

## BOARD OF COUNTY COMMISSIONERS



### AGENDA REVIEW SHEET

**AGENDA:** Resolution Authorizing the County Manager to Execute All Necessary Documents to Request the Release of Right-of-Entry for Exploration of Phosphate, Minerals, Metals and Petroleum Reservation and Rights from the Board of Trustees of the Internal Improvement Fund of the State of Florida Related to County Owned Parcel Identified as Tax Parcel Identification Number 25-36-12-00-1 in District 2.

**AGENCY:** Public Works Department / Land Acquisition Office

**AGENCY CONTACT:** Lisa J. Kruse/ Land Acquisition Supervisor

**CONTACT PHONE:** 321- 350 - 8336

	APPROVE	DISAPPROVE	DATE
<b>LAND ACQUISITION</b> Lisa Kruse Supervisor		_____	<u>1/9/26</u>
<b>COUNTY ATTORNEY</b> Greg Hughes Assistant County Attorney		_____	<u>1/13/2026</u>



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

July 23, 2025

**MEMORANDUM**

TO: Marc Bernath, Public Works Director

RE: Item J.3., Approval of Contract for Sale and Purchase from Vetterlein for the 72.35-acre Jefferson Marsh Tract for Mosquito Control

The Board of County Commissioners, in regular session on July 22, 2025, authorized to waive the Environmental Site Assessment report as required per Administrative Order 37 due to the intended use of the property; accepted and authorized the Chairman to execute the Contract for Sale and Purchase; authorized the County Manager to execute the Ducks Unlimited North American Wetlands Conservation Act (NAWCA) Sub-Award Agreement US-FL-71-1, subject to the approval of the County Attorney's Office, Purchasing, and Risk Management; authorized the County Manager to execute task orders up to the grant funded amount, as needed to accomplish the work, subject to the approval of the County Attorney's Office, Purchasing, and Risk Management; authorized the County Manager to execute amendments to the contract, as needed, subject to the approval of the County Attorney's Office, Purchasing, and Risk Management; approved associated Budget Change Requests; and authorized the County Manager to execute any additional Budget Change Requests or paperwork, as needed. Enclosed is the fully-executed Contract for Sale and Purchase and fully-executed Contract Addendum.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/sj

Encls. (2)

cc: County Manager  
Contracts Administration  
Finance  
Budget

**RESOLUTION NO. 26-\_\_\_\_\_**

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE NECESSARY DOCUMENTS REQUESTING THE RELEASE OF THE RIGHT-OF-ENTRY AND EXPLORATION OF PHOSPHATE, MINERALS, METALS, AND PETROLEUM RESERVATION RESERVED BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA.

RECITALS

WHEREAS, Brevard County, Florida, 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 that certain parcel described as Tax Parcel Identification Number 25-36-12-00-1, as further described in Exhibit "A" (hereinafter the "Parcel"); and

WHEREAS, the COUNTY purchased the Parcel on November 7, 2025, which consists of over 72 acres of wetlands located within the Jefferson Marsh mosquito impoundment in Merritt Island; and

WHEREAS, the COUNTY owned Parcel contains a Reservation of Rights in favor of the State of Florida for Phosphate, Minerals, Metals and Petroleum, as set forth in that certain Deed No. 1090 from the State of Florida through the Trustees of the Internal Improvement Fund of the State of Florida, dated May 7, 1946 ; and

WHEREAS, the COUNTY is requesting the release of the Right-of-Entry for purposes of exploration for Phosphate, Minerals, Metals and Petroleum reserved in favor the State of Florida, as set forth in that certain Deed No. 1090 from the State of Florida though the Trustees of the Internal Improvement Fund of the State of Florida, dated May 7, 1946.

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. The COUNTY authorizes the County Manager, to execute all necessary documents to facilitate the request for the release of the Right of Entry Reservation from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida as to the herein described property.
3. This Resolution shall take effect immediately upon its adoption.

**DONE, ORDERED, and ADOPTED** in Regular Session this 27<sup>th</sup> day of January 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

\_\_\_\_\_  
Rachel M. Sadoff, Clerk

BY: \_\_\_\_\_  
Thad Altman, Chair

As approved by the Board on 1/27/2026

# LEGAL DESCRIPTION

## PARCEL # 1A & 1B

PARENT PARCEL ID#: 25-36-12-00-1

PURPOSE: FEE SIMPLE CONVEYANCE

### EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

LEGAL DESCRIPTION: (PER OFFICIAL RECORDS BOOK 3136, PAGE 1671).

