

By Senator Posey

24-1551-04

See HB

1 A bill to be entitled
2 An act relating to the City of Melbourne,
3 Brevard County; extending and enlarging the
4 corporate limits of the City of Melbourne to
5 include specified unincorporated lands within
6 said corporate limits; providing for the
7 transfer of certain roads; providing for the
8 application of municipal powers over the land
9 annexed; providing that the annexation shall
10 not abrogate certain contracts; providing an
11 effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. The present corporate limits of the City of
16 Melbourne, Brevard County, are hereby extended and enlarged so
17 as to include, in addition to the territory presently within
18 its corporate limits, the area particularly described as
19 follows: (Combined Legal for Annexation - Includes South
20 Intake Structure - County Park Excepted)

21
22 Commence at the center of Section 9, Township
23 27 South, Range 36 East, Brevard County,
24 Florida; thence run East along the South line
25 of the North 1/2 of said Section 9 for a
26 distance of 1,320 feet, more or less, to a
27 point, said point being the Northeast corner of
28 the Northwest quarter of the Southeast quarter
29 of said Section 9 and also being the Point of
30 Beginning; thence run South along the East line
31 of the Northwest quarter of the Southeast

1 quarter of Section 9 for a distance of 1,350
2 feet more or less to a point, said point lying
3 on the North right-of-way line of Lake
4 Washington Road (66' Right-of-Way); thence run
5 Northwesterly along the North right-of-way of
6 Lake Washington Road for a distance of 950 feet
7 more or less to a point, said point lying on
8 the North Right-of-Way of Lake Washington Road
9 perpendicular across from the intersection of
10 the South right-of-way of Lake Washington Road
11 and the West line of lands described in
12 Official Records Book 1430, Page 1001, Public
13 Records of Brevard County, Florida; thence run
14 Southwest perpendicular to the North
15 right-of-way line of Lake Washington Road for a
16 distance of 66 feet to a point on the South
17 right-of-way of Lake Washington Road, said
18 point being the intersection of the South
19 right-of-way of Lake Washington Road and the
20 East line of lands described in Official
21 Records Book 1430, Pg. 1001; thence run South
22 along said East property line for a distance of
23 1,617 feet more or less, to a point, said point
24 lying along the South line of Section 9,
25 Township 27 South, Range 36 East; thence run
26 West along the South line of Section 9 for a
27 distance of 2,200 feet more or less to a point,
28 said point being along the recognized Meander
29 line; thence continue along the South line of
30 said Section 9 for a distance of 200 feet more
31 or less to the Eastern shore of Lake

1 Washington; thence continue East along the
2 South line of Sections 9 and 8 for a distance
3 of 1,960 feet, more or less, to a point, said
4 point being the Southwest corner of the
5 Southeast quarter of the Southeast quarter of
6 Section 8, Township 27 South, Range 36 East;
7 thence run North along the West line of the
8 East 1/4 of Section 8 for a distance of 2,640
9 feet, more or less, to a point, said point
10 being the Northwest corner of the Northeast
11 quarter of the Southeast quarter of Section 8,
12 Township 27 South, Range 36 East; thence
13 continue North 300 feet more or less along the
14 West line of the Southeast quarter of the
15 Northeast quarter of said Section 8 to a point;
16 thence run East parallel to the South line of
17 the North 1/2 of Sections 8 and 9 for a
18 distance of 3,100 feet more or less to a point,
19 said point lying on the recognized Meander
20 line; thence continue East and parallel to the
21 South line of the North 1/2 of Section 9 for a
22 distance of 3,465 feet more or less to a point,
23 said point lying along the East line of Section
24 9, Township 27 South, Range 36 East; thence
25 continue East 300 feet North and parallel to
26 the South line of the North 1/2 of Section 10,
27 Township 27 South, Range 36 East for a distance
28 of 660 feet more or less to a point, said point
29 being the Northeast corner of lands described
30 in Official Records Book 760, Page 380, Public
31 Records of Brevard County, Florida; thence run

