BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

- AGENDA: County Deed and Resolution for the St. Johns Heritage Parkway Intersection and Babcock Street Transfer to the City of Palm Bay – Districts 3 and 5.
- AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 (58336)

LAND ACQUISITION Lucy Hamelers, Supervisor

APPROVE

Cms

8-11.2020 8-12-2020

DATE

DISAPPROVE

COUNTY ATTORNEY Christine Schverak Assistant County Attorney

AGENDA DUE DATE: August 18, 2020 for the August 25, 2020 Board meeting

Prepared by and return to: Office of the County Attorney 2725 Judge Fran Jamieson Way, Building C Viera, Florida 32940

COUNTY DEED

(STATUTORY FORM - SECTION 125.411, Florida Statute)

THIS DEED, made this <u>25</u> day of <u>August</u>, 2020, between Brevard County, Florida, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, party of the first part, and the City of Palm Bay, a Municipal Corporation of the State of Florida, whose address is 120 Malabar Road, Palm Bay, Florida 32907, party of the second part,

(Whenever used herein the terms "party of the first part" and "party of the second part" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "Party of the first part" and "party of the second part" are used for singular and plural, as the context requires and the use of any gender shall include all genders)

WITNESSETH that the party of the first part, for and in consideration of the sum of Ten Dollars, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, any interest it holds in the following described land lying and being in Brevard County, Florida, to wit:

See Exhibit "A" attached and incorporated by this reference, together with all riparian and littoral rights appertaining thereto, and all interests in subsurface oil, gas, and minerals pursuant to section 270.11(3), Florida Statute. In the event the property is not used, maintained or ceases to be used and maintained for a public roadway with associated retention and detention ponds, the COUNTY does not retain any right to reenter and repossess the property.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair of said board, the day and year aforesaid.

BOARD OF COUNTY COMMISSION	ERS
OF BREVARD COUNTY, FLORIDA	

Ву:	
Bryan Andrew Lober, Chair	
(As approved by the Board)

Scott Ellis

ATTEST:

LEGAL DESCRIPTION

BABCOCK STREET PARCEL AT THE ST. JOHNS HERITAGE PARKWAY INTERSECTION PARENT PARCEL ID#: NOT APPLICABLE PURPOSE: RIGHT OF WAY DEDICATION

EXHIBIT "A" SHEET I OF 6 NOT VALID WITHOUT SHEET 2-5 OF 6 THIS IS NOT A SURVEY SEE SURVEYORS NOTE #1

LEGAL DESCRIPTION: RIGHT OF WAY DEDICATION, BABCOCK STREET PARCEL AT THE ST. JOHNS HERITAGE PARKWAY INTERSECTION (BY SURVEYOR)

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PREPARED FOR AND CERTIFIED TO .:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS; CITY OF PALM BAY

MICHAEL J. SWEENEY, PSM 4820. No. 4870 PROFESSIONAL SURVEYOR & MARPER NOT VALID UNLESS SIGNED AND SEALED STATE C

> $\langle O R \rangle$ NAL SURVICE

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PREPARED	BY:	BREVAR	COU	NTY I	PUBLIC	WOF	RKS :	SURVEY	ING	AND	MAPPING	DIVISION	
ADDRESS:	2725	5 JUDGE	FRAN	JAMI	ESON	WAY,	SUIT	E A22	0, V	IERA,	FLORIDA	32940	
PHONE: (321) (633-208	0										

	CHECKED BY: M SEEENEY	PROJECT NO.	20-07-C	SECTION 3 & 10		
DRAWN BY: R HENNING	ONEONED DI. M DELENET	REVISIONS	DATE	DESCRIPTION CORRECT TYPOGRAPHIC	TOWNSHIP 30 SOUTH	
DATE: 8/10/2020	SHEET: 1 OF 6		8/12/2020	ERRORS ON SHEET 1 AND 4	RANGE 37 EAST	

SURVEYOR'S NOTES & ABBREVIATIONS

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EXHIBIT "A"

