

By Senator Posey

24-1396-05

See HB 1335

1 A bill to be entitled
 2 An act relating to the City of Melbourne,
 3 Brevard County; providing for extending the
 4 corporate limits of the City of Melbourne;
 5 providing for annexation of two unincorporated
 6 areas known and described as Aurora Road Area A
 7 and Aurora Road Area B; providing for
 8 elections; providing for effective dates of
 9 annexation; providing for the effects of
 10 annexation; providing for transfer of public
 11 roads and rights-of-way; providing an effective
 12 date.

14 Be It Enacted by the Legislature of the State of Florida:

16 Section 1. Annexation of Aurora Road Area A.--
 17 (1) No later than June 30, 2007, the governing body of
 18 the City of Melbourne, after having considered the effects of
 19 annexation of Aurora Road Area A, as hereinafter described, on
 20 both the residents of the area and on the City of Melbourne,
 21 may inform the Brevard County Supervisor of Elections of its
 22 desire to hold an election to determine whether Aurora Road
 23 Area A shall be annexed into the City of Melbourne. A copy of
 24 the notice to the supervisor of elections shall also be sent
 25 to the Brevard County Legislative Delegation and Brevard
 26 County Board of County Commissioners. The election may be
 27 held, if at all, at any time prior to December 31, 2007. If
 28 the referendum shall fail to receive a majority vote of the
 29 registered electors voting, the city shall not be barred from
 30 holding another election at a later date, provided that such
 31 election shall be held no later than December 31, 2007.

1 (2) The City of Melbourne shall have the ultimate
2 responsibility for determining the election date and the
3 method of holding the election, provided that the method of
4 holding the election is consistent with general law, but no
5 date or method of holding an election shall be finally
6 determined until the City of Melbourne has coordinated with
7 the Brevard County Supervisor of Elections to determine that
8 the supervisor of elections is reasonably able to hold the
9 election on the date and in the method selected by the City of
10 Melbourne. The City of Melbourne is specifically authorized
11 but not obligated to hold the election as a mail ballot
12 election pursuant to the Mail Ballot Election Act, sections
13 101.6101-101.6107, Florida Statutes. Regardless of the method
14 by which the election is held, voters may vote by absentee
15 ballot as provided by law.

16 (3) Ballots or mechanical voting devices used in the
17 referendum on annexation shall offer the following form of
18 ballot substantially as follows:

19
20 ANNEXATION OF AURORA ROAD AREA A

21
22 Shall Aurora Road Area A be annexed into the City of
23 Melbourne?

24
25 For annexation of property described as Aurora Road Area A

26
27 Against annexation of property described as Aurora Road Area A

28
29 (4) On the day of the referendum on annexation, there
30 shall be prominently displayed at each polling place a copy of
31 this act, including a map clearly depicting the area to be

1 annexed. If the election is held by mail ballot or a voter
2 requests to vote by absentee ballot, a copy of this act and a
3 map clearly depicting the area to be annexed shall be
4 distributed to the voter together with the voter's ballot.

5 (5) Only registered voters residing in Aurora Road
6 Area A may vote in said election. The voters residing in
7 Aurora Road Area A, by majority vote of the voters
8 participating in the election, shall choose whether the area
9 is to be annexed into the City of Melbourne. If a majority of
10 those registered electors residing in the area to be annexed
11 and participating in said election shall vote for the
12 annexation of Aurora Road Area A into the City of Melbourne,
13 said annexation shall become effective 30 days after the
14 referendum.

15 (6) "Aurora Road Area A" is described as:
16 A series of parcels, lots, and rights-of-way located within
17 Township 27 South, Range 37 East, Section 18, Brevard County,
18 Florida, being more particularly described as follows:

19
20 Commence and Begin at the Northeast corner of
21 the Southeast quarter of said Section 18;
22 thence run South along the East line of the
23 Southeast quarter for a distance of 433 feet
24 more or less to a point, said point lying along
25 the East line of the Southeast quarter and also
26 lying within Croton Road right-of-way
27 (right-of-way Varies); thence run West
28 perpendicular to the East line of the Southeast
29 quarter for a distance of 30 feet more or less
30 to a point, said point being the Southeast
31 corner of lands described in Official Records

