near Old Dixie Highway, South of Brockett Road and North of Kelly Road in Mims.

Exchange Values. COUNTY estimates that the average market value for the County property is \$9,200.00 and contains approximately 92,488 square feet. The average market value for the fee interest KIRK property (contains approximately 451 square feet) and the easement interest from KIRK (contains approximately 6,500 square feet) would be \$4,700.00. In the exchange, KIRK is offering \$4,500.00 to equalize the values and grant the easement interest needed by the County.

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 Dan Jones 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 Dan Jones, 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.



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Composite of Exhibits related to the KIRK / Brevard Exchange





CLERK TO THE BOARD OF COUNTY C
400 SOUTH ST

TITUSVILLE, FL 32780

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared
Becky Holland, who on oath says that he or she is a
Legal Advertising Representative of the **FLORIDA TODAY**
, a daily newspaper published in Brevard County, Florida
that the attached copy of advertisement, being a Legal
Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) of:

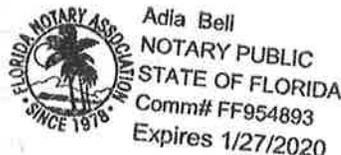
11/27/17, 12/04/17

Affiant further says that the said **FLORIDA TODAY** is a
newspaper in said Brevard County, Florida and that the
said newspaper has heretofore been continuously
published in said Brevard County, Florida each day and
has been entered as periodicals matter at the post office
in **MELBOURNE** in said Brevard County, Florida, for a
period of one year next preceding the first publication of
the attached copy of advertisement; and affiant further
says that he or she has never paid nor promised any
person, firm or corporation any discount, rebate,
commission or refund for the purpose of securing this
advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 27th of
November 2017, by Becky Holland who is personally
known to me

Adia Bell
Notary Public for the State of Florida
My Commission expires January 27, 2020

Publication Cost: \$222.35
Ad No. 0002555124
Customer No: BRE-6BR427



Ad #: 2555124 11/27/17, 12/04/17
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RECEIVED

DEC 11 2017

Board of County Commissioners