



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.12.

5/18/2021

Subject:

Approval Re: Conveyance of Barnes Boulevard from Fiske Boulevard to Cobblewood Drive to the City of Rockledge - District 4

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

It is requested that the Board of County Commissioners: 1) approve and authorize the Chair to execute the County Deed and Resolution, 2) approve and authorize the Chair to execute the Assignment of Easements and Resolution, 3) approve and authorize the Chair to execute a Drainage Easement, a Utility and Drainage Easement and Resolution, 4) approve and authorize the Chair to execute the Release of Temporary Construction Easements, and 5) authorize transfer of any associated permits.

Summary Explanation and Background:

The Board of County Commissioners, in regular session on November 12, 2002, executed a revised Interlocal Agreement with the City of Rockledge for Barnes Boulevard Widening Project. Paragraph 10 of the Agreement states that the County and the City agree that upon completion of the construction project, the City will assume ownership and maintenance responsibilities of Barnes Boulevard from Murrell Road to Fiske Boulevard (including all retention/detention ponds and off-site acquisitions related to the project), two years after construction is complete. The construction of the project was completed September 14, 2018.

The St. John's River Water Management District (SJRWMD) permit for the West Pond Basin will also be transferred to the City and included as part of the transfer package. The limit of the permit has an east terminus at Cobblewood Drive which extends the limits agreed upon in the Interlocal Agreement east of Murrell Road by approximately 750 additional feet. The City staff recognize the benefit of obtaining sole ownership of the permit, and the County and City mutually agree on the transfer of the additional limits.

The Army Corps of Engineers permit will be transferred to the City and included as part of the transfer package as well.

The County Deed will convey Barnes Boulevard right of way from Fiske Boulevard past Murrell Road to the east terminus of the West Pond Basin at Cobblewood Drive, together with ownership, maintenance, and functional responsibility for Barnes Boulevard from the east terminus of the West Pond Basin at Cobblewood Drive to

Fiske Boulevard and its associated roadway, retention pond, drainage systems, the applicable permits, such as the SJRWMD and U.S. Army Corps of Engineers for the West Basin, as well as the traffic signals servicing the three signalized intersections at: 1) Henderson Way, 2) Three Meadows Drive, and 3) Murrell Road with their associated facilities and controllers. In the future, the County and City will amend the existing Interlocal Agreement for traffic signal maintenance and compensation to add these signals to the Agreement's inventory.

The Resolutions are pursuant to Section 125.38, Florida Statute authorizing the conveyance of County property. The Assignment of Easements is the instrument assigning the easement rights acquired by the County for the project in order to maintain Barnes Boulevard and ancillary improvements to the City. The Release of Temporary Construction Easements is to officially release the County's interest in those temporary easements that were needed to perform certain construction related work pertinent to the project. The Drainage Easement allows for a drainage facility within a County owned parcel. The Utility and Drainage Easement allow for utility, drainage and other allied uses within a County owned parcel.

The City intends to accept these documents at their June 2, 2021 Council meeting.

Clerk to the Board Instructions:

Upon execution by the Chair, the Public Works Department will contact the Clerk's office to make arrangements to pick up the following original executed documents: 1 County Deed with Exhibit, 3 separate Resolutions with Exhibits, 1 Assignment of Easements with Exhibit, and 1 Release of Temporary Construction Easements with Exhibit, 1 Drainage Easement with Exhibit, and 1 Utility and Drainage Easement with Exhibit.



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

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May 19, 2021

MEMORANDUM

TO: Marc Bernath, Public Works Director Attn: Lucy Hamelers

RE: Item F.12., Conveyance of Barnes Boulevard from Fiske Boulevard to Cobblewood Drive to the City of Rockledge

The Board of County Commissioners, in regular session on May 18, 2021, executed and approved the County Deed; executed and adopted Resolution No. 21-059, authorizing conveyance of County property; executed and approved assignment of easement; adopted Resolution No. 21-060, authorizing the assignment of easements; executed and approved the Drainage Easement; Utility Drainage Easement, and adopted Resolution No. 21-061, authorizing the conveyance of Easements in County property; executed and approved the Release of Temporary Construction Easements; and authorized transfer of any associated permits. Enclosed are fully-executed Resolutions, County Deed, Assignment of Easements, Drainage Easement, Utility Drainage Easement, and Release of Temporary Construction Easements.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, reading "Kimberly Powell".

Kimberly Powell, Clerk to the Board

/ns

Encls. (8)

Prepared by and return to:
Office of the County Attorney
2725 Judge Fran Jamieson Way, Building C
Viera, Florida 32940
(Barnes Boulevard from the east terminus of the West Pond Basin at Cobblewood Drive to Fiske Boulevard)

COUNTY DEED
(STATUTORY FORM - SECTION 125.411, Florida Statute)

THIS DEED, made this 18 day of May, 2021, between Brevard County, Florida, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, as the first party, and the City of Rockledge, a municipal corporation of the State of Florida, whose address is 1600 Huntington Lane, Rockledge, Florida 32955, as the second party,

(Whenever used herein, the terms "first party" and "second party" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "First party" and "second party" are used for singular and plural, as the context requires and the use of any gender shall include all genders)

WITNESSETH that the first party, for and in consideration of the sum of Ten Dollars, to it in hand paid by the second party, receipt whereof is acknowledged, has granted, bargained and sold to the second party, its successors and assigns forever, any interest it holds in the following described land lying and being in Brevard County, Florida, to wit:

The Parcel as fully described in Exhibit A, attached and incorporated by this reference, the first party transfers ownership, maintenance, and functional responsibility for Barnes Boulevard from the east terminus of the West Pond Basin at Cobblewood Drive to Fiske Boulevard and its associated roadway, retention pond, drainage systems, the applicable St. John's Water Management District (SJWMD) permit for the West Basin, as well as the traffic signals servicing the three signalized intersections at: 1) Henderson Way, 2) Three Meadows Drive and 3) Murrell Road with their associated facilities and controllers. Additionally, the first party transfers all riparian and littoral rights appertaining thereto, and all interests in subsurface oil, gas, and minerals pursuant to section 270.11(3), Florida Statute. In the event the property is not used, maintained or ceases to be used and maintained for a public roadway with associated drainage, the first party does not retain any right of reversion. First party conveys the property subject to any easements and/or rights-of-ways of record, and reserves to itself a perpetual drainage easement over, under, upon, above and through Parcel B to discharge drainage for stormwater treatment and attenuation into Parcel B, as further described in Exhibit A.

IN WITNESS WHEREOF, the first party has caused this Deed to be executed in its name by its Board of County Commissioners acting by the Chair of said board, the day and year aforesaid.

ATTEST:


Rachel Sadoff

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


By: _____
Rita Pritchett, Chair

(As approved by the Board 05/18/2021)

EXHIBIT A

DESCRIPTION BY SURVEYOR: RIGHT-OF-WAY PARCEL LOCATED AT BREVARD COUNTY ROAD PLAT BOOK 5, PAGE 35 DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN SECTIONS 20, 21 AND 22, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA; SAID SUBJECT PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SECTION 21, AS MONUMENTED BY A NAIL AND WASHER STAMPED "BMEG LB3535"; THENCE N. 01°16'20" W., ALONG THE WEST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 59.73 FEET TO THE POINT-OF-BEGINNING, SAID POINT BEING ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6288, PAGE 1340, EXHIBIT A-7 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. 89°54'43"E., ALONG SAID WESTERLY EXTENSION, THE NORTH LINE OF SAID LANDS AND THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7058 PAGE 423 OF SAID PUBLIC RECORDS, A DISTANCE OF 431.00 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5326, PAGE 4419 OF SAID PUBLIC RECORDS; THENCE S. 05°34'42" W., ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 10.05 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5870 PAGE 9021 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 403.87 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5548, PAGE 3639 OF SAID PUBLIC RECORDS; THENCE N. 05°34'42" E., ALONG SAID WEST LINE, A DISTANCE OF 1.00 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7684 PAGE 270 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6878 PAGE 1829, A DISTANCE OF 821.63 FEET; THENCE N. 00°05'17" W., ALONG SAID NORTH LINE, A DISTANCE OF 26.00 FEET; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 20.00 FEET; THENCE S. 00°05'17" E., ALONG SAID NORTH LINE, A DISTANCE OF 26.00 FEET; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 124.72 FEET TO A POINT ON THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5474, PAGE 6358 OF SAID PUBLIC RECORDS; THENCE S. 01°16'37" E., ALONG SAID EAST LINE, A DISTANCE OF 14.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD PER OFFICIAL RECORDS BOOK 139 PAGE 585 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1005.27 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5409, PAGE 2116 OF SAID PUBLIC RECORDS; THENCE N. 01°16'37" W., ALONG SAID WEST LINE, A DISTANCE OF 14.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7746 PAGE 1851 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E. ALONG SAID NORTH LINE, A DISTANCE OF 209.67 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THREE MEADOWS DRIVE (A 100.00 FOOT WIDE RIGHT-OF-WAY) AS SHOWN ON THE PLAT OF THREE MEADOWS PHASE 1 AS RECORDED IN PLAT BOOK 33, PAGE 58 OF SAID PUBLIC RECORDS; THENCE N. 00°05'17" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A

DISTANCE OF 41.00 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 100.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID THREE MEADOWS DRIVE; THENCE S. 00°05'17" E., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5824 PAGE 9204 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 290.53 FEET TO A POINT ON THE WEST LINE OF THE PLAT OF MEADOW CREEK AS RECORDED IN PLAT BOOK 40, PAGE 38 OF SAID PUBLIC RECORDS; THENCE S. 00°05'17" E., ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET TO A POINT ON THE AFORESAID NORTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD; THENCE N. 89°54'43" E., ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 435.34 FEET TO THE WEST RIGHT-OF-WAY LINE OF CREEK SIDE CIRCLE (A 50.00 FOOT WIDE RIGHT-OF-WAY) AS SHOWN ON SAID PLAT OF MEADOW CREEK; THENCE N. 00°04'23" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID CREEK SIDE CIRCLE; THENCE S. 00°04'23" E., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET TO A POINT ON THE AFORESAID NORTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD; THENCE N. 89°54'43" E., ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 437.14 FEET TO A POINT ON THE EAST LINE OF SAID PLAT OF MEADOW CREEK; THENCE N. 00°34'32" W., ALONG SAID EAST LINE, A DISTANCE OF 5.45 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6201 PAGE 425 OF SAID PUBLIC RECORDS; THENCE N. 89°34'42" E., ALONG SAID NORTH LINE, A DISTANCE OF 134.42 FEET; THENCE N. 44°15'49" E., ALONG SAID NORTH LINE, A DISTANCE OF 8.06 FEET; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE AND THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7026 PAGE 1113 AND OFFICIAL RECORDS BOOK 6135 PAGE 1483 OF SAID PUBLIC RECORDS, A DISTANCE OF 96.39 FEET TO A POINT ON THE ARC OF A 26.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 11°24'20", A DISTANCE OF 5.18 FEET, SAID CURVE HAVING A CHORD BEARING OF S. 55°03'44" E. AND A CHORD DISTANCE OF 5.17 FEET; THENCE N. 89°16'31" E., ALONG THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6135 PAGE 1483, A DISTANCE OF 164.38 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7030 PAGE 1637 OF SAID PUBLIC RECORDS; THENCE N. 00°05'17" W., ALONG SAID WEST LINE, A DISTANCE OF 0.53 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6463 PAGE 1078 OF SAID PUBLIC RECORDS; THENCE N. 89°16'31" E., ALONG SAID NORTH LINE, A DISTANCE OF 64.15 FEET TO A POINT ON THE ARC OF A 26.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHERLY; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 32°12'15", A DISTANCE OF 14.61 FEET, SAID CURVE HAVING A CHORD BEARING OF S. 74°37'21" E. AND A CHORD DISTANCE OF 14.42 FEET; THENCE N. 89°16'31" E., ALONG SAID NORTH LINE, A DISTANCE OF 266.89 FEET TO A POINT ON THE WEST LINE OF OFFICIAL RECORDS BOOK 7970 PAGE 1831 OF SAID PUBLIC RECORDS; THENCE S. 00°34'32" E., ALONG SAID WEST LINE, A DISTANCE OF 11.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1896 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE THE FOLLOWING EIGHT (8) COURSES; THENCE N. 89°16'31" E., A