1 Book 1045, Page 0115, Public Records of Brevard
2 County, Florida; thence continue West along the
3 South lines of lands described in Official
4 Records Book 1045, Page 0115, Official Records
5 Book 1177, Page 0627, Official Records Book
6 4919, Page 2022, and Official Records Book
7 5361, Page 0173, all in Public Records of
8 Brevard County, Florida, for a distance of
9 567.59 feet more or less to a point, said point
10 being the Southwest corner of lands described
11 in Official Records Book 5361, Page 0173,
12 Public Records of Brevard County, Florida (also
13 known as "Spears Lane" (20 foot wide private
14 right-of-way)); thence run South along the East
15 lines of lands described in Official Records
16 Book 5361, Page 0173, and Official Records Book
17 5186, Page 1513, all in the Public Records of
18 Brevard County, Florida, for a distance of 227
19 feet more or less to a point, said point being
20 the Southeast corner of land described in
21 Official Records Book 5186, Page 1513, Public
22 Records of Brevard County, Florida; thence run
23 West along the South lines of land described in
24 Official Records Book 5186, Page 1513, Official
25 Records Book 4110, Page 1479, Official Records
26 Book 3416, Page 1829, Official Records Book
27 3590, Page 1744, Official Records Book 2308,
28 Page 1872, and Official Records Book 4431, Page
29 2081, all in the Public Records of Brevard
30 County, Florida, for a distance of 690 feet
31 more or less to a point, said point being the

1 intersection point of said South property line
2 and the northern property line of land
3 described in Official Records Book 1197, Page
4 0180, Public Records of Brevard County,
5 Florida; thence run Northwesterly along the
6 South lines of land described in Official
7 Records Book 4431, Page 2081 and Official
8 Records Book 3712, Page 3380, all in the Public
9 Records of Brevard County, Florida, for a
10 distance of 240 feet more or less to a point,
11 said point being the intersection of the South
12 line of land described in Official Records Book
13 3782, Page 3380, Public Records of Brevard
14 County, Florida, and the East property line of
15 land described in Official Records Book 5281,
16 Page 1522, Public Records of Brevard County,
17 Florida; thence run Southwest along the East
18 line of land described in Official Records Book
19 5281, Page 1522, Public Records of Brevard
20 County, Florida, for a distance of 122.4 feet
21 more or less to a point, said point being the
22 Southeast corner of lands described in Official
23 Records Book 5281, Page 1522, Public Records of
24 Brevard County, Florida, and also said point
25 being the Northeast corner of Lot 17, Block
26 "E", Leewood Forest Section 3 Subdivision, as
27 recorded in Plat Book 14, Page 38, Public
28 Records of Brevard County, Florida; thence run
29 West along the South lines of lands described
30 in Official Records Book 5281, Page 1522,
31 Official Records Book 3086, Page 0325, Official

1 Records Book 4373, Page 3482, Official Records
2 Book 4730, Page 0323, and Official Records Book
3 3558, Page 3455, all in the Public Records of
4 Brevard County, Florida, for a distance of
5 1,893 feet more or less to a point, said point
6 being the Southwest corner of land described in
7 official records book 3558, Page 3455; thence
8 run North along the West line of lands
9 described in Official Records Book 3558, Page
10 3455 and Official Records Book 3558, Page 3456,
11 all in the Public Records of Brevard County,
12 Florida, for a distance of 627 feet more or
13 less to a point, said point being the Northwest
14 corner of land described in Official Records
15 Book 3558, Page 3456, Public Records of Brevard
16 County, Florida; thence continue North for a
17 distance of 66 feet more or less to a point,
18 said point lying along the North right-of-way
19 line of Aurora Road (right-of-way varies);
20 thence run East along the North right-of-way
21 line of Aurora Road for a distance of 435 feet
22 more or less to a point, said point being the
23 Southeast corner of lands described in Official
24 Records Book 3879, Page 3477, Public Records of
25 Brevard County, Florida; thence run North along
26 the East line of land described in Official
27 Records Book 3879, Page 3477, Public Records of
28 Brevard County, Florida, for a distance of 17
29 feet more or less to a point, said point being
30 the Southwest corner of land described in
31 Official Records Book 2989, Page 4422, Public

