

Prepared by: Kimberly Bonder Rezanka
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BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this __ day of ____, 2025 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and 782, LLC, a Florida Limited Liability Company (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested the SR zoning classification, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impacts on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.
3. The density of the Property shall be limited to one (1) unit per acre, to provide consistency between the SR suburban residential zoning classification, which encompasses lands

devoted to single-family residential development of relatively spacious land character, and the FLU of RES1.

4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.

5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.

6. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on _____. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.

8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7, above.

9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

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

ATTEST:

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

Rachel M. Sadoff, Clerk of Court
(SEAL)

Rob Feltner, Chairman

As approved by the Board on _____

WITNESSES:

782, LLC
5255 N. Courtenay PKWY
Merritt Island, FL 32953

(Witness Name typed or printed)

(Title)

(Witness Name typed or printed)

(Name typed, printed or stamped)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence, this ____ day of ____, 2025, by _____, for 782, LLC, who is personally known to me/presented ____ as identification.

My commission expires: _____

Notary Public

SEAL

Commission No.:

(Name typed, printed or stamped)

EXHIBIT "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER AND RUN N00°13'54"E, ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 624.93 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N00°13'54"E, ALONG SAID WEST LINE, A DISTANCE OF 2024.29 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE N89°44'13"E, ALONG THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 2684.10 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE S00°14'35"W, ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 1935.24 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N89°46'26"W, ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, A DISTANCE OF 475.18 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089; THENCE S00°14'35"W, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, A DISTANCE OF 693.57 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089 AND A POINT ON THE NORTH RIGHT-OF-WAY LINE OF EAST CRISAFULLI ROAD, ACCORDING TO THE EAST CRISAFULLI ROAD MAINTENANCE MAP AS RECORDED IN ROAD PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N89°35'42"W, ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 766.84 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N00°33'19"E A DISTANCE OF 65.42 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE N75°12'51"W A DISTANCE OF 159.11 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE S23°50'29"W A DISTANCE OF 115.32 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE CONTINUE S23°50'29"W A DISTANCE OF 3.32 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF EAST CRISAFULLI ROAD; THENCE S89°58'33"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 404.99 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N00°13'57"E, ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730, A DISTANCE OF 587.97 FEET TO

THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730; THENCE S89°58'16"W, ALONG THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730 AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6582, PAGE 2835, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10104, PAGE 1031, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10115, PAGE 1888, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 9139, PAGE 1750, (ALL BEING RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA), A DISTANCE OF 835.35 FEET TO THE POINT OF BEGINNING. CONTAINING 142.13 ACRES, MORE OR LESS.