

HB 817

2014

1 A bill to be entitled
2 An act relating to the City of Cocoa, Brevard County;
3 providing for the municipal annexation of the
4 Pinecrest Cemetery and Evergreen Memorial Park;
5 providing boundaries; providing an effective date.

6
7 WHEREAS, Pinecrest Cemetery and Evergreen Memorial Park are
8 situated in unincorporated Brevard County contiguous to the
9 existing boundaries of the City of Cocoa, and

10 WHEREAS, the City of Cocoa has determined that the
11 cemeteries have historical significance to the city due to their
12 age and the fact that several Cocoa dignitaries have been laid
13 to rest within the cemeteries, including former City of Cocoa
14 elected officials and Emory L. Bennett, a Congressional Medal of
15 Honor recipient of the Korean War, and

16 WHEREAS, the City of Cocoa has also determined that the
17 owners of the cemeteries are unascertainable and the cemeteries
18 appear to be abandoned and in need of regular maintenance and
19 security to not only honor those who have been laid to rest
20 within the cemeteries but also to prevent a public nuisance, and

21 WHEREAS, because of the historical significance and
22 unascertainable ownership of the cemeteries, the City of Cocoa
23 has petitioned, pursuant to City Council Resolution No. 2013-
24 119, that the Legislature annex the cemeteries into the
25 municipal limits of the city so the city can exercise the
26 authority pursuant to s. 497.284, Florida Statutes, which

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27 | permits cities to maintain and secure abandoned and unreasonably
 28 | maintained cemeteries located within their territorial limits,
 29 | NOW, THEREFORE,

31 | Be It Enacted by the Legislature of the State of Florida:

33 | Section 1. The legal descriptions of the Pinecrest
 34 | Cemetery and Evergreen Memorial Park are as follows:

35 | PARCEL 1 (Pinecrest Cemetery):
 36 | PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF
 37 | SECTION 30, TOWNSHIP 24 SOUTH, RANGE 36 EAST, CITY OF
 38 | COCOA, BREVARD COUNTY, FLORIDA: BEGIN ON THE EAST LINE
 39 | OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION
 40 | 30, TOWNSHIP 24 SOUTH, RANGE 36 EAST AT A POINT WHICH
 41 | IS 290.00 FEET NORTH OF THE SOUTHEAST CORNER THEREOF;
 42 | THENCE DUE WEST 660.00 FEET TO A POINT; THENCE DUE
 43 | NORTH 400.00 FEET TO A POINT; THENCE DUE EAST 660.00
 44 | FEET TO A POINT ON SAID EAST LINE OF SAID SOUTHEAST
 45 | 1/4 OF THE NORTHEAST 1/4 OF SECTION 30; THENCE DUE
 46 | SOUTH ALONG SAID EAST LINE OF SAID SOUTHEAST 1/4 OF
 47 | THE NORTHEAST 1/4 OF SECTION 30, 400.00 FEET TO THE
 48 | POINT OF BEGINNING. LESS AND EXCEPT LAND DESCRIBED IN
 49 | OFFICIAL RECORDS BOOK 421, PAGE 589 AND OFFICIAL
 50 | RECORDS BOOK 2038, PAGE 543, OF THE PUBLIC RECORDS OF
 51 | BREVARD COUNTY, FLORIDA.

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53 TOGETHER WITH:

54 PARCEL 2 (Evergreen Memorial Park):

55 THE SOUTH FIFTEEN (15) ACRES OF THE SOUTH THIRTY (30)
56 ACRES OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF
57 SECTION 29, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD
58 COUNTY, FLORIDA. LESS AND EXCEPT LAND RECORDED IN DEED
59 BOOK 265, PAGE 564 AND DEED BOOK 351, PAGES 547 AND
60 549, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

61 Section 2. The real property described in section 1 shall
62 be annexed to and shall be deemed a part of the City of Cocoa
63 upon this act becoming a law. On that date, the property shall
64 be subject to the municipal jurisdiction and laws of the City of
65 Cocoa. The city shall be embodied with all municipal powers and
66 authority over the property as provided by law.

67 Section 3. This act shall take effect upon becoming a law.