1 Records of Brevard County, Florida; thence run
2 East along the South line of land described in
3 Official Records Book 2989, Page 4422, Public
4 Records of Brevard County, Florida, for a
5 distance of 290 feet more or less to a point,
6 said point being the Southeast corner of land
7 described in Official Records Book 2989, Page
8 4422, Public Records of Brevard County,
9 Florida, and also said point being the
10 intersection of the North right-of-way of
11 Aurora Road (right-of-way varies) and the West
12 right-of-way of Lansing Street (100 foot wide
13 right-of-way); thence continue East along the
14 North right-of-way line of Aurora Road for a
15 distance of 200 feet more or less to a point,
16 said point being the Southwest corner of Lot 2,
17 Wilson Gardens Subdivision as recorded in Plat
18 Book 10, Page 33, Public Records of Brevard
19 County, Florida; thence run North along the
20 West line of said Lot 2 for a distance of 330
21 feet more or less to a point, said point being
22 the Northwest corner of said Lot 2; thence run
23 West along the South line of Lot 12, Wilson
24 Gardens Subdivision for a distance of 100 feet
25 more or less to a point, said point being the
26 Southwest corner of said Lot 12 and also being
27 the East right-of-way of Lansing Street (100
28 foot wide right-of-way); thence run North along
29 the East right-of-way of Lansing Street for a
30 distance of 160 feet more or less to a point,
31 said point being the Northwest corner of lands

1 described in Official Records Book 0985, Page
2 0092, Public Records of Brevard County,
3 Florida; thence run East parallel to and North
4 of the North line of Lot 12, Wilson Gardens
5 Subdivision for a distance of 210 feet more or
6 less to a point; thence run South parallel to
7 and West of the East line of said Lot 12 for a
8 distance of 120 feet more or less to a point;
9 thence run East Parallel to and North of the
10 North lines of Lots 3 and 4, Wilson Gardens
11 Subdivision for a distance of 200 feet more or
12 less to a point, said point lying along the
13 East line of Lot 11, Wilson Gardens
14 Subdivision; thence run South along the East
15 lines of Lots 11 and 4, Wilson Gardens
16 Subdivision for a distance of 350 feet more or
17 less to a point, said point being the Southeast
18 corner of Lot 4, Wilson Gardens Subdivision and
19 also lying along the North right-of-way of
20 Aurora Road (right-of-way varies) and also said
21 point being the Southwest corner of Lot 7,
22 Block "A", Replat of Wilson Gardens as recorded
23 in Plat Book 11, Page 35, Public Records of
24 Brevard County, Florida; thence run North along
25 the East line of said Lot 7, Block "A" for a
26 distance of 150 feet more or less to a point,
27 said point being the Northeast corner of Lot 7;
28 thence run East across Helen Street
29 right-of-way (50 foot wide right-of-way) and
30 the North line of Lot 7, Block "B", Replat of
31 Wilson Gardens Subdivision for a distance of

1 182.47 feet more or less to a point, said point
2 being the Northeast corner of said Lot 7, Block
3 "B"; thence run North along the East lines of
4 Lots 6 and 5, Block "B", for a distance of 100
5 feet more or less to a point, said point being
6 the Northwest corner of Lot 8, Alton Thomas
7 Acres Subdivision as recorded in Plat Book 11,
8 Page 57, Public Records of Brevard County,
9 Florida; thence run East along the North lines
10 of Lots 8, 9, 10, Johnson Drive right-of-way
11 (66 foot wide right-of-way), Lots 30, 31, and
12 32 of Alton Thomas Acres Subdivision for a
13 distance of 746.00 feet more or less to a
14 point, said point being the Northeast corner of
15 Lot 32, Alton Thomas Acres Subdivision; thence
16 run North along the East line of Lot 29, Alton
17 Thomas Acres Subdivision for a distance of 40.8
18 feet more or less to a point, said point being
19 the Northwest corner of land described in
20 Official Records Book 5241, Page 3626, Public
21 Records of Brevard County, Florida; thence run
22 East along the North line of land described in
23 Official Records Book 5241, Page 3626, Public
24 Records of Brevard County, Florida, and also
25 East along the North line of Lot 20, Griffies
26 Subdivision No. 2 as recorded in Plat Book 16,
27 Page 116, Public Records of Brevard County,
28 Florida, for a distance of 163.5 feet more or
29 less to a point, said point being the Northeast
30 corner of said Lot 20, Griffies Subdivision No.
31 2; thence continue East for a distance of 50

