

Resolution 2023 -

Vacating a portion of a public right(s)-of-way, Aspinwall Avenue & Unnamed Right-of-Way, "Plan of Town of Pineda", Rockledge, Florida, lying in Section 18, Township 26 South, Range 37 East

WHEREAS, pursuant to Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **IR TIKI LLC, BREVARD COUNTY, & ASHMA LUTHRA** with the Board of County Commissioners to vacate certain public right(s)-of-way in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right(s)-of-way, nor does this action guarantee or transfer title; and

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the FLORIDA TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public rights-of-way will not be detrimental to Brevard County or the public, finds that the vacate is necessary for additional shoreline property to be obtained by the County which will better ensure expanded and continued public access to the Indian River Lagoon, and serves the best interests of Brevard County.

THEREFORE, BE IT RESOLVED that said public right(s)-of-way are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue for said purposes, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this Resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 24th day of October, 2023 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rita Pritchett, Chair

Rachel Sadoff, Clerk

As approved by the Board on:
October 24, 2023

Brevard County Property Appraiser Detail Sheet

Tax Account 2605971
 Owners IR TIKI LLC
 Mailing Address 577 BARNES BLVD, STE 650 ROCKLEDGE FL 32955
 Site Address 6533 S HIGHWAY 1 ROCKLEDGE FL 32955
 Parcel ID 26-37-18-DE-65-4
 Taxing District 2900 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 2100 - RESTAURANT / CAFETERIA
 Total Acres 1.72
 Site Code 0101 - U S 1 TO RIVER
 Plat Book/Page 0001/0041
 Subdivision PINEDA
 Land Description
 PINEDA ALL LOTS 1 THRU 10 BLK 65 & NWLY 25 FT OF
 VAC WALLACE AVE E OF HWY 1 & VAC FIRST ST E OF
 BLK 65 THEREOF

VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$1,255,770	\$1,099,600	\$1,099,600
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$1,255,770	\$1,099,600	\$1,099,600
Assessed Value School	\$1,255,770	\$1,099,600	\$1,099,600
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$1,255,770	\$1,099,600	\$1,099,600
Taxable Value School	\$1,255,770	\$1,099,600	\$1,099,600

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
01/06/2020	\$1,125,000	WD	--	8630/2178
07/28/2011	--	CT	--	6425/1110
09/29/2005	\$1,872,000	WD	--	5545/2133

Brevard County Property Appraiser Detail Sheet

Tax Account 2601539
 Owners BREVARD COUNTY
 Mailing Address 345 WENNER WAY C/O ASSET MANAGEMENT COCOA FL
 32926
 Site Address 6495 S HIGHWAY 1 ROCKLEDGE FL 32955
 Parcel ID 26-36-12-DE-4-1
 Taxing District 2900 - UNINCORP DISTRICT 2
 Exemptions EXCO - COUNTY OWNED PROPERTY
 Property Use 8622 - COUNTY OWNED - RELATED AMENITIES
 Total Acres 10.36
 Site Code 0101 - U S 1 TO RIVER
 Plat Book/Page 0001/0041
 Subdivision PINEDA
 Land Description
 PINEDA ALL BLOCKS 4,5,51 & 52 & ADJ VAC STREETS
 EXC HWY R/W AS DESC IN ORB 2884 PG 120 & EXC LOT
 13 BLK 51

VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$2,359,690	\$2,403,970	\$2,235,770
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$2,359,690	\$2,403,970	\$2,235,770
Assessed Value School	\$2,359,690	\$2,403,970	\$2,235,770
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$2,359,690	\$2,403,970	\$2,235,770
Taxable Value Non-School	\$0	\$0	\$0
Taxable Value School	\$0	\$0	\$0

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
02/01/1988	\$700,000	NN	--	2884/0120
01/01/1988	--	NN	--	2876/2043
08/01/1979	--	PT	--	2093/1050

Brevard County Property Appraiser Detail Sheet

Tax Account 2605969
 Owners LUTHRA, ASHMA
 Mailing Address 4810 HONEYRIDGE LN MERRITT ISLAND FL 32952
 Site Address NONE
 Parcel ID 26-37-18-DE-51-13
 Taxing District 2900 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 1000 - VACANT COMMERCIAL LAND
 Total Acres 0.14
 Site Code 0110 - RIVER FRONT
 Plat Book/Page 0001/0041
 Subdivision PINEDA
 Land Description PINEDA LOT 13 BLK 51 & E 1/2 OF VAC ST ON WEST

VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$2,530	\$2,530	\$2,530
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$2,530	\$2,530	\$2,530
Assessed Value School	\$2,530	\$2,530	\$2,530
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$2,530	\$2,530	\$2,530
Taxable Value School	\$2,530	\$2,530	\$2,530

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
02/19/2020	\$11,000	WD	--	8673/2435
02/09/2018	--	QC	--	8091/2995
08/30/2000	\$1,872,000	QC	--	4225/0263

Aerial Map



Figure 2: The aerial map shows a highlighted area of the right-of-way Aspinwall Ave and Unnamed right-of-way to be vacated.

IR TIKI LLC, Brevard County, Ashma Luthra –
Aspinwall Avenue & Unnamed Right-of-Way –
Rockledge, FL, 32955 – “Plan of Town of
Pineda”, Plat Book 1, Page 41 – Section 18,
Township 26 South, Range 37 East – District 2
– Proposed Vacating of a portion of a Public
Right-of-Way Aspinwall Ave & Unnamed
Right-of-Way

Petitioner's Boundary Survey Sheet 1 of 2

BOUNDARY SURVEY		SHEET 1 OF 2 NOT VALID WITHOUT SHEET 2 OF 2	
SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST PARENT PARCEL ID NUMBER: 26-37-18-DE-65-4 PURPOSE OF DESCRIPTION: APPLICATION TO VACATE RIGHT-OF-WAY			
<u>LEGAL DESCRIPTION (BY SURVEYOR):</u> A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:			
THAT PORTION OF ASPINWALL AVENUE (A 50.00 FOOT RIGHT-OF-WAY), LYING IN PLAT OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING: 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS.			
<u>SURVEYORS NOTES:</u>			
1. TYPE OF SURVEY: BOUNDARY SURVEY.			
2. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.			
3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON.			
<u>LEGEND:</u>		NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988 NGVD29 = NATIONAL GEODETIC VERTICAL DATUM OF 1929 NO. = NUMBER N.T.S. = NOT TO SCALE ORB = OFFICIAL RECORDS BOOK PG. = PAGE P.B. = PLAT BOOK PLS = PROFESSIONAL LAND SURVEYOR R/W = RIGHT-OF-WAY R. = RIGHT S.R. = STATE ROAD STA. = STATION TYP = TYPICAL COR. = CORNER ☉ = CENTERLINE N = NORTH OR NORTHING E = EAST OR EASTING S = SOUTH W = WEST NE = NORTHEAST NW = NORTHWEST SE = SOUTHEAST SW = SOUTHWEST ± = PLUS OR MINUS ' = FEET OR ARCMINUTES " = INCHES OR ARCSECONDS ° = DEGREES	
(C) = CALCULATED (D) = DEED (M) = MEASURED (R) = RECORD (P) = PLAT CONC. = CONCRETE D/W = DRIVEWAY ESMT. = EASEMENT FDEP = FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION ID = IDENTIFICATION LB = LICENSED BUSINESS L = LEFT ~ = BREAKLINE ◆ = CONCRETE LIGHT POLE x11.3 = SPOT ELEVATION, AT GROUND x11.37 = SPOT ELEVATION, HARD SURFACE - = TRAFFIC SIGN		■ = CONCRETE MONUMENT FOUND ● = IRON MARKER FOUND ○ = 5/8" IRON MARKER SET, LB7040 △ = NAIL & DISK SET, LB7040 ▲ = NAIL & DISK FOUND	
PREPARED FOR: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LCC; LUTHRA, ASHMA			
PREPARED BY: MORGAN & ASSOCIATES CONSULTING ENGINEERS, INC. ADDRESS: 504 N. HARBOR CITY BLVD., MELBOURNE, FL 32935 PHONE: (321) 751-6088 FLORIDA LICENSED BUSINESS NO. 7040		CHRISTOPHER S. BOWERS PROFESSIONAL SURVEYOR & MAPPER, PSM. NO. 5990 NOT VALID UNLESS SIGNED AND SEALED I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.	
DRAWN BY: JTH DATE: 5/23/2023	CHECKED BY: CSB SHEET 1 OF 2	DRAWING NO. 2022-048.DWG REVISION 1; COUNTY COMMENTS 5/22/2023 REVISION 2; COUNTY COMMENTS 5/23/2023	SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST

Figure 4: Boundary Survey. Sheet 1 of 2. Section 18, Township 26 South, Range 37 East.