GOVERNMENT LOTS 3 AND 4, (LESS THE RIGHT-OF-WAY OF STATE ROAD #3, ALSO KNOWN AS SOUTH COURTENAY PARKWAY, AND ALSO LESS THE SOUTH 1081.5 FEET OF GOVERNMENT LOT 4 LYING WEST OF STATE ROAD #3, AS DESCRIBED IN OFFICIAL RECORDS BOOK 771, PAGE 258) IN SECTION 12, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA,

AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1A AND 1B (PREPARED BY SURVEYOR)

PARCEL 1A DESCRIBED AS FOLLOWS:

BEGIN AT A POINT, BEING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF STATE ROAD #3 AKA SOUTH COURTENAY PARKWAY AND THE NORTH LINE OF SECTION 12, TOWNSHIP 25 SOUTH, RANGE 36 EAST, ALSO BEING THE NORTHWEST CORNER OF PARCEL 1A; THENCE EASTERLY ALONG SAID NORTH LINE OF SECTION 12, TOWNSHIP 25 SOUTH, RANGE 36 EAST, SAID LINE ALSO BEING THE NORTH LINE OF OFFICIAL RECORDS BOOK 3137, PAGE 4658, AND ALSO BEING THE NORTH LINE OF GOVERNMENT LOT 3, TO THE WEST SHORELINE OF NEWFOUND HARBOR AND THE EASTERLY LINE OF OFFICIAL RECORDS BOOK 3137, PAGE 4658; THENCE SOUTHERLY ALONG THE WEST SHORELINE OF NEWFOUND HARBOR TO THE SOUTH LINE OF GOVERNMENT LOT 4 AND THE SOUTH LINE OF OFFICIAL RECORDS BOOK 3137, PAGE 4658, ALSO BEING THE NORTH LINE OF OFFICIAL RECORDS BOOK 6126, PAGE 1481; THENCE WESTERLY ALONG SAID GOVERNMENT LOT 4, AND THE SOUTH LINE OF OFFICIAL RECORDS BOOK 3137, PAGE 4658, TO THE EAST RIGHT OF WAY LINE OF STATE ROAD #3; THENCE NORTHERLY ALONG SAID EAST RIGHT OF WAY LINE OF STATE ROAD #3, TO THE NORTH LINE OF SECTION 12, TOWNSHIP 25 SOUTH, RANGE 36 EAST, AND THE POINT OF BEGINNING.

TOGETHER WITH

PARCEL 1B DESCRIBED AS FOLLOWS:

BEGIN AT A POINT, BEING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF STATE ROAD #3 AKA SOUTH COURTENAY PARKWAY AND THE NORTH LINE OF SECTION 12, TOWNSHIP 25 SOUTH, RANGE 36 EAST, ALSO BEING THE NORTHEAST CORNER OF PARCEL 1B, AND LYING ON THE NORTH LINE OF OFFICIAL RECORDS BOOK 3137, PAGE 4658, ALSO THE NORTH LINE OF GOVERNMENT LOT 3; THENCE SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF STATE ROAD #3 TO THE NORTH LINE OF OFFICIAL RECORDS BOOK 771, PAGE 258 AND THE SOUTH LINE OF PARCEL 1B; THENCE WESTERLY ALONG SAID NORTH LINE OF OFFICIAL RECORDS BOOK 771, PAGE 258, TO THE WEST LINE OF OFFICIAL RECORDS BOOK 3137, PAGE 4658 AND THE EAST LINE OF PLAT BOOK 34, PAGE 80, PUBLIC RECORDS OF BREVARD COUNTY FLORIDA; THENCE NORTHERLY ALONG SAID WEST LINE OF OFFICIAL RECORDS BOOK 3137, PAGE 4658, AND EAST LINE OF PLAT BOOK 34, PAGE 80, PLAT BOOK 30, PAGE 4 AND PLAT BOOK 41, PAGE 43, OF SAID PUBLIC RECORDS, TO THE NORTH LINE OF SECTION 12, TOWNSHIP 25 SOUTH, RANGE 36 EAST, AND THE NORTH LINE OF OFFICIAL RECORDS BOOK 3137, PAGE 4658 ALSO THE NORTH LINE OF GOVERNMENT LOT 3; THENCE EASTERLY ALONG SAID NORTH LINE TO THE WEST RIGHT OF WAY LINE OF STATE ROAD #3, AND THE POINT OF BEGINNING.

UNLESS OTHERWISE INDICATED ALL OFFICIAL RECORDS BOOKS AND PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AGREEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD. THE SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS.

### SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY OF ANY TYPE BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. NO INSTRUMENTS OF RECORD AND/OR TITLE COMMITMENT REFLECTING OWNERSHIP, ENCUMBRANCES OF EXISTING EASEMENTS, RIGHTS OF WAY, OR RESTRICTIONS OF RECORD WERE PROVIDED TO THIS SURVEYOR.

