

RESOLUTION 01-2023

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE VACATE OF ONE FIFTY (50) FOOT-WIDE UNIMPROVED PLATTED RIGHT-OF-WAY THAT RUNS APPROXIMATELY FOUR HUNDRED AND SEVENTY-FIVE (475) FEET BETWEEN PARCELS 29-37-11-75-18-3, 29-37-11-75-24, AND 29-37-11-75-17-1 IN SECTION "E" MORE SPECIFICALLY KNOWN AS GINSENG STREET AS DESCRIBED HEREIN; AUTHORIZING THE TOWN CLERK TO RUN A LEGAL ADVERTISEMENT OF THIS ADOPTED RESOLUTION; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Malabar Town Council has received a request to vacate a rights-of-way within the Melbourne Heights Subdivision in Section "E" in Section 11 of the southern portion of Malabar, west of Corey Road; and

WHEREAS, Malabar Town Council has previously granted right-of-way vacates in this area after public hearings and a determination that no public purpose is served by maintaining them.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, that:

Section 1. The Town Council of Malabar, Brevard County, Florida, hereby declares the above recitals are true and correct.

Section 2. The Town Council of Malabar, Brevard County, Florida, hereby provides further details of the vacates approved in this Resolution and depicted on the attached **Exhibit "A"**:

- a 50-foot by 475-foot right-of-way known as Ginseng Street that between Moss Rose Ave and Delaware Ave, with parcel 29-37-11-75-18-3 gaining a 25-foot by 475-foot portion, parcel 29-37-11-75-24 gaining a 25-foot by 237.5-foot portion, and parcel 29-37-11-17-1 gaining a 25-foot by 237.5-foot portion.

Section 3. The Town Council of Malabar, Brevard County, Florida, hereby authorizes and directs the Town Clerk to record this resolution, run the legal ad as required by the code and forward to the Brevard County Property Appraiser's Office.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 5. This resolution shall take effect immediately upon adoption.

This Resolution was moved for adoption by Council Member Vail and a second by Council Member Hofmeister and the vote was as follows:

Council Member Marisa Acquaviva	<u>Excused</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Jim Clevenger	<u>Aye</u>

CFN 2023025808, OR BK 9713 PAGE 2088,
Recorded 02/08/2023 at 03:32 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:3

Council Member David Scardino

Aye

Council Member Mary Hofmeister

Aye


This Resolution was then declared to be duly passed and adopted this 9th day of January 2023.

TOWN OF MALABAR

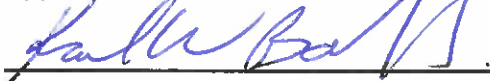
By: 
David Scardino, Council Vice-Chair



ATTEST:


Richard Kohler,
Town Clerk

Approved as to form and content:


Karl W. Bohne, Jr., Town Attorney

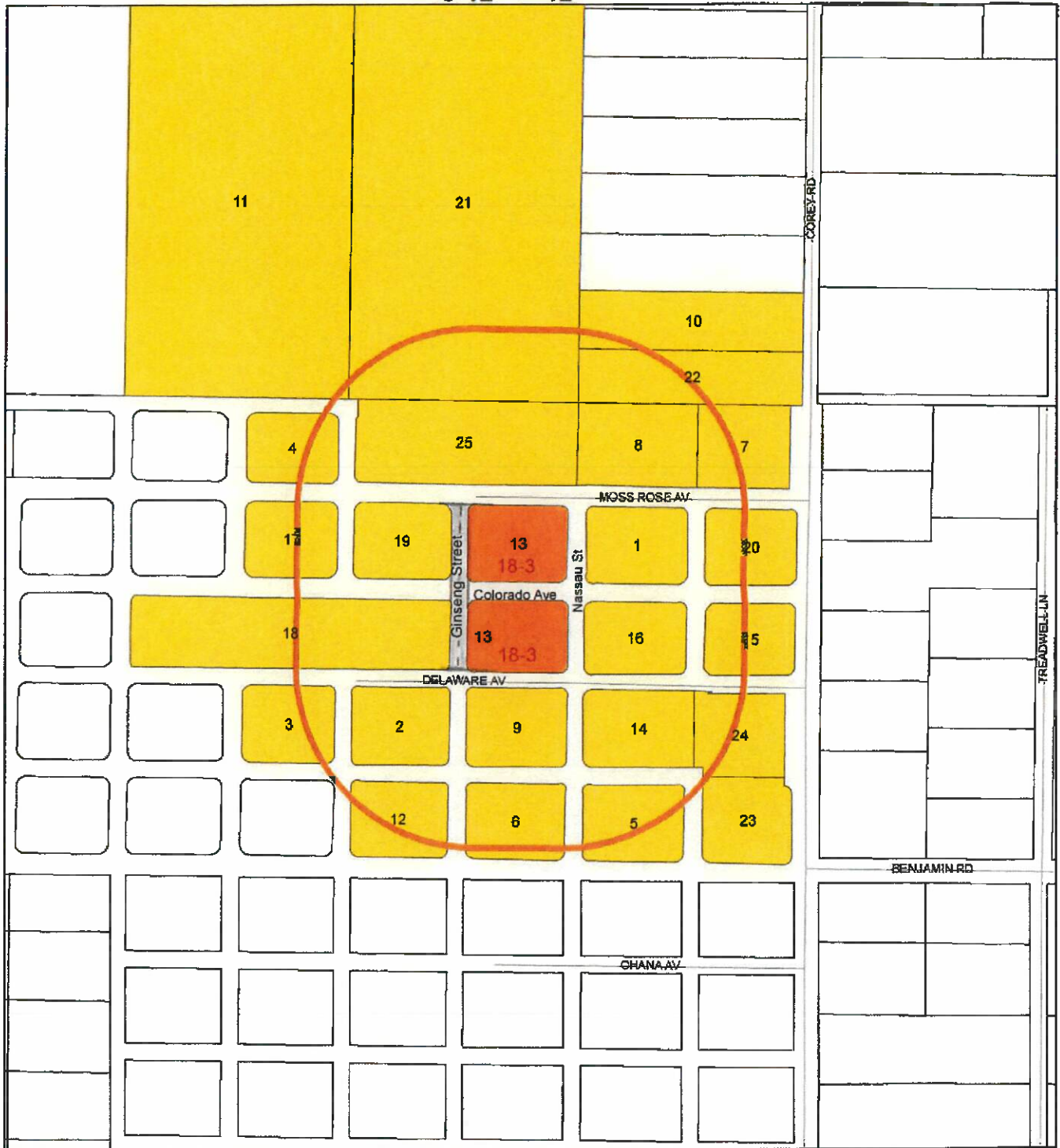
Attach Exhibit "A"

Resolution 01-2023 Exhibit A

RADIUS MAP

MASSEY, GREGORY Y

Gregory_Massey_2960909



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/31/2022

- Buffer
- Subject Property
- Notify Property
- Parcels