1 feet more or less to a point, said point lying
2 along the East right-of-way of Linda Lane (50
3 foot wide right-of-way); thence run South along
4 the East right-of-way line of Linda Lane for a
5 distance of 150 feet more or less to a point,
6 said point being the Northwest corner of Lot
7 16, Griffies Subdivision as recorded in Plat
8 Book 13, Page 94, Public Records of Brevard
9 County, Florida; thence run East along the
10 North line of said Lot 16 for a distance of 110
11 feet more or less to a point, said point being
12 the Northeast corner of Lot 16, Griffies
13 subdivision; thence run South along the East
14 lines of Lots 16, 17, and into Aurora Road
15 right-of-way for a distance of 190.80 feet more
16 or less to a point, said point lying along the
17 North line of the Southeast quarter of Section
18 18, Township 27 South, Range 37 East; thence
19 run East along the said North line of the
20 Southeast quarter for a distance of 180 feet
21 more or less to a point, said point being the
22 intersection of the North line of the Southeast
23 quarter and the Northerly extension of the East
24 right-of-way line of Bowers Road (25 foot wide
25 right-of-way); thence run South along the
26 Northerly projection of said East right-of-way
27 for a distance of 173 feet more or less to a
28 point, said point being the Northwest corner of
29 land described in Official Records Book 4855,
30 Page 3004, Public Records of Brevard County,
31 Florida; thence run East along the North line

1 of land described in said Official Records Book
2 4855, Page 3004 for a distance of 97.5 feet
3 more or less to a point, said point being the
4 Northeast corner of said Official Records Book
5 4855, Page 3004, Public Records of Brevard
6 County, Florida; thence continue East for a
7 distance of 20 feet more or less to a point,
8 said point being on the Western line of land
9 described in Official Records Book 5343, Page
10 0635, Public Records of Brevard County,
11 Florida; thence run North along the West line
12 of said Official Records Book 5343, Page 0635,
13 Public Records of Brevard County, Florida, and
14 also the West line of lands described in
15 Official Records Book 5343, Page 0635, Public
16 Records of Brevard County, Florida, for a
17 distance of 140 feet more or less to a point,
18 said point being the Northwest corner of lands
19 described in Official Records Book 5343, Page
20 0635, Public Records of Brevard County,
21 Florida, and also said point lying along the
22 South right-of-way line of Aurora Road
23 (right-of-way varies); thence continue North
24 for a distance of 33 feet more or less to a
25 point, said point lying along the North line of
26 the Southeast quarter of Section 18, Township
27 27 South, Range 37 East; thence run East along
28 the North line of said Southeast quarter for a
29 distance of 576 feet more or less to a point,
30 said point being the Northeast corner of the
31 Southeast quarter of said Section 18 and the

1 Point-of-Beginning. Containing 52.67 acres +/-
2 of land and 6.59 acres +/- of right-of-way for
3 a total of 59.26 acres +/-.

4 (7) Upon annexation into the City of Melbourne, Aurora
5 Road Area A shall be subject to the provisions of section
6 171.062, Florida Statutes. Nothing in this act shall be
7 construed to affect or abrogate the rights of parties to any
8 contracts, whether the same be between Brevard County and a
9 third party or between nongovernmental entities, which
10 contracts are in effect prior to the effective date of the
11 annexation and affect all or portions of the area to be
12 annexed.

13 (8) Subsequent to the effective date of the
14 annexation, any resident in the area to be annexed by this
15 section into the City of Melbourne shall be deemed to have met
16 any residency requirements for candidacy for municipal office.

17 (9) All public roads and the public rights-of-way
18 associated therewith, on the Brevard County Road System, lying
19 within the limits of the lands subject to annexation herein,
20 as described in subsection (6), are transferred from Brevard
21 County jurisdiction to the jurisdiction of the City of
22 Melbourne after approval of the annexation, except for those
23 portions of Aurora Road and Croton Road and their respective
24 rights-of-way, lying within the limits of the annexation area.
25 All rights, title, interests, and responsibilities for any
26 transferred roads, including, but not limited to, the
27 ownership, operation, maintenance, planning, design, and
28 construction of said roads, and to the rights-of-way
29 associated therewith, shall transfer from Brevard County
30 jurisdiction and ownership to the jurisdiction and ownership
31

1 of the City of Melbourne upon the effective date of the
2 annexation.

