

EXPLANATION OF CONSENT AGENDA ITEM E.2.c. (6) August 24, 2016

ITEM:

Consideration of approving the Memorandum of Agreement between the State of Florida, Department of Transportation and the Canaveral Port Authority for the George King Boulevard and SR 528 Interchange.

EXPLANATION:

This agreement documents the existing partnership with the CPA and the State of Florida, Department of Transportation (FDOT).

FDOT is undertaking the resurfacing and maintenance of the George King Boulevard and SR 528 Interchange, including the ramps associated with said work. FDOT has historically maintained said ramps and interchange notwithstanding the fact that parts of the ramps and interchange are not under the jurisdiction of FDOT and instead is located on Port property and within the Port's jurisdiction. The immediate need to maintain the interchange, together with the ramps, requires immediate authority and permission from the Port to allow FDOT to undertake the work.

This MOA will set forth the jurisdictional transfer of the affected ROW to FDOT and is accurately reflected as such on the RoW Maps, prepared by Land and Sea Surveying and reviewed by FDOT.

Agreement has been reviewed and approved by the Port Attorney.

Staff Recommends Approval
Prepared by Jim Dubea / Bill Crowe, P.E



MEMORANDUM OF AGREEMENT
BETWEEN
THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
AND
THE CANAVERAL PORT AUTHORITY

This Memorandum of Agreement is by and between the **STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION** (hereinafter referred to as the "Department") and the **CANAVERAL PORT AUTHORITY**, created by Special Act of the Legislature in 1939 under the laws of the State of Florida, (hereinafter the "Port").

WITNESSETH:

WHEREAS, the Department is undertaking the resurfacing and maintenance of the George King Boulevard and SR 528 Interchange, including the ramps associated with said work, Project #434417-1-52-01,; and

WHEREAS, the Department has historically maintained said ramps and interchange notwithstanding the fact that parts of the ramps and interchange are not under the jurisdiction of the Department and instead is located on Port property and within the Port's jurisdiction; and

WHEREAS, the immediate need to maintain the interchange, together with the ramps, requires immediate authority and permission from the Port to allow the Department to undertake said work; and

WHEREAS, the parties desire to set forth their intentions and commitments relative to the jurisdictional transfer of the jurisdiction of the Department and is accurately reflected as such on the official right of way maps of the Department.

NOW THEREFORE, in consideration of the foregoing and of the mutual benefits to be derived, the parties agree as follows:

1.0 The recitals set forth above are hereby incorporated herein.

2.0 The Port hereby authorizes and permits the Department to undertake the immediate maintenance of the interchange, together with the ramps, as depicted on attached Exhibit "A" hereto.

3.0 The Port and the Department agree to move forward with a Jurisdictional Transfer Agreement to formally transfer all responsibility for the interchange to the Department. The roadway to be transferred to the Department is the same area is depicted in Exhibit "A".

IN WITNESS THEREOF, the Canaveral Port Authority has executed this Memorandum of Agreement this ____ day of _____, 2016 and the State of Florida, Department of Transportation has executed this Memorandum of Agreement this ____ day of _____, 2016.

CANAVERAL PORT AUTHORITY

STATE OF FLORIDA,
DEPARTMENT OF TRANSPORTATION

By: _____

By: _____

Name: _____

Name: Frank O'Dea, P.E.

