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RESOLUTION 06-2023

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE VACATE OF THREE FIFTY (50) FOOT-WIDE UNIMPROVED PLATTED RIGHT-OF-WAYS AND ONE FIFTY-FIVE (55) FOOT-WIDE UNIMPROVED PLATTED RIGHT-OF-WAY ABUTTING PARCELS 29-37-11-75-24, 29-37-11-75-15-1, 29-37-11-75-16-1, 29-37-11-75-17-1, 29-37-11-75-27-1, AND 29-37-11-75-14-1 IN SECTION "E" MORE SPECIFICALLY KNOWN AS CORIANDER STREET, FEVEROOT STREET, COLORADO AVE AND CHERVIL 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 213.81-foot right-of-way known as Coriander Street between Moss Rose Ave and Delaware Ave, with parcel 29-37-11-75-15-1 gaining a 25-foot by 213.81-foot portion, parcel 29-37-11-75-16-1 gaining a 25-foot by 213.81-foot portion.
- a 50-foot by 213.87-foot right-of-way known as Feveroot Street between Moss Rose Ave and Delaware Ave, with parcel 29-37-11-75-16-1 gaining a 25-foot by 213.87-foot portion, parcel 29-37-11-75-17-1 gaining a 25-foot by 213.87-foot portion.
- A 55-foot by 987.17-foot right-of-way known as Colorado Ave between Ginseng Street and Chervil Street, with parcel 29-37-11-75-24 gaining a 30-foot by 987.17-foot portion, parcel 29-37-11-75-15-1 gaining a 25-foot by 329.25-foot portion, parcel 29-37-11-75-16-1 gaining a 25-foot by 329.43-foot portion, and parcel 29-37-11-75-17-1 gaining a 25-foot by 328.49-foot portion.
- A 50-foot by 477.61-foot right-of-way known as Chervil Street between Moss Rose Ave and Delaware Ave, with parcel 29-37-11-75-15-1 gaining a 25-foot by 238.75-foot portion, parcel 29-37-11-75-24 gaining a 25-foot by 238.76-foot portion, parcel 29-37-11-75-27-1 gaining a 25-foot by 238.76-foot portion, and parcel 29-37-11-75-14-1 gaining a 25-foot by 283.75-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 Acquaviva and a second by Council Member Scardino and the vote was as follows:

Council Member Marisa Acquaviva	<u>Aye</u>
Council Member Brian Vail	<u>Excused</u>
Council Member Jim Clevenger	<u>Aye</u>
Council Member David Scardino	<u>Aye</u>
Council Member Mary Hofmeister	<u>Aye</u>

This Resolution was then declared to be duly passed and adopted this 5th day of June 2023.

TOWN OF MALABAR

(seal)



By: Patrick T. Reilly
Mayor Patrick T. Reilly, Council Chair

ATTEST:

Richard Kohler

Richard Kohler,
Town Clerk

Approved as to form and content:

Karl W. Bohne, Jr.

Karl W. Bohne, Jr., Town Attorney

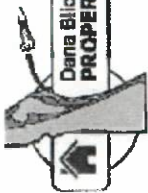
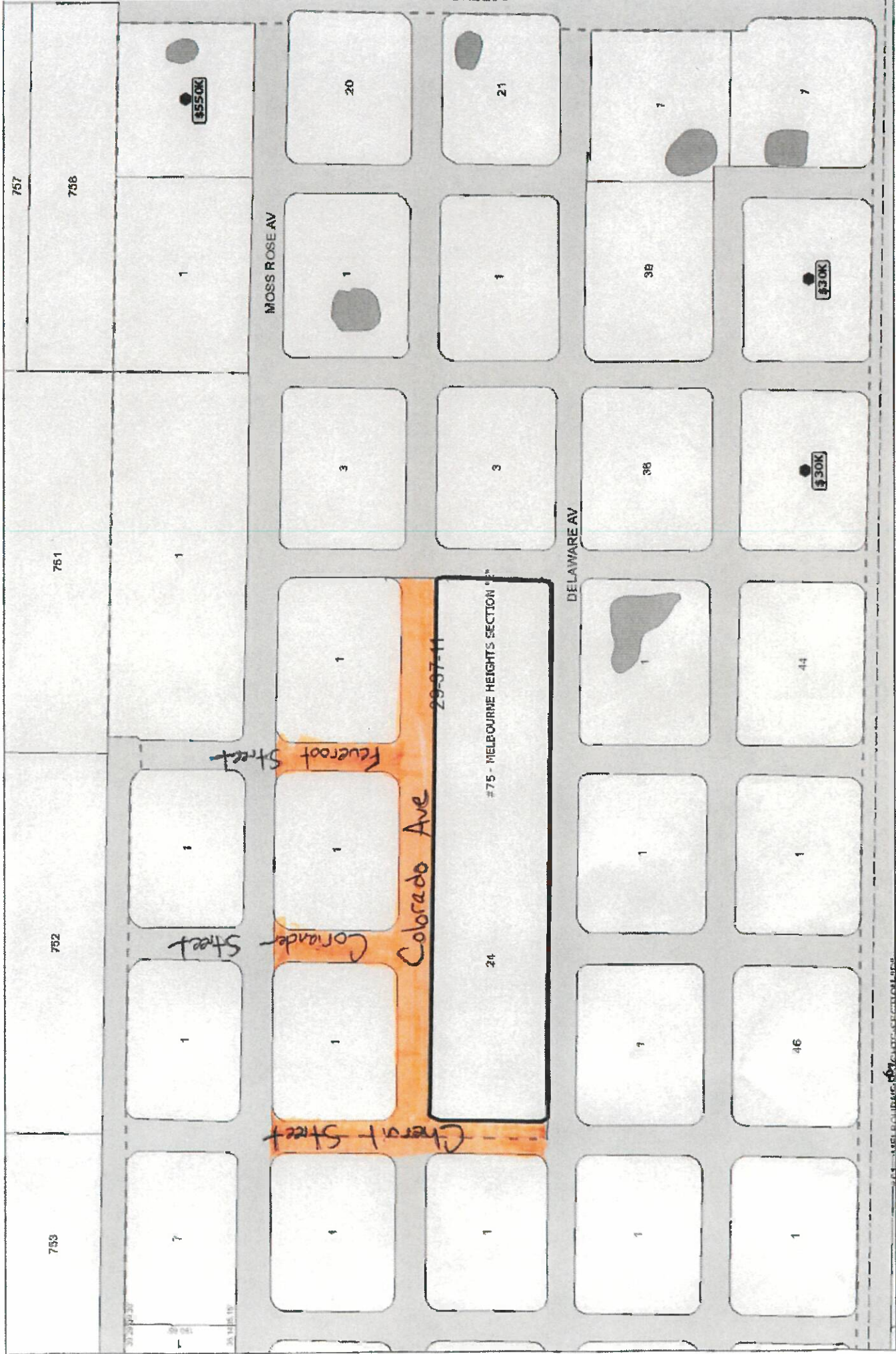


Exhibit A

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