SEE SURVEYORS NOTE #1

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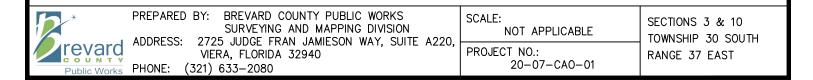
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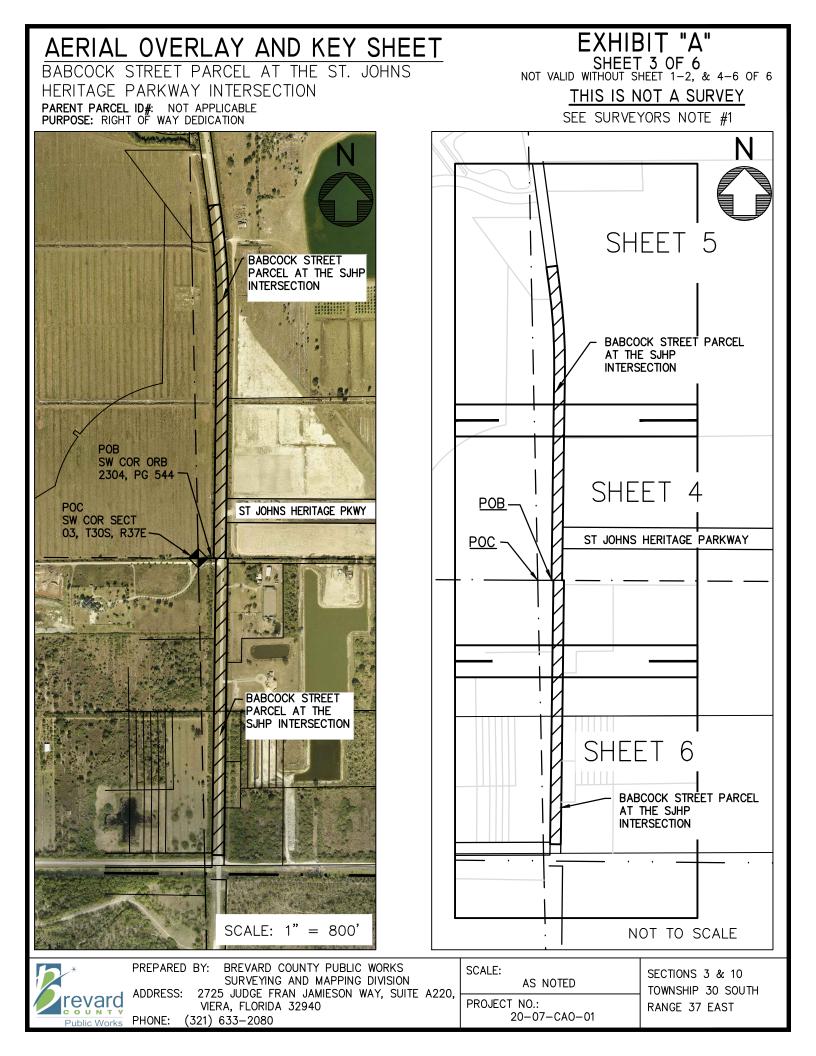
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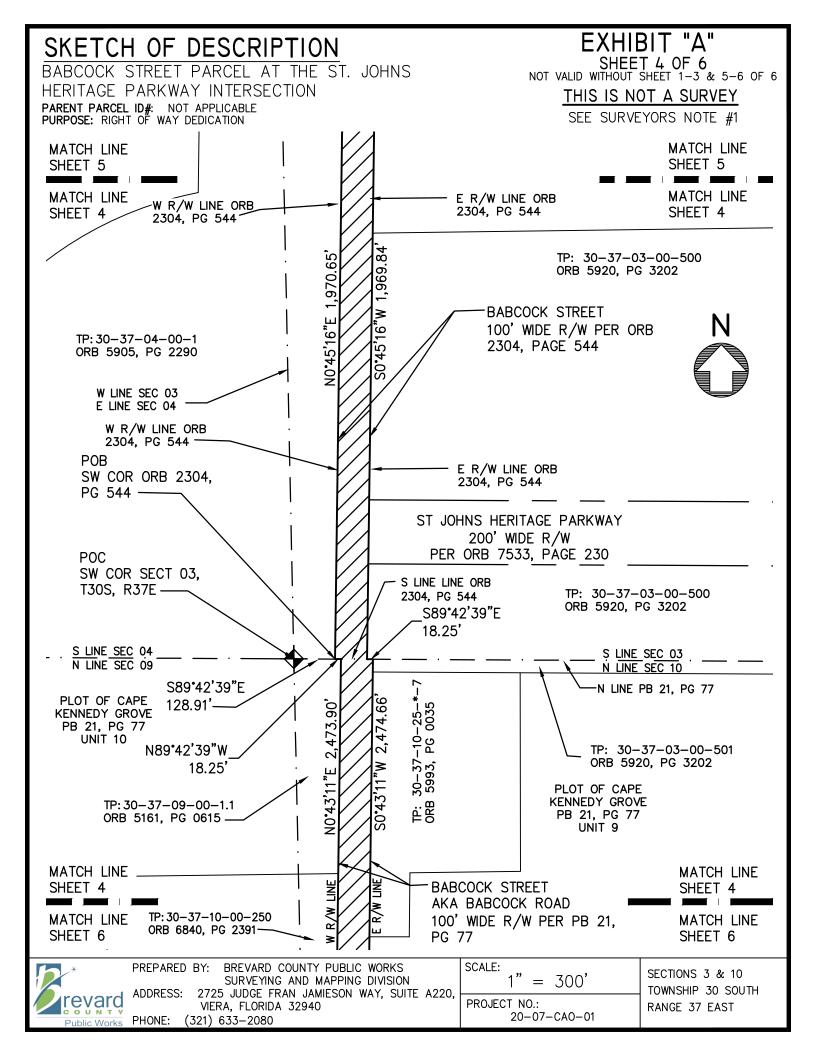
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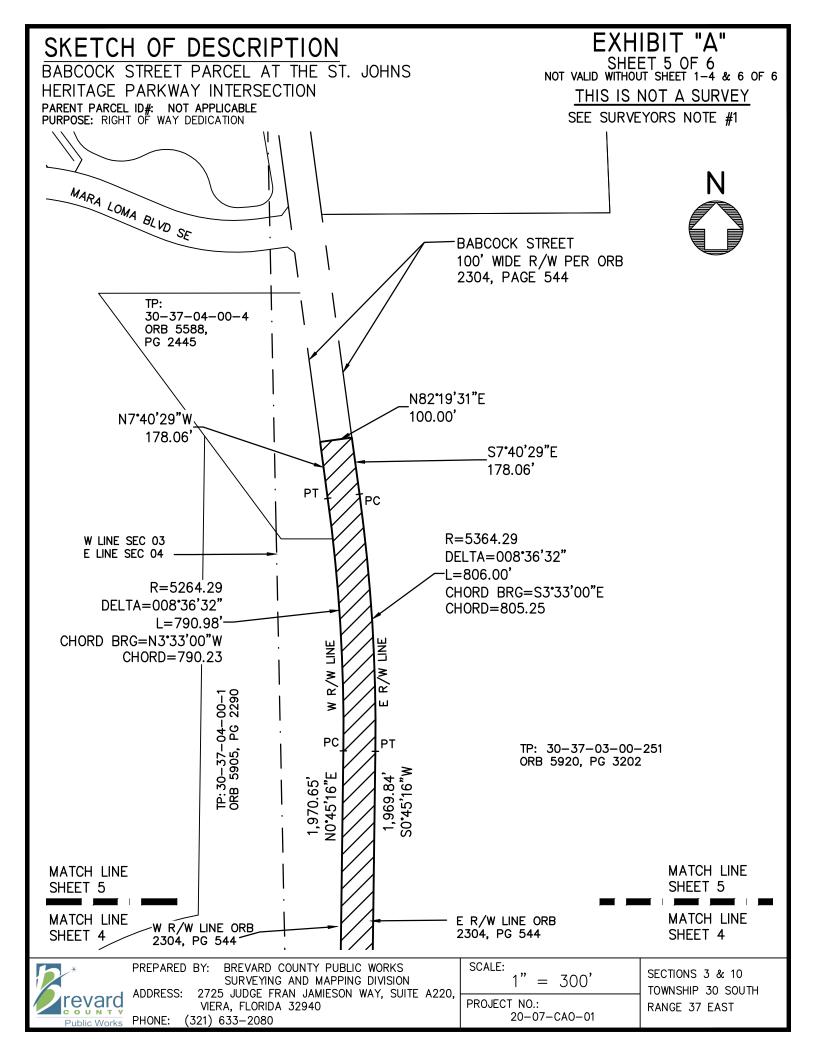
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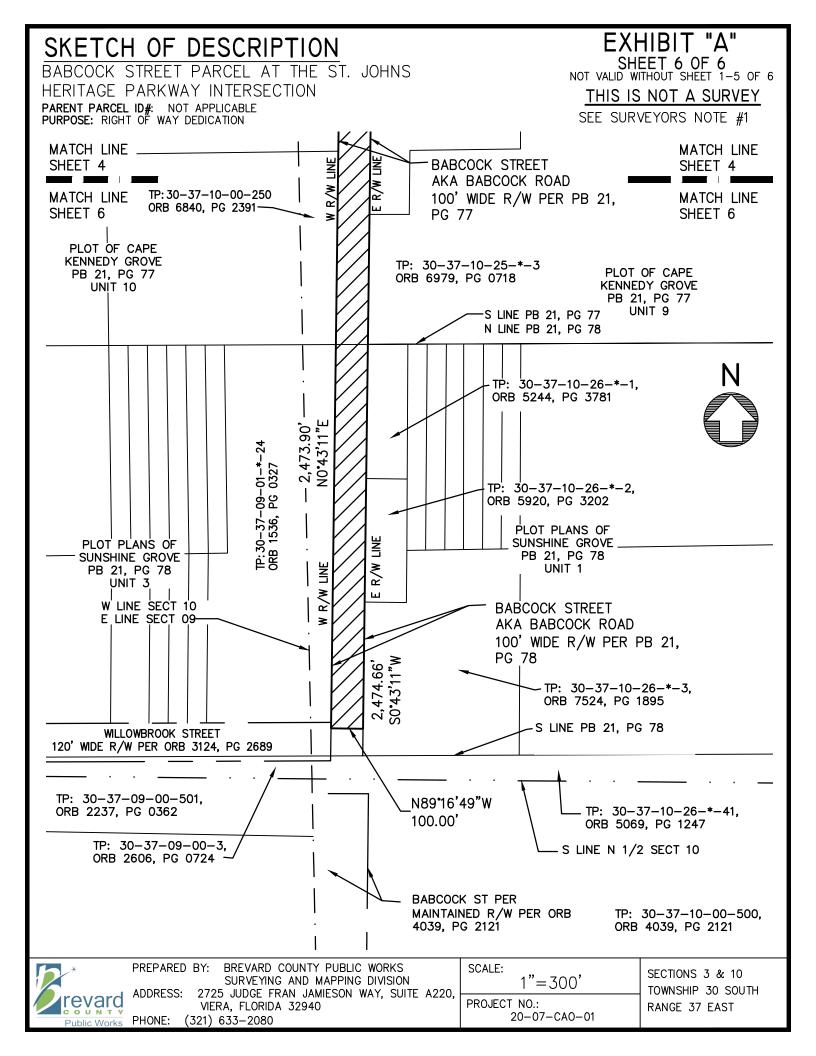
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RESOLUTION NO. 2020-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, AND SECTION 2-247, BREVARD COUNTY CODE OF ORDINANCES, AUTHORIZING THE CONVEYANCE OF COUNTY PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brevard County, Florida, a political sub-division of the State of Florida (hereinafter the COUNTY), owns certain rights-of-way and easements for a public road right of way within the City of Palm Bay, a municipality incorporated under the laws of Florida (hereinafter the CITY), and