Petitioner's Boundary Survey Sheet 2 of 2

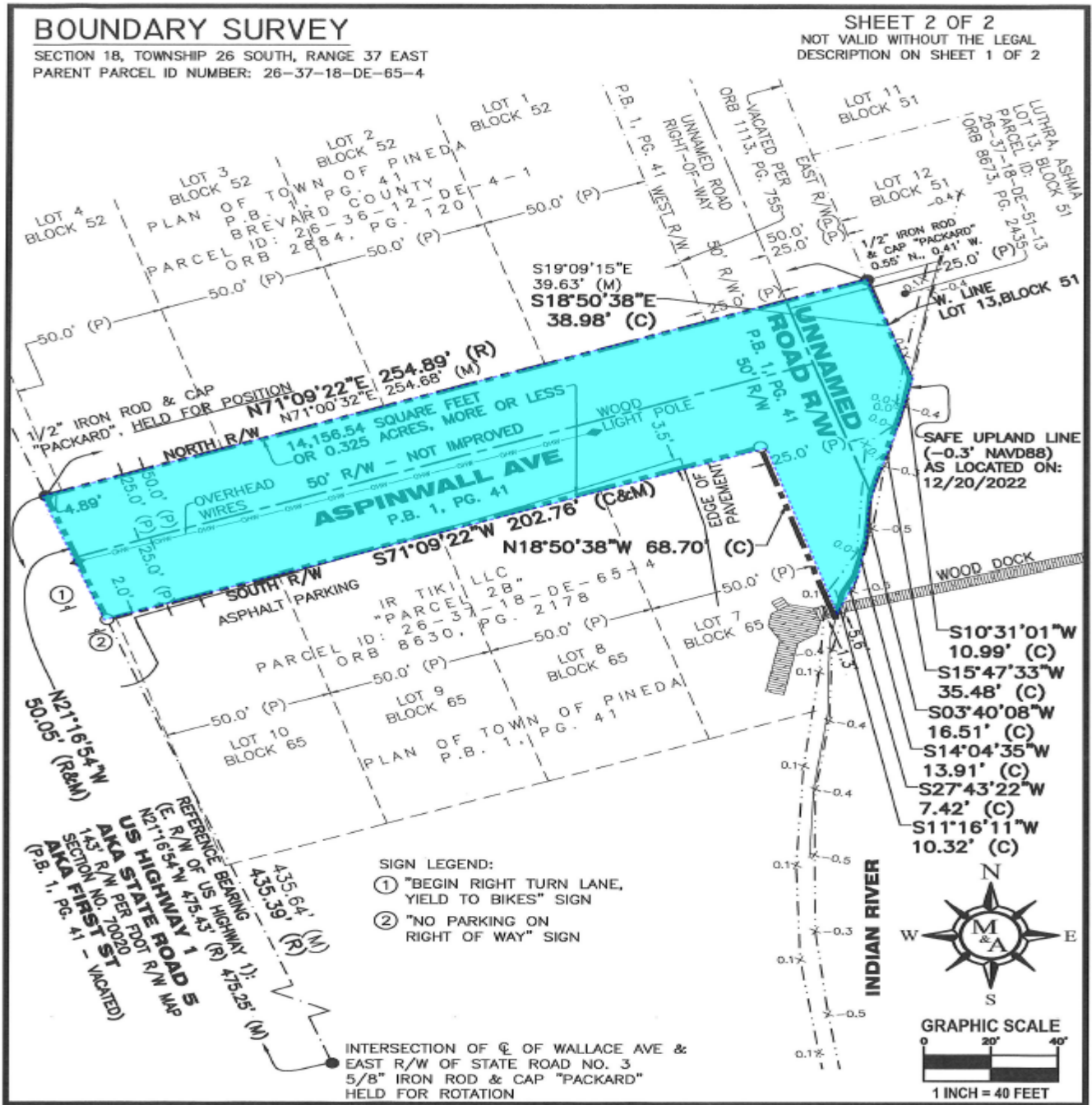


Figure 5: Boundary Survey. Sheet 2 of 2. Section 18, Township 26 South, Range 37 East.

The sketch illustrates a portion of a public right-of-way (Aspinwall Ave & Unnamed Right-of-Way) lying between Blocks 51, 52, and 65, plat of Plan of Town of Pineda, Rockledge, Florida. The coordinates depicted are as follows: North line: North 71°00'32" East, 254.68 feet, East line: South 18°50'38" East, 38.98 feet, South line: South 71°09'22" West, 202.76 feet, West line: North 21°16'54" West, 50.05 feet. Prepared by: Christopher S. Bowers.

Comment Sheet

Applicant: IR Tiki/Luthra/Brevard County (Aspinwall Avenue/Unnamed Right-of-Way)

Updated by: Amber Holley 20230719 at 14:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20230609	20230719	Yes	No Comment
FL Power & Light	20230609	20230615	Yes	No Objections with Easement
At&t	20230609	20230613	Yes	No Objections
Charter/Spectrum	20230609	20230613	Yes	No Objections
Florida Gas Tran.	20230609	20230613	Yes	No Objections
City of Melbourne	20230710	20230710	Yes	No Objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20230609	20230717	Yes	No objections to vacate with a WD for Lot 13
Land Planning	20230609	20230613	Yes	No objections
Utility Services	20230609	20230719	Yes	No objections
Storm Water	20230609	20230705	Yes	No objections to vacate with a WD for Lot 13
Zoning	20230609	20230613	Yes	No objections
Land Acquisition	20230609	20230703	Yes	No objections to vacate with a WD for Lot 13
Fire Dept	20230609	20230706	Yes	No Objections
Traffic Eng	20230609	20230705	Yes	No Objections

Public Hearing Legal Advertisement

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO 50.0 FT. WIDE PUBLIC RIGHTS-OF-WAYS (ASPINWALL AVENUE & UNNAMED RIGHT-OF-WAY), PLAT "PLAN OF TOWN OF PINEDA" IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, ROCKLEDGE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by IR TIKI LLC, BREVARD COUNTY, ASHMA LUTHRA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF ASPINWALL AVENUE (A 50.00-FOOT RIGHT-OF-WAY), LYING IN PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS.

PREPARED BY: CHRISTOPHER S. BOWERS, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on October 24, 2022, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Figure 6: Copy of public hearing advertisement as published on October 9, 2023. See the next page for the full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO 50.0 FT. WIDE PUBLIC RIGHTS-OF-WAYS (ASPINWALL AVENUE & UNNAMED RIGHT-OF-WAY), PLAT "PLAN OF TOWN OF PINEDA" IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, ROCKLEDGE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **IR TIKI LLC, BREVARD COUNTY, ASHMA LUTHRA** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF ASPINWALL AVENUE (A 50.00-FOOT RIGHT-OF-WAY), LYING IN PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, LYING EAST OF US HIGHWAY 1, WEST OF BLOCK 51, NORTH OF BLOCK 65, SOUTH OF BLOCK 52, TOGETHER WITH THE UNNAMED RIGHT-OF-WAY LYING EAST OF LOT 7, BLOCK 65 AND WEST OF LOT 13, BLOCK 51. CONTAINING 14,156.54 SQUARE FEET, OR 0.325 ACRES, MORE OR LESS. PREPARED BY: CHRISTOPHER S. BOWERS, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **9:00 A.M. on October 24, 2022**, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

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The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Utility Easement: 1 of 5

Prepared by and return to:
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 26-37-18-DE-65-4

UTILITY EASEMENT

THIS INDENTURE made this 19th day of September, 2023, between IR Tiki LLC., a Florida limited liability company, whose address is 577 Barnes Boulevard, Suite 650, Rockledge, Florida 32955, as the first party, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, 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 perpetual easement commencing on the above date for the purposes of operating, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and related facilities 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 Section 18, Township 26 South, Range 37 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 the 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.

