

RESOLUTION NO. 1937

A RESOLUTION OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA; MAKING FINDINGS; FINDING THAT BLIGHTED AREAS EXIST ADJACENT TO THE EXISTING DOWNTOWN MELBOURNE COMMUNITY REDEVELOPMENT DISTRICT; DECLARING THAT THE REHABILITATION, CONSERVATION AND REDEVELOPMENT OF SUCH BLIGHTED AREAS ARE NECESSARY IN THE INTEREST OF PROMOTING THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF MELBOURNE; DETERMINING THAT THERE IS A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT THE REDEVELOPMENT PURPOSES OF CHAPTER 163, PART III, FLORIDA STATUTES, WITHIN THE BLIGHTED AREAS; PROVIDING FOR THE EXPANSION OF THE DOWNTOWN MELBOURNE COMMUNITY REDEVELOPMENT DISTRICT; DECLARING THE BOARD OF COMMISSIONERS OF SAID COMMUNITY REDEVELOPMENT DISTRICT SHALL CONSIST OF THE CITY COUNCIL APPOINTED PURSUANT TO SECTION 163.356, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

WHEREAS, the Downtown Melbourne Community Redevelopment District was created on July 10, 1979; and

WHEREAS, pursuant to Section 163.340(8), Florida Statutes, a "blighted area" is defined as follows:

"Blighted area" means either:

(a) An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of the county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:

1. Predominance of defective or inadequate street layout;
2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
3. Unsanitary or unsafe conditions;
4. Deterioration of site or other improvements;
5. Tax or special assessment delinquency exceeding the fair market value of the land; and
6. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(b) An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction; and

WHEREAS, there exists a blighted area to the south of the existing boundaries of the

Downtown Melbourne Community Redevelopment Agency as described in the attached Exhibit "A" and a blighted area to the north of the existing boundaries of the Downtown Melbourne Community Redevelopment Agency as described in the attached Exhibit "B", which blighted areas should be included within the boundaries of the Downtown Melbourne Community Redevelopment Agency; and

WHEREAS, in the areas described in Exhibits "A" and "B" there exists faulty or inadequate street layouts; 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 area as defined in Section 163.340(8), Florida Statutes, and consistent with Section 163.335(1), Florida Statutes; and

WHEREAS, a study (the "Study") was conducted by the Lawandales Planning Affiliates which makes factual findings of blight as described in the paragraph above, in addition to the other factors that demonstrate declining property values and a deteriorating infrastructure; and

WHEREAS, the City Council acknowledges receipt of the Study, and finds that based on the Study and other evidence and testimony, that areas described in Exhibits "A" and "B" constitute a Chapter 163, Part III, Florida Statutes, "blighted area;" and

WHEREAS, based on the Study and other evidence and testimony presented by the City's Planning and Economic Development Department, the City Council finds that expansion of the Downtown Melbourne Community Redevelopment Agency boundaries to include the areas as described in Exhibit "A" and "B," meets the intent and requirements set forth in and would be consistent with the requirements set forth in Section 163.335(1), Florida Statutes; 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 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.

BE IT RESOLVED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That the areas of Melbourne more fully described in Exhibits "A" and "B," which areas are wholly within the corporate limits of the City of Melbourne, are hereby found and declared to be a "blighted area," as defined 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:

(a) The rehabilitation, conservation or redevelopment, or a combination thereof, of the areas described in Exhibits "A" and "B" is necessary in the interest of public health, safety, morals, and welfare of the citizens of the City of Melbourne;

(b) That blighted areas exist within the areas described in Exhibit "A" and "B;" and

(c) That areas described in Exhibits "A" and "B" are appropriate to be included within, and are immediately and substantially contiguous to, the Downtown Melbourne Community Redevelopment Agency boundaries pursuant to Chapter 163, Part III, Florida Statutes.

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

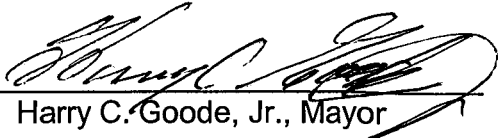
SECTION 4. That the City Council of the City of Melbourne, Florida, hereby declares that the areas described in Exhibits "A" and "B:"

(a) Shall be included within the boundaries of the Downtown Melbourne Community Redevelopment Agency; and

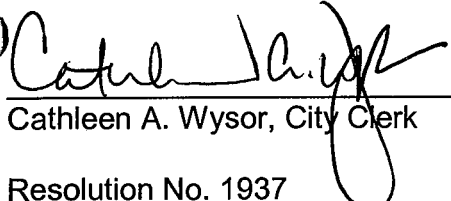
(b) Shall be subject to the jurisdiction of the existing board of commissioners of the Downtown Melbourne Community Redevelopment Agency.

SECTION 5. That this resolution shall become effective immediately upon its 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 14th day of June, 2005.

BY: 
Harry C. Goode, Jr., Mayor

ATTEST:


Cathleen A. Wysor, City Clerk

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Attachment: Exhibits "A" and "B"

South CRA Legal

A series of Parcels, Lots, and Rights-of-way located within Township 28 South, Range 37 East, Sections 2, 3, 10, and 11, Melbourne, Brevard County, Florida, being more particularly described as follows:

Commence and Begin at the intersection of the West line of Lot 4, Metcalf's Unrecorded Plat of Wright Brother's Tract, as recorded in Deed Book 70, Page 142, and the Southern bank of Crane Creek; thence run and meander East and North along the South bank of Crane Creek for a distance of 2,100 feet more or less to a point, said point being the intersection of the South bank of Crane Creek and the East line of Lot 14, Block 1, Crane Cliff Subdivision as recorded in Plat Book 2, Page 32; thence continue and meander South and East along the West bank of the Indian River Lagoon for a distance of 7,100 feet more or less to a point, said point being the intersection of the West bank of the Indian River Lagoon and the South line of lands described in ORB 3991, Page 2192; thence run West along the South line of said 3991/2192 for a distance of 220 feet more or less to a point, said point lying along the East Right-of-way line of Riverview Drive (R/W varies); thence run Northwesterly along the East line of Riverview Drive for a distance of 20 feet more or less to a point, said point being the Easterly projection of the South Right-of-way of University Boulevard (R/W varies); thence run West along the South Right-of-way of University Boulevard for a distance of 1,480 feet more or less to a point, said point being the intersection of the Westerly extension of the South Right-of-way line of University Boulevard and the East Right-of-way line of the Florida East Coast Railroad (FECRR - R/W varies); thence run Northwesterly along the East R/W line of the FECRR for a distance of 2,900 feet more or less to a point, said point being the intersection of the East R/W line of the FECRR and the Easterly extension of the South property line of lands described as the South 108 feet of the North 150 feet of Lot 10, Block 3, Hopkins Plat as described in ORB 2, Page 65; thence run West