DISTANCE OF 160.45 FEET TO A POINT ON THE ARC OF A 42.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHERLY; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°39'13", A DISTANCE OF 21.74 FEET, SAID CURVE HAVING A CHORD BEARING OF N. 74°26'55" E. AND A CHORD DISTANCE OF 21.50 FEET; THENCE N. 00°53'06" W., A DISTANCE OF 4.48 FEET; THENCE N. 89°53'46" E., A DISTANCE OF 3.73 FEET; THENCE N. 00°06'14" W. A DISTANCE OF 6.98 FEET; THENCE N. 44°25'28" E., A DISTANCE OF 8.92 FEET; THENCE N. 00°11'20" E., A DISTANCE OF 15.93 FEET; THENCE N. 44°25'28" E., A DISTANCE OF 12.04 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MURRELL ROAD (A 100.00 FOOT WIDE RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 622, PAGE 665 OF SAID PUBLIC RECORDS); THENCE S. 00°34'32" E., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 50.07 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 50.45 FEET TO A POINT ON THE CENTERLINE OF SAID MURRELL ROAD; THENCE S. 89°50'58" E., A DISTANCE OF 49.55 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID MURRELL ROAD; THENCE N. 00°34'32" W., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 33.18 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6279 PAGE 1936 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE THE FOLLOWING FOUR (4) COURSES; THENCE S. 45°34'32" E., A DISTANCE OF 37.64 FEET; THENCE N. 89°53'29" E., A DISTANCE OF 143.36 FEET; THENCE N. 00°06'31" W., A DISTANCE OF 2.45 FEET; THENCE S. 89°50'58" E., A DISTANCE OF 81.01 FEET TO A POINT ON THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4594 PAGE 417 OF SAID PUBLIC RECORDS; THENCE N. 00°34'32" W., ALONG SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6245 PAGE 2573 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE THE FOLLOWING FIVE (5) COURSES; THENCE S. 89°50'58" E., A DISTANCE OF 39.59 FEET; THENCE S. 81°19'05" E., A DISTANCE OF 40.44 FEET; THENCE S. 89°50'58" E., A DISTANCE OF 244.44 FEET; THENCE N. 00°56'18" W., A DISTANCE OF 6.00 FEET; THENCE S. 89°50'58" E., A DISTANCE OF 5.01 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6303 PAGE 1431 OF SAID PUBLIC RECORDS; THENCE N. 00°56'18" W., ALONG SAID WEST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6303 PAGE 1431 OF SAID PUBLIC RECORDS; THENCE S. 89°50'58" E., ALONG SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO A POINT ON THE WEST LINE OF CHELSEA PARK UNIT 1 REPLAT AS RECORDED IN PLAT BOOK 42, PAGE 2 OF SAID PUBLIC RECORDS; THENCE S. 00°56'18" E., ALONG SAID WEST LINE, A DISTANCE OF 8.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1410 OF SAID PUBLIC RECORDS; THENCE S. 89°50'58" E., ALONG SAID NORTH LINE, A DISTANCE OF 31.08 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COBBLEWOOD DRIVE A VARIABLE WIDTH RIGHT-OF-WAY AS SHOWN ON THE PLAT OF CHELSEA PARK UNIT 1 REPLAT AS RECORDED IN PLAT BOOK 42, PAGE 2 OF THE AFORESAID PUBLIC RECORDS, SAID POINT ALSO BEING ON THE ARC OF A 25.00 FOOT RADIUS CIRCULAR CURVE CONCAVE WESTERLY; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID WEST RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 32°30'20", A DISTANCE OF 14.18 FEET, SAID CURVE HAVING CHORD BEARING OF N. 15°13'48" E., AND A CHORD DISTANCE OF 13.99 FEET; THENCE N. 01°01'22" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 14.49 FEET;

THENCE S. 89°50'58" E., A DISTANCE OF 38.01 FEET TO A POINT ON THE WEST LINE OF TRACT "Q" OF SAID PLAT OF CHELSEA PARK UNIT 1 REPLAT; THENCE S. 01°01'22" E., ALONG SAID WEST LINE OF TRACT "Q", A DISTANCE OF 8.24 FEET TO THE POINT-OF-CURVATURE OF A 12.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHERLY; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG THE SOUTH AND EAST LINE OF SAID TRACT "Q" THROUGH A CENTRAL ANGLE OF 180°00'00", A DISTANCE OF 37.70 FEET, SAID CURVE HAVING A CHORD BEARING OF N. 88°58'38" E., AND A CHORD DISTANCE OF 24.00 FEET; THENCE N. 01°01'22" W., ALONG SAID EAST LINE OF TRACT "Q", A DISTANCE OF 7.75 FEET; THENCE S. 89°50'58" E., A DISTANCE OF 38.01 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF AFORESAID COBBLEWOOD DRIVE; THENCE S. 01°01'22" E., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 15.52 FEET TO THE POINT-OF-CURVATURE OF A 25.00 FOOT RADIUS CIRCULAR CURVE CONCAVE EASTERLY; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 35°41'48", A DISTANCE OF 15.58 FEET, SAID CURVE HAVING A CHORD BEARING OF S. 18°52'16" E. AND A CHORD DISTANCE OF 15.32 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1410 OF SAID PUBLIC RECORDS; THENCE S. 89°50'58" E., ALONG SAID NORTH LINE, A DISTANCE OF 16.90 FEET; THENCE S. 00°09'02" W. A DISTANCE OF 82.24 FEET TO A POINT ON THE ARC OF A 47.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 70°58'26" A DISTANCE OF 58.22 FEET, SAID CURVE HAVING A CHORD BEARING OF S. 44°53'25" W. AND A CHORD DISTANCE OF 54.57 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6085 PAGE 300 OF SAID PUBLIC RECORDS; THENCE N. 89°50'58" W., ALONG THE SOUTH LINE OF SAID LANDS AND ALONG THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1298, OFFICIAL RECORDS BOOK 6429 PAGE 1608 AND OFFICIAL RECORDS BOOK 6542 PAGE 680 OF SAID PUBLIC RECORDS A DISTANCE OF 482.02 FEET; THENCE N. 44°52'17" W. ALONG SAID SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6542 PAGE 680 OF SAID PUBLIC RECORDS, A DISTANCE OF 6.72 FEET; THENCE N. 89°50'58" W. ALONG SAID SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6542 PAGE 680 OF SAID PUBLIC RECORDS, A DISTANCE OF 213.32 FEET; THENCE S. 45°07'43" W., ALONG SAID SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6542 PAGE 680 OF SAID PUBLIC RECORDS, A DISTANCE OF 6.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MURRELL ROAD (A 150.00 FOOT WIDE RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 3028, PAGE 4647 OF SAID PUBLIC RECORDS); THENCE N. 00°27'18" W., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 11.00 FEET; THENCE N. 89°50'58" W., A DISTANCE OF 75.43 FEET TO A POINT ON THE CENTERLINE OF SAID MURRELL ROAD; THENCE S. 89°54'43" W., A DISTANCE OF 74.58 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID MURRELL ROAD; THENCE S. 00°27'18" E., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 949 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W. ALONG SAID SOUTH LINE, A DISTANCE OF 20.00 FEET; THENCE N. 00°27'18" W. ALONG SAID SOUTH LINE, A DISTANCE OF 9.94 FEET; THENCE S. 89°16'36" W. ALONG SAID SOUTH LINE, A DISTANCE OF 168.29 FEET TO A POINT ON THE ARC OF A 25.00 FOOT RADIUS

CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $55^{\circ}31'00''$, A DISTANCE OF 24.22 FEET, SAID CURVE HAVING A CHORD BEARING OF S. $61^{\circ}31'06''$ W. AND A CHORD DISTANCE OF 23.29 FEET; THENCE S. $89^{\circ}54'43''$ W. ALONG SAID SOUTH LINE AND THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1268 OF SAID PUBLIC RECORDS, A DISTANCE OF 57.54 FEET TO A POINT ON THE ARC OF A 27.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 6441, PAGE 1268, THROUGH A CENTRAL ANGLE OF $56^{\circ}46'30''$, A DISTANCE OF 26.75 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $62^{\circ}20'14''$ W. AND A CHORD DISTANCE OF 25.67 FEET; THENCE S. $89^{\circ}16'31''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 150.36 FEET TO A POINT ON THE ARC OF A 27.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $34^{\circ}57'28''$, A DISTANCE OF 16.47 FEET, SAID CURVE HAVING A CHORD BEARING OF S. $71^{\circ}47'47''$ W. AND A CHORD DISTANCE OF 16.22 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5400 PAGE 676 OF SAID PUBLIC RECORDS; THENCE S. $00^{\circ}03'43''$ W., ALONG SAID WEST LINE, A DISTANCE OF 5.24 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 949 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 69.50 FEET TO A POINT ON THE WEST LINE OF SAID LANDS; THENCE N. $00^{\circ}03'43''$ E. ALONG SAID WEST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1248 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 39.75 FEET TO A POINT ON THE ARC OF A 23.05 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $34^{\circ}25'11''$, A DISTANCE OF 13.85 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $49^{\circ}33'26''$ W. AND A CHORD DISTANCE OF 13.64 FEET; THENCE S. $89^{\circ}24'04''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 38.20 FEET; THENCE N. $00^{\circ}23'39''$ E., ALONG SAID SOUTH LINE, A DISTANCE OF 2.09 FEET; THENCE S. $89^{\circ}14'26''$ W. ALONG SAID SOUTH LINE, A DISTANCE OF 28.04 FEET TO A POINT ON THE ARC OF A 38.68 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $36^{\circ}43'09''$, A DISTANCE OF 24.79 FEET, SAID CURVE HAVING A CHORD BEARING OF S. $84^{\circ}48'22''$ W. AND A CHORD DISTANCE OF 24.37 FEET; THENCE S. $66^{\circ}26'48''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 3.82 FEET TO A POINT ON THE ARC OF A 30.90 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $33^{\circ}43'38''$, A DISTANCE OF 18.19 FEET, SAID CURVE HAVING A CHORD BEARING OF S. $49^{\circ}34'59''$ W. AND A CHORD DISTANCE OF 17.93 FEET; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 12.24 FEET TO THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 6441 PAGE 1248; THENCE N. $00^{\circ}03'43''$ E., ALONG SAID WEST LINE, A DISTANCE OF 12.45 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7011 PAGE 1601 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}16'31''$ W., ALONG SAID SOUTH LINE, A