WHEREAS, the rights-of-way and easements for said public road are referred to as the St. Johns Heritage Parkway Intersection and Babcock Street (hereinafter the Babcock Project), which is further described in Exhibit "A"; and

WHEREAS, the Board of County Commissioners, in regular session on April 21, 2020, approved the execution of an Interlocal Agreement with the CITY regarding the Babcock Project, as described by the CITY in Exhibit "C"; and

WHEREAS, paragraph 7(a) of the Interlocal Agreement states the COUNTY and CITY agree the CITY will assume ownership and maintenance responsibilities of the Babcock Project (including all retention/detention ponds and off-site acquisitions related to the Babcock Project); and

WHEREAS, the CITY has constructed the traffic signals and associated equipment for the Babcock Project and owns the same; and

WHEREAS, the CITY has applied for a conveyance of the Babcock Project via the Interlocal, which shall promote the community interest and welfare of the CITY; and

WHEREAS, the COUNTY finds that the CITY's proposed use of the Property for roadway purposes will promote public health, safety or welfare, will serve the public interest, will serve a public purpose; and the COUNTY has determined that said property is not needed for COUNTY purposes, and desires to cooperate with and assist the CITY by conveying the property; and

WHEREAS, pursuant to paragraph 7(b) of the Interlocal Agreement, the COUNTY shall prepare a county deed and resolution and any other documents necessary to effectuate the conveyance and transfer of the Babcock Project; and the CITY agrees to pass a resolution accepting transfer of ownership and maintenance from the COUNTY within sixty days of the effective date of the interlocal; and

WHEREAS, the County Deed with the attached Exhibit "A" will effectuate the transfer and complete the terms of the Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that:

- 1. The foregoing recitals are true and correct and incorporated to this Resolution by this reference.
- 2. The Babcock Project is fully described at Exhibit "A", which is attached and incorporated by this reference. Exhibit "A" is based on the City's Exhibit "C," which is also attached and incorporated by this reference. The Babcock Project is located within the boundary of the CITY, and is not needed for COUNTY purposes.
- 3. The CITY will use and maintain the Babcock Project as a public roadway within the boundaries of the CITY to provide safe and well-kept roadways for its citizens.
- 4. The COUNTY authorizes the Chair, Board of County Commissioners, to execute all necessary documents to transfer the Babcock Project as described in Exhibit "A" to the CITY by County Deed at nominal consideration pursuant to the terms of the interlocal agreement.
- 5. In the event the Babcock Project is not used, maintained or ceases to be used and maintained for a public roadway, the COUNTY does not retain any right to reenter and repossess the property.
- 6. This Resolution shall take effect immediately.

This Resolution is **DONE**, **ORDERED AND ADOPTED** in Regular Session, this <u>25</u> day of <u>August</u>, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk to the Board

Bryan Andrew Lober, Chair

Reviewed for legal form and content:

Cachverak 3/12/2020

Assistant County Attorney

LEGAL DESCRIPTION

BABCOCK STREET PARCEL AT THE ST. JOHNS HERITAGE PARKWAY INTERSECTION PARENT PARCEL ID#: NOT APPLICABLE PURPOSE: RIGHT OF WAY DEDICATION

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MICHAEL J. SWEENEY, PSM 4820. No. 4870 PROFESSIONAL SURVEYOR & MARPER NOT VALID UNLESS SIGNED AND SEALED STATE C

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PREPARED	BY:	BREVAR	COU	NTY I	PUBLIC	WOF	RKS :	SURVEY	ING	AND	MAPPING	DIVISION	
ADDRESS:	2725	5 JUDGE	FRAN	JAMI	ESON	WAY,	SUIT	E A22	0, V	IERA,	FLORIDA	32940	
PHONE: (321) (633-208	0										

