

RESOLUTION NO. 2023 - ____

**A RESOLUTION AUTHORIZING CONVEYANCE OF REAL
PROPERTY INTEREST IN A PARCEL WITHIN THE
SPACEPORT COMMERCE PARK TO NAP FLORIDA LLC.**

WHEREAS, Brevard County, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as the COUNTY, owns certain real property described as an approximately 11.89 acre parcel preliminarily described and depicted as Exhibit A; and,

WHEREAS, pursuant to chapter 82-264, Laws of Florida, for the purpose of industrial development, Brevard County is authorized to sell or otherwise dispose of county-owned property within specific boundaries of the Gateway Center Industrial Park by private sale without compliance with section 125.38, Florida Statutes; and,

WHEREAS, the property described above is located within specific boundaries of the Gateway Center Industrial Park (now known as "Spaceport Commerce Park") and the sale promotes industrial development; and,

WHEREAS, the Brevard County Board of Commissioners created the North Brevard Economic Development Zone (NBEDZ) Dependent Special District under the powers vested in the Board under Chapter 125, Florida Statutes, Chapter 189, Florida Statutes and section 200.065(1), Florida Statutes; and,

WHEREAS, the Board approved Ordinance No. 2013-08, establishing the NBEDZ as the county's authorized agent for negotiating and executing contracts for the private sale or private lease of county-owned land within the boundaries of the Spaceport Commerce Park; and,

WHEREAS, in accord with Ordinance No. 2013-18, on April 20, 2021, the Board of County Commissioners approved an option contract with NAP Florida LLC giving the Company an option to purchase an 11.89 acre parcel, more or less, at the price of \$35,000.00 per acre, with the total price to be determined based upon the exact acreage to be determined by a final survey, and said option contract had a one year renewal; and

WHEREAS, the site inspection and permit process was more lengthy than anticipated by the parties, during which time the Company lost the tenant interested in the parcel, and it became apparent that Companies are looking for pad-ready sites, of which there is very low stock in North Brevard; and

WHEREAS, due to the time that Companies are incurring to develop the lots in the Park, NBEDZ has an interest in the development of a pad-ready site that is ready for a Company to start construction; and

WHEREAS, NAP Florida LLC is willing to purchase the parcel and develop such a pad-ready site on the parcel in question, but it requires amendments to the existing option contract in order to pursue this avenue; and

WHEREAS, the Company has requested an amendment to the contract to allow it to develop the pad-ready site; and

WHEREAS, the option must be exercised by May 5, 2023 and the Company executes the option simultaneously upon approval of these certain amendments; and

WHEREAS, the NBEDZ believes that this project, with its plan to build a develop a “pad-ready” site for a new structure of at least 25,000 square feet on the property, at a minimum, for a tenant meeting the requirements of the park’s restrictive covenants, will increase employment opportunities for North Brevard, and further assist in the economic revival of an area still impacted by the reduction in the overall number of personnel at NASA’s Kennedy Space Center; and,

WHEREAS, the incoming buyer for the pad-ready site must be committed in writing to creating a minimum of 50 new to Brevard County high-wage jobs, defined as jobs with an average project wage of at least \$50,000.00 per job, and

WHEREAS, the NBEDZ further believes that the sale of an industrially-zoned lot will aid future development of additional lots in the Spaceport Commerce Park by evidencing the viability of this site location.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA agree as follows:

1. The foregoing recitations are true and correct and by this reference incorporated;
2. The sale of this parcel promotes industrial development;
3. Upon completion of a survey of the property, to transfer ownership of an approximately 11.89-acre parcel described generally in the attached Exhibit A to NAP Florida, Limited Liability Company, at the offering price of \$35,000.00 per acre, with the total price to be determined based upon the acreage determined by a survey prior to closing, and
4. To empower the Chair, Board of County Commissioners, to execute all necessary documents related to this real estate transaction.
5. To empower the Executive Director, North Brevard Economic Development Zone (NBEDZ) Dependent Special District to sign any related documentation required by the City of Titusville to create the lot.

DONE, ORDERED, and ADOPTED, in regular session, this _____ day of _____, 2023.

ATTEST:

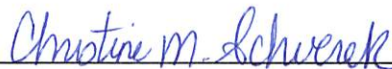
BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

Rita Pritchett, Chair

As approved by the Board on _____

Approved as to legal form and content:



Assistant County Attorney