

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, VACATING AND ABANDONING A PORTION OF THE ROAD RIGHTS-OF-WAY KNOWN AS VALDES AVENUE AND TALSIMAN AVENUE, LYING BETWEEN UNDERHILL AVENUE AND BABCOCK STREET, AND SOUTH OF FOUNDATION PARK BOULEVARD (PLATTED – JASLO STREET), AS RECORDED IN PORT MALABAR UNIT 15, PLAT BOOK 15, PAGES 72–79; AND UNAMED 25 FOOT ½ RIGHT-OF-WAY LYING BETWEEN UNDERHILL AVENUE AND BABCOCK STREET, AS RECORDED IN PORT MALABAR UNIT 56, PLAT BOOK 30, PAGES 60-67, BOTH OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Future Park Foundation Investments, LLC (MBV Engineering, Inc.), has requested the City of Palm Bay, Florida, to vacate a portion of the road rights-of-way known as Valdes Avenue SE and Talisman Avenue SE, lying between Underhill Avenue and Babcock Street SE, and South of Foundation Park Boulevard SE (Platted – Jaslo Street), which portions are legally described herein, and

WHEREAS, the City Council finds as follows: (I) the vacation of said road rights-of-way is consistent with the Transportation Element of the City's Comprehensive Plan, (II) the rights-of-way do not provide the sole access to any property with remaining access not being by easement, (III) the vacation does not jeopardize the current or future location of any utility, and (IV) the vacation is not detrimental to the public interest.

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

SECTION 1. Pursuant to Section 179.15 of the Land Development Code, the City of Palm Bay hereby vacates a portion of the road right-of-way known as Valdes Avenue SE, a 50-foot wide public right-of-way, not open, lying between Underhill Avenue and

Babcock Street SE, and South of Foundation Park Boulevard SE, as recorded in Port Malabar Unit 15, Plat Book 15, Pages 72-79, of the Public Records of Brevard County, Florida, being more particularly described as follows:

Begin at a Southeast corner of Lot 1, Block 702, of said Port Malabar Unit Fifteen, and run N 00°26'19" E, a distance of 100.01 feet to the Point of Curvature of a curve concave Southwesterly, having a radius of 25.00 feet and a central angle of 89°59'10"; thence Northwesterly along the arc a distance of 39.26 feet to a point on the South right-of-way line of Foundation Park Boulevard; thence S 89°32'51" E along said South right-of-way line, a distance of 100.00 feet to a point on a curve concave Southeasterly, have a radius of 25.00 feet, a central angle of 90°00'50", and a radial bearing of S 00°27'09" W; thence Southwesterly along the arc a distance of 39.28 feet to the Point of Tangency; thence S 00°26'19" W, a distance of 100.00 feet; thence N 89°32'51" W, a distance of 50.00 feet to the Point of Beginning. Containing 6,518 square feet or 0.15 acres, more or less.

SECTION 2. Pursuant to Section 179.015 of the Land Development Code, the City of Palm Bay hereby vacates a portion of the road right-of-way known as Talisman Avenue SE, a 50-foot wide public right-of-way, not open, lying between Underhill Avenue and Babcock Street SE, and South of Foundation Park Boulevard SE, as recorded in Port Malabar Unit 15, Plat Book 15, Pages 72-79, and Port Malabar Unit 56, according to the plat thereof, as recorded in Plat Book 30, Pages 60-67, inclusive of the Public Records of Brevard County, Florida, being more particularly described as follows:

Begin at a Southwest corner of Tract "C", of said Port Malabar Unit Fifty Six, and run N 89°32'51" W, a distance of 50.00 feet; thence N 00°26'56" E, a distance of 100.00 feet to the Point of Curvature of a curve concave Southwesterly, having a radius of 25.00 feet and a central angle of 89°59'47"; thence Northwesterly along the arc a distance of 39.27 feet to a point on the South right-of-way line of Foundation Park Boulevard; thence S 89°32'51" E along said South right-of-way line, a distance of 50.00 feet to the Point of Curvature of a curve concave Southerly, having a radius of 1,165.00 feet and a central angle of 2°30'50"; thence

Easterly along the arc, a distance of 51.11 feet to a point on a curve concave Southeasterly, having a radius of 25.00 feet, a central angle of 92°31'03", and radial bearing of S 2°57'59" W; thence Southwesterly along the arc, a distance of 40.37 feet to the Point of Tangency; thence S 00°26'56" W, a distance of 98.90 feet to the Point of Beginning. Containing 6,528 square feet or 0.15 acres, more or less.

Read in title only at Meeting 2025-XX, held on _____, 2025; and read in title only and duly enacted at Meeting 2025-XX, held on _____, 2025.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Applicant: Foundation Park Future Investments, LLC

Case: VRW-4-2024

cc: Brevard County Recording
Applicant
Case File