DISTANCE OF 83.19 FEET; THENCE S. $84^{\circ}04'02''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 93.22 FEET; THENCE S. $00^{\circ}22'10''$ E., ALONG SAID SOUTH LINE, A DISTANCE OF 2.03 FEET; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 20.00 FEET TO THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5400 PAGE 676; THENCE S. $00^{\circ}22'10''$ E., ALONG SAID WEST LINE, A DISTANCE OF 2.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 949 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE AND THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6332 PAGE 2889, A DISTANCE OF 538.49 FEET TO A POINT ON THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6288 PAGE 1340 OF SAID PUBLIC RECORDS; THENCE S. $00^{\circ}22'17''$ E., ALONG SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LANDS; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5473 PAGE 4770 OF SAID PUBLIC RECORDS, A DISTANCE OF 1730.01 FEET TO THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3108 PAGE 3770; THENCE N. $00^{\circ}23'09''$ W., ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 15.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1238 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG THE SOUTH LINE OF SAID LANDS AND THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5904 PAGE 4636 OF SAID PUBLIC RECORDS, A DISTANCE OF 622.46 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ADMIRALTY BOULEVARD AS SHOWN ON THE PLAT OF ADMIRALTY COUNTRY CLUB ESTATES AS RECORDED IN PLAT BOOK 25, PAGE 59 OF SAID PUBLIC RECORDS; THENCE S. $01^{\circ}16'11''$ E., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 25.01 FEET; THENCE S. $89^{\circ}54'43''$ W., A DISTANCE OF 70.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID ADMIRALTY BOULEVARD; THENCE N. $01^{\circ}16'11''$ W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 17.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5541 PAGE 1522 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 149.17 FEET TO THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6218 PAGE 1347 OF SAID PUBLIC RECORDS; THENCE N. $01^{\circ}16'26''$ W., ALONG SAID EAST LINE, A DISTANCE OF 3.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6298 PAGE 1081 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 59.06 FEET; THENCE N. $76^{\circ}35'32''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 17.14 FEET; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 265.14 FEET TO A POINT ON THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5657, PAGE 4323 OF SAID PUBLIC RECORDS; THENCE ALONG THE EAST, SOUTH, AND WEST LINE OF SAID LANDS THE FOLLOWING FOUR (4) COURSES; THENCE S. $01^{\circ}18'17''$ E., A DISTANCE OF 451.13 FEET; TO A POINT ON THE ARC OF A 260.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $14^{\circ}17'23''$, A DISTANCE OF 64.84 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $82^{\circ}57'39''$ W. AND A CHORD DISTANCE OF 64.68 FEET; THENCE S. $89^{\circ}53'40''$ W., A DISTANCE OF 845.98 FEET; THENCE N. $01^{\circ}18'17''$ W., A DISTANCE OF 399.36 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6288 PAGE 1340 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W.,

ALONG SAID SOUTH LINE, A DISTANCE OF 70.02 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF PLAYA DEL SOL DRIVE (A VARIABLE WIDTH RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 5374, PAGE 6018 OF SAID PUBLIC RECORDS); THENCE N. 01°18'17" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 25.01 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6048 PAGE 238 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W., ALONG SAID SOUTH LINE, A DISTANCE OF 384.57 FEET; THENCE S. 00°04'21" E., ALONG SAID SOUTH LINE, A DISTANCE OF 14.74 FEET; THENCE S. 89°52'46" W., ALONG SAID SOUTH LINE, A DISTANCE OF 16.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD PER FDOT MAP SECTION 70220-2414; THENCE S. 89°52'46" W., ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 750.10 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FISKE BOULEVARD (A F.D.O.T. RIGHT-OF-WAY PER MAP SECTION 70220-2414); THENCE N. 00°12'55" W., A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES; THENCE N. 89°52'53" E., A DISTANCE OF 750.59 FEET; THENCE S. 00°04'21" E., A DISTANCE OF 17.23 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6435 PAGE 1080 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE THE FOLLOWING SIX(6) COURSES; THENCE N. 89°54'43" E., A DISTANCE OF 198.84 FEET; THENCE S. 00°05'17" E., A DISTANCE OF 10.00 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 83.39 FEET; THENCE N. 01°15'42" W., A DISTANCE OF 20.00 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 20.00 FEET TO THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4285, PAGE 1531 OF SAID PUBLIC RECORDS; THENCE S. 01°15'42" E, ALONG SAID EAST LINE, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7078 PAGE 2263 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E. ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7445 PAGE 803 AND THE EASTERLY EXTENSION OF SAID LINE, A DISTANCE OF 165.00 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 32.83 ACRES (1,430,245 SQUARE FEET), MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

TOGETHER WITH PARCEL A, LOCATED AT BREVARD COUNTY SURVEY BOOK 15, PAGES 54-58, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5636 PAGE 1796, OFFICIAL RECORDS BOOK 5548 PAGE 2360 (PARCEL A), AND OFFICIAL RECORDS BOOK 5282, PAGE 0051 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, ALL LYING IN THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 21; THENCE N. 01°16'20" W., ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SECTION 21, A DISTANCE OF 59.73 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7445 PAGE 0803 EXHIBIT B OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W., ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 10.62 FEET TO THE POINT-OF-CURVATURE OF A 30.00 FOOT RADIUS

CIRCULAR CURVE CONCAVE NORTHWESTERLY AND THE POINT-OF-BEGINNING; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $90^{\circ}05'18''$ A DISTANCE OF 47.17 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF N. $44^{\circ}52'04''$ E. AND A CHORD DISTANCE OF 42.46 FEET; THENCE N. $00^{\circ}10'35''$ W. A DISTANCE OF 211.83 FEET TO THE NORTHEAST CORNER OF SAID OFFICIAL RECORDS BOOK 5548 PAGE 2360, SAID POINT ALSO BEING ON THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 5636 PAGE 1796; THENCE N. $01^{\circ}15'42''$ W., ALONG SAID WEST LINE, A DISTANCE OF 115.27 FEET TO A POINT ON THE NORTH LINE OF SAID OFFICIAL RECORDS BOOK 5636 PAGE 1796; THENCE N. $89^{\circ}54'43''$ E., ALONG SAID NORTH LINE, A DISTANCE OF 11.08 FEET; THENCE S. $00^{\circ}05'17''$ E. A DISTANCE OF 5.35 FEET TO THE POINT-OF-CURVATURE OF A 37.00 FOOT RADIUS CIRCULAR CURVE CONCAVE EASTERLY; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $40^{\circ}29'11''$ A DISTANCE OF 26.14 FEET, HAVING A CHORD BEARING OF S. $20^{\circ}19'29''$ E. AND A CHORD DISTANCE OF 25.60 FEET TO THE POINT-OF-REVERSE-CURVATURE, SAID POINT BEING ON THE ARC OF A 137.00 FOOT RADIUS CIRCULAR CURVE CONCAVE WESTERLY; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $40^{\circ}28'48''$ A DISTANCE OF 96.79 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF S. $20^{\circ}19'41''$ E. AND A CHORD DISTANCE OF 94.79 FEET; THENCE S. $00^{\circ}05'17''$ E. A DISTANCE OF 42.83 FEET TO THE POINT-OF-CURVATURE OF A 37.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ A DISTANCE OF 58.12 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF S. $45^{\circ}05'17''$ E. AND A CHORD DISTANCE OF 52.33 FEET; THENCE N. $89^{\circ}54'43''$ E. A DISTANCE OF 220.32 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7329 PAGE 2861 OF SAID PUBLIC RECORDS; THENCE S. $01^{\circ}15'42''$ E., ALONG SAID WEST LINE, A DISTANCE OF 50.01 FEET TO THE NORTHEAST CORNER OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3350 PAGE 2517 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG THE NORTH LINE OF SAID LANDS AND THE WEST EXTENSION THEREOF, A DISTANCE OF 183.34 FEET TO THE POINT-OF-CURVATURE OF A 37.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ A DISTANCE OF 58.12 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF S. $44^{\circ}54'43''$ W. AND A CHORD DISTANCE OF 52.33 FEET; THENCE S. $00^{\circ}05'17''$ E. A DISTANCE OF 41.97 FEET TO THE POINT-OF-CURVATURE OF A 30.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ A DISTANCE OF 47.12 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF S. $45^{\circ}05'17''$ E. AND A CHORD DISTANCE OF 42.43 FEET, SAID POINT BEING ON THE AFORESAID EASTERLY EXTENSION OF THE NORTH LINE OF OFFICIAL RECORDS BOOK 7445 PAGE 0803; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 148.05 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.78 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

**TOGETHER WITH PARCEL B, LOCATED AT BREVARD COUNTY SURVEY BOOK 15
PAGES 54-58, DESCRIBED AS FOLLOWS:**

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 21; THENCE N. 01°16'20" W., ALONG THE WEST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 416.92 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5636, PAGE 1796 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5636 PAGE 1796 AND ITS WESTERLY EXTENSION, A DISTANCE OF 208.81 FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 121.26 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7329 PAGE 2861 OF SAID PUBLIC RECORDS; THENCE S. 01°15'42" E., ALONG SAID WEST LINE, A DISTANCE OF 198.19 FEET; THENCE S. 89°54'43" W. A DISTANCE OF 125.32 FEET; THENCE N. 00°05'17" W., A DISTANCE OF 198.15 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.56 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

RESOLUTION NO. 21- 059

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, AND SECTION 2-247, BREVARD COUNTY CODE OF ORDINANCES, AUTHORIZING CONVEYANCE OF COUNTY PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brevard County, Florida, a political sub-division of the State of Florida (hereinafter the COUNTY) owns a certain right-of-way and easements for a public road right-of-way within the City of Rockledge, a municipality incorporated under the laws of Florida (hereinafter the CITY); and

WHEREAS, the right-of-way and easements for said public road are referred to as Barnes Boulevard from the east terminus of the West Pond Basin of Cobblewood Drive to Fiske Boulevard (hereinafter the Barnes Project), which is further described in Exhibit A; and

WHEREAS, on November 26, 2002, the County and City executed an Interlocal Agreement regarding the Barnes Boulevard Widening Project (hereinafter the Interlocal); and

WHEREAS, paragraph 10 of the Interlocal states the County and City agree that upon completion of the construction project, to wit, September 14, 2018, the City will assume ownership and maintenance responsibilities of Barnes Boulevard from Murrell Road to Fiske Boulevard (including all retention/detention ponds and off-site acquisitions related to the project), two years after construction is complete; and

WHEREAS, upon review of the permit issued by the St. John's Water Management District for the West Pond Basin having permit number 4-009-102771-7 and as included in this transfer, County and City have determined that the logical point of terminus would be to coincide with the permit limits, which extends the limits east of Murrell to Cobblewood Drive; and

WHEREAS, Army Corps of Engineers permit number SAJ-2007-05926-SP-TSD will be transferred to the City as part of the transfer package, and the City has agreed to accept the transfer said permit; and

WHEREAS, the City has agreed to accept the east terminus at Cobblewood Drive; and

WHEREAS, the City has agreed to accept ownership and maintenance responsibility for street and traffic lights including related equipment for the three (3) signalized intersections (Henderson Way, Three Meadows Drive, and Murrell Road) within the right-of-way as described herein; and

WHEREAS, the County Deed with attached Exhibit A, an Assignment of Easements, an assignment of the St. Johns Water Management Permit and assignment of the Army Corps of Engineer permits will effectuate the intent of the Interlocal, and

WHEREAS, the CITY has applied for a conveyance of the Barnes Project via the Interlocal, which shall promote the community interest and welfare of the CITY; and

WHEREAS, the COUNTY agrees that the CITY's proposed use of the property for roadway purposes will promote public health, safety or welfare, will serve the public interest, will serve a public purpose; and the COUNTY has determined that said property is not needed for COUNTY purposes, and desires to cooperate with and assist the CITY by conveying the property.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that:

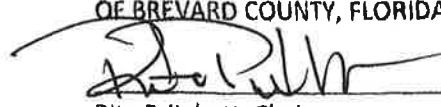
1. The foregoing recitals are true and correct and incorporated to this Resolution by this reference.
2. The Barnes Project property is fully described at Exhibit A, which is attached and incorporated by this reference. The Barnes Project is located within the boundary of the CITY, and is not needed for COUNTY purposes.
3. The COUNTY finds the CITY has requested the conveyance and the CITY will use and maintain the Barnes Project as a public roadway to provide safe and well-kept roadways for the community.
4. In the event the Barnes Project is not used, maintained or ceases to be used and maintained for a public roadway, the COUNTY does not retain any right to reenter and repossess the property.
5. The COUNTY authorizes the Chair, Board of County Commissioners, to execute all necessary documents to convey the Barnes Project as described in Exhibit A to the City by County Deed at nominal consideration pursuant to the terms of the Interlocal.
6. This Resolution shall take effect immediately upon its adoption.