TO HAVE AND TO HOLD said easement unto Brevard County, a political subdivision of the State of 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.

(Signatures and Notary on next page)

Utility Easement: 2 of 5

IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

Dinesh
Witness
Dinesh Pokkala
Print Name
Virginia Respass
Witness
VIRGINIA RESPASS
Print Name

IR Tiki LLC, a Florida limited liability company

BY: SSM
Summit Shah, Manager

(Corporate Seal) NONE

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this 19th day of September 2023, by Summit Shah, as Manager for IR Tiki LLC, a Florida limited liability company. Is personally known or produced Personally known as identification.

ORIGINAL

ORIGINAL

Notary Signature
SEAL



Figure 8: Executed Utility Easement to be dedicated to Brevard County by IR TIKI, LLC, October 24, 2023.

Utility Easement: 3 of 5



LEGAL DESCRIPTION PARCEL #800 <small>PARENT PARCEL ID#: 26-37-18-DE-65-4 PURPOSE: UTILITY EASEMENT</small>		EXHIBIT "A" SHEET 1 OF 3 <small>NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY</small>																	
LEGAL DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:																			
COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE, (50 FEET IN WIDTH, PER PLAN OF TOWN OF PINEDA, AS RECORDED IN PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EAST RIGHT-OF-WAY OF US HIGHWAY 1 (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 70020), AND RUN S21°16'54"E ALONG THE EAST RIGHT-OF-WAY OF US HIGHWAY 1, A DISTANCE OF 25.02 FEET TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY WITH THE CENTERLINE OF SAID ASPINWALL AVENUE, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED EASEMENT:																			
THENCE DEPARTING SAID EAST RIGHT-OF-WAY, RUN N71°09'22"E ALONG SAID CENTERLINE OF ASPINWALL AVENUE, A DISTANCE OF 7.51 FEET; THENCE S21°16'54"E A DISTANCE OF 25.02 FEET TO THE SOUTH RIGHT-OF-WAY OF SAID ASPINWALL AVENUE; THENCE S71°09'22"W ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 7.51 FEET, TO SAID EAST RIGHT-OF-WAY OF US HIGHWAY 1; THENCE N21°16'54"W ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 25.02 FEET, TO THE CENTERLINE TO ASPINWALL AVENUE, SAID POINT BEING THE POINT OF BEGINNING.																			
CONTAINING: 187.67 SQUARE FEET, OR 0.004 ACRES, MORE OR LESS.																			
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC;		I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTE																	
PREPARED BY: <div style="text-align: center;">  <p>MORGAN & Associates <i>Consulting Engineers, Inc.</i> <small>504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</small></p> </div>		Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:58:05 -04'00																	
PROJECT NO. 2022-048		<div style="text-align: right;">  </div>																	
DRAWN BY: JTH		SAMUEL C. BOWERS PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED																	
CHECKED BY: CSB		8/30/2023																	
DATE: 8/18/2023		SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST																	
DRAWING: 2022-048 PINEDA INN.DWG		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">REVISIONS</th> <th style="width: 10%;">DATE</th> <th style="width: 40%;">DESCRIPTION</th> <th style="width: 40%;">SECTION</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1.</td> <td style="text-align: center;">8/30/2023</td> <td>COUNTY COMMENTS</td> <td style="text-align: center;">TOWNSHIP 26 SOUTH</td> </tr> <tr> <td style="text-align: center;">2.</td> <td></td> <td></td> <td style="text-align: center;">RANGE 37 EAST</td> </tr> <tr> <td style="text-align: center;">3.</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		REVISIONS	DATE	DESCRIPTION	SECTION	1.	8/30/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH	2.			RANGE 37 EAST	3.			
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1.	8/30/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH																
2.			RANGE 37 EAST																
3.																			

Figure 9: Sketch & legal description located in Section 18, Township 26 South, Range 37 East.

Utility Easement: 4 of 5


<p>LEGAL DESCRIPTION PARCEL #800 PARENT PARCEL ID#: 26-37-18-DE-65-4 PURPOSE: UTILITY EASEMENT</p>		<p>EXHIBIT "A" SHEET 2 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY</p>	
<p>SURVEYORS NOTES:</p> <p>1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020.</p> <p>2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT: FIDELITY NATIONAL TITLE INSURANCE COMPANY CUSTOMER NO. 3642801; FILE NO.: L088110 (13) COMMITMENT DATE: 7/1/2022 AT 10:32 AM</p>			
<p>TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT <u>AFFECT THE SUBJECT PROPERTY</u>:</p> <p>1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON).</p>			
<p>PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC;</p> <p>PREPARED BY:</p>		<p>I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.</p> <p>Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:58:20 -04'00</p> 	
<p>MORGAN & Associates <i>Consulting Engineers, Inc.</i> 504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</p>		<p>SAMUEL C. BOWERS 8/30/2023 PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED</p>	
DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS	DATE
		1.	8/30/2023
		2.	
DATE: 8/18/2023	DRAWING: 2022-048 PINEDA INN.DWG	3.	
			DESCRIPTION
			COUNTY COMMENTS
			SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST

Figure 10: Sketch & legal description located in Section 18, Township 26 South, Range 37 East.