Title: _____

Director of Transportation Development

As approved by the Board on: _____

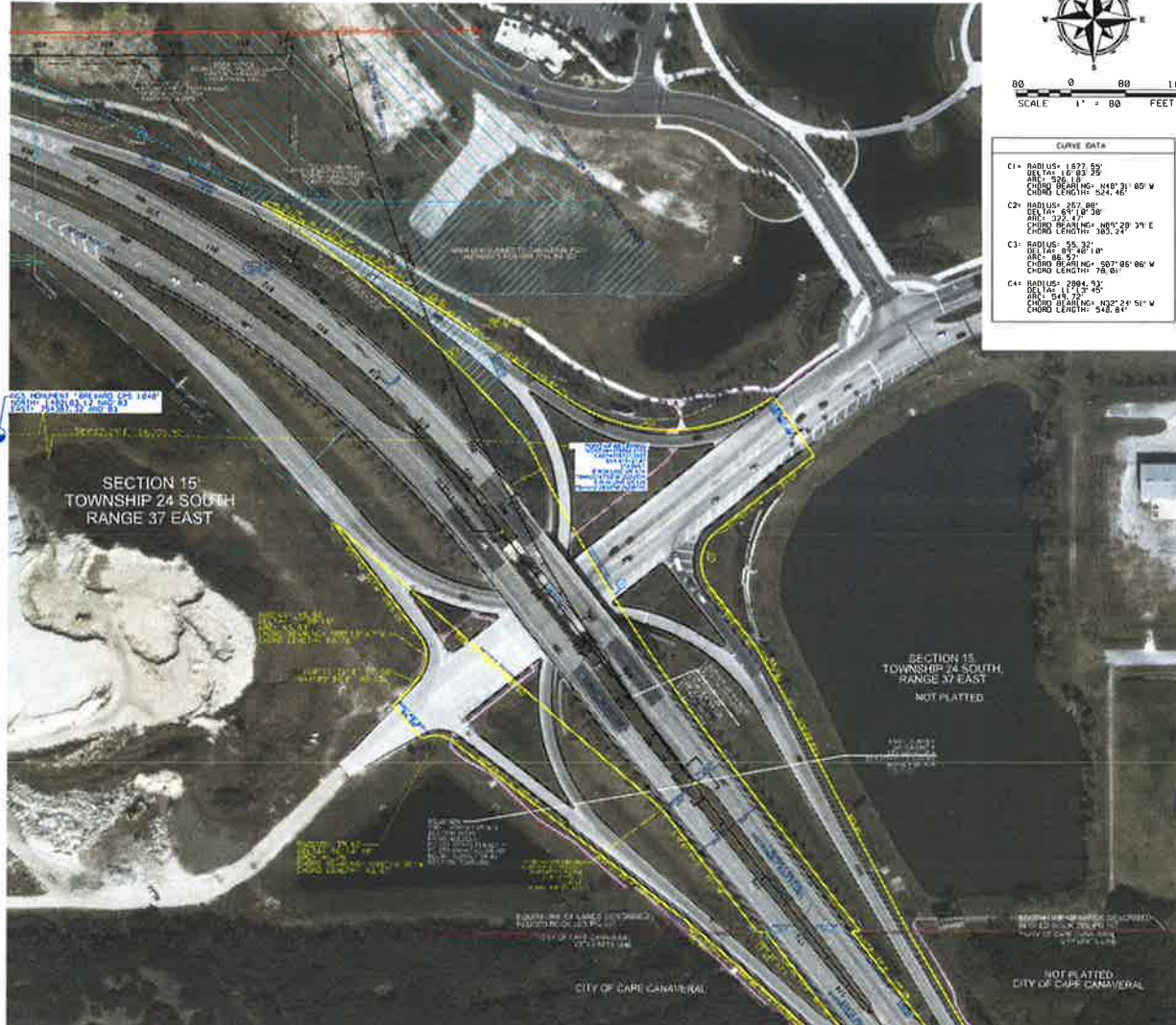
Legal Review: _____

RIGHT-OF-WAY SKETCH OF DESCRIPTION SURVEY GEORGE KING BOULEVARD AND A1A



00 0 80 160
SCALE 1" = 80 FEET

CURVE DATA	
C1:	RADIUS= 1877.55' DELTA= 89.83° CHORD BEARING= N48°31'00" W CHORD LENGTH= 244.46'
C2:	RADIUS= 257.06' DELTA= 67.19° CHORD BEARING= S89°29'39" E CHORD LENGTH= 185.22'
C3:	RADIUS= 55.32' DELTA= 85.41° CHORD BEARING= S07°06'06" W CHORD LENGTH= 78.01'
C4:	RADIUS= 708.83' DELTA= 113°45' CHORD BEARING= N32°24'51" W CHORD LENGTH= 542.81'



PROPOSED LEGAL DESCRIPTION FOR EAST SIDE OF STATE ROAD NO. 258 AND STATE ROAD A1A:
A PORTION OF LAND LYING IN SECTION 15, TOWNSHIP 24 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Begin at a point on the east right-of-way line of State Road No. 258 at Station 12717.19, 65.00 feet left of FDOT Curve Baseline according to right-of-way map, Section 7080-2202, having State Plane Coordinates (Florida East Zone 901) of North=149382.1131, East=7725.1657; said point also being South 89°17'23" East and 24.552 feet from monument "Forward GPS 1049", having State Plane Coordinates (Florida East Zone 901) of North=149383.1200, East=7548.1320; said point being on a curve from which the radius point bears South 45°36'38" West; thence run northwesterly a distance of 24.18 feet along the curve concave to the southwest, having a radius of 1877.55 feet and a central angle of 14°03'25" to a point of curve; thence departing said right-of-way line South 82°42'48" East, a distance of 81.16 feet; thence South 40°29'47" East, a distance of 76.39 feet; thence South 54°12'42" East, a distance of 89.38 feet; thence South 54°28'05" East, a distance of 121.61 feet; thence South 55°17'07" East, a distance of 39.78 feet; thence South 55°56'01" East, a distance of 151.87 feet to the beginning of a curve tangent to the line; thence southeasterly, westerly and southeasterly a distance of 222.47 feet along the curve concave to the north, having a radius of 217.08 feet and a central angle of 69°10'28"; thence South 56°46'40" East, radial to said curve, a distance of 103.57 feet; thence South 53°54'13" West, a distance of 193.39 feet to the beginning of a curve tangent to said line; thence southeasterly, southerly and southeasterly a distance of 86.57 feet along the curve concave to the east, having a radius of 53.19 feet and a central angle of 89°40'10"; thence South 31°43'59" East, tangent to said curve, a distance of 114.00 feet; thence South 29°54'08" East, a distance of 81.85 feet; thence South 24°02'03" East, a distance of 283.03 feet; thence South 10°31'14" East, a distance of 439.18 feet to a point on the East 175-foot wide State Road A1A (State Road 9007B) a 100 foot right-of-way located at station 18510.00; thence right-of-way line of State Road A1A (State Road 9007B) South 03°01'44" West along said East right-of-way line, a distance of 348.74 feet; thence North 88°13'23" East, a distance of 12.83 feet; thence North 58°03'44" West, a distance of 370.49 feet to the beginning of a curve tangent to said line; thence northwesterly a distance of 349.72 feet along the curve concave to the northwest, having a radius of 2801.33 feet and a central angle of 11°13'45" to the Point-of-Beginning. Containing 0.6333 Acres, more or less.