1 South parallel to the West line of said Section
2 10 for a distance of 660 feet more or less to a
3 point, said point being the Southeast corner of
4 lands described in Official Records Book 760,
5 Page 380, Public Records of Brevard County,
6 Florida; thence run West parallel to the South
7 line of the North 1/2 of Section 10 a distance
8 of 710 feet more or less to a point, said point
9 lying on the West Right-of-Way line of McGraw
10 Road (100' Right-of-Way); thence run North 50
11 feet West of and parallel to the East line of
12 Section 9, Township 27 South, Range 36 East for
13 a distance of 330 feet more or less to a point,
14 said point lying on the South line of the North
15 1/2 of Section 9, Township 27 South, Range 36
16 East; thence run West along the South line of
17 the North 1/2 of Section 9 for a distance of
18 1,270 feet more or less to a point, said point
19 being the Northeast corner of the Northwest
20 quarter of the Southeast quarter of Section 9,
21 Township 27 South, Range 36 East; said point
22 also being the Point of Beginning. Containing
23 343 acres, more or less.

24
25 LESS AND EXCEPT the following park property
26 owned by Brevard County, Florida: Commence and
27 Begin at the center of Section 9, Township 27
28 South, Range 37 East, Brevard County, Florida;
29 thence run South along the East line of the
30 Southwest quarter of Section 9 for a distance
31 of 815 feet, more or less, to a point, said

1 point lying along the North Right-of-Way of
2 Lake Washington Road (66 Right-of-Way);
3 thence continue South along said East line for
4 a distance of 66 feet to the South Right-of-Way
5 of Lake Washington Road; thence run West along
6 the south Right-of-Way of Lake Washington Road
7 for a distance of 1,327 feet, more or less, to
8 a point, said point being 67 feet West of the
9 East line of Lot 13, Block "A," Lake View
10 Estates Subdivision as recorded in Plat Book
11 11, Page 94, Public Records of Brevard County,
12 Florida; thence run South parallel to the East
13 line of said Lot 13 for a distance of 148.74
14 feet, more or less, to a point, said point
15 lying along the North property line of Lot 13,
16 Block "B," Lake View Estates as recorded in
17 Plat Book 11, Page 94, Public Records of
18 Brevard County, Florida; thence run West along
19 the North line of Lots 13 and 14, Block "B" for
20 a distance of 137 feet, more or less, to a
21 point, said point being the Northeast corner of
22 Lot 15, Block "B;" thence run North and East
23 along the eastern shore of Lake Washington for
24 a distance of 1,200 feet, more or less, to a
25 point, said point lying along the North line of
26 the South 1/2 of Section 9, Township 27 South,
27 Range 36 East; thence run East along said North
28 line of the South 1/2 for a distance of 1,350
29 feet, more or less, the a point, said point
30 being the center of Section 9, Township 27
31 South, Range 36 East, and the Point of

1 Beginning. Said parcel contains 29 acres, more
2 or less.

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4 Total acreage to be annexed -- 314 acres.

5 Section 2. All public roads and the public
6 rights-of-way associated therewith, lying within the limits of
7 the lands subject to annexation herein, as described in
8 section 1, are transferred from Brevard County jurisdiction to
9 the jurisdiction of the annexing municipality, except for
10 county collector roads and all roads within the state highway
11 system and any public rights-of-way associated therewith. All
12 rights, title, interests, and responsibilities for any
13 transferred roads, including, but not limited to, the
14 ownership, operation, maintenance, planning, design, and
15 construction of said roads and the rights-of-way associated
16 therewith, shall transfer from Brevard County jurisdiction and
17 ownership to the jurisdiction and ownership of the annexing
18 municipality upon the effective date of the annexation.

19 Section 3. On the effective date of this act, the City
20 of Melbourne shall be responsible for and embodied with all
21 municipal powers granted in chapter 166, Florida Statutes,
22 over territory hereby annexed.

23 Section 4. Nothing in this act shall be construed to
24 affect or abrogate the rights of parties to any contracts,
25 whether the same be between Brevard County and a third party
26 or between nongovernmental entities, which contracts are in
27 effect prior to the effective date of annexation.

28 Section 5. This act shall take effect July 1, 2004.
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