



CFN:2004150464 05-13-2004 02:47 pm  
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Prepared by: Ray and Carol Brown  
Address: 6460 Aberfoyle Ave.  
Cocoa, FL 32927

### BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 4th day of March, 2004, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Ray E. Brown, Jr. and Carol A. Brown, husband and wife (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 the reference; and

WHEREAS, as part of its plan for development of the property, Developer/Owner wishes to mitigate negative impact 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. 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.
2. Developer/Owner will sub-divide existing property into two parcels.
3. Developer/Owner shall develop 150 feet from existing road frontage as BU-1, and the balance as BU-2.
4. Developer/Owner will plan for a shared entrance for both parcels.

**Scott Ellis**

Clerk Of Courts, Brevard County

#Pgs: 5	#Names: 3
Trust: 3.00	Rec: 21.00 Serv: 0.00
Deed: 0.00	Excise: 0.00
Mtg: 0.00	Int Tax: 0.00



5. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owners' agreement to meet additional standards or restrictions in developing the property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.
6. Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.
7. 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 be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject property.

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

ATTEST:

Scott Ellis, Clerk  
(SEAL)



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

Nancy Higgs, Chair

As approved by the Board on 05/04/04

STATE OF FLORIDA  
COUNTY OF BREVARD

This is to certify that the foregoing is a  
true and current copy of Binding  
Dev. Plan witness my hand  
and official seal this 17th day of  
May 2004

SCOTT ELLIS  
Clerk Circuit Court  
BY km-shen D.C.



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STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before this 4<sup>th</sup> day of  
May, 2004, by Nancy Higgs,  
Chairman of the Board of County Commissioners of Brevard County, Florida, who is  
personally known to me or who has produced as identification.

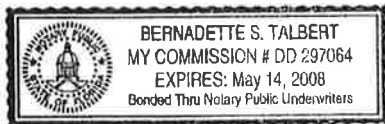
My commission expires

  
Notary Public

Seal

Commission No.:

(Name typed, printed, or stamped)



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WITNESSES:

X Robert T. Kolczynski  
Robert T. Kolczynski  
 (Witness Name typed or printed)

X Michelle Kolczynski  
Michelle Kolczynski  
 (Witness Name typed or printed)

DEVELOPER/OWNER

X Ray E. Brown, Jr.  
 6460 Aberfoyle Avenue, Cocoa, FL 32927

X Robert T. Kolczynski  
Robert T. Kolczynski  
 (Witness Name typed or printed)

X Michelle Kolczynski  
Michelle Kolczynski  
 (Witness Name typed or printed)

DEVELOPER/OWNER

X Carol A. Brown  
 6460 Aberfoyle Avenue, Cocoa, FL 32927

STATE OF Florida §

COUNTY OF Brevard §

The foregoing instrument was acknowledged before me this 14th day of April, 2004.

by Ray E. Brown, Jr. and Carol A. Brown, owners who are personally known to me or who has produced \_\_\_\_\_ as identification.

My commission expires 4/24/05  
 SEAL  
 Commission No.: DD020445

Michelle Kolczynski  
 Notary Public  
Michelle Kolczynski  
 (Name typed, printed or stamped)



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RETURN: Clerk to the Board #27

## Exhibit "A"

Property described as Canaveral Groves Sub., #01, Block 2, Lot 1, as recorded in ORB 4343, Page 1752, and Lot 2, as recorded in ORB 4266, Pages 2790 & 2791, Public Records, Brevard County, Florida. **Section 35, Township 23, Range 35** on 2.96 acres. Located on the west side of Grissom Pkwy., approx. 150 ft. south of Camp Rd.

  
Owner Initial



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