This Resolution is **DONE, ORDERED, AND ADOPTED** in Regular Session, this 18 day of May, 2021

ATTEST:


Rachel Sadoff, Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


Rita Pritchett, Chair

As approved by the Board on: 05/18/2021

Reviewed for legal form and content:


Assistant County Attorney

EXHIBIT A

DESCRIPTION BY SURVEYOR: RIGHT-OF-WAY PARCEL LOCATED AT BREVARD COUNTY ROAD PLAT BOOK 5, PAGE 35 DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN SECTIONS 20, 21 AND 22, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA; SAID SUBJECT PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SECTION 21, AS MONUMENTED BY A NAIL AND WASHER STAMPED "BMEG LB3535"; THENCE N. 01°16'20" W., ALONG THE WEST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 59.73 FEET TO THE POINT-OF-BEGINNING, SAID POINT BEING ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6288, PAGE 1340, EXHIBIT A-7 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. 89°54'43"E., ALONG SAID WESTERLY EXTENSION, THE NORTH LINE OF SAID LANDS AND THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7058 PAGE 423 OF SAID PUBLIC RECORDS, A DISTANCE OF 431.00 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5326, PAGE 4419 OF SAID PUBLIC RECORDS; THENCE S. 05°34'42" W., ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 10.05 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5870 PAGE 9021 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 403.87 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5548, PAGE 3639 OF SAID PUBLIC RECORDS; THENCE N. 05°34'42" E., ALONG SAID WEST LINE, A DISTANCE OF 1.00 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7684 PAGE 270 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6878 PAGE 1829, A DISTANCE OF 821.63 FEET; THENCE N. 00°05'17" W., ALONG SAID NORTH LINE, A DISTANCE OF 26.00 FEET; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 20.00 FEET; THENCE S. 00°05'17" E., ALONG SAID NORTH LINE, A DISTANCE OF 26.00 FEET; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 124.72 FEET TO A POINT ON THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5474, PAGE 6358 OF SAID PUBLIC RECORDS; THENCE S. 01°16'37" E., ALONG SAID EAST LINE, A DISTANCE OF 14.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD PER OFFICIAL RECORDS BOOK 139 PAGE 585 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1005.27 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5409, PAGE 2116 OF SAID PUBLIC RECORDS; THENCE N. 01°16'37" W., ALONG SAID WEST LINE, A DISTANCE OF 14.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7746 PAGE 1851 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E. ALONG SAID NORTH LINE, A DISTANCE OF 209.67 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THREE MEADOWS DRIVE (A 100.00 FOOT WIDE RIGHT-OF-WAY) AS SHOWN ON THE PLAT OF THREE MEADOWS PHASE 1 AS RECORDED IN PLAT BOOK 33, PAGE 58 OF SAID PUBLIC RECORDS; THENCE N. 00°05'17" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A

DISTANCE OF 41.00 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 100.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID THREE MEADOWS DRIVE; THENCE S. 00°05'17" E., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5824 PAGE 9204 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 290.53 FEET TO A POINT ON THE WEST LINE OF THE PLAT OF MEADOW CREEK AS RECORDED IN PLAT BOOK 40, PAGE 38 OF SAID PUBLIC RECORDS; THENCE S. 00°05'17" E., ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET TO A POINT ON THE AFORESAID NORTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD; THENCE N. 89°54'43" E., ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 435.34 FEET TO THE WEST RIGHT-OF-WAY LINE OF CREEK SIDE CIRCLE (A 50.00 FOOT WIDE RIGHT-OF-WAY) AS SHOWN ON SAID PLAT OF MEADOW CREEK; THENCE N. 00°04'23" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID CREEK SIDE CIRCLE; THENCE S. 00°04'23" E., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET TO A POINT ON THE AFORESAID NORTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD; THENCE N. 89°54'43" E., ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 437.14 FEET TO A POINT ON THE EAST LINE OF SAID PLAT OF MEADOW CREEK; THENCE N. 00°34'32" W., ALONG SAID EAST LINE, A DISTANCE OF 5.45 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6201 PAGE 425 OF SAID PUBLIC RECORDS; THENCE N. 89°34'42" E., ALONG SAID NORTH LINE, A DISTANCE OF 134.42 FEET; THENCE N. 44°15'49" E., ALONG SAID NORTH LINE, A DISTANCE OF 8.06 FEET; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE AND THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7026 PAGE 1113 AND OFFICIAL RECORDS BOOK 6135 PAGE 1483 OF SAID PUBLIC RECORDS, A DISTANCE OF 96.39 FEET TO A POINT ON THE ARC OF A 26.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 11°24'20", A DISTANCE OF 5.18 FEET, SAID CURVE HAVING A CHORD BEARING OF S. 55°03'44" E. AND A CHORD DISTANCE OF 5.17 FEET; THENCE N. 89°16'31" E., ALONG THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6135 PAGE 1483, A DISTANCE OF 164.38 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7030 PAGE 1637 OF SAID PUBLIC RECORDS; THENCE N. 00°05'17" W., ALONG SAID WEST LINE, A DISTANCE OF 0.53 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6463 PAGE 1078 OF SAID PUBLIC RECORDS; THENCE N. 89°16'31" E., ALONG SAID NORTH LINE, A DISTANCE OF 64.15 FEET TO A POINT ON THE ARC OF A 26.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHERLY; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 32°12'15", A DISTANCE OF 14.61 FEET, SAID CURVE HAVING A CHORD BEARING OF S. 74°37'21" E. AND A CHORD DISTANCE OF 14.42 FEET; THENCE N. 89°16'31" E., ALONG SAID NORTH LINE, A DISTANCE OF 266.89 FEET TO A POINT ON THE WEST LINE OF OFFICIAL RECORDS BOOK 7970 PAGE 1831 OF SAID PUBLIC RECORDS; THENCE S. 00°34'32" E., ALONG SAID WEST LINE, A DISTANCE OF 11.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1896 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE THE FOLLOWING EIGHT (8) COURSES; THENCE N. 89°16'31" E., A

DISTANCE OF 160.45 FEET TO A POINT ON THE ARC OF A 42.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHERLY; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°39'13", A DISTANCE OF 21.74 FEET, SAID CURVE HAVING A CHORD BEARING OF N. 74°26'55" E. AND A CHORD DISTANCE OF 21.50 FEET; THENCE N. 00°53'06" W., A DISTANCE OF 4.48 FEET; THENCE N. 89°53'46" E., A DISTANCE OF 3.73 FEET; THENCE N. 00°06'14" W. A DISTANCE OF 6.98 FEET; THENCE N. 44°25'28" E., A DISTANCE OF 8.92 FEET; THENCE N. 00°11'20" E., A DISTANCE OF 15.93 FEET; THENCE N. 44°25'28" E., A DISTANCE OF 12.04 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MURRELL ROAD (A 100.00 FOOT WIDE RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 622, PAGE 665 OF SAID PUBLIC RECORDS); THENCE S. 00°34'32" E., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 50.07 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 50.45 FEET TO A POINT ON THE CENTERLINE OF SAID MURRELL ROAD; THENCE S. 89°50'58" E., A DISTANCE OF 49.55 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID MURRELL ROAD; THENCE N. 00°34'32" W., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 33.18 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6279 PAGE 1936 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE THE FOLLOWING FOUR (4) COURSES; THENCE S. 45°34'32" E., A DISTANCE OF 37.64 FEET; THENCE N. 89°53'29" E., A DISTANCE OF 143.36 FEET; THENCE N. 00°06'31" W., A DISTANCE OF 2.45 FEET; THENCE S. 89°50'58" E., A DISTANCE OF 81.01 FEET TO A POINT ON THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4594 PAGE 417 OF SAID PUBLIC RECORDS; THENCE N. 00°34'32" W., ALONG SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6245 PAGE 2573 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE THE FOLLOWING FIVE (5) COURSES; THENCE S. 89°50'58" E., A DISTANCE OF 39.59 FEET; THENCE S. 81°19'05" E., A DISTANCE OF 40.44 FEET; THENCE S. 89°50'58" E., A DISTANCE OF 244.44 FEET; THENCE N. 00°56'18" W., A DISTANCE OF 6.00 FEET; THENCE S. 89°50'58" E., A DISTANCE OF 5.01 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6303 PAGE 1431 OF SAID PUBLIC RECORDS; THENCE N. 00°56'18" W., ALONG SAID WEST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6303 PAGE 1431 OF SAID PUBLIC RECORDS; THENCE S. 89°50'58" E., ALONG SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO A POINT ON THE WEST LINE OF CHELSEA PARK UNIT 1 REPLAT AS RECORDED IN PLAT BOOK 42, PAGE 2 OF SAID PUBLIC RECORDS; THENCE S. 00°56'18" E., ALONG SAID WEST LINE, A DISTANCE OF 8.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1410 OF SAID PUBLIC RECORDS; THENCE S. 89°50'58" E., ALONG SAID NORTH LINE, A DISTANCE OF 31.08 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COBBLEWOOD DRIVE A VARIABLE WIDTH RIGHT-OF-WAY AS SHOWN ON THE PLAT OF CHELSEA PARK UNIT 1 REPLAT AS RECORDED IN PLAT BOOK 42, PAGE 2 OF THE AFORESAID PUBLIC RECORDS, SAID POINT ALSO BEING ON THE ARC OF A 25.00 FOOT RADIUS CIRCULAR CURVE CONCAVE WESTERLY; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID WEST RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 32°30'20", A DISTANCE OF 14.18 FEET, SAID CURVE HAVING CHORD BEARING OF N. 15°13'48" E., AND A CHORD DISTANCE OF 13.99 FEET; THENCE N. 01°01'22" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 14.49 FEET;

THENCE S. 89°50'58" E., A DISTANCE OF 38.01 FEET TO A POINT ON THE WEST LINE OF TRACT "Q" OF SAID PLAT OF CHELSEA PARK UNIT 1 REPLAT; THENCE S. 01°01'22" E., ALONG SAID WEST LINE OF TRACT "Q", A DISTANCE OF 8.24 FEET TO THE POINT-OF-CURVATURE OF A 12.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHERLY; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG THE SOUTH AND EAST LINE OF SAID TRACT "Q" THROUGH A CENTRAL ANGLE OF 180°00'00", A DISTANCE OF 37.70 FEET, SAID CURVE HAVING A CHORD BEARING OF N. 88°58'38" E., AND A CHORD DISTANCE OF 24.00 FEET; THENCE N. 01°01'22" W., ALONG SAID EAST LINE OF TRACT "Q", A DISTANCE OF 7.75 FEET; THENCE S. 89°50'58" E., A DISTANCE OF 38.01 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF AFORESAID COBBLEWOOD DRIVE; THENCE S. 01°01'22" E., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 15.52 FEET TO THE POINT-OF-CURVATURE OF A 25.00 FOOT RADIUS CIRCULAR CURVE CONCAVE EASTERLY; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 35°41'48", A DISTANCE OF 15.58 FEET, SAID CURVE HAVING A CHORD BEARING OF S. 18°52'16" E. AND A CHORD DISTANCE OF 15.32 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1410 OF SAID PUBLIC RECORDS; THENCE S. 89°50'58" E., ALONG SAID NORTH LINE, A DISTANCE OF 16.90 FEET; THENCE S. 00°09'02" W. A DISTANCE OF 82.24 FEET TO A POINT ON THE ARC OF A 47.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 70°58'26" A DISTANCE OF 58.22 FEET, SAID CURVE HAVING A CHORD BEARING OF S. 44°53'25" W. AND A CHORD DISTANCE OF 54.57 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6085 PAGE 300 OF SAID PUBLIC RECORDS; THENCE N. 89°50'58" W., ALONG THE SOUTH LINE OF SAID LANDS AND ALONG THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1298, OFFICIAL RECORDS BOOK 6429 PAGE 1608 AND OFFICIAL RECORDS BOOK 6542 PAGE 680 OF SAID PUBLIC RECORDS A DISTANCE OF 482.02 FEET; THENCE N. 44°52'17" W. ALONG SAID SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6542 PAGE 680 OF SAID PUBLIC RECORDS, A DISTANCE OF 6.72 FEET; THENCE N. 89°50'58" W. ALONG SAID SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6542 PAGE 680 OF SAID PUBLIC RECORDS, A DISTANCE OF 213.32 FEET; THENCE S. 45°07'43" W., ALONG SAID SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6542 PAGE 680 OF SAID PUBLIC RECORDS, A DISTANCE OF 6.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MURRELL ROAD (A 150.00 FOOT WIDE RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 3028, PAGE 4647 OF SAID PUBLIC RECORDS); THENCE N. 00°27'18" W., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 11.00 FEET; THENCE N. 89°50'58" W., A DISTANCE OF 75.43 FEET TO A POINT ON THE CENTERLINE OF SAID MURRELL ROAD; THENCE S. 89°54'43" W., A DISTANCE OF 74.58 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID MURRELL ROAD; THENCE S. 00°27'18" E., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 949 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W. ALONG SAID SOUTH LINE, A DISTANCE OF 20.00 FEET; THENCE N. 00°27'18" W. ALONG SAID SOUTH LINE, A DISTANCE OF 9.94 FEET; THENCE S. 89°16'36" W. ALONG SAID SOUTH LINE, A DISTANCE OF 168.29 FEET TO A POINT ON THE ARC OF A 25.00 FOOT RADIUS

CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $55^{\circ}31'00''$, A DISTANCE OF 24.22 FEET, SAID CURVE HAVING A CHORD BEARING OF S. $61^{\circ}31'06''$ W. AND A CHORD DISTANCE OF 23.29 FEET; THENCE S. $89^{\circ}54'43''$ W. ALONG SAID SOUTH LINE AND THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1268 OF SAID PUBLIC RECORDS, A DISTANCE OF 57.54 FEET TO A POINT ON THE ARC OF A 27.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 6441, PAGE 1268, THROUGH A CENTRAL ANGLE OF $56^{\circ}46'30''$, A DISTANCE OF 26.75 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $62^{\circ}20'14''$ W. AND A CHORD DISTANCE OF 25.67 FEET; THENCE S. $89^{\circ}16'31''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 150.36 FEET TO A POINT ON THE ARC OF A 27.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $34^{\circ}57'28''$, A DISTANCE OF 16.47 FEET, SAID CURVE HAVING A CHORD BEARING OF S. $71^{\circ}47'47''$ W. AND A CHORD DISTANCE OF 16.22 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5400 PAGE 676 OF SAID PUBLIC RECORDS; THENCE S. $00^{\circ}03'43''$ W., ALONG SAID WEST LINE, A DISTANCE OF 5.24 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 949 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 69.50 FEET TO A POINT ON THE WEST LINE OF SAID LANDS; THENCE N. $00^{\circ}03'43''$ E. ALONG SAID WEST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1248 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 39.75 FEET TO A POINT ON THE ARC OF A 23.05 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $34^{\circ}25'11''$, A DISTANCE OF 13.85 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $49^{\circ}33'26''$ W. AND A CHORD DISTANCE OF 13.64 FEET; THENCE S. $89^{\circ}24'04''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 38.20 FEET; THENCE N. $00^{\circ}23'39''$ E., ALONG SAID SOUTH LINE, A DISTANCE OF 2.09 FEET; THENCE S. $89^{\circ}14'26''$ W. ALONG SAID SOUTH LINE, A DISTANCE OF 28.04 FEET TO A POINT ON THE ARC OF A 38.68 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $36^{\circ}43'09''$, A DISTANCE OF 24.79 FEET, SAID CURVE HAVING A CHORD BEARING OF S. $84^{\circ}48'22''$ W. AND A CHORD DISTANCE OF 24.37 FEET; THENCE S. $66^{\circ}26'48''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 3.82 FEET TO A POINT ON THE ARC OF A 30.90 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE, THROUGH A CENTRAL ANGLE OF $33^{\circ}43'38''$, A DISTANCE OF 18.19 FEET, SAID CURVE HAVING A CHORD BEARING OF S. $49^{\circ}34'59''$ W. AND A CHORD DISTANCE OF 17.93 FEET; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID SOUTH LINE, A DISTANCE OF 12.24 FEET TO THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 6441 PAGE 1248; THENCE N. $00^{\circ}03'43''$ E., ALONG SAID WEST LINE, A DISTANCE OF 12.45 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7011 PAGE 1801 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}16'31''$ W., ALONG SAID SOUTH LINE, A

DISTANCE OF 83.19 FEET; THENCE S. 84°04'02" W., ALONG SAID SOUTH LINE, A DISTANCE OF 93.22 FEET; THENCE S. 00°22'10" E., ALONG SAID SOUTH LINE, A DISTANCE OF 2.03 FEET; THENCE S. 89°54'43" W., ALONG SAID SOUTH LINE, A DISTANCE OF 20.00 FEET TO THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5400 PAGE 676; THENCE S. 00°22'10" E., ALONG SAID WEST LINE, A DISTANCE OF 2.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 949 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W., ALONG SAID SOUTH LINE AND THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6332 PAGE 2889, A DISTANCE OF 538.49 FEET TO A POINT ON THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6288 PAGE 1340 OF SAID PUBLIC RECORDS; THENCE S. 00°22'17" E., ALONG SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LANDS; THENCE S. 89°54'43" W., ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5473 PAGE 4770 OF SAID PUBLIC RECORDS, A DISTANCE OF 1730.01 FEET TO THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3108 PAGE 3770; THENCE N. 00°23'09" W., ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 15.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6441 PAGE 1238 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W., ALONG THE SOUTH LINE OF SAID LANDS AND THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5904 PAGE 4636 OF SAID PUBLIC RECORDS, A DISTANCE OF 622.46 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ADMIRALTY BOULEVARD AS SHOWN ON THE PLAT OF ADMIRALTY COUNTRY CLUB ESTATES AS RECORDED IN PLAT BOOK 25, PAGE 59 OF SAID PUBLIC RECORDS; THENCE S. 01°16'11" E., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 25.01 FEET; THENCE S. 89°54'43" W., A DISTANCE OF 70.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID ADMIRALTY BOULEVARD; THENCE N. 01°16'11" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 17.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5541 PAGE 1522 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W., ALONG SAID SOUTH LINE, A DISTANCE OF 149.17 FEET TO THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6218 PAGE 1347 OF SAID PUBLIC RECORDS; THENCE N. 01°16'26" W., ALONG SAID EAST LINE, A DISTANCE OF 3.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6298 PAGE 1081 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W., ALONG SAID SOUTH LINE, A DISTANCE OF 59.06 FEET; THENCE N. 76°35'32" W., ALONG SAID SOUTH LINE, A DISTANCE OF 17.14 FEET; THENCE S. 89°54'43" W., ALONG SAID SOUTH LINE, A DISTANCE OF 265.14 FEET TO A POINT ON THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5657, PAGE 4323 OF SAID PUBLIC RECORDS; THENCE ALONG THE EAST, SOUTH, AND WEST LINE OF SAID LANDS THE FOLLOWING FOUR (4) COURSES; THENCE S. 01°18'17" E., A DISTANCE OF 451.13 FEET; TO A POINT ON THE ARC OF A 260.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°17'23", A DISTANCE OF 64.84 FEET, SAID CURVE HAVING A CHORD BEARING OF N. 82°57'39" W. AND A CHORD DISTANCE OF 64.68 FEET; THENCE S. 89°53'40" W., A DISTANCE OF 845.98 FEET; THENCE N. 01°18'17" W., A DISTANCE OF 399.36 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6288 PAGE 1340 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W.,

ALONG SAID SOUTH LINE, A DISTANCE OF 70.02 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF PLAYA DEL SOL DRIVE (A VARIABLE WIDTH RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 5374, PAGE 6018 OF SAID PUBLIC RECORDS); THENCE N. 01°18'17" W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 25.01 FEET TO A POINT ON THE SOUTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6048 PAGE 238 OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W., ALONG SAID SOUTH LINE, A DISTANCE OF 384.57 FEET; THENCE S. 00°04'21" E., ALONG SAID SOUTH LINE, A DISTANCE OF 14.74 FEET; THENCE S. 89°52'46" W., ALONG SAID SOUTH LINE, A DISTANCE OF 16.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD PER FDOT MAP SECTION 70220-2414; THENCE S. 89°52'46" W., ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 750.10 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FISKE BOULEVARD (A F.D.O.T. RIGHT-OF-WAY PER MAP SECTION 70220-2414); THENCE N. 00°12'55" W., A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BARNES BOULEVARD; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES; THENCE N. 89°52'53" E., A DISTANCE OF 750.59 FEET; THENCE S. 00°04'21" E., A DISTANCE OF 17.23 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 6435 PAGE 1080 OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE THE FOLLOWING SIX(6) COURSES; THENCE N. 89°54'43" E., A DISTANCE OF 198.84 FEET; THENCE S. 00°05'17" E., A DISTANCE OF 10.00 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 83.39 FEET; THENCE N. 01°15'42" W., A DISTANCE OF 20.00 FEET; THENCE N. 89°54'43" E., A DISTANCE OF 20.00 FEET TO THE EAST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4285, PAGE 1531 OF SAID PUBLIC RECORDS; THENCE S. 01°15'42" E, ALONG SAID EAST LINE, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7078 PAGE 2263 OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E. ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7445 PAGE 803 AND THE EASTERLY EXTENSION OF SAID LINE, A DISTANCE OF 165.00 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 32.83 ACRES (1,430,245 SQUARE FEET), MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

TOGETHER WITH PARCEL A, LOCATED AT BREVARD COUNTY SURVEY BOOK 15, PAGES 54-58, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5636 PAGE 1796, OFFICIAL RECORDS BOOK 5548 PAGE 2360 (PARCEL A), AND OFFICIAL RECORDS BOOK 5282, PAGE 0051 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, ALL LYING IN THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 21; THENCE N. 01°16'20" W., ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SECTION 21, A DISTANCE OF 59.73 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7445 PAGE 0803 EXHIBIT B OF SAID PUBLIC RECORDS; THENCE S. 89°54'43" W., ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 10.62 FEET TO THE POINT-OF-CURVATURE OF A 30.00 FOOT RADIUS