PROPOSED LEGAL DESCRIPTION FOR WEST SIDE OF STATE ROAD NO. 258 AND STATE ROAD A1A:
A PORTION OF LAND LYING IN SECTION 15, TOWNSHIP 24 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Begin at a point on the west right-of-way line of State Road A1A at Station 12717.19, 65.00 feet left of FDOT Curve Baseline, according to right-of-way map Section 7080-2202, said point having State Plane Coordinates (Florida East Zone 901) of North=149344.8411, East=7582.0242; said point also being South 88°05'12" East, 24.5482 feet from monument "Forward GPS 1049", having State Plane Coordinates (Florida East Zone 901) of North=149345.1200, East=7448.1320; thence South 89°01'42" East, along said west right-of-way line, a distance of 227.95 feet; thence North 89°37'23" East, a distance of 152.43 feet; thence South 89°01'42" East, a distance of 482.48 feet; thence departing said west right-of-way line, North 47°48'49" West, a distance of 154.84 feet; thence North 64°50'34" West, a distance of 92.05 feet; thence North 61°24'28" West, a distance of 75.86 feet; thence North 45°07'22" West, a distance of 142.28 feet; thence North 48°16'22" West, a distance of 86.18 feet; thence North 52°42'18" West, a distance of 221.19 feet; thence North 52°59'33" West, a distance of 119.15 feet to the beginning of a curve tangent to said line; thence northwesterly, westerly and southwesterly a distance of 166.75 feet along the curve concave to the south, having a radius of 39.42 feet and a central angle of 68°02'48"; thence North 41°48'01" West, a distance of 84.88 feet; thence North 44°03'13" East, a distance of 80.13 feet; thence North 18°31'21" East, a distance of 17.50 feet to the beginning of a curve tangent to said line; thence northwesterly, northerly and northwesterly a distance of 85.59 feet along the curve concave to the west, having a radius of 48.81 feet and a central angle of 70°04'14"; thence North 37°41'51" West, a distance of 209.26 feet, to a point on the west right-of-way line of State Road A1A, according to the right-of-way map Section 7070-2202; thence South 48°12'38" East along said west right-of-way line, a distance of 442.40 feet to the Point of Beginning. Containing 1.9741 Acres, more or less.

CERTIFICATION

I, TIM R. CARLIS, FLORIDA REGISTERED SURVEYOR NUMBER 9178, DO HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA (CHAPTER 61G-1.0 FOR THE TYPE OF SURVEY) AND THAT I AM TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: 7-13-18

THIR: CARLIS, T.R.
FLORIDA P.L.S. 9178
NOT VALID UNLESS SEALED

CERTIFICATIONS:
CANAVERAL PORT AUTHORITY

SURVEYOR'S NOTE:
THE ABOVE AREA SHOWN IN YELLOW IS THE PROPOSED BOUNDARY TO BE GIVEN TO A001. NO OTHER CORNERS ARE TO BE SET AT THIS TIME.

- NOTES**
- ONLY CURB AND EDGE OF PAVEMENT ARE LOCATED.
 - THIS SURVEY IS A TRUE AND CORRECT REPRESENTATION OF THE LAND AS SHOWN AND NOTED AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G-7.6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 407.087, FLORIDA STATUTES.
 - NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - FIELD WORK WAS COMPLETED ON 6-29-18.
 - BOUNDARIES BASED UPON STATE PLANE COORDINATE SYSTEM NAD 83 (FVM) IN FEET OF THE CENTERLINE OF S.R. A1A, SHOWN TO BEAR NORTH 11°48'16.21" EAST 724.387-32.
 - SECTION 7080B-2202.
 - NOIR CURB, CONTING, BASED UPON MONUMENT IGS MONUMENT "FORWARD GPS 1049" STATE PLANE COORDINATES 901 EAST ZONE, NORTH 11°48'16.21" EAST 724.387-32.
 - NO FILE SEARCH OBTAINED BY THIS SURVEYOR.

LAND & SEA SURVEYING CONCEPTS, INC.

SHEET: 1 OF 1
JOB NUMBER: 2016-0308
NAME: PORT CANAVERAL

LAND BUSINESS #6447
PHONE: 321-451-6310
FAX: 321-454-6790
E-MAIL: TCS@LSCON.COM
1200 Canal Center Dr.
HERRITT (S. AND, FL 32943)

SURVEY FOR: CANAVERAL PORT AUTHORITY

**RIGHT-OF-WAY SKETCH OF DESCRIPTION SURVEY
GEORGE KING BOULEVARD & A1A**

REVISIONS	BY	DATE