Utility Easement: 5 of 5

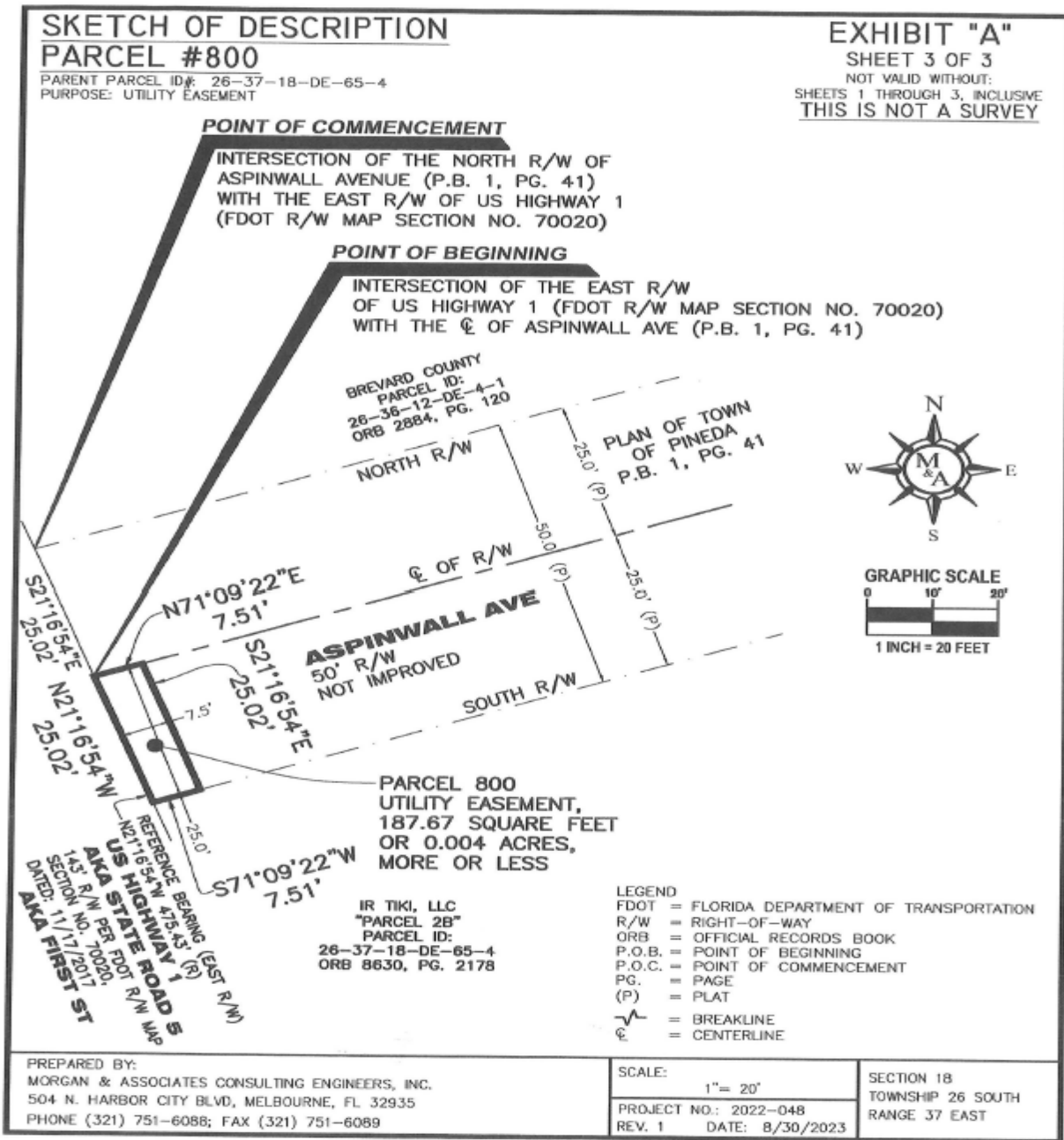


Figure 11: Sketch & legal description located in Section 18, Township 26 South, Range 37 East.

The sketch and description illustrate a 7.50-foot width portion of an easement to be dedicated as a utility easement to Brevard County lying east of US Highway 1, Rockledge, Florida. Prepared by: Samuel C. Bowers.

FPL Easement: 1 of 2

Work Request No. _____
Sec. 18, Twp 26 S, Rge 37 E

Parcel I.D. 26-37-18-DE-65-4
(Maintained by County Appraiser)

EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Lauren Stemm
Co. Name: Florida Power & Light
Address: 9001 Ellis Rd
Melbourne, FL 32904

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on AUGUST 11th, 2023

Signed, sealed and delivered in the presence of:

Dinesh Pokhara
(Witness' Signature)

Print Name: Dinesh Pokhara
(Witness)

YVONNE B GOOD
(Witness' Signature)

Print Name: YVONNE B GOOD
(Witness)

By: [Signature]

Print Name: SUMMIT SHAH

Print Address: IR TIKI, LLC
402 HIGHTPOINT DR COCOA FL
32926

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me by physical presence or on-line notarization, this 11th day of August, 2023 by Summit Shah, the Manager of IR TIKI, LLC a Florida Limited Liability Company, who is Personally Known as identification, and who did (did not) take an oath. (Type of Identification)

My Commission Expires: 08-02-2025

Notary Public, Signature
Print Name: Lauren Smedley
[Signature]

ORIGINAL



Figure 12: FPL easement document executed by Summit Shah for IR TIKI LLC.

FPL Easement: 2 of 2

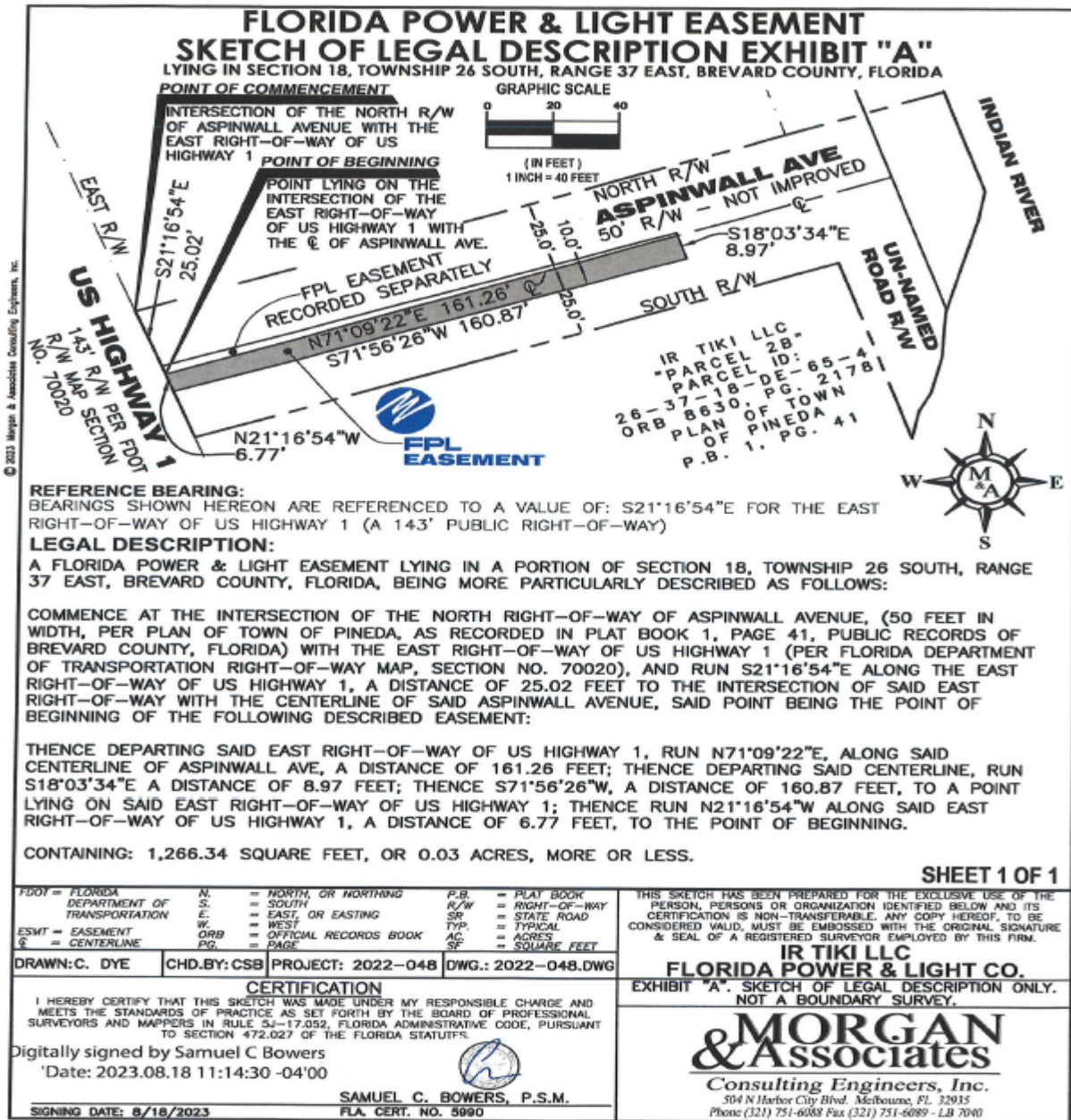


Figure 13: Sketch & Description located in Section 18, Township 26 South, Range 37 East.

The sketch and description illustrate a varying width portion of an easement to be dedicated as an FPL easement to FPL lying east of US Highway 1, Rockledge, Florida.
 Prepared by: Samuel C. Bowers.

Resolution FPL Easement: 1 of 4

RESOLUTION NO. 23-_____

**RESOLUTION PURSUANT TO SECTION 125.38,
FLORIDA STATUTES AUTHORIZING THE CONVEYANCE
OF REAL PROPERTY INTEREST BY THE COUNTY.**

RECITALS

WHEREAS, Brevard County, Florida (County), a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as "COUNTY," owns certain real property described in Exhibit "A"; and

WHEREAS, the Florida Power and Light Company (FPL) is a corporation organized for the purpose of promoting community interest and welfare and FPL has requested a perpetual easement to provide electric service to the public; and

WHEREAS, said utility easement will not conflict with the County's use of the servient property.

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

1. The recitals above are true and correct, and incorporated herein.
2. Pursuant to section 125.38, Florida Statutes, and section 2-247, Brevard County Code, this easement will serve a public purpose, is in the best interest of the County and will promote community interest and welfare. The easement shall be conveyed at nominal cost. The area of the easement is not needed for other County purposes that would conflict with FPL's use of the easement.
3. County agrees to convey a perpetual easement for the purpose of permitting Florida Power and Light Company (FPL) to place facilities within said easement area in order for FPL to provide electric service to the public.
4. This Resolution shall take effect immediately upon its adoption.