3 Section 2. Annexation of Aurora Road Area B.--

4 (1) No later than June 30, 2007, the governing body of
5 the City of Melbourne, after having considered the effects of
6 annexation of Aurora Road Area B on both the residents of the
7 area and on the City of Melbourne, may inform the Brevard
8 County Supervisor of Elections of its desire to hold an
9 election to determine whether Aurora Road Area B shall be
10 annexed into the City of Melbourne. A copy of the notice to
11 the supervisor of elections shall also be sent to the Brevard
12 County Legislative Delegation and Brevard County Board of
13 County Commissioners. The election may be held, if at all, at
14 any time prior to December 31, 2007. If the referendum shall
15 fail to receive a majority vote of the registered electors
16 voting, the city shall not be barred from holding another
17 election at a later date, provided that such election shall be
18 held no later than December 31, 2007.

19 (2) The City of Melbourne shall have the ultimate
20 responsibility for determining the election date and the
21 method of holding the election, provided that the method of
22 holding the election is consistent with general law, but no
23 date or method of holding an election shall be finally
24 determined until the City of Melbourne has coordinated with
25 the Brevard County Supervisor of Elections to determine that
26 the supervisor of elections is reasonably able to hold the
27 election on the date and in the method selected by the City of
28 Melbourne. The City of Melbourne is specifically authorized
29 but not obligated to hold the election as a mail ballot
30 election pursuant to the Mail Ballot Election Act, sections
31 101.6101-101.6107, Florida Statutes. Regardless of the method

1 by which the election is held, voters may vote by absentee
2 ballot as provided by law.

3 (3) Ballots or mechanical voting devices used in the
4 referendum on annexation shall offer the following form of
5 ballot substantially as follows:

6
7 ANNEXATION OF AURORA ROAD AREA B

8
9 Shall Aurora Road Area B be annexed into the City of
10 Melbourne?

11
12 For annexation of property described as Aurora Road Area B

13
14 Against annexation of property described as Aurora Road Area B

15
16 (4) On the day of the referendum on annexation, there
17 shall be prominently displayed at each polling place a copy of
18 this act, including a map clearly depicting the area to be
19 annexed. If the election is held by mail ballot or a voter
20 requests to vote by absentee ballot, a copy of this act and a
21 map clearly depicting the area to be annexed shall be
22 distributed to the voter together with the voter's ballot.

23 (5) Only registered voters residing in Aurora Road
24 Area B may vote in said election. The voters residing in
25 Aurora Road Area B, by majority vote of the voters
26 participating in the election, shall choose whether the area
27 is to be annexed into the City of Melbourne. If a majority of
28 those registered electors residing in the area to be annexed
29 and participating in said election shall vote for the
30 annexation of Aurora Road Area B into the City of Melbourne,

31

1 said annexation shall become effective 30 days after the
2 referendum.

3 (6) "Aurora Road Area B" is described as:

4 A series of parcels, lots, and rights-of-way located within
5 Township 27 South, Range 37 East, Section 18, Brevard County,
6 Florida, being more particularly described as follows:

7
8 Commence and begin at the Southwest corner of
9 Lot 1, Block "X", Leewood Forest Section Seven
10 Subdivision as recorded in Plat Book 18, Page
11 73, Public Records of Brevard County, Florida,
12 said corner also lying along the North
13 right-of-way line of Kingston Lane (50 foot
14 wide right-of-way); thence run West along the
15 North right-of-way of Kingston Lane for a
16 distance of 636.96 feet more or less to a
17 point, said point being the intersection of the
18 North right-of-way line of Kingston Lane and
19 the East right-of-way line of Wickham Road
20 (right-of-way varies); thence run North along
21 said East right-of-way line for a distance of
22 11 feet more or less to a point, said point
23 being the Southwest corner of Lot 10, Blake
24 Plat No. 6 Subdivision, as recorded in Plat
25 Book 9, Page 29, Public Records of Brevard
26 County, Florida; thence run East along the
27 South lines of Lots 10, 9, 8, 7, 6, and 5 of
28 said Blake Plat No. 6 for a distance of 382.65
29 feet more or less to a point, said point being
30 the Southeast corner of Lot 5, Blake Plat No. 6
31 Subdivision; thence run North along the East