PREPARED FOR:

BREVARD COUNTY  
MOSQUITO CONTROL DEPARTMENT

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

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



DRAWN BY: G. CROOK

CHECKED BY: M. SWEENEY

PROJECT NO. 25 - 8- 089

REVISIONS

DATE

DESCRIPTION

SECTION 12

TOWNSHIP 25 SOUTH

RANGE 36 EAST

DATE: AUGUST 28, 2025

SHEET: 1 OF 2



# SKETCH OF DESCRIPTION

## PARCEL # 1A & 1B

PARENT PARCEL ID#: 25-36-12-00-1

PURPOSE: FEE SIMPLE CONVEYANCE

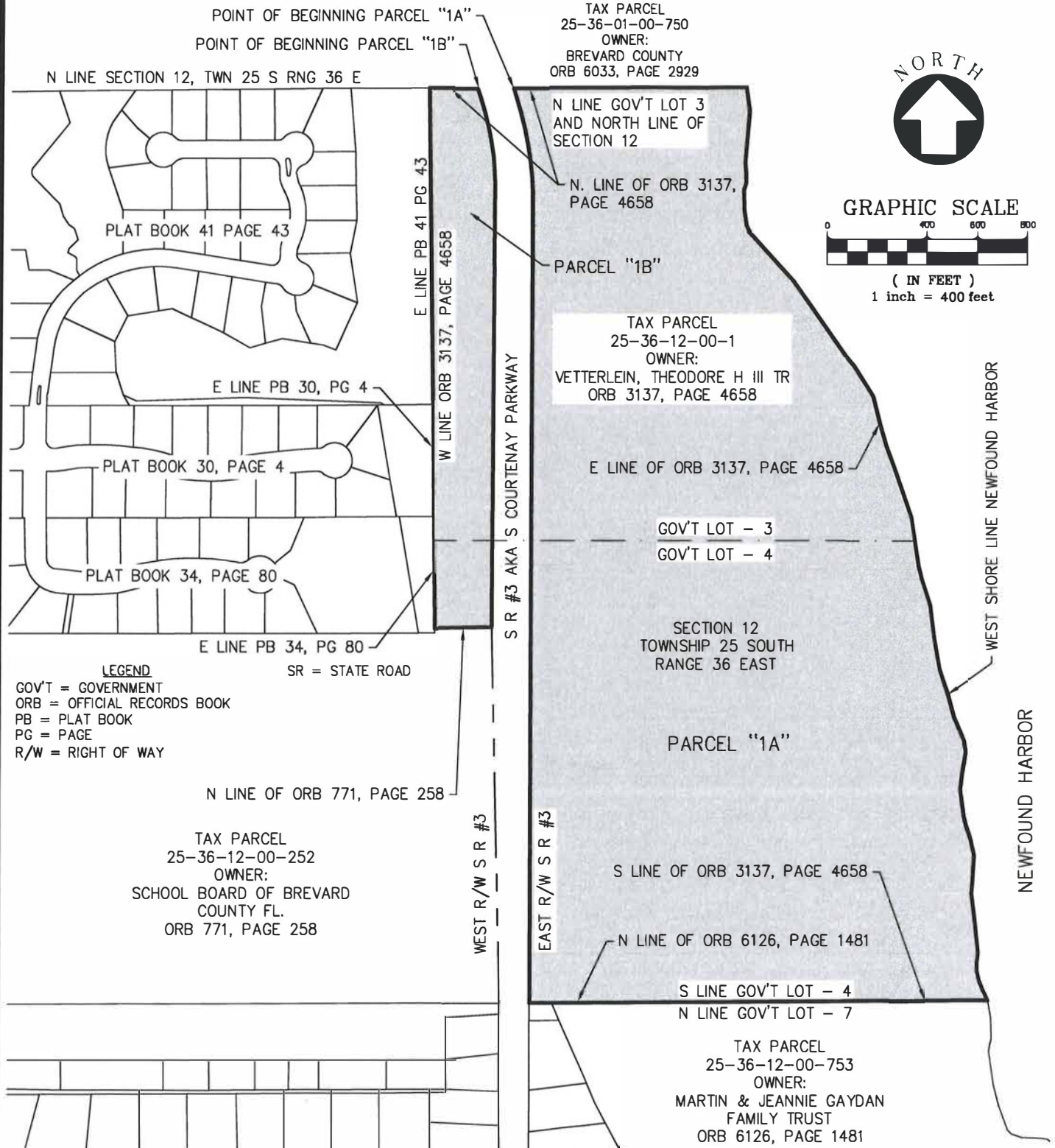
## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1



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

SCALE: 1" = 400'

PROJECT NO: 25-08-039

SECTION 12  
TOWNSHIP 25 SOUTH  
RANGE 36 EAST

## LOCATION MAP

**Section 12, Township 25 South, Range 36 East - District: 2**

**PROPERTY LOCATION:** The west and east side of South Courtenay Parkway in Merritt Island.

**OWNERS NAME(S):** Brevard County

