

RESOLUTION NO. 1657

A RESOLUTION OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA; MAKING FINDINGS; FINDING THAT A BLIGHTED AREA EXISTS WITHIN A SPECIFIC BOUNDARY AROUND THE DOWNTOWN EAU GALLIE AREA; DECLARING THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT OR COMBINATION THEREOF IS NECESSARY IN THE INTEREST OF PUBLIC HEALTH, SAFETY AND WELFARE; DETERMINING THAT THERE IS A NEED FOR THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT THE REDEVELOPMENT PURPOSES OF CHAPTER 163, PART III, FLORIDA STATUTES, WITHIN THE BLIGHTED AREA, DECLARING THE CITY COUNCIL TO BE THE COMMUNITY REDEVELOPMENT AGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.410, Florida Statutes, on August 29, 2000, the Board of County Commissioners of Brevard County, Florida, adopted Brevard County Resolution No. 2000-249, delegating authority to the City Council of the City of Melbourne to create and operate a Chapter 163, Florida Statutes, Community Redevelopment Agency; and

WHEREAS, there exists a specifically bounded area in and around the Downtown Eau Gallie Area described in Exhibit "A", attached hereto, which shall be known as the Olde Eau Gallie Riverfront Redevelopment Area; and

WHEREAS, in the area described in Exhibit "A" there exists faulty or inadequate street layout; a deterioration of infrastructure and sites; faulty lot layouts and non-conforming parking and ingress/egress points; economic and social liabilities imposing onerous burdens which decrease the tax base and reduce tax revenues, and thus meeting the criteria of a blighted areas as defined in Section 163.340(8), Florida Statutes, and consistent with Section 163.335(1), Florida Statutes; and

WHEREAS, the Olde Eau Gallie Riverfront Redevelopment Study has made factual findings of blight as described in the paragraph above, in addition to the other factors which demonstrate declining property values, deteriorating infrastructure and increasing criminal activities, on the basis of a study done by the City's Planning and Zoning Department; and

WHEREAS, the rehabilitation, conservation and redevelopment or a combination thereof of the aforesaid area is necessary in the interest of the public health, safety, morals and welfare of the residents of the City of Melbourne, and in the interest of implementing the intent of the Florida Legislature as expressed in the Community Redevelopment Act of 1969, as amended, by revitalizing the area economically and socially, thereby improving the tax base, promoting sound growth and providing improved infrastructure; and

WHEREAS, the State of Florida has found and declared that the preservation or enhancement of the tax base from which a taxing authority realizes tax revenues is essential to its existence and financial health; that tax increment financing is an effective method of achieving such preservation and enhancement in areas in which such tax base is declining; that community redevelopment in such areas, when complete, will enhance such tax base and provide increased tax revenues to all affected taxing authorities, increasing their ability to accomplish their other respective purposes.

WHEREAS, the City Council of the City of Melbourne desires to designate itself as the Community Redevelopment Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That the area of Melbourne more fully described in Exhibit "A" is hereby found and declared to be a blighted area as defined by and within the purpose and intent of Chapter 163, Part III, Florida Statutes.

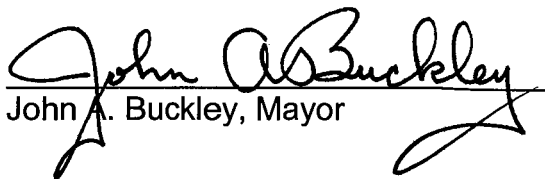
SECTION 2. That pursuant to the provisions of Section 163.355, Florida Statutes, it is hereby found and declared that the rehabilitation, conservation or redevelopment, or a combination thereof, of the area described in Exhibit "A" is necessary in the interest of public health; safety and welfare of the citizens of the City of Melbourne, and that such area is an appropriate area for a community redevelopment project.

SECTION 3. That there is a need for a community redevelopment agency to carry out community redevelopment purposes as specified in Chapter 163, Part III, Florida Statutes.

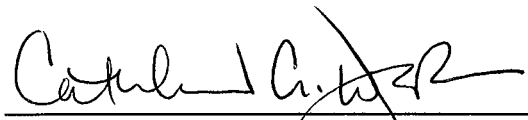
SECTION 4. That pursuant to Section 163.375(1), Florida Statutes, the City Council of the City of Melbourne, Florida, hereby declares itself to be the Community Redevelopment Agency for the area described in Exhibit "A".

SECTION 5. That this resolution shall become effective immediately upon adoption in accordance with the Charter of the City of Melbourne.

SECTION 6. That this resolution was adopted at a regular meeting of the City Council on the 12<sup>th</sup> day of September, 2000.