	CHECKED BY: M SEEENEY	PROJECT NO.	20-07-C	SECTION 3 & 10		
DRAWN BY: R HENNING	ONEONED DI. M DELENET	REVISIONS	DATE	DESCRIPTION CORRECT TYPOGRAPHIC	TOWNSHIP 30 SOUTH	
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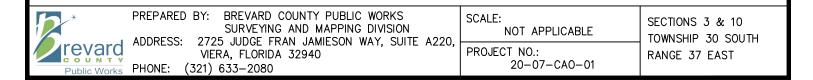
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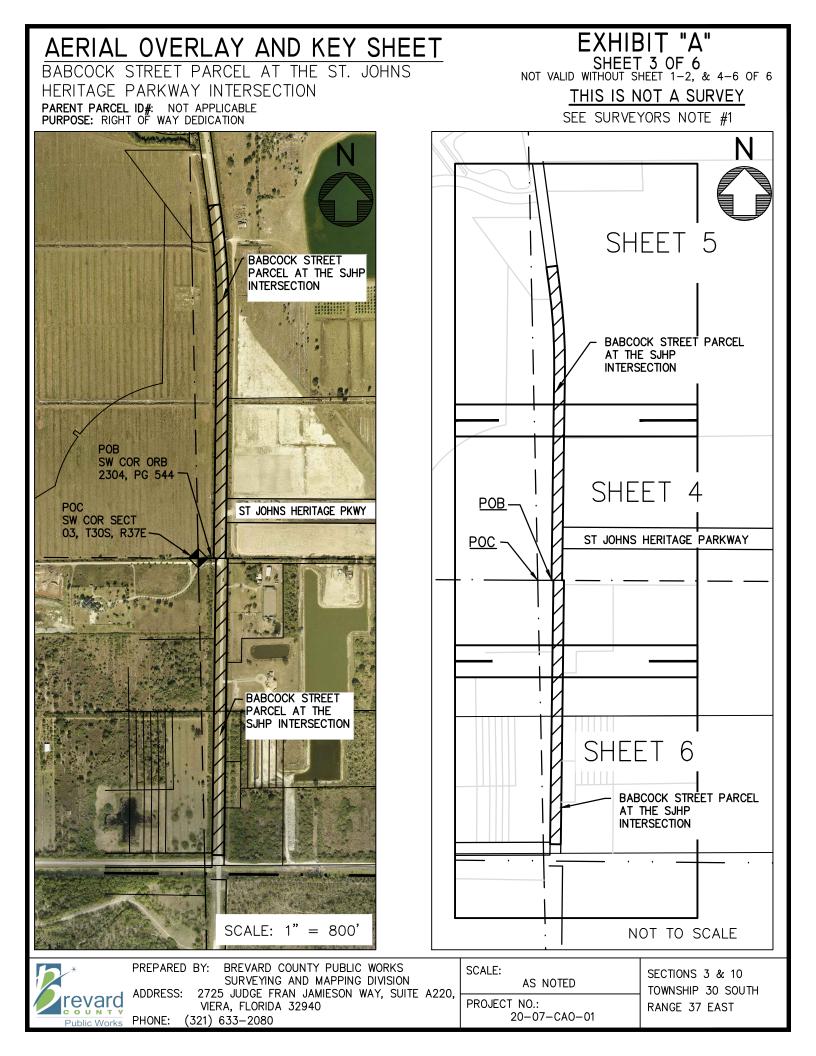