CIRCULAR CURVE CONCAVE NORTHWESTERLY AND THE POINT-OF-BEGINNING; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $90^{\circ}05'18''$ A DISTANCE OF 47.17 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF N. $44^{\circ}52'04''$ E. AND A CHORD DISTANCE OF 42.46 FEET; THENCE N. $00^{\circ}10'35''$ W. A DISTANCE OF 211.83 FEET TO THE NORTHEAST CORNER OF SAID OFFICIAL RECORDS BOOK 5548 PAGE 2360, SAID POINT ALSO BEING ON THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 5636 PAGE 1796; THENCE N. $01^{\circ}15'42''$ W., ALONG SAID WEST LINE, A DISTANCE OF 115.27 FEET TO A POINT ON THE NORTH LINE OF SAID OFFICIAL RECORDS BOOK 5636 PAGE 1796; THENCE N. $89^{\circ}54'43''$ E., ALONG SAID NORTH LINE, A DISTANCE OF 11.08 FEET; THENCE S. $00^{\circ}05'17''$ E. A DISTANCE OF 5.35 FEET TO THE POINT-OF-CURVATURE OF A 37.00 FOOT RADIUS CIRCULAR CURVE CONCAVE EASTERLY; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $40^{\circ}29'11''$ A DISTANCE OF 26.14 FEET, HAVING A CHORD BEARING OF S. $20^{\circ}19'29''$ E. AND A CHORD DISTANCE OF 25.60 FEET TO THE POINT-OF-REVERSE-CURVATURE, SAID POINT BEING ON THE ARC OF A 137.00 FOOT RADIUS CIRCULAR CURVE CONCAVE WESTERLY; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $40^{\circ}28'48''$ A DISTANCE OF 96.79 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF S. $20^{\circ}19'41''$ E. AND A CHORD DISTANCE OF 94.79 FEET; THENCE S. $00^{\circ}05'17''$ E. A DISTANCE OF 42.83 FEET TO THE POINT-OF-CURVATURE OF A 37.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ A DISTANCE OF 58.12 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF S. $45^{\circ}05'17''$ E. AND A CHORD DISTANCE OF 52.33 FEET; THENCE N. $89^{\circ}54'43''$ E. A DISTANCE OF 220.32 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7329 PAGE 2861 OF SAID PUBLIC RECORDS; THENCE S. $01^{\circ}15'42''$ E., ALONG SAID WEST LINE, A DISTANCE OF 50.01 FEET TO THE NORTHEAST CORNER OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3350 PAGE 2517 OF SAID PUBLIC RECORDS; THENCE S. $89^{\circ}54'43''$ W., ALONG THE NORTH LINE OF SAID LANDS AND THE WEST EXTENSION THEREOF, A DISTANCE OF 183.34 FEET TO THE POINT-OF-CURVATURE OF A 37.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ A DISTANCE OF 58.12 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF S. $44^{\circ}54'43''$ W. AND A CHORD DISTANCE OF 52.33 FEET; THENCE S. $00^{\circ}05'17''$ E. A DISTANCE OF 41.97 FEET TO THE POINT-OF-CURVATURE OF A 30.00 FOOT RADIUS CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ A DISTANCE OF 47.12 FEET TO THE POINT-OF-TANGENCY, SAID CURVE HAVING A CHORD BEARING OF S. $45^{\circ}05'17''$ E. AND A CHORD DISTANCE OF 42.43 FEET, SAID POINT BEING ON THE AFORESAID EASTERLY EXTENSION OF THE NORTH LINE OF OFFICIAL RECORDS BOOK 7445 PAGE 0803; THENCE S. $89^{\circ}54'43''$ W., ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 148.05 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.78 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

**TOGETHER WITH PARCEL B, LOCATED AT BREVARD COUNTY SURVEY BOOK 15
PAGES 54-58, DESCRIBED AS FOLLOWS:**

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 21; THENCE N. 01°16'20" W., ALONG THE WEST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 416.92 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5636, PAGE 1796 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. 89°54'43" E., ALONG SAID NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5636 PAGE 1796 AND ITS WESTERLY EXTENSION, A DISTANCE OF 208.81 FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE N. 89°54'43" E., ALONG SAID NORTH LINE, A DISTANCE OF 121.26 FEET TO A POINT ON THE WEST LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7329 PAGE 2861 OF SAID PUBLIC RECORDS; THENCE S. 01°15'42" E., ALONG SAID WEST LINE, A DISTANCE OF 198.19 FEET; THENCE S. 89°54'43" W. A DISTANCE OF 125.32 FEET; THENCE N. 00°05'17" W., A DISTANCE OF 198.15 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.56 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

Prepared by and return to: Lucy Hamelers
Public Works, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
Barnes Boulevard Transfer from the east terminus of the West Pond Basin at Cobblewood Drive
to Fiske Boulevard

Assignment of Easements

This Assignment of Easements dated the 18 day of May, 2021, is made and entered into, by and between Brevard County, Florida, and its Board of County Commissioners of Brevard County, Florida, a political subdivision of the State of Florida (hereinafter referred to as **Assignor**), whose address is 2725 Judge Fran Jamieson Way, Melbourne Florida 32940, and the City of Rockledge, a municipal corporation of the State of Florida, whose address is 1600 Huntington Lane, Rockledge, Florida (hereinafter referred to as **Assignee**).

WITNESSETH:

The Assignor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, assigns to Assignee, its successors and assigns, the rights, title and interest of the Assignor in those certain easements which are recorded in Public Records of Brevard County, Florida and further described in Exhibit A, which is attached and incorporated by this reference,

TO HAVE AND TO HOLD said easements unto the City of Rockledge, Florida and to its successors and/or assigns.

The Assignor does covenant with the Assignee that it is lawfully seized and possessed of the Easements above described and that it has a good lawful right to assign it or any part thereof.

Assignee accepts this Assignment of Easements and assumes all of the rights, duties and obligations under the easements.

(Signatures and Notary on next page)

IN WITNESS WHEREOF, the Assignor has caused this assignment of easements to be executed in its name by its Board of County Commissioners acting by the Chair of said Board, the day and year first above written.

Signed, sealed, and delivered in the presence of:

ASSIGNOR:


Brevard County, Florida, a
political subdivision
of the State of Florida

ATTEST:

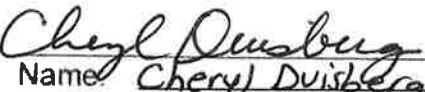
 for
Rachel Sadoff, Clerk to the Board


By: Rita Pritchett, Chair Brevard

WITNESSES


Name: Nicole Summers

Approved by the Board on: 05/18/2021
Agenda Item #: F.12

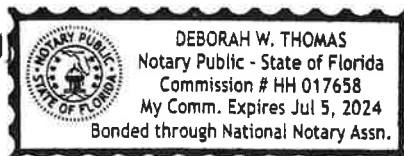

Name: Cheryl Duisberg

STATE OF FLORIDA

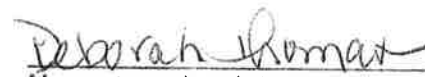
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 16 day of MAY, 2021 by Rita Pritchett, Chair, who is personally known to me or who has produced _____ as identification.

[Notary Seal]




Notary Public


Name typed, printed or stamped
My Commission Expires July 5, 2024

(SIGNATURE OF ASSIGNEE IS ON THE FOLLOWING PAGE)

ACCEPTANCE OF EASEMENTS

The Assignee accepts the Assignment of Easements as described herein and assumes all of the rights, duties and obligations under each easement.

IN WITNESS WHEREOF, the Assignee has caused this acceptance to be executed in its name by its City Manager, the day and year first written below.

Signed, sealed, and delivered in the presence of:

Dated this _____ day of _____, 2021.

ATTEST:

Jennifer LeVasseur, City Clerk

ASSIGNEE:

City of Rockledge Florida, a
municipal corporation of the
State of Florida

Brenda Fettrow, City Manager

Agenda Item # _____
Board Meeting Date _____

WITNESSES:

Name: _____

Name: _____

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2021 by Brenda Fettrow, who is personally known to me or who has produced _____ as identification.

[Notary Seal]

Notary Public

Name typed, printed or stamped
My Commission Expires: _____

EXHIBIT A

- 1) **Parcel No. 815**-Permanent Easement from Domenico Cerbo and Rosa Cerbo, husband and wife, as recorded on June 17, 2008, in Official Records Book 5870, Page 9029, Public Records of Brevard County, Florida.
- 2) **Parcel No. 816**-Landscape, Wall, Public Utility, Drainage and Roadway Easement from Meadow Pointe Community Developers, Inc., as recorded on February 15, 2006, in Official Records Book 5605, Page 0817, Public Records of Brevard County, Florida.
- 3) **Parcel No. 817**-Drainage Easement from Pulte Homes Corporation, a Michigan Corporation, as recorded on May 26, 2005, in Official Records Book 5473, Page 4772, Public Records of Brevard County, Florida.
- 4) **Parcel No. 818** -Permanent Utility Easement from Publix Super Market, Inc. and BGF Florida, LLC, as recorded on June 02, 2015, in Official Records Book 7378, Page 937, Public Records of Brevard County, Florida.
- 5) **Parcel No. 819**-Permanent Utility Easement from Publix Super Market, Inc. and JPMorgan Chase Bank, National Association, as recorded on June 02, 2015, in Official Records Book 7378, Page 1125, Public Records of Brevard County, Florida.
- 6) **Parcel No. 820**-Permanent Drainage, Utility and Sidewalk Easement from Publix Super Market, Inc., as recorded on March 20, 2014, in Official Records Book 7089, Page 1181, Public Records of Brevard County, Florida.
- 7) **Parcel No. 826**-Permanent Drainage, Utility and Sidewalk Easement from Advance Stores Company, Inc., as recorded on December 27, 2012, in Official Records Book 6766, Page 1750, Public Records of Brevard County, Florida.
- 8) **Parcel No. 827**-Permanent Drainage, Utility and Sidewalk Easement from Publix Super Market, Inc. and BGF Florida, LLC, as recorded on June 02, 2015, in Official Records Book 7378, Page 937, Public Record of Brevard County, Florida.
- 9) **Parcel No. 828**-Permanent Drainage, Wall, Landscape, Utility and Sidewalk Easement from Tradewinds Plaza LLC, as recorded on December 06, 2013, in Official Records Book 7026, Page 1113, Public Records of Brevard County, Florida.
- 10) **Parcel No. 829**-Drainage and Utility Easement from Publix Super Market, Inc., as recorded on November 13, 2013, in Official Records Book 7011, Page 1601, Public Record of Brevard County, Florida.
- 11) **Parcel No. 830**-Permanent Drainage Easement from Merritt Island Holdings, Inc., a Florida limited liability company, as recorded on May 17, 2013, in Official Records Book 6878, Page 1834, Public Records of Brevard County, Florida.
- 12) **Parcel No. 831**-Permanent Drainage Easement from Merritt Island Holdings, Inc., a Florida limited liability company, as recorded on May 17, 2013, in Official Records Book 6878, Page 1838, Public Records of Brevard County, Florida.
- 13) **Parcel No. 832**-Permanent Drainage, Wall, Landscape, Utility and Sidewalk Easement from B West Townhouses, LTD, as recorded on August 11, 2016, in Official Records Book 7684, Page 270, Public Records of Brevard County, Florida.
- 14) **Parcel No. 834**-Permanent Access, Drainage and Utility Easement from MHC Stagecoach, LLC, a Delaware limited liability company, as recorded on January 13, 2014, in Official Records Book 7058, Page 428, Public Records of Brevard County, Florida.

- 15) **Parcel No. 152-** Permanent Easement from S&S FLP #2 "B", LLC, as recorded on April 7, 2021, in Official Records Book 9078, Page 1833, Public Records of Brevard County, Florida.

RESOLUTION NO. 21- 060]

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA, PURSUANT TO SECTION 125.138, FLORIDA
STATUTES, AND SECTION 2-247 OF THE BREVARD COUNTY CODE OF
ORDINANCES AUTHORIZING THE ASSIGNMENT OF EASEMENTS, AND
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brevard County, Florida, political subdivision of the State of Florida (hereinafter the COUNTY), holds easement interests in certain real property described in Exhibit A within the City of Rockledge, a municipality incorporated under the laws of Florida (hereinafter the CITY); and

WHEREAS, COUNTY obtained the permanent easements for varied public uses such as sidewalks, public utilities, drainage, wall, landscape, roadway access, and other allied public uses related to the Barnes Boulevard Widening Project; and

WHEREAS, the CITY has applied to COUNTY to acquire said easement interests when the COUNTY conveys Barnes Boulevard from the east terminus of the West Pond Basin at Cobblewood Drive to Fiske Boulevard (hereinafter the Barnes Project) to CITY; and

WHEREAS, the COUNTY agrees that assigning the easement interests is beneficial to the citizens of Brevard County, and promotes the public health, safety or welfare, will serve the public interest, will serve a public purpose, and benefit the community interest and welfare of the CITY; and

WHEREAS, the COUNTY agrees the easement interests are not needed for other COUNTY purposes because the COUNTY is conveying the Barnes Project to CITY, and the COUNTY agrees the easements are needed by the CITY and desires to cooperate with and assist the CITY by conveying the easement interests; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that:


1. The foregoing recitals true and correct and incorporated to this Resolution by this reference.
2. The COUNTY finds the CITY has requested certain easement interests be transferred to it, and that such transfer is necessary for CITY to properly maintain Barnes Boulevard, a public roadway, for the good of the community with sidewalks, public utilities, drainage, wall, landscape, roadway access, and other allied public use easements.
3. The COUNTY finds the easement interests are not needed for COUNTY purposes since the CITY will own and maintain the Barnes Project but are needed for CITY purposes.
4. In the event any of the easement interests are not used, maintained or cease to be used and maintained for an easement's designated purpose, the COUNTY does not retain any right of reversion.