BY:   
John A. Buckley, Mayor

ATTEST:

  
Cathleen A. Wysor, City Clerk

Resolution No. 1657

EXHIBIT "A"  
LEGAL DESCRIPTION OF OLDE EAU GALLIE COMMUNITY  
REDEVELOPMENT DISTRICT

The boundaries of the Olde Eau Gallie Community Redevelopment Agency District are as follows:

Commencing at the Indian River Lagoon where it meets the Northeast corner of the South 16' of Lot 20, Block B, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida for a POINT OF BEGINNING; Thence run Westward along the North line of the South 16' of said Lot 20 to its intersection with the East right-of-way line of Pineapple Avenue; Thence run Northwesterly along the East right-of-way line of Pineapple Avenue to a point at which said right-of-way intersects with the North right-of-way line of Creel (7<sup>th</sup>) Street; thence run Westerly along the North right-of-way line of Creel St. to the intersection of the North right-of-way of the Creel (7<sup>th</sup>) Street right-of-way with the East line of the Florida East Coast Railway right-of-way; Thence run Southerly along said East line of the Florida East Coast Railway right-of-way to its intersection with the South line of the St. Clair (8<sup>th</sup>) Street right-of-way; Thence run Southwesterly along the South line of the St. Clair (8<sup>th</sup>) Street right-of-way to its intersection with the North right-of-way line of Montreal Avenue (State Road 518); Thence run Easterly along the North right-of-way line of Montreal Avenue to the East line of the Florida East Coast Railway right-of-way; Thence run Southerly along the East line of the Florida East Coast Railway right-of-way to the Southwest corner of Lot 72, Sunset Terrace, according to the plat thereof, as recorded in Plat Book 10, Page 6, Public Records of Brevard County, Florida; Thence run Easterly along the South line of said Lot 72, Sunset Terrace, to the West line of Block B, Replat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 8, Page 29, Public Records of Brevard County, Florida; Thence run Southerly along the West line of said Block B, Replat of Eau Gallie and the West line of Lot 6, Sunset Terrace, according to the plat thereof, as recorded in Plat Book 10, Page 19, Public Records of Brevard County, Florida, to the intersection of the West line of said Lot 6 and North right-of-way line of Orange Street; Thence run Easterly along said North right-of-way line of Orange Street to the East line of U.S. Highway No. 1, also being the west line of Lot 32, Creel's Subdivision of Lot 26, Houston's Addition, according to the plat thereof, as recorded in Plat Book 2, Page 10, Public Records of Brevard County, Florida; Thence run Northerly along the East line of said U.S. Highway No. 1 and said plat (Creel's Subdivision) to the intersection of said East line with the North right-of-way line of Shady Lane; Thence run East along the North right-of-way

line of Shady Lane which also forms the South line of Lots 17 and 18, Creel's Subdivision of Lot 26, Houston Addition, according to the plat thereof, as recorded in Plat Book 2, Page 10, Public Records of Brevard County, Florida, to the southeast corner of said Lot 18; Thence run Northerly along the East line of Lots 18 and 15 of said Creel's Subdivision of Lot 26, Houston's Addition, and across the Old Oak Street right-of-way to the intersection with the North right-of-way line of Old Oak Street at a point which also forms the Southwest corner of Lot 3 of said Creel's Subdivision; Thence run East along the North right-of-way line of said Old Oak Street to the Southeast corner of Lot 8, Creel's Subdivision; Thence run North along the East line of said Lot 8 to the Southwest corner of Lot 4, Block D, Roesch's Addition to Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 55, Public Records of Brevard County, Florida; Thence run East to the Southeast corner of said Lot 4, Block D, Roesch's Addition to Eau Gallie; Thence run North along the East line of said Lot 4, Block D, to the Southwest corner of Lot 2, Block D, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run Easterly along the South line of Lots 2 and 3, Block D, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55, to the Southeast corner of said Lot 3; Thence continue Easterly from said Southeast corner of Lot 3 across the DeSoto Street right-of-way to the Southwest corner of Lot 1, Block C, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run Easterly along the South line of said Lot 1 to the Northwest corner of Lot 6, Block C, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run South along the West line of said Lot 6 to the North right-of-way line of Old Oak Street; Thence run Easterly along the North right-of-way line of Old Oak Street to the Southeast corner of said Lot 6, Block C; Thence run Northerly along the East line of Lot 6, Block C, to the Southwest corner of Lot 3, Block C, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run East along the South line of Lots 3 and 4, Block C, of said Roesch's Addition to the intersection of said South line of Lot 4, Block C, and the West right-of-way line of Water Street; Thence continue Easterly across the Water Street right-of-way along a line that represents a projection Eastward of the South line of Lots 3 and 4, Block C, Roesch's Addition, Plat Book 1, Page 55, to the West line of Block B, Roesch's Addition, Plat Book 1, Page 55; Thence run Southerly along the West line of said Block B to the intersection of said West line with the North right-of-way line of Old Oak Street; Thence run Easterly along the North right-of-way line of Old Oak Street to the Southwest corner of Lot 8, Block B, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run Northerly to a point on the West line of said Lot 8 which represents the Northwest corner of the land described in Deed Book TT, Page 266, Public Records of Brevard County, Florida; Thence run Northeasterly across Lot 8, Block B, along the North line of said land described in Deed Book TT, Page 266, to the intersection of said line with the West right-of-way line of Highland Avenue; Thence run North/Northwesterly along the