DONE, ORDERED, and ADOPTED in Regular Session this _____ day of _____, 2023.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk of the Court

Rita Pritchett, Chair

As approved by the Board on _____

Figure 14: Resolution for the Board of County Commissioners to grant FPL an easement.

Resolution FPL Easement: 2 of 4

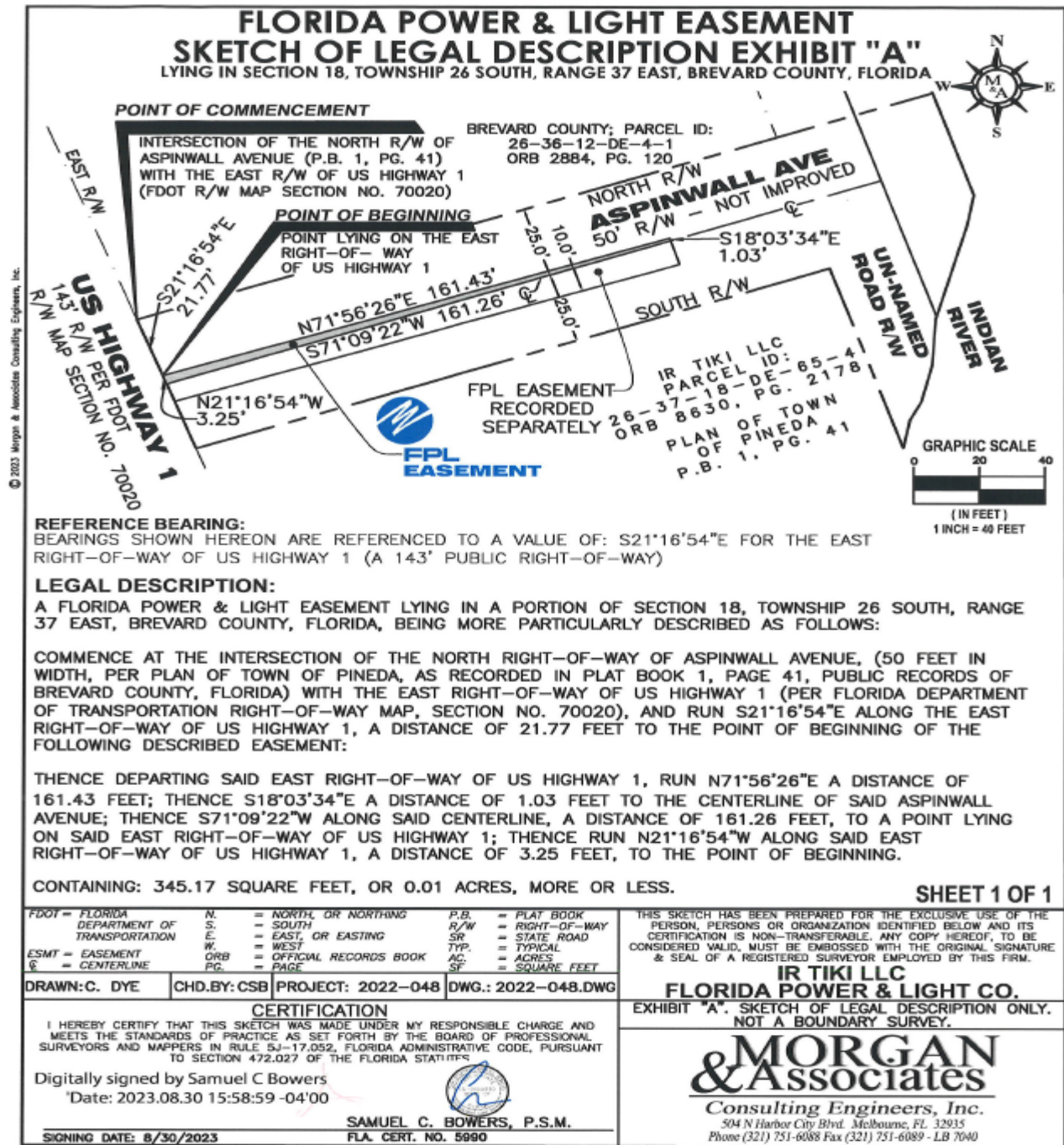


Figure 15: Sketch & description located in Section 18, Township 26 South, Range 37 East.

The sketch and description illustrate a varying width portion of an easement to be dedicated as an FPL easement to FPL lying east of US Highway 1, Rockledge, Florida.
 Prepared by: Samuel C. Bowers.

Resolution FPL Easement: 3 of 4

Work Request No. _____

Sec. 18, Twp 26 S, Rge 37 E

Parcel I.D. 26-36-12-DE-4-1
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 7/94

EASEMENT

This Instrument Prepared By

Name: Lauren Stemm
Co. Name: Florida Power & Light Company
Address: 9001 Ellis Road
Melbourne, FL 32904

pg 1 of 2.

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement 3.25 feet in width described as follows:

Reserved for Circuit Court

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 2023.

Signed and sealed and delivered in the presence of:

Brevard County, Florida

(Witness' Signature)

By: _____

Print Name: _____
(Witness)

Print Name: Rita Pritchett, Chair of the Brevard
County Board of County Commissioners

(Witness' Signature)

Print Address: 2725 Judge Fran Jamieson Way
Viera, Florida 32940

Print Name: _____
(Witness)

Attest: _____

Print Name: Rachel Sadoff, Clerk of the Court

Print Address: _____

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by Rita Pritchett, Chair of the Brevard County Board of County Commissioners, who is personally known to me or have produced _____ as identification, and who did (did not) take an oath.

Notary Public, Signature

Print Name _____

My Commission Expires:

Figure 16: FPL easement to be executed by the Board of County Commissioners.