5. The COUNTY authorizes the Chair, Board of County Commissioners to execute all necessary documents to convey the easement interests at nominal compensation to the CITY, as said interests are described in Exhibit A, which is attached and incorporated by this reference.

6. This Resolution shall take effect immediately upon its adoption.

DONE, ORDERED AND ADOPTED, in regular session, this 18 day of May 2021.

ATTEST:



Rachel Sadoff, Clerk

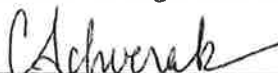
BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 

Rita Pritchett, Chair

As Approved by the Board on: 05/18/2021

Reviewed for legal form and content:



Assistant County Attorney

EXHIBIT A

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- 4) **Parcel No. 818** -Permanent Utility Easement from Publix Super Market, Inc. and BGF Florida, LLC, as recorded on June 02, 2015, in Official Records Book 7378, Page 937, Public Records of Brevard County, Florida.
- 5) **Parcel No. 819**-Permanent Utility Easement from Publix Super Market, Inc. and JPMorgan Chase Bank, National Association, as recorded on June 02, 2015, in Official Records Book 7378, Page 1125, Public Records of Brevard County, Florida.
- 6) **Parcel No. 820**-Permanent Drainage, Utility and Sidewalk Easement from Publix Super Market, Inc., as recorded on March 20, 2014, in Official Records Book 7089, Page 1181, Public Records of Brevard County, Florida.
- 7) **Parcel No. 826**-Permanent Drainage, Utility and Sidewalk Easement from Advance Stores Company, Inc., as recorded on December 27, 2012, in Official Records Book 6766, Page 1750, Public Records of Brevard County, Florida.
- 8) **Parcel No. 827**-Permanent Drainage, Utility and Sidewalk Easement from Publix Super Market, Inc. and BGF Florida, LLC, as recorded on June 02, 2015, in Official Records Book 7378, Page 937, Public Record of Brevard County, Florida.
- 9) **Parcel No. 828**-Permanent Drainage, Wall, Landscape, Utility and Sidewalk Easement from Tradewinds Plaza LLC, as recorded on December 06, 2013, in Official Records Book 7026, Page 1113, Public Records of Brevard County, Florida.
- 10) **Parcel No. 829**-Drainage and Utility Easement from Publix Super Market, Inc., as recorded on November 13, 2013, in Official Records Book 7011, Page 1601, Public Record of Brevard County, Florida.
- 11) **Parcel No. 830**-Permanent Drainage Easement from Merritt Island Holdings, Inc., a Florida limited liability company, as recorded on May 17, 2013, in Official Records Book 6878, Page 1834, Public Records of Brevard County, Florida.
- 12) **Parcel No. 831**-Permanent Drainage Easement from Merritt Island Holdings, Inc., a Florida limited liability company, as recorded on May 17, 2013, in Official Records Book 6878, Page 1838, Public Records of Brevard County, Florida.
- 13) **Parcel No. 832**-Permanent Drainage, Wall, Landscape, Utility and Sidewalk Easement from B West Townhouses, LTD, as recorded on August 11, 2016, in Official Records Book 7684, Page 270, Public Records of Brevard County, Florida.
- 14) **Parcel No. 834**-Permanent Access, Drainage and Utility Easement from MHC Stagecoach, LLC, a Delaware limited liability company, as recorded on January 13, 2014, in Official Records Book 7058, Page 428, Public Records of Brevard County, Florida.

- 15) **Parcel No. 152-** Permanent Easement from S&S FLP #2 "B", LLC, as recorded on April 7, 2021, in Official Records Book 9078, Page 1833, Public Records of Brevard County, Florida.

Prepared by and return to: Lucy Hamelers
Brevard County Public Works Dept., Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of Parcel C

DRAINAGE EASEMENT

THIS INDENTURE, made this 18 day of May, 2021, between Brevard County, a political subdivision of the State of Florida, as the first party, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, and the City of Rockledge, a municipal corporation of the State of Florida, as the second party, whose mailing address is 1600 Huntington Lane, Florida 32955, for the use and benefit of Rockledge, Florida.

WITNESSETH that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a drainage easement commencing on the above date for the purposes of operating, constructing, reconstructing, reconfiguring, and maintaining drainage facilities, utilities, and other allied uses pertaining thereto, over, under, upon, above and through the following lands:

The land affected by the granting of the easement is located in the Northwest $\frac{1}{4}$ of Section 21, Township 25 South, Range 36 East, Brevard County, Florida, and being more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

Including the right of ingress and egress onto the easement area as may be necessary for full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein, except that this easement is conveyed subject to the continued right of the first party to use the property for drainage and flowage of stormwater and groundwater into the easement area. This easement is conveyed subject to any easements and/or rights-of-way of record. In the event this easement is not used, maintained or ceases to be used or maintained for the easement's designated purpose, the easement shall expire and revert to the property owner, who shall have all rights of possession and use.

(Second Page follows)

TO HAVE AND TO HOLD said easement unto the City of Rockledge, Florida and to its successors and/or assigns.

The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

IN WITNESS WHEREOF, the first party has caused this easement to be executed in its name by its Board of County Commissioners acting by the Chair of said Board, the day and year first above written,

Signed, sealed, and delivered in the presence of:

ATTEST:

[Signature]
RACHEL SADOFF, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

[Signature]
RITA PRITCHETT, Chair

WITNESSES

Nicole Summers
Name: Nicole Summers
Kimberly Powell
Name: Kimberly Powell

Approved by the Board on: 05/18/2021
Agenda Item #: F.12

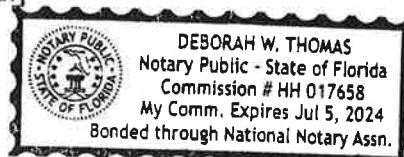
STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18 day of MAY, 2021 by Rita Pritchett, who is personally known to me or who has produced _____ as identification.

Deborah Thomas
Notary Public

[Notary Seal]



Deborah Thomas
Name typed, printed or stamped
My Commission Expires July 5, 2024

EXHIBIT A
A PORTION OF PARCEL C LOCATED AT BREVARD COUNTY SURVEY BOOK 15, PAGE 54-58 AS DESCRIBED
AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5636, PAGE 1796 AND LYING IN THE NORTHWEST $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST $\frac{1}{4}$ CORNER OF SECTION 21; THENCE N. $01^{\circ}16'20''$ W., ALONG THE WEST LINE OF SAID NORTHWEST $\frac{1}{4}$ OF SECTION 21, A DISTANCE OF 416.92 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5636, PAGE 1796 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. $89^{\circ}54'43''$ E., ALONG SAID WESTERLY EXTENSION OF THE NORTH LINE, A DISTANCE OF 35.16 FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE N. $89^{\circ}54'43''$ E., ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 173.65 FEET; THENCE S. $00^{\circ}05'17''$ E., A DISTANCE OF 20.00 FEET; THENCE S. $89^{\circ}54'43''$ W. A DISTANCE OF 153.67 FEET; THENCE S. $11^{\circ}33'22''$ W. A DISTANCE OF 19.08 FEET TO A POINT ON THE ARC OF A 137.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $04^{\circ}56'33''$ A DISTANCE OF 11.82 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $38^{\circ}05'49''$ W. AND A CHORD DISTANCE OF 11.81 FEET TO A POINT-OF-REVERSE CURVATURE OF A 37.00 FOOT RADIUS CIRCULAR CURVE CONCAVE EASTERLY; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $40^{\circ}29'11''$ A DISTANCE OF 26.14 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $20^{\circ}19'29''$ W. AND A CHORD DISTANCE OF 25.60 FEET TO THE POINT-OF-TANGENCY; THENCE N. $00^{\circ}05'17''$ W. A DISTANCE OF 5.35 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.08 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

Prepared by and return to: Lucy Hamelers
Brevard County Public Works Dept., Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of Parcel E

UTILITY AND DRAINAGE EASEMENT

THIS INDENTURE, made this 18 day of May, 2021, between Brevard County, a political subdivision of the State of Florida, as the first party, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, and the City of Rockledge, a municipal corporation of the State of Florida, as the second party, whose mailing address is 1600 Huntington Lane, Florida 32955, for the use and benefit of Rockledge, Florida.

WITNESSETH that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a public utility and drainage easement commencing on the above date for the purposes of constructing, reconstructing, maintaining or reconfiguring drainage facilities, utilities, and other allied uses pertaining thereto, over, under, upon, above and through the following lands:

The land affected by the granting of the easement is located in the Northwest $\frac{1}{4}$ of Section 21, Township 25 South, Range 36 East, Brevard County, Florida, and being more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

Including the right of ingress and egress onto the easement area as may be necessary for full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein. This easement is conveyed subject to the existing sanitary sewer easement located at Brevard County Official Records Book 1694, Page 831, and any other easement and/or rights-of-way of record. In the event this easement is not used, maintained or ceases to be used or maintained for the easement's designated purpose, the easement shall expire and revert to the property owner, who shall have all rights of possession and use.

(Second Page Follows)

TO HAVE AND TO HOLD said easement unto the City of Rockledge, Florida and to its successors and/or assigns.

The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

IN WITNESS WHEREOF, the first party has caused this easement to be executed in its name by its Board of County Commissioners acting by the Chair of said Board, the day and year first above written,

Signed, sealed, and delivered in the presence of:

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

[Signature]
Rachel Sadoff, Clerk

[Signature]
Rita Pritchett, Chair

WITNESSES

[Signature]
Name: Kimberly Powell

Approved by the Board on: 5/18/2021
Agenda Item #: F. 12

[Signature]
Name: Nicole Summers

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18 day of MAY, 2021 by Rita Pritchett, who is personally known to me or who has produced _____ as identification.