1 line of said Lot 5 for a distance of 683 feet
2 more or less to a point, said point being the
3 Northeast corner of the aforementioned Lot 5
4 and also said point lying along the South
5 right-of-way line of Aurora Road (right-of-way
6 Varies); thence continue North for a distance
7 of 33 feet more or less to a point, said point
8 being along the North line of the Southwest
9 corner of Section 18, Township 27 South, Range
10 37 East; thence run East along said North line
11 of the Southwest quarter for a distance of 575
12 feet more or less to a point, said point being
13 the intersection of the North line of the
14 Southwest quarter of Section 18 and the
15 Southerly extension of the West property line
16 of lands described in Official Records Book
17 4588, Page 2356, Public Records of Brevard
18 County, Florida; thence run North along said
19 extension for a distance of 33 feet more or
20 less to a point, said point being along the
21 North right-of-way of Aurora Road (right-of-way
22 varies) and also being the Southwest corner of
23 lands described in Official Records Book 4588,
24 Page 2356, Public Records of Brevard County,
25 Florida; thence run North along the West line
26 of land described in Official Records Book
27 4588, Page 2356, Public Records of Brevard
28 County, Florida, for a distance of 125.92 feet
29 more or less to a point, said point being the
30 Northwest corner of said Official Records Book
31 4588, Page 2356, Public Records of Brevard

1 County, Florida; thence run East along the
2 North lines of land described in Official
3 Records Book 4588, Page 2356 and Official
4 Records Book 4732, Page 3505, all in the Public
5 Records of Brevard County, Florida, for a
6 distance of 100 feet more or less to a point,
7 said point being the Southwest corner of Lot 5,
8 Vickers Subdivision as recorded in Plat Book
9 11, Page 67, Public Records of Brevard County,
10 Florida; thence run North along the West lines
11 of Lots 5, 4, and 3, Vickers Subdivision for a
12 distance of 225 feet more or less to a point,
13 said point lying along the West line of said
14 Lot 3; thence run East parallel to and 25 feet
15 South of the North line of Lot 3 for a distance
16 of 92 feet more or less to a point, said point
17 lying along the West right-of-way line of
18 Vickers Drive (66 foot wide right-of-way);
19 thence run North along said Right-of-Way for a
20 distance of 50 feet more or less to a point
21 along the West right-of-way of Vickers Drive;
22 thence run West parallel to and 25 feet South
23 of the North line of said Lot 3 for a distance
24 of 92 feet more or less to a point, said point
25 being along the West line of Lot 3, Vickers
26 Subdivision; thence run North along the West
27 line of Lots 3, 2, and 1 of Vickers Subdivision
28 for a distance of 225 feet more or less to the
29 Northwest corner of Lot 1, Vickers Subdivision;
30 thence run East along the North lines of Lot 1,
31 Vickers Drive right-of-way, Lot 12 of Vickers

1 Subdivision, and lands described in Official
2 Records Book 4827, Page 1993, and Official
3 Records Book 4952, Page 0253, all in the Public
4 Records of Brevard County, Florida, for a
5 distance of 910 feet more or less to a point,
6 said point being the Northeast corner of land
7 described in Official Records Book 4952, Page
8 0253, Public Records of Brevard County,
9 Florida; thence run South along the East lines
10 of Lands described in Official Records Book
11 4952, Page 0253 and Official Records Book 1861,
12 Page 0370, all in the Public Records of Brevard
13 County, Florida, for a distance of 380 feet
14 more or less to a point, said point being the
15 Southeast corner of lands described in Official
16 Records Book 1861, Page 0370, Public Records of
17 Brevard County, Florida; thence run West along
18 the South line of said Official Records Book
19 1861, Page 0370, Public Records of Brevard
20 County, Florida, for a distance of 70 feet more
21 or less to a point, said point being the
22 Southwest corner or lands described in Official
23 Records Book 1861, Page 0370, Public Records of
24 Brevard County, Florida; thence run South along
25 the East line of lands described in Official
26 Records Book 4952, Page 0253, Public Records of
27 Brevard County, Florida, for a distance of 230
28 feet more or less to a point, said point being
29 the Southeast corner of said Official Records
30 Book 4952 Page 0253, Public Records of Brevard
31 County, Florida, and also said point lying