Resolution FPL Easement: 4 of 4

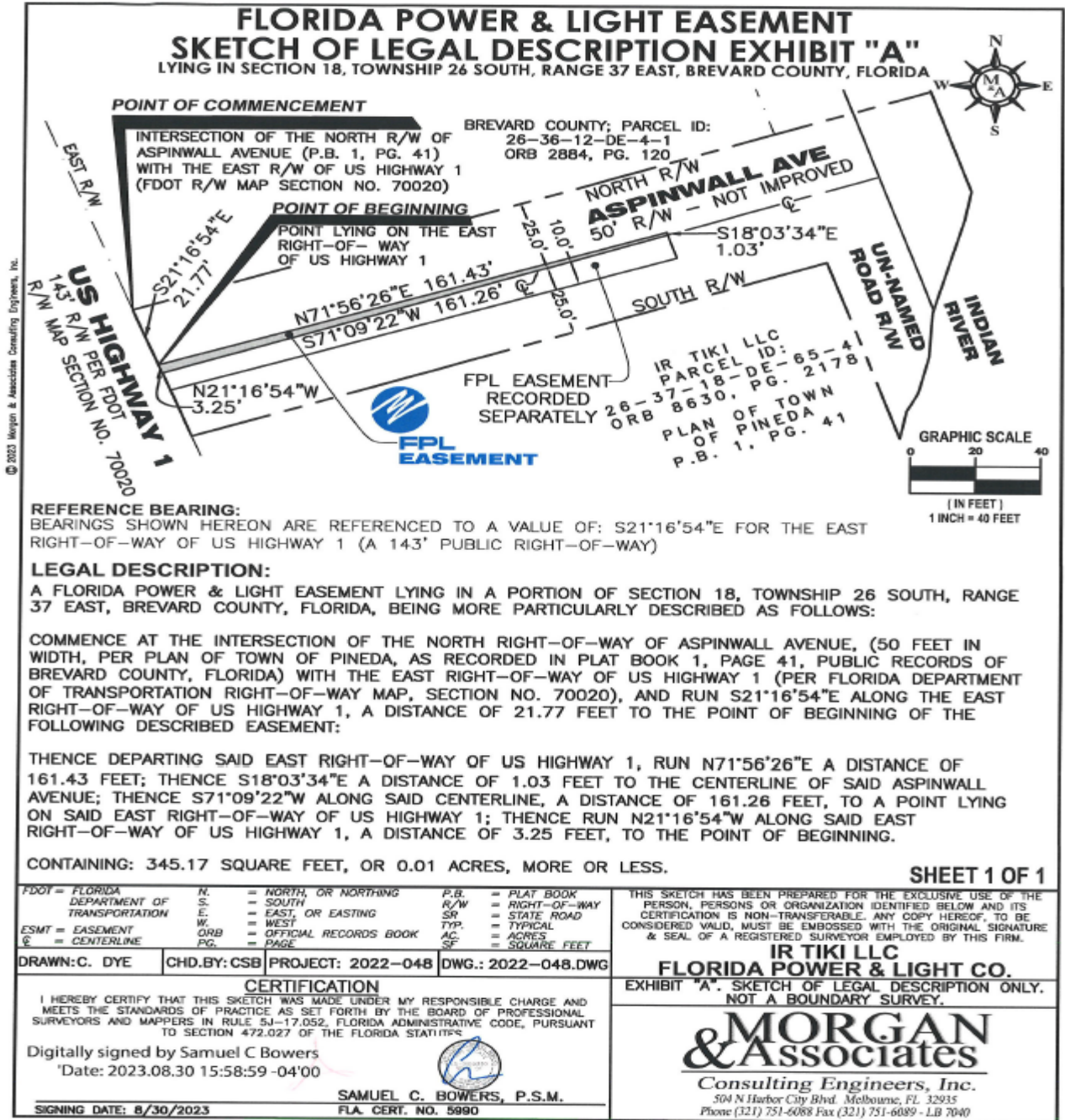


Figure 17: Sketch and description located in Section 18, Township 26 South, Range 37 East.

The sketch and description illustrate a varying width portion of an easement to be dedicated as an FPL easement to FPL lying east of US Highway 1, Rockledge, Florida.
 Prepared by: Samuel C. Bowers.

Quit Claim Deeds (Parcel 101): 1 of 4

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-65-4

QUIT CLAIM DEED

THIS INDENTURE is made this 21st day of SEPTEMBER, 2023 between IR Tiki LLC, a Florida limited liability Company, whose address is 577 Barnes Boulevard, Suite 650, Rockledge, Florida 32955, as Grantor, and Brevard County, Florida, a political subdivision of the State of Florida, Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Melbourne, Florida 32940.

WITNESSTH: That said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, paid receipt of which is hereby acknowledged, has hereby released and quit-claimed to the Grantee, its successors and assigns, any of the Grantor's right, title, interest, and claim of demand which the Grantor(s) may have in the following described land:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF, the Grantor having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

Dinash
Witness
Dinash Pokala
Print Name
Ginger Respess
Witness
GINGER RESPASS
Print Name

IR Tiki LLC, a Florida limited liability company

BY: [Signature]
Summit Shah, as Manager

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this 21 day of SEPTEMBER, 2023, by Summit Shah, as Manager for IR Tiki LLC, a Florida limited liability company. Is personally known or produced PERSONALLY KNOWN as identification.



[Signature]
Notary Signature
SEAL

[Signature]
ORIGINAL

Figure 18: Quit Claim Deed signature page signed by Summit Shah on September 21, 2023.

Quit Claim Deed (Parcel 101): 3 of 4

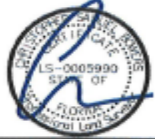
<p>LEGAL DESCRIPTION PARCEL #101 PARENT PARCEL ID#: 26-37-18-DE-65-4 PURPOSE: FEE SIMPLE CONVEYANCE</p>		<p>EXHIBIT "A" SHEET 2 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY</p>															
<p>SURVEYORS NOTES:</p> <ol style="list-style-type: none"> 1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020. 2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT: FIDELITY NATIONAL TITLE INSURANCE COMPANY CUSTOMER NO. 3642801; FILE NO.: L088110 (13) COMMITMENT DATE: 7/1/2022 AT 10:32 AM 3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON. THE SURVEYOR MAPPED THE SAFE UPLAND LINE ON DECEMBER 20, 2022, AS PART OF A BOUNDARY SURVEY BY MORGAN & ASSOCIATES, (PROJECT NO. 2022-048; DRAWING DATE: 1/25/2023.) 																	
<p>TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:</p> <ol style="list-style-type: none"> 1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON) 																	
<p>PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC;</p>		<p>I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.</p>															
<p>PREPARED BY:</p>		<p>Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:56:26 -04'00</p>															
<p>MORGAN & Associates Consulting Engineers, Inc. 504 N Harbor City Blvd. Melbourne, FL 32935 PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</p>																	
<p>DRAWN BY: JTH</p>		<p>SAMUEL C. BOWERS 8/30/2023 PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED</p>															
<p>CHECKED BY: CSB</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">REVISIONS</th> <th style="width: 15%;">DATE</th> <th style="width: 40%;">DESCRIPTION</th> <th style="width: 30%;">SECTION 18</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1.</td> <td style="text-align: center;">8/18/2023</td> <td>COUNTY COMMENTS</td> <td rowspan="3" style="text-align: center;">TOWNSHIP 26 SOUTH RANGE 37 EAST</td> </tr> <tr> <td style="text-align: center;">2.</td> <td style="text-align: center;">8/30/2023</td> <td>COUNTY COMMENTS</td> </tr> <tr> <td style="text-align: center;">3.</td> <td></td> <td></td> </tr> </tbody> </table>		REVISIONS	DATE	DESCRIPTION	SECTION 18	1.	8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH RANGE 37 EAST	2.	8/30/2023	COUNTY COMMENTS	3.		
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1.	8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH RANGE 37 EAST														
2.	8/30/2023	COUNTY COMMENTS															
3.																	
<p>DATE: 8/18/2023</p>		<p>DRAWING: 2022-048 PINEDA INN.DWG</p>															

Figure 20: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Quit Claim Deed (Parcel 101): 1 of 4

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-65-4

QUIT CLAIM DEED

THIS INDENTURE is made this ____ day of _____, 2023 between Ashma Luthra, whose address is 4810 Honeyridge Lane, Merritt Island, Florida 32952, as Grantor, and Brevard County, Florida, a political subdivision of the State of Florida, Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Melbourne, Florida 32940.

WITNESSTH: That said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, paid receipt of which is hereby acknowledged, has hereby released and quit-claimed to the Grantee, its successors and assigns, any of the Grantor's right, title, interest, and claim of demand which the Grantor(s) may have in the following described land:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF, the Grantor having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

Witness

Print Name

Witness

Print Name

Ashma Luthra

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this ____ day of _____, 2023, by Ashma Luthra. Is personally known or produced _____ as identification.

Notary Signature
SEAL

Figure 22: Quit Claim Deed signature page to be executed by Ashma Luthra on a future date.

