

RESOLUTION 2025-04

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, CONVEYING PROPERTY AS RECORDED IN PLAT BOOK 4537, PAGE 422, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay has contracted to convey the following described property to DIAZ TREASURES, LLC ("Purchaser") under a contract dated December 20, 2024:

A PORTION OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 29 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 5, TOWNSHIP 29 SOUTH, RANGE 36 EAST; THENCE RUN SOUTH 00°15'05" WEST ALONG THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MALABAR ROAD; THENCE SOUTH 89°58'51" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF MALABAR ROAD, A DISTANCE OF 571.24 FEET; THENCE SOUTH 00°15'05" WEST, A DISTANCE OF 46.00 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE SOUTH 00°15'05" WEST, A DISTANCE OF 465.24 FEET; THENCE SOUTH 89°58'51" WEST, A DISTANCE OF 259.55 FEET; THENCE NORTH 00°15'05" EAST, A DISTANCE OF 465.24 FEET; THENCE NORTH 89°58'51" EAST, A DISTANCE OF 259.55 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A 50-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE SOUTHERLY 50 FEET THEREOF;

AND

TOGETHER WITH A 50-FOOT-WIDE MALABAR ROAD ACCESS INGRESS/ EGRESS EASEMENT, CENTERED ON AN EXISTING DRIVEWAY, OVER THE SOUTH 46.00 FEET OF THE NORTH 79.00 FEET OF SECTION 5, TOWNSHIP 29 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA.

Brevard County Property Appraiser Tax Parcel Identification Number: 29-36-05-00-3.

WHEREAS, the City has no plans to develop said Property and that it is 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 to the Purchasers.

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 DIAZ TREASURES, LLC by Interim City Manager, Scott Morgan, 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 the enactment date.

This Resolution was duly passed and adopted at Meeting 2025-XX of the City Council of Palm Bay, Brevard County, Florida, held on _____, 2025.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____