West right-of-way of Highland Avenue to its intersection with the South right-of-way line with Montreal Avenue (State Road 518); Thence run East along the South right-of-way line of Montreal Avenue to a point intersecting with the Southwest corner of Lot 1, Block 1, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida; Thence run Northeasterly along the South line of said Lot 1, Block 1 to Southeast corner of Lot 1, Block 1; Thence run Northwesterly along the East line of Lot 1, Block 1 to the South right-of-way line of Montreal Avenue (State Road 518); Thence run Northeasterly along the South right-of-way line of Montreal Avenue to intersection of said South right-of-way line with the East right-of-way line of Houston Street; Thence run Northeasterly along the South right-of-way line of Montreal Avenue and crossing the Pineapple Avenue right-of-way along an imaginary line to the Southwest corner of Lot 36, Block B, Village Plat of Eau Gallie, Plat Book 1, Page 47; Thence run East/Northeasterly along the South line of Lot 36 to the Indian River Lagoon; Thence meander Northeasterly and Northwesterly along the West bank of the Indian River Lagoon from the Southeast corner of Lot 36, Block B, to the Northeast corner of the South 16' of Lot 20, Block B, Village Plat of Eau Gallie, and the POINT OF BEGINNING containing 73.13 acres, more or less.

The Olde Eau Gallie Riverfront Community Redevelopment Agency District shall include all rights-of-way, streets, and alleys within the above-described area, together with the following properties:

1) Blocks 2, 3, 21, 22, 23, 24, 25, 26, 40, 41, 42, 43, 44, 54, and 55, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida;

2) All of Block 1, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida, excepting Lot 14 South of Montreal Avenue (State Road 518) and Lots 15 and 16;

3) The South 16' of Lot 20 and all of Lots 21 through 36, Block B, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida;

4) Blocks B and D, Bonner Heights, according to the plat thereof, as recorded in Plat Book 6, Page 20, Public Records of Brevard County, Florida;

5) Lots A through H, Sunset Terrace No. 3 and the vacated Sunset Circle right-of-way, according to the plat thereof, as recorded in Plat Book 10, Page 47, Public Records of Brevard County, Florida;

6) Lot 72, Sunset Terrace, according to the plat thereof, as recorded in Plat Book 10, Page 6, Public Records of Brevard County, Florida;

7) Blocks B (except as described in Judgement Lien Book 1, Page 193) and E, Replat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 8, Page 29, Public Records of Brevard County, Florida;

8) Lots 1 through 6, Sunset Terrace, according to the plat thereof, as recorded in Plat Book 10, Page 19, Public Records of Brevard County, Florida;

9) Triangular lot not numbered lying immediately West of the Florida East Coast Railway right-of-way, as described in Official Records Book 529, Page 893, Public Records of Brevard County, Florida;

10) Part of Outlot 2, as described in Deed Book 165, Page 250, and Official Records Book 2445, Page 1479, Public Records of Brevard County, Florida, lying East of the Florida East Coast Railway right-of-way;

11) Lot 9 and triangular lot not numbered East of the Florida East Coast Railway right-of-way, as described in Official Records Book 542, Page 593, Public Records of Brevard County, Florida, and part of lot as described in Official Records Book 3815, Page 771, Public Records of Brevard County, Florida, and a triangular lot not numbered, also known as Block 55.1, located West of the Florida East Coast Railway right-of-way as described in Official Records Book 529, Page 893, Public Records of Brevard County, Florida;

12) Lots 1 through 8 and 15 through 18, Creel's Subdivision of Lot 26, Houston's Addition, according to the plat thereof, as recorded in Plat Book 2, Page 10, Public Records of Brevard County, Florida;

13) Lots 1 through 7, Block B; Lot 8 except as described in Deed Book TT, Page 266; Lots 1 through 4 and 6, Block C; and Lots 1 through 4, Block D, all in Roesch's Addition to Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 55, Public Records of Brevard County, Florida; and

14) Part of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  as described in Deed Book 234, Page 362; Deed Book 297, Page 24 ¶3, Deed Book 297, Page 566; Deed Book 314, Page 53; Deed Book 331, Page 70, Public Records of Brevard County, Florida, and Outlot 1, Roesch's Addition to Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 55, Public Records of Brevard County, Florida.

# Olde Eau Gallie Riverfront Blight Study Area