[Notary Seal]

[Signature]
Notary Public

[Signature]
Name typed, printed or stamped
My Commission Expires July 5, 2024

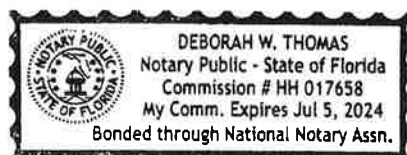


EXHIBIT A
A PORTION OF PARCEL E AS LOCATED AT BREVARD COUNTY SURVEY BOOK 15, PAGE 54-58 AS
DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SECTION 21; THENCE N. 01°16'20" W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 21, A DISTANCE OF 59.73 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7445, PAGE 0803 EXHIBIT B OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 238.99' FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE N. 00°47'45" E. A DISTANCE OF 108.99 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3350 PAGE 2517 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. 89°54'43" E., ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 27.09 FEET TO THE NORTHWEST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3350 PAGE 2517; THENCE S. 01°15'42" E., ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 109.00 FEET TO A POINT ON THE AFORESAID EASTERLY EXTENSION OF THE NORTH LAND OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7445, PAGE 0803; THENCE S. 89°54'43" W., ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 31.01 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.07 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

RESOLUTION NO. 21- 061

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, PURSUANT TO SECTION 125.138, FLORIDA STATUTES, AND SECTION 2-247 OF THE BREVARD COUNTY CODE OF ORDINANCES AUTHORIZING THE CONVEYANCE OF EASEMENTS IN COUNTY PROPERTY, PROVIDING FOR CONDITIONS ON TRANSFER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Brevard County, a political subdivision of the State of Florida (hereinafter the COUNTY), owns certain real property described in Exhibit A (known as Parcel C) and Exhibit B (known as Parcel E); and

WHEREAS, the City of Rockledge (hereinafter CITY) has applied to COUNTY to acquire two easements over said COUNTY owned real property to support drainage and other allied uses to maintain Barnes Boulevard; and

WHEREAS, an easement over portions of Parcel C will not conflict with the COUNTY's use of the servient property, provided the easement is given subject to COUNTY's right to drain into the easement at Parcel C; and

WHEREAS, an easement over portions of Parcel E will not conflict with the COUNTY's use of the servient property, provided the easement is given subject to an existing sanitary sewer easement at the Brevard County Official Records Book (ORB) 1694, Page 831; and

WHEREAS, the COUNTY desires to cooperate with and assist the CITY in acquiring the said easements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA that:

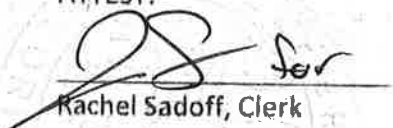
1. The foregoing recitals are true and correct and incorporated to this Resolution by this reference.
2. The COUNTY finds the CITY has requested said easement interests be conveyed to it; and that such transfer is necessary for CITY to maintain drainage and other allied uses for Barnes Boulevard; and that the easement interest is not needed for COUNTY purposes.
3. The COUNTY finds that in the event the easement interests are not used, maintained or cease to be used and maintained for the easement's designated purpose, the easement shall expire and revert to the property owner.

4. The COUNTY authorizes the Chair, Board of County Commissioners to execute the necessary documents to convey the following easements at nominal compensation to the CITY:
- a. An easement over a portion of Parcel C, subject to COUNTY's right to drain into the easement at Parcel C, as that easement is described in Exhibit A, which is attached and incorporated by this reference.
 - b. An easement over a portion of Parcel E, as that easement is described in Exhibit B, which is attached and incorporated by this reference. This easement is given subject to an existing sanitary sewer easement at ORB 1694, Page 831.

5. This Resolution shall become effective immediately upon its adoption.

DONE, ORDERED, and ADOPTED in Regular Session this 18 day of May, 2021.

ATTEST:


Rachel Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

BY: 

Rita Pritchett, Chair

As Approved by the Board on: 05/18/2021

Reviewed for legal form and content:



Assistant County Attorney

EXHIBIT A
A PORTION OF PARCEL C LOCATED AT BREVARD COUNTY SURVEY BOOK 15, PAGE 54-58 AS DESCRIBED
AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5636, PAGE 1796 AND LYING IN THE NORTHWEST $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST $\frac{1}{4}$ CORNER OF SECTION 21; THENCE N. $01^{\circ}16'20''$ W., ALONG THE WEST LINE OF SAID NORTHWEST $\frac{1}{4}$ OF SECTION 21, A DISTANCE OF 416.92 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5636, PAGE 1796 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. $89^{\circ}54'43''$ E., ALONG SAID WESTERLY EXTENSION OF THE NORTH LINE, A DISTANCE OF 35.16 FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE N. $89^{\circ}54'43''$ E., ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 173.65 FEET; THENCE S. $00^{\circ}05'17''$ E., A DISTANCE OF 20.00 FEET; THENCE S. $89^{\circ}54'43''$ W. A DISTANCE OF 153.67 FEET; THENCE S. $11^{\circ}33'22''$ W. A DISTANCE OF 19.08 FEET TO A POINT ON THE ARC OF A 137.00 FOOT RADIUS CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $04^{\circ}56'33''$ A DISTANCE OF 11.82 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $38^{\circ}05'49''$ W. AND A CHORD DISTANCE OF 11.81 FEET TO A POINT-OF-REVERSE CURVATURE OF A 37.00 FOOT RADIUS CIRCULAR CURVE CONCAVE EASTERLY; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $40^{\circ}29'11''$ A DISTANCE OF 26.14 FEET, SAID CURVE HAVING A CHORD BEARING OF N. $20^{\circ}19'29''$ W. AND A CHORD DISTANCE OF 25.60 FEET TO THE POINT-OF-TANGENCY; THENCE N. $00^{\circ}05'17''$ W. A DISTANCE OF 5.35 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.08 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

EXHIBIT B
A PORTION OF PARCEL E AS LOCATED AT BREVARD COUNTY SURVEY BOOK 15, PAGE 54-58 AS
DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SECTION 21; THENCE N. 01°16'20" W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 21, A DISTANCE OF 59.73 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7445, PAGE 0803 EXHIBIT B OF SAID PUBLIC RECORDS; THENCE N. 89°54'43" E., ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 238.99' FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE N. 00°47'45" E. A DISTANCE OF 108.99 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3350 PAGE 2517 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. 89°54'43" E., ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 27.09 FEET TO THE NORTHWEST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3350 PAGE 2517; THENCE S. 01°15'42" E., ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 109.00 FEET TO A POINT ON THE AFORESAID EASTERLY EXTENSION OF THE NORTH LAND OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7445, PAGE 0803; THENCE S. 89°54'43" W., ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 31.01 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.07 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940

RELEASE OF TEMPORARY CONSTRUCTION EASEMENTS

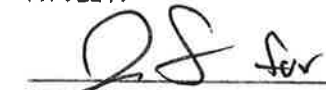
Brevard County, Florida, and its Board of County Commissioners of Brevard County, Florida (hereinafter Grantor), a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, received certain temporary construction easements to facilitate the completion of the Barnes Boulevard Widening Project.

Grantor gives notice of the completion of the Barnes Boulevard Widening Project from the east terminus of the West Pond Basin to Fiske Boulevard, and so releases all its interest in the temporary construction easements on the properties listed in Exhibit A, which is attached and incorporated by this reference.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair of said Board, this 18 day of May 2021.

Signed, sealed and delivered in the presence of:

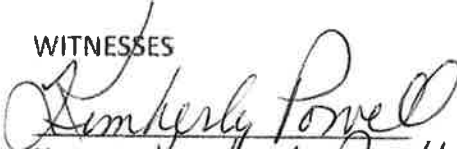
ATTEST:



Rachel Sadoff, Clerk to the Board

BREVARD COUNTY BOARD OF
COUNTY COMMISSIONERS, BREVARD
COUNTY, FLORIDA


Rita Pritchett, Chair

WITNESSES


Name: Kimberly Powell


Name: Nicole Summers

Approved by the Board on: 05/18/2021
Agenda Item #: F.12

(Notary on Next Page)

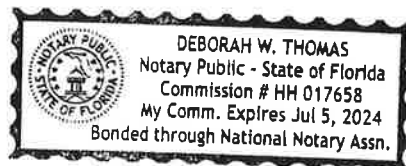
STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18 day of MAY, 2021 by Rita Pritchett, Chair, who is personally known to me or who has produced _____ as identification.

Deborah W. Thomas
Notary Public

[Notary Seal]



Deborah Thomas
Name typed, printed or stamped

My Commission Expires: _____

Exhibit A

- 1) **Meadow Creek Wall**-Temporary Construction Easement from Meadow Creek Homeowner's Association, Inc., as recorded on March 2, 2011, in Official Records Book 6342, Page 1184, Public Records of Brevard County, Florida.
- 2) **Parcel No. 700**-Temporary Construction Easement from Rockledge Church of the Nazarene, Inc., as recorded on February 15, 2011, in Official Records Book 6332, Page 2897, Public Records of Brevard County, Florida.
- 3) **Parcel No. 702**-Temporary Construction Easement from Domenico Cerbo and Rosa Cerbo, husband and wife, as recorded on June 17, 2008, in Official Records Book 5870, Page 9033, Public Records of Brevard County, Florida.
- 4) **Parcel No. 707**-Temporary Construction Easement from PNC Bank, National Association, as recorded on March 24, 2010, in Official Records Book 6135, Page 1488, Public Records of Brevard County, Florida.
- 5) **Parcel No. 708**-Temporary Construction Easement from Barnes Rockledge, LLC, a California limited liability company, as recorded on October 4, 2011, in Official Records Book 6463, Page 1084, Public Records of Brevard County, Florida.
- 6) **Parcel No. 709 & 736**-Temporary Construction Easement from Walgreen Co., an Illinois Corporation, as recorded on November 16, 2010, in Official Records Book 6279, Page 1939, Public Records of Brevard County, Florida.
- 7) **Parcel No. 711**-Temporary Construction Easement from Greenlight Industrial Airpark, LLC, as recorded on September 22, 2010, in Official Records Book 6245, Page 2579, Public Records of Brevard County, Florida.
- 8) **Parcel No. 712**-Temporary Construction Easement from Alas, LLC, a Florida limited liability company, as recorded on December 22, 2010, in Official Records Book 6303, Page 1438, Public Records of Brevard County, Florida.
- 9) **Parcel No. 714**-Temporary Construction Easement from FLP #2, LLC, a Florida limited liability company, as recorded on August 17, 2011, in Official Records Book 6437, Page 982, Public Records of Brevard County, Florida.
- 10) **Parcel No. 715 & 716**-Temporary Construction Easement from Los Caballeros, LLP, a Florida limited liability Partnership a/k/a Los Caballeros General Partnership, as recorded on October 21, 2009, in Official Records Book 6048, Page 245, Public Records of Brevard County, Florida.
- 11) **Parcel No. 719**-Temporary Construction Easement from Rockledge Church of the Nazarene, Inc., as recorded on February 15, 2011, in Official Records Book 6332, Page 2901, Public Records of Brevard County, Florida.
- 12) **Parcel No. 720**-Temporary Construction Easement from Rockledge Church of the Nazarene, Inc., as recorded on February 15, 2011, in Official Records Book 6332, Page 2905, Public Records of Brevard County, Florida.

Exhibit A

- 13) **Parcel No. 728**-Temporary Construction Easement from Space Coast Credit Union, as recorded on August 4, 2011, in Official Records Book 6429, Page 1613, Public Records of Brevard County, Florida.
- 14) **Parcel No. 729**-Temporary Construction Easement from Murrell Barnes One, Inc., a Florida corporation, as recorded on December 21, 2009, in Official Records Book 6085, Page 308, Public Records of Brevard County, Florida.
- 15) **Parcel No. 734**-Temporary Construction Easement from Admiralty Lakes Townhomes Homeowners Assoc., as recorded on April 14, 2009, in Official Records Book 5930, Page 62, of the Public Records of Brevard County, Florida.
- 16) **Parcel No. 750**-Temporary Construction Easement from MHC Stagecoach LLC, a Delaware limited liability company, as recorded on January 31, 2014, in Official Records Book 7058, Page 432, Public Records of Brevard County, Florida.
- 17) **Parcel No. 751**-Temporary Construction Easement from Space Coast RV Limited Partnership, a Michigan limited partnership, as recorded on March 5, 2014, in Official Records Book 7078, Page 2273, Public Records of Brevard County, Florida.

BOARD OF COUNTY COMMISSIONERS



AGENDA REVIEW SHEET

AGENDA: Conveyance of Barnes Boulevard from Fiske Boulevard to Cobblewood Drive to the City of Rockledge – District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 (58336)

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		<hr/>	<u>4-20-21</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney		<hr/>	<u>4-20-21</u>

LOCATION MAP

Section 20, Township 25 South, Range 36 East District: 4

PROPERTY LOCATION: On the north side of Barnes Boulevard near the intersection of Fiske Boulevard and Barnes Boulevard, in Rockledge

OWNERS NAME: Brevard County, Florida



LOCATION MAP OF CONVEYANCE AREA

Sections 20, 21 & 22, Township 25 South, Range 36 East - District 4

PROPERTY LOCATION: That portion of Barnes Boulevard from the east terminus of the West Pond Basin at Cobblewood Drive to Fiske Boulevard in Rockledge.

OWNERS NAME: Brevard County, Florida