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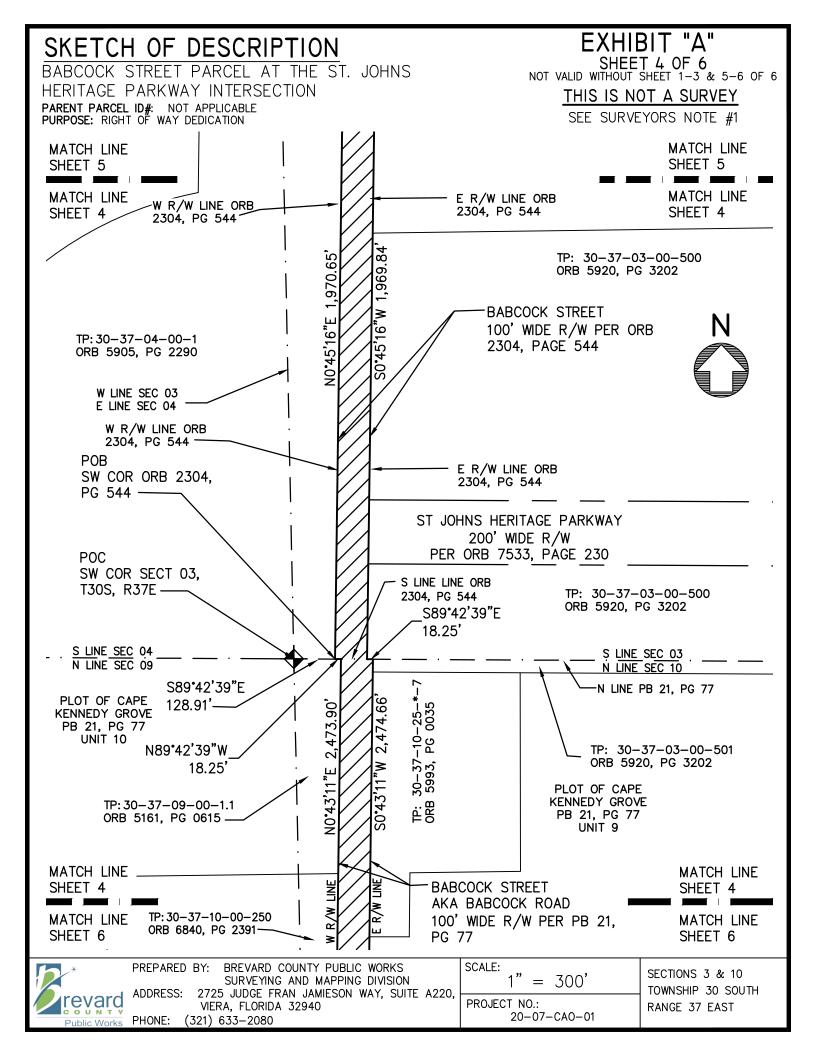
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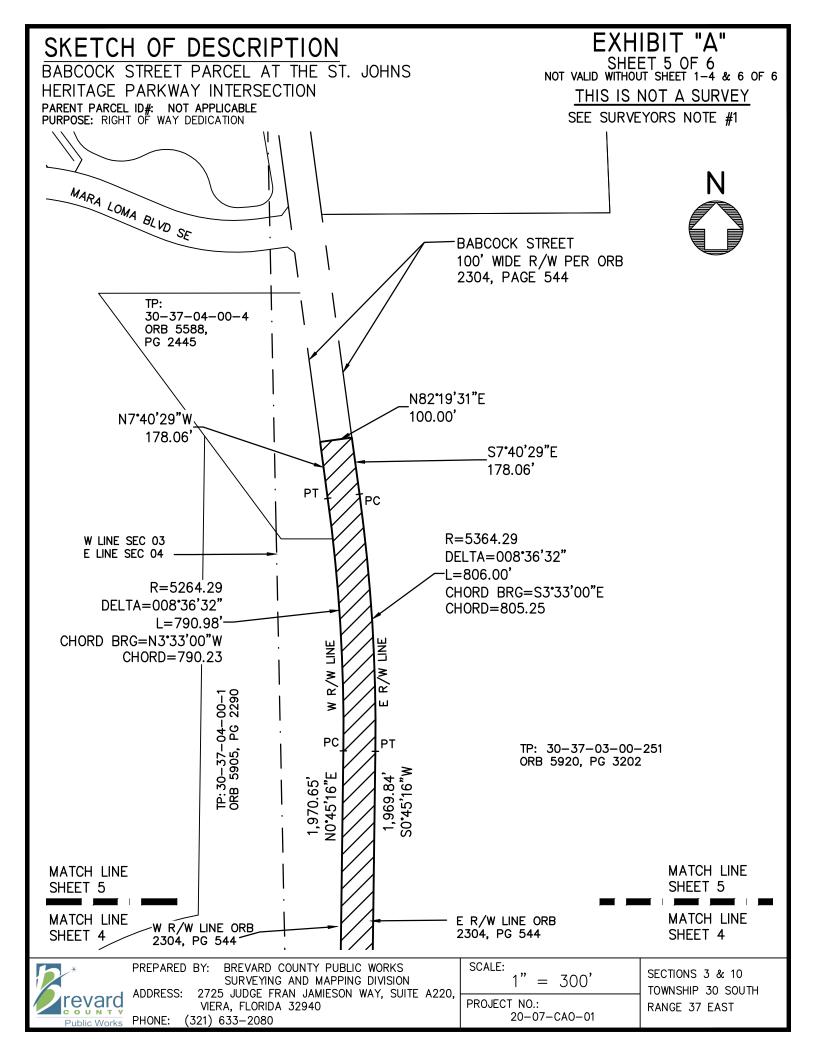
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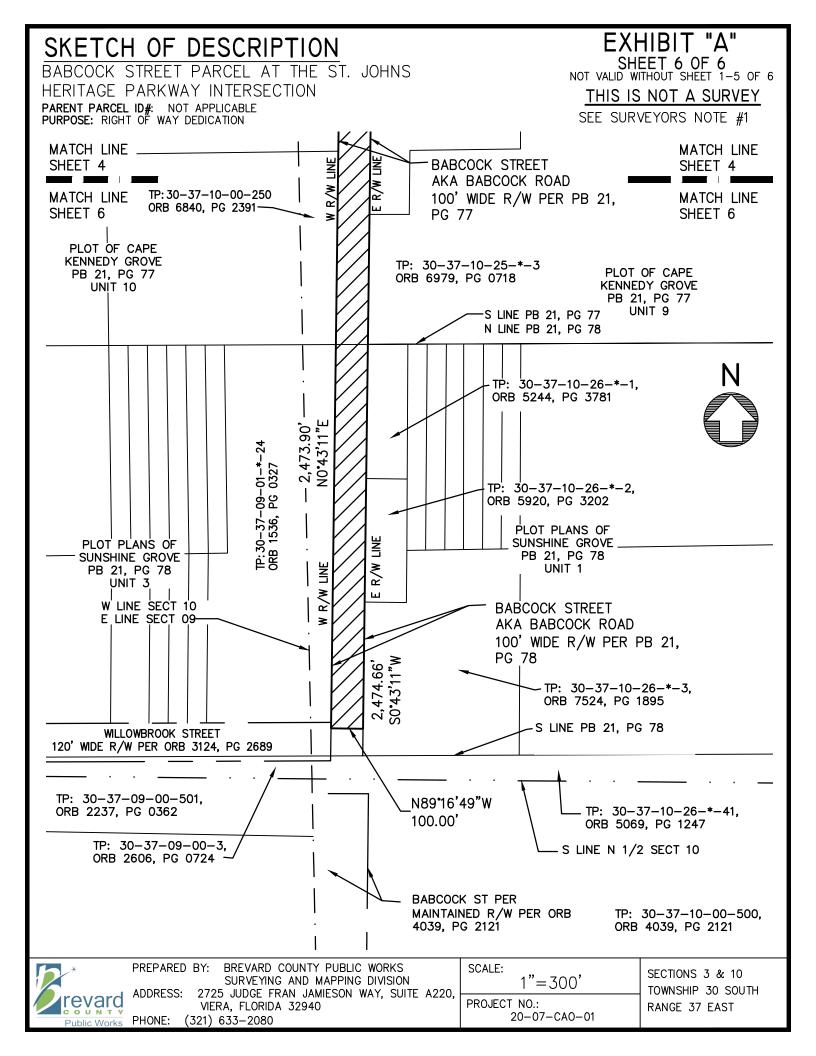
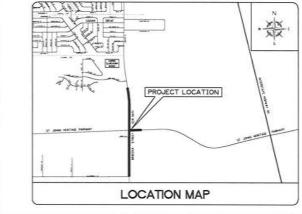


