



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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File #: 3307, Version: 1

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### **Subject:**

Approval, Re: Resolution and County Deed for the Transfer of that Portion of Brandywine Lane and Associated Roadway Drainage Facilities from South of U.S. 192 to a Terminus of Twenty Feet South of the North Melbourne Tillman Canal 84 Right of Way Line- District 5.

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Works Department / Land Acquisition

### **Requested Action:**

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the attached Resolution and County Deed.

### **Summary Explanation and Background:**

The subject property is located in Section 3, Township 28 South, Range 36 East, south of U.S. 192 in West Melbourne.

Space Coast Town Center is proposing a master development plan within the jurisdiction of the City of West Melbourne. As a condition of the development plan, the City of West Melbourne is requiring a regional lift station that will connect a force main to an existing City stub out located between Brandywine Lane and the Florida Department of Transportation (FDOT) right of way. County policy does not allow an open cut on our roadways for the installation of a new sewer force main and directional drill is not feasible due to physical constraints. As a solution, the City is requesting the transfer of ownership and maintenance responsibilities for that portion of Brandywine Lane south of U.S. 192 to a terminus of twenty feet south of the north Melbourne Tillman Canal 84 right of way, together with associated roadway drainage facilities.

On August 17, 2021, the City of West Melbourne adopted Resolution Number 2021-23, accepting the transfer and maintenance of a portion of Brandywine Lane although due to timing was generically described as a portion of Brandywine Lane south of U.S. 192 and north of Sugar Creek Drive. Brevard County Surveyor, working in conjunction with Engineering staff, subsequently defined the limits as a portion of Brandywine Lane from south of U.S. 192 to a terminus of twenty feet south of the north Melbourne Tillman 84 Canal Right of Way Line. This description falls within the generic description and is acceptable to the City.

The County Deed will convey Brandywine Lane and its associated roadway drainage facilities from south of U.S. 192 to a terminus of twenty feet south of the north Melbourne Tillman Canal 84 right of way line, together with ownership, maintenance, and functional responsibility.

The Resolution is pursuant to Section 125.38, Florida Statute authorizing the conveyance of County property.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

**Clerk to the Board Instructions:**

Upon execution by the Chair, Public Works Department will contact the Clerk's office to make arrangements to pick up the original executed Resolution with Exhibit and County Deed with Exhibit.