

**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
WRITTEN CONSENT TO EASEMENTS**

**WHEREAS**, on July 25, 2017, the Board of County Commissioners of Brevard County, Florida, the “County”, conveyed by County Deed to the City of Cocoa, the “City”, that certain property identified in Official Records Book 8063, Page 1885, Public Records of Brevard County, Florida, the “Property”; and

**WHEREAS**, said County Deed references a number of exhibits, including, but not limited to, a description of the land to be transferred and a description of the land that the County reserved a perpetual, non-exclusive access and maintenance easement on, over and through for the purposes of accessing, installing, maintaining, and/or repairing the pier at Lee Wenner Park and all necessary appurtenances thereto; and

**WHEREAS**, as part of the County Deed, the County and City entered into an Interlocal Agreement, that, among other things, contained a restrictive covenant running with the land prohibiting the City from using the Property for uses other than for municipal and recreational purposes; and

**WHEREAS**, the Interlocal Agreement provides that the County can permit other non-recreational uses upon written consent; and

**WHEREAS**, the City desires to convey a temporary construction easement and a permanent easement to Florida Power & Light Company to construct, operate, and maintain underground electric utility communications facilities (including cables, fiber, conduit, appurtenant equipment, and appurtenant above ground equipment) over the Property (the “Proposed Project”); and

**WHEREAS**, the County finds that the Proposed Project does not violate the Interlocal Agreement; and

**WHEREAS**, the Brevard County Parks and Recreation Department does not object to the City granting the requested easements subject to the below conditions.

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

1. The recitals are true and correct and incorporated herein by this reference.
2. The County does not object to the granting of the requested easements in the form approved by the County Attorney.
3. This Consent to Easements shall take effect upon approval by the Board of County Commissioners of Brevard County, Florida.

**DONE AND ORDERED** in Regular Session this \_\_\_\_ day of July, 2024.

ATTEST:

BOARD OF COUNTY  
COMMISSIONERS OF BREVARD  
COUNTY, FLORIDA

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Rachel Sadoff, Clerk of Court

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Jason Steele, Chair  
As Approved by the Board on 7/23/24