Exhibit C

ST. JOHNS HERITAGE PARKWAY AT BABCOCK STREET **INTERSECTION IMPROVEMENTS**





FTW

MH

FTW

Palm Bay

OCTOBER 2019



OWNER:	CITY OF PALM BAY 120 MALABAR ROAD SE PALM BAY, FLORIDA 32907
SITE ADDRI	ESS: ST. JOHNS HERITAGE PARKWAY AT BABCOCK STREET PALM BAY, FLORIDA 32909
LOCATION: ZONING:	SECTIONS 3 & 10, TOWNSHIP 30 SOUTH, RANGE 37 EAST N/A
F.L.U.C.C.S	: 1900 OPEN LAND
DESCRIPTIC	IN DF WORK: ROAD CONSTRUCTION, PAVING AND TRAFFIC SIGNAL AT BABCOCK STREET, APPROXIMATELY 2.875 L.F. SOUTH OF AND 2,550 L.F. NORTH OF ST. JOHNS HERTAGE PARKWAY, ALONG WITH DRAINAGE IMPROVEMENTS AND FINAL STRIPING. (5,425 L.F. / 1.03 MILES)

UTILITIES	ENCOUNTERED	
FLORIDA POWER AND LIGHT	(POWER)	(321) 726-4864
SPECTRUM	(CABLE)	(321) 757-6451
A T & T	(TELEPHONE)	(321) 258-9244
PALM BAY C & IT	(F.O.C)	(321) 952-3475
PALM BAY UTILITY DEPARTMENT	(WATER & SEWER)	(321) 952-3410

