

RESOLUTION 2021-38

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, SELLING AND CONVEYING PROPERTY AS RECORDED IN OR BOOK 3529, PAGE 3067; OR BOOK 6469, PAGE 1274; AND OR BOOK 6367, PAGE 2814, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay, Bayfront Community Redevelopment Agency, and Bayfront Community Redevelopment District has contracted to sell and convey the following described property to SPACE COAST MARINAS, LLC ("Purchaser") under a contract dated May 21, 2021:

All of that part of Lots 1, 2, 3 and 4, Block 2, Map No. 1, Town of Palm Bay as described in Plat Book 2, Page 3, Public Records of Brevard County, Florida, lying West of the Westerly right of way line of U.S. Highway No. 1, together with that part of the submerged bottom of Turkey Creek lying adjacent thereto, less and except that property described in Official Record Book 1172, Page 765, Public Records of Brevard County, Florida, being more particularly described as follows: Beginning at the Northwest corner of Lot 4, Block 2, Map No. 1, Town of Palm Bay, as recorded in Plat Book 2, Page 3, Public Records of Brevard County, Florida, run North 65 degrees 37 minutes East along the North line of said Lot 4, 20.00 feet to the West line of property described in Official Record Book 1172, Page 765, Public Records of Brevard County, Florida; thence South, 24 degrees 23 minutes East along said West line 80.00 feet to the South line of said property described in Official Records Book 1172, Page 765; thence North 65 degrees 37 minutes East along said South line 96.39 feet to the West right of way line of U.S. Highway No. 1 (State Road No. 5); thence Southeasterly along right of way line and along a curve concave to the East, said curve having a radius of 2392.01 feet, a central angle of one degree, 37 minutes, 38 seconds and a chord bearing of South 40 degrees 12 minutes, 11 seconds East an arc distance of 67.93 feet to the point of tangency of said curve; thence South 41 degrees, 01 minute, East along said West right of way line of U.S. Highway No. 1 581 feet more or less, to the thread of Turkey Creek; thence Southwesterly along said thread of Turkey Creek 303 feet, more or less, to the Southerly extension of the West line of the aforementioned Lot 4, Block 2; thence North 24 degrees, 23 seconds West along the West line of said Lot 4 and the Southerly extension thereof, 732 feet, more or less to the Point of Beginning.

LESS and except any portion of the above-described land which may lie within the boundaries of the Sovereignty Submerged Lands Lease recorded in Official Records Book 5909, Page 5217, Public Records of Brevard County, Florida.

Drainage Easement (Exhibit A)

Begin at the intersection of the south line of the property described in ORB 3520, PAGE 4947 and the west right of way of US Highway #1; Thence southeasterly along the west right of way line and along a curve concave to the east, said curve having a radius of 2392.01', a central angle of 1°37'38" and a chord bearing of S40°12'11"E, an arc distance of 67.93' to the point of tangency of said curve; Thence S41°01'00"E along said west right of way line of US Highway #1 a distance of 90.13'; Thence S27°17'47"E, 64.32'; Thence S62°42'13"W, 20.00'; Thence N27°17'47"W, 83.00'; Thence N41°01'00"W, 67.24' to the point of curvature of a curve concave to the east, said curve having a radius of 2407.01', a central angle of 1°43'22" and a chord bearing of N40°09'19"W, an arc distance of 72.37' to the south line of the property described in ORB 3520, PAGE 4947; thence N65°37'00"E along said south property line a distance of 15.53' to the point of beginning.

Containing 3705.90 square feet, more or less

Said property being more commonly known as 4220 Dixie Highway NE, Palm Bay, FL 32907.

Lots 5, 6 and 7, Block 2, Map No. 1, Town of Palm Bay, according to the plat thereof, as recorded in Plat Book 2, Page 3, Public Records of Brevard County, Florida.

Said property being more commonly known as 2920 Pospisil Ave. NE, Palm Bay, FL 32907.

Lots 8 through 11, inclusive, Block 2, Map No. 1, Town of Palm Bay, according to the plat thereof, as recorded in Plat Book 2, Page 3, Public Records of Brevard County, Florida, less and except the right-of-way for U.S. Highway No. 1.

Said property being more commonly known as 2932 Pospisil Ave. NE, Palm Bay, FL 32907, and

WHEREAS, the City has no plans to develop said Property described in Schedule A and that it has been determined to be unnecessary for public purposes, and

WHEREAS, the City has determined that the sale of said Properties is in the best interest of the Public, and

WHEREAS, the City has authorized its sale and authorized the City Manager to execute all necessary documents to convey the Property described in Schedule A to Space Coast Marinas, LLC, a Florida limited liability company, and

WHEREAS, the City releases any automatic reservation and right of entry in accordance with Florida Statute Section 270.11.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

Section 1. The City of Palm Bay has hereby determined that said properties are unnecessary for the City's public purposes.

Section 2. The City of Palm Bay has hereby determined that disposal of said properties, as they are described above, is in the best interest of the public.

Section 3. The City of Palm Bay hereby authorizes the conveyance of said properties to SPACE COAST MARINAS, LLC, by City Manager, Suzanne Sherman, pursuant to the applicable Florida Statutes.

Section 4. The City of Palm Bay specifically releases any automatic reservation and right of entry in accordance with Section 270.11, Florida Statutes.

Section 5. This Resolution shall take effect immediately upon its adoption.

This resolution was duly enacted at Meeting 2021- , of the City Council of the
City of Palm Bay, Brevard County, Florida, held on , 2021.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____