Quit Claim Deed (Parcel 101): 2 of 4


LEGAL DESCRIPTION PARCEL #101 PARENT PARCEL ID#: 26-37-18-DE-65-4 PURPOSE: FEE SIMPLE CONVEYANCE		EXHIBIT "A" SHEET 1 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY										
LEGAL DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:												
COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE (A 50' WIDE RIGHT-OF-WAY AS RECORDED IN PLAN OF TOWN OF PINEDA, PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA) WITH THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1 (SAID ROAD ALSO KNOWN AS STATE ROAD NO. 5, A 143' WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 70020) AND RUN N71°09'22"E ALONG THE NORTH RIGHT-OF-WAY OF ASPINWALL AVENUE A DISTANCE OF 154.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL:												
THENCE CONTINUE N71°09'22"E A DISTANCE OF 100.00 FEET TO THE EAST RIGHT-OF-WAY OF AN UN-NAMED ROAD RIGHT-OF-WAY, AND THE WEST LINE OF LOT 13, BLOCK 51, PER SAID PLAN OF TOWN OF PINEDA; THENCE S18°50'38"E ALONG SAID EAST RIGHT-OF-WAY OF SAID UN-NAMED ROAD, AND THE WEST LINE OF LOT 13, BLOCK 51, A DISTANCE OF 38.98 FEET TO A POINT LYING ON THE SAFE UPLAND LINE OF THE INDIAN RIVER, SAID SAFE UPLAND LINE HAVING AN ELEVATION OF -0.30 FEET NORTH AMERICAN VERTICAL DATUM OF 1988; THENCE RUN THE FOLLOWING (2) COURSES ALONG SAID SAFE UPLAND LINE OF THE INDIAN RIVER:												
(1) S10°31'01"W A DISTANCE OF 10.99 FEET; (2) S15°47'33"W A DISTANCE OF 34.51 FEET, TO THE CENTERLINE OF SAID UN-NAMED ROAD RIGHT-OF-WAY;												
THENCE DEPARTING SAID SAFE UPLAND LINE OF THE INDIAN RIVER, RUN N18°50'38"W ALONG SAID CENTERLINE A DISTANCE OF 24.10 FEET; THENCE RUN N73°40'36"W A DISTANCE OF 91.75 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 52, OF SAID PLAT, SAID POINT BEING THE POINT OF BEGINNING.												
CONTAINING: 3,448.04 SQUARE FEET, OR 0.08 ACRES, MORE OR LESS.												
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC;		I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.										
PREPARED BY: <div style="text-align: center;">  MORGAN & Associates <i>Consulting Engineers, Inc.</i> <small>504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</small> </div>		Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:56:13 -04'00										
PROJECT NO. 2022-04B		SAMUEL C. BOWERS PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED										
DRAWN BY: JTH		8/30/2023										
CHECKED BY: CSB		PROFESSIONAL SURVEYOR & MAPPER, PSM 5990										
DATE: 8/18/2023		NOT VALID UNLESS SIGNED AND SEALED										
DRAWING: 2022-04B PINEDA INN.DWG		SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST										
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8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH										
8/30/2023	COUNTY COMMENTS	RANGE 37 EAST										
1.		2.										
2.		3.										
3.												

Figure 23: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Quit Claim Deed (Parcel 101): 3 of 4

<p>LEGAL DESCRIPTION PARCEL #101 PARENT PARCEL ID#: 26-37-18-DE-65-4 PURPOSE: FEE SIMPLE CONVEYANCE</p>		<p>EXHIBIT "A" SHEET 2 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE <u>THIS IS NOT A SURVEY</u></p>			
<p>SURVEYORS NOTES:</p> <ol style="list-style-type: none"> 1. BEARINGS HEREON ARE REFERRED TO A VALUE OF N21°16'54"W FOR THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY NO. 1. SAID BEARING IS IDENTICAL WITH A BOUNDARY SURVEY OF THE SUBJECT PROPERTY PERFORMED BY: R.M. PACKARD & ASSOC., INC., JOB NO. 19-225, DRAWING NO. D-19-225, REVISION 1, DATED: 2/13/2020. 2. THE SURVEYOR WAS PROVIDED WITH THE FOLLOWING TITLE SEARCH BY THE CLIENT: FIDELITY NATIONAL TITLE INSURANCE COMPANY CUSTOMER NO. 3642801; FILE NO.: L088110 (13) COMMITMENT DATE: 7/1/2022 AT 10:32 AM 3. THE SAFE UPLAND LINE SHOWN HEREON IS DEPICTED AT AN ELEVATION OF (-0.3' NAVD88) PER A MEMORANDUM FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SIGNED BY MR. GARY TEW, ON MARCH 29, 2018, FOR A PROJECT IN THE IMMEDIATE VICINITY PERFORMED BY MORGAN & ASSOCIATES FOR 'ROTARY PARK AT SUNTREE'. THE MEMORANDUM INFORMS THE SURVEYOR THAT AN ELEVATION OF 1.1 FEET NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) ALONG THE NATURAL SHORELINE IS SUFFICIENT FOR A SAFE UPLAND LINE. SAID SAFE UPLAND LINE HAS BEEN DEPICTED HEREON AT AN ELEVATION OF -0.3'± NAVD88 AFTER CONVERTING FROM NGVD29 USING CORPSCON. THE SURVEYOR MAPPED THE SAFE UPLAND LINE ON DECEMBER 20, 2022, AS PART OF A BOUNDARY SURVEY BY MORGAN & ASSOCIATES, (PROJECT NO. 2022-048; DRAWING DATE: 1/25/2023.) 					
<p>TITLE SEARCH PROVIDED BY THE CLIENT DISCLOSED THE FOLLOWING ITEMS THAT AFFECT THE SUBJECT PROPERTY:</p> <ol style="list-style-type: none"> 1. PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41. (AFFECTS THE SUBJECT PROPERTY, ALL PLOTTABLE MATTERS OF SAID PLAT ARE MAPPED AND SHOWN HEREON) 					
<p>PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC;</p>		<p>I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.</p>			
<p>PREPARED BY: Consulting Engineers, Inc. 504 N Harbor City Blvd. Melbourne, FL 32935 PROJECT NO. 2022-048 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</p>		<p>Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:56:26 -04'00</p>			
<p>SAMUEL C. BOWERS PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED</p>		<p>8/30/2023</p>			
DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS	DATE	DESCRIPTION	SECTION 18
		1.	8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH
DATE: 8/18/2023	DRAWING: 2022-048 PINEDA INN.DWG	2.	8/30/2023	COUNTY COMMENTS	RANGE 37 EAST
		3.			

Figure 24: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Quit Claim Deed (Parcel 101): 4 of 4

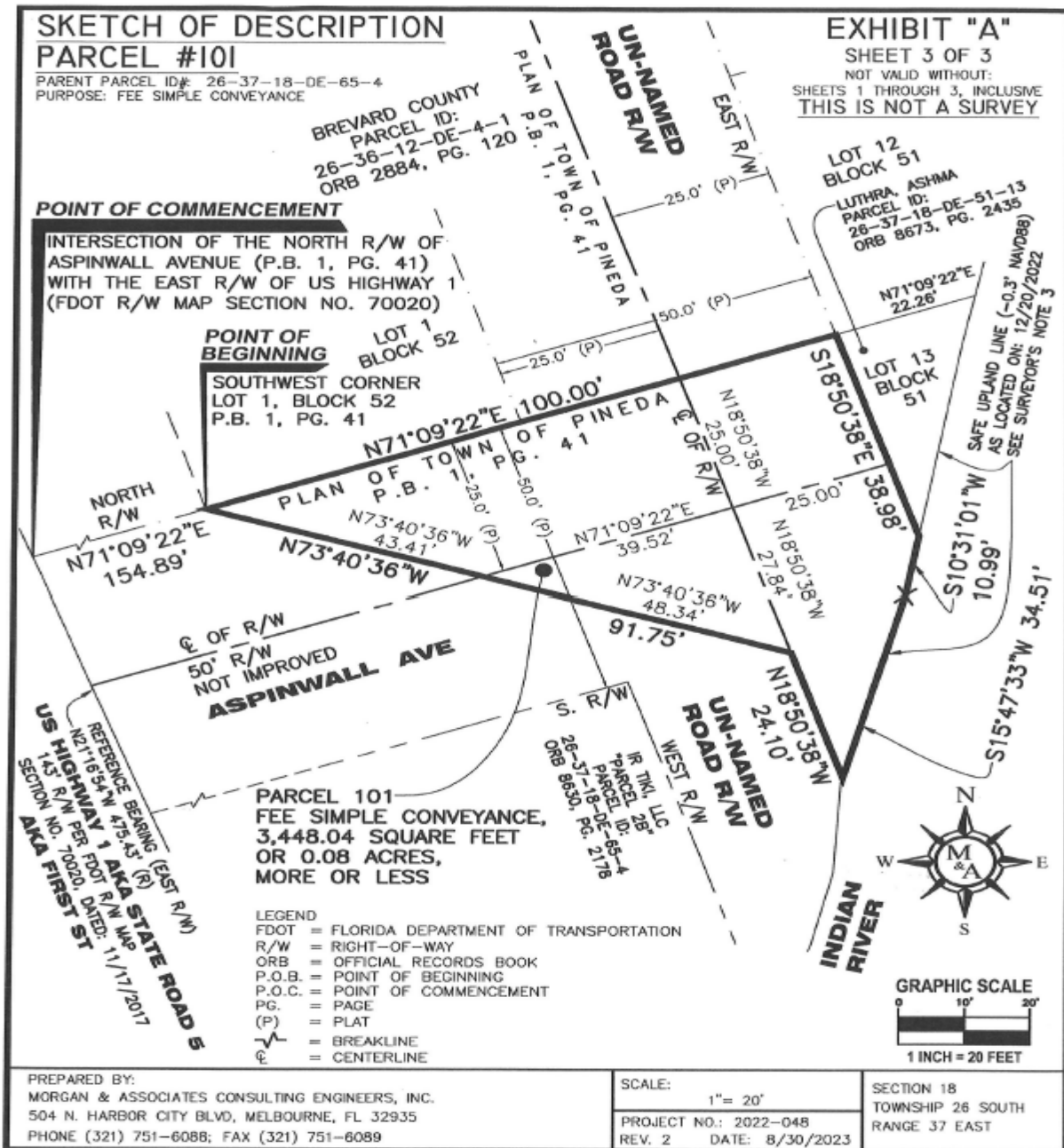


Figure 25: Sketch and description located in Section 18, Township 26 South, Range 37 East.