ST. JOHNS HERITAGE PA

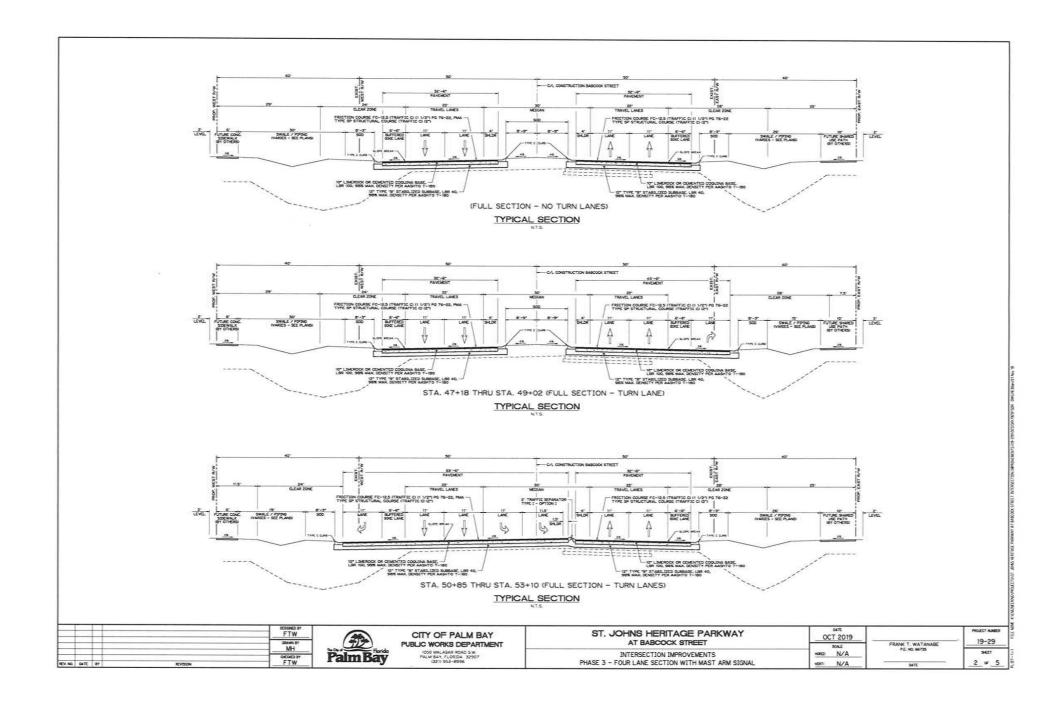
PHASE 3 - FOUR LANE SECTION WITH MAST ARM SIGNAL

CITY OF PALM BAY

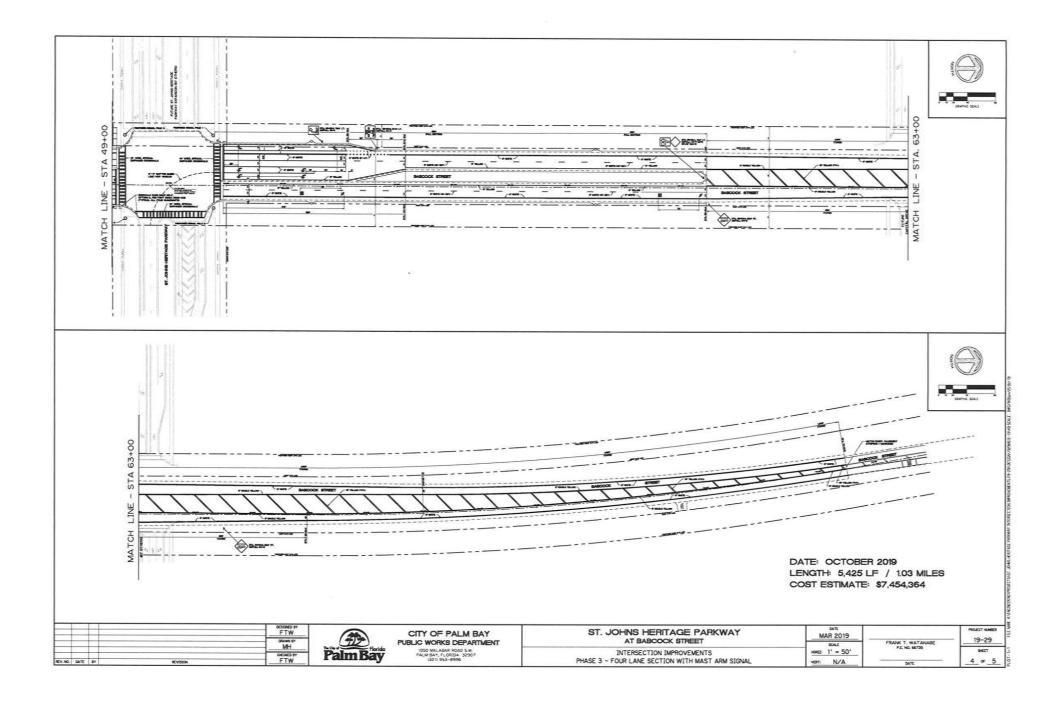
PUBLIC WORKS DEPARTMENT 1050 MALASAR ROAD S.W. PALM BAY, FLORIDA 32907 (321) 953-8996

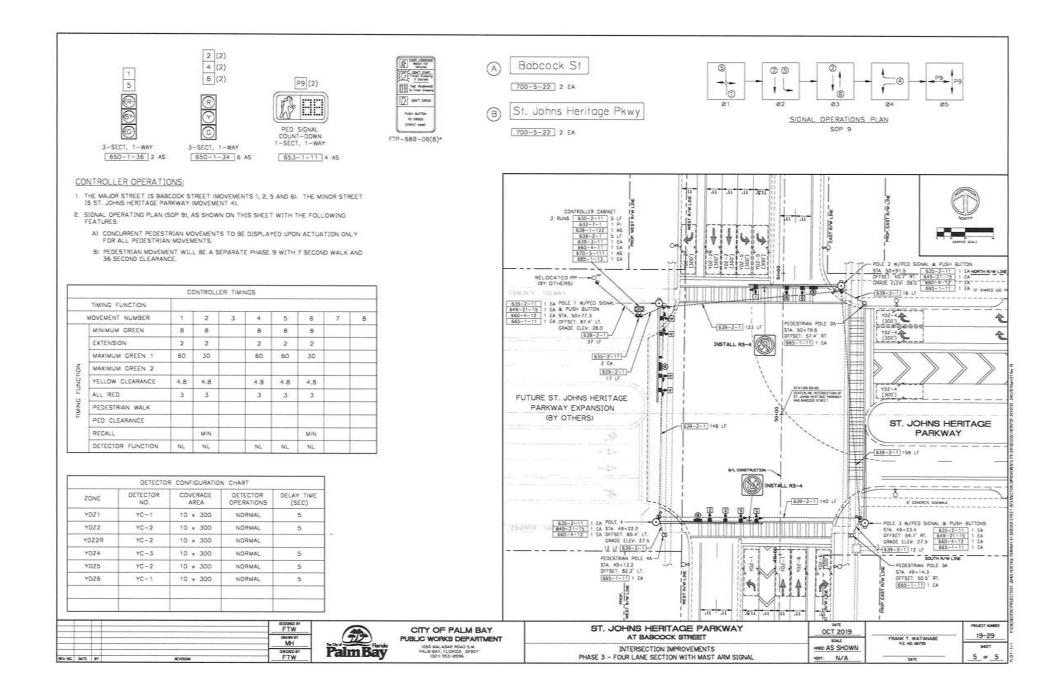
		li I	DEX OF S	HEETS	
	1	COVER SHEET			1
	2	GENERAL NOTES			1
7	3	STORMWATER PO	LLUTION PREV	ENTION PLAN	
	4	TYPICAL ROADWA	Y SECTIONS		
	5	PLAN & PROFILE -	STA. 21+00 TH	RU STA, 27+00	
	6	PLAN & PROFILE -	STA. 27+00 T	HRU STA. 33+00	
	7	PLAN & PROFILE -	STA. 33+00 T	HRU STA. 39+00	-
	8	PLAN & PROFILE -			
	9	PLAN & PROFILE -	STA. 45+00 T	HRU STA, 51+00	
	10	PLAN & PROFILE -			
	11	PLAN & PROFILE -			
da	12	PLAN & PROFILE -	STA, 63+00 T	HRU STA. 69+00	
	13	PLAN & PROFILE -	STA. 69+00 T	HRU STA. 74+00	
7	14	PLAN & PROFILE -	STA. 74+00 T	HRU STA. 76+00	
V	15	DETAIL SHEET			
	16		- 1 THRU 4 (ST	A. 21+15 THRU STA. 27-	+00)
	17			A. 29+00 THRU STA. 35	
	18			TA. 37+00 THRU STA. 4	
	19			STA. 45+00 THRU STA.	
	20		and the second sec	STA. 52+50 THRU STA.	
	21			STA. 62+18 THRU STA.	
STREET	22			STA. 70+18 THRU STA.	
	23	MAINTENANCE OF			
EAST	24	MAINTENANCE OF			
	25	MAINTENANCE OF			
	26	MAINTENANCE OF		Contraction in the second s	
FIC SIGNAL	27	the second s	and the second) THRU STA, 33+00	
875 L.F.	28			0 THRU STA. 45+00	
ST. JOHNS NGE	29			0 THRU STA. 57+00	
65C	30			0 THRU STA. 69+00	
	31			0 THRU STA, 76+00	
	32	SIGNALIZATION -	a strange of the stra	5 1110 51A. 10.00	
	33	SIGNALIZATION -			
6-4864	34	SIGNALIZATION -		and the second se	
7-6451	35	TYPICAL ROADWA			
8-9244	36			0 THRU STA, 13007+00	(S.IHP)
2-3475	37	PLAN VIEW - OFF			(JULE)
	38			38.3 THRU STA. 13006+50	N (S.HP)
	60	minimum or	31A. 130011.	0.0 1110 31A. 1000013	MOLETIN
NS HERITAGE		AY	OCT 2019		19-2
T BABCOCK STR			SOLE	FRANK T. WATANABE P.E. NJ. 66735	19-2
ERSECTION IMPROV		CTONIAL	1082 N/A		

vor N/A



			<u> </u>	MATCH LINE - STA. 35+00	
MATCH LINE - STA 35400		LENGT	OCTOBER 2 + 5,425 LF	MATO	
Science in FTW FTW Summer MH MH Genome FTW Revice Stresson	Part Bary State St	ST. JOHNS HERITAGE PARKWAY AT BABCOCK STREET INTERSECTION IMPROVEMENTS PHASE 3 - FOUR LANE SECTION WITH MAST ARM SIGNAL	ант. <u>MAR 2019</u> scalt ноко: 1' = 50' чокт: N/A	FRANK T. WATANABE P.E. NG. 68736	962621 NUMBR 19-29 9467 3 or 5





LOCATION MAP

Sections 3 & 10, Township 30 South, Range 37 East - Districts 3 & 5

PROPERTY LOCATION: The intersection of St. Johns Heritage Parkway and Babcock Street

OWNERS NAME: Brevard County