1 along the North right-of-way line of Aurora
2 Road (right-of-way varies); thence continue
3 South for a distance of 66 feet more or less to
4 the South right-of-way of line of Aurora Road;
5 thence run West along the South right-of-way of
6 line of Aurora Road for a distance of 175 feet
7 more or less to a point, said point being the
8 Northeast corner of land described in Official
9 Records Book 3125, Page 1373 Public Record of
10 Brevard County, Florida; thence run South along
11 the East line of said Official Records Book
12 3125, Page 1373, Public Records of Brevard
13 County, Florida, for a distance of 627 feet
14 more or less to a point, said point being the
15 Southeast corner of lands described in Official
16 Records Book 3125, Page 1373, Public Records of
17 Brevard County, Florida, and also lying along
18 the North line of Leewood Forest Section 6
19 Subdivision as recorded in Plat Book 17, Page
20 58, Public Records of Brevard County, Florida;
21 thence run West along the North lines of
22 Leewood Forest Section 6 Subdivision and the
23 Replat of a Portion of Leewood Forest Section 6
24 Subdivision as recorded in Plat Book 18, Page
25 8, Public Records of Brevard County, Florida,
26 for a distance of 389 feet more or less to a
27 point, said point being the Northwest corner of
28 Lot 2, Replat of a Portion of Leewood Forest
29 Section 6 Subdivision; thence run South along
30 the West line of said Lot 2 for a distance of
31 100.47 feet more or less to a point, said point

1 being the Southwest corner of said Lot 2 and
2 also lying along the North right-of-way line of
3 Lorna Drive (50 foot wide right-of-way); thence
4 run West along the North right-of-way line of
5 Lorna Drive for a distance of 25.34 feet more
6 or less to a point, said point being the
7 Southeast corner of Lot 15, Block "X", Leewood
8 Forest Section Seven Subdivision as recorded in
9 Plat Book 18, Page 73, Public Records of
10 Brevard County, Florida; thence run North along
11 the East lines of Lots 15, 14, and a 50 foot
12 wide drainage easement for a distance of 258.59
13 feet more or less to a point, said point being
14 the Northeast corner of said Leewood Forest
15 Section Seven Subdivision; thence run Westerly
16 along the North line of Leewood Forest Section
17 Seven Subdivision for a distance of 670.23 feet
18 more or less to a point, said point being the
19 Northwest corner of Leewood Forest Section
20 Seven Subdivision; thence run South along the
21 West lines of a 50 foot wide drainage easement
22 and Lot 1, Block "X", Leewood Forest Section
23 Seven Subdivision for a distance of 161.42 feet
24 more or less to a point, said point being the
25 Southwest corner of Lot 1, Block "X", Leewood
26 Forest Section Seven Subdivision and the
27 Point-of-Beginning. Containing 27.86 acres +/-
28 of land and 4.55 acres +/- of right-of-way for
29 a total of 32.41 acres +/-.

30 (7) Upon annexation into the City of Melbourne, Aurora
31 Road Area B shall be subject to the provisions of section

1 171.062, Florida Statutes. Nothing in this act shall be
2 construed to affect or abrogate the rights of parties to any
3 contracts, whether the same be between Brevard County and a
4 third party or between nongovernmental entities, which
5 contracts are in effect prior to the effective date of the
6 annexation and affect all or portions of the area to be
7 annexed.

8 (8) Subsequent to the effective date of the
9 annexation, any resident in the area to be annexed by this
10 section into the City of Melbourne shall be deemed to have met
11 any residency requirements for candidacy for municipal office.

12 (9) All public roads and the public rights-of-way
13 associated therewith, on the Brevard County Road System, lying
14 within the limits of the lands subject to annexation herein,
15 as described in subsection (6), are transferred from Brevard
16 County jurisdiction to the jurisdiction of the City of
17 Melbourne after approval of the annexation, except for those
18 portions of Aurora Road and its right-of-way, lying within the
19 limits of the annexation area. All rights, title, interests,
20 and responsibilities for any transferred roads, including, but
21 not limited to, the ownership, operation, maintenance,
22 planning, design, and construction of said roads, and to the
23 rights-of-way associated therewith, shall transfer from
24 Brevard County jurisdiction and ownership to the jurisdiction
25 and ownership of the City of Melbourne upon the effective date
26 of the annexation.

27 Section 3. This act shall take effect upon becoming a
28 law.
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30
31