The sketch illustrates a varying-width portion of right-of-way to be dedicated as a fee simple conveyance to Brevard County known as Parcel 101, Rockledge, Florida. Prepared by:
 Samuel C. Bowers.

Warranty Deed (Parcel 100): 1 of 4

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 26-37-18-DE-51-13

WARRANTY DEED

THIS DEED is made this ____ day of September 2023, by Ashma Luthra, hereafter called the Grantor, whose mailing address is 4810 Honeyridge Lane, Merritt Island, Florida 32952, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940.

WITNESSETH that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with all riparian and littoral rights appertaining thereto.

The property as described in Exhibit A is vacant land and not the homestead property of the Grantor.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Print Name

Witness

Print Name

GRANTOR:

Ashma Luthra

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this ____ day of September 2023, by Ashma Luthra. Is personally known or produced _____ as identification.

Notary Signature
(SEAL)

Figure 26: Warranty Deed from Ashma Luthra to Brevard County for Lot 13, Plan of Town of Pineda, Rockledge, Florida, 32955.

Warranty Deed (Parcel 100): 2 of 4



<p>LEGAL DESCRIPTION PARCEL #100 PARENT PARCEL ID#: 26-37-18-DE-51-13 PURPOSE: FEE SIMPLE CONVEYANCE</p> <p>LEGAL DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 13, BLOCK 51, PLAN OF TOWN OF PINEDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA CONTAINING: 428.59 SQUARE FEET, OR 0.01 ACRES, MORE OR LESS.</p>		<p>EXHIBIT "A" SHEET 1 OF 3 NOT VALID WITHOUT: SHEETS 1 THROUGH 3, INCLUSIVE THIS IS NOT A SURVEY</p>			
<p style="text-align: center;">I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.</p>					
<p>PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; IR TIKI, LLC; LUTHRA, ASHMA</p> <p>PREPARED BY:</p> <div style="text-align: center;">  <p>MORGAN & Associates Consulting Engineers, Inc. 504 N Harbor City Blvd. Melbourne, FL 32935 Phone (321) 751-6088 Fax (321) 751-6089 - LB 7040</p> </div>	<p>Digitally signed by Samuel C Bowers Date: 2023.08.30 '15:54:46 -04'00</p> <div style="text-align: right;">  </div> <p>SAMUEL C. BOWERS 8/30/2023 PROFESSIONAL SURVEYOR & MAPPER, PSM 5990 NOT VALID UNLESS SIGNED AND SEALED</p>				
DRAWN BY: JTH	CHECKED BY: CSB	REVISIONS	DATE	DESCRIPTION	SECTION 18
		1.	8/18/2023	COUNTY COMMENTS	TOWNSHIP 26 SOUTH
		2.	8/30/2023	COUNTY COMMENTS	RANGE 37 EAST
DATE: 8/18/2023	DRAWING: 2022-048 PINEDA INN.DWG	3.			

Figure 27: Sketch and description located in Section 18, Township 26 South, Range 37 East.

Warranty Deed (Parcel 100): 4 of 4

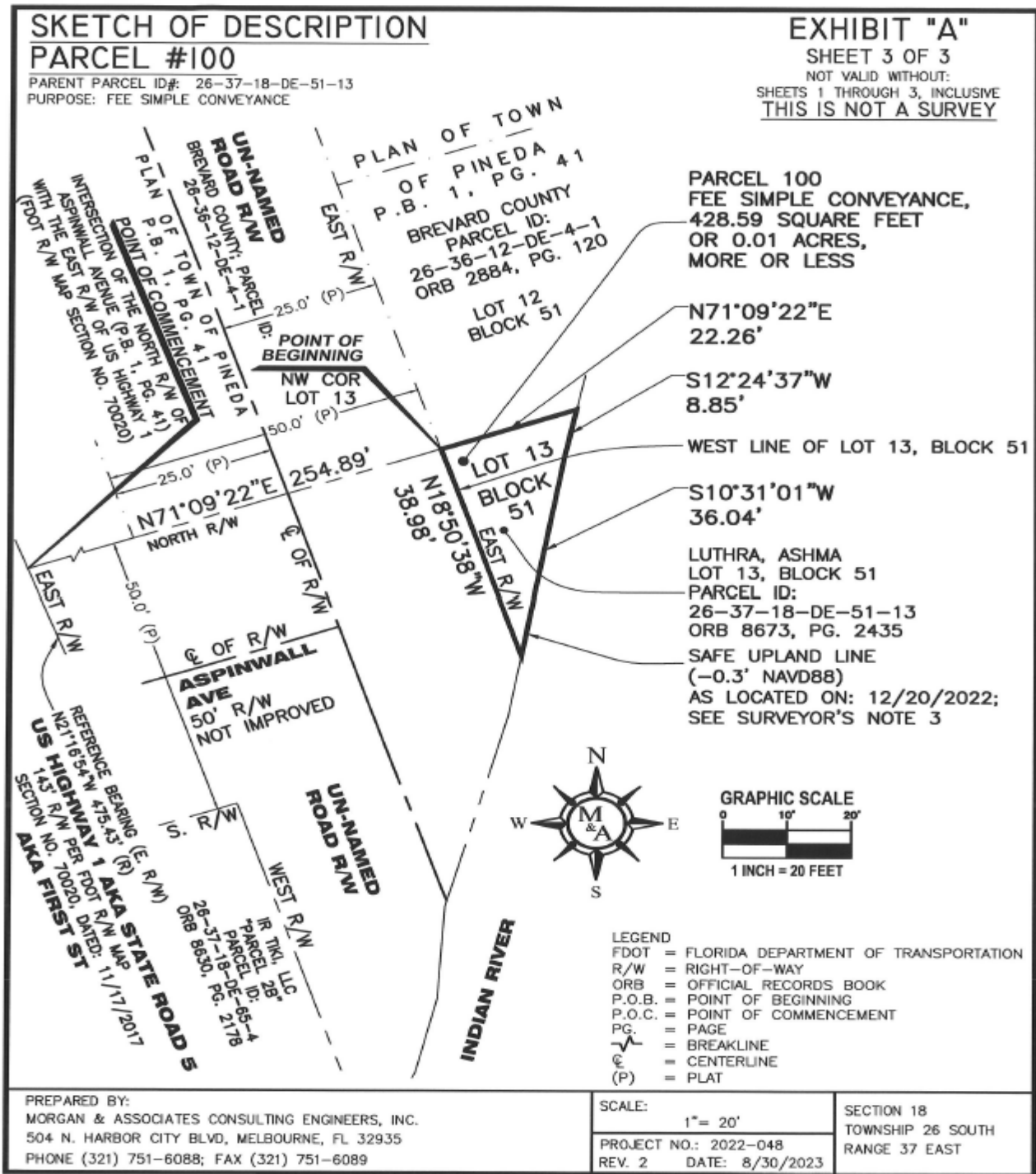


Figure 29: Sketch of a description of Lot 13, Plan of Town of Pineda.

The sketch illustrates Lot 13, Plan of Town of Pineda, to be dedicated as a fee simple conveyance to Brevard County known as Parcel 100, Rockledge, Florida. Prepared by: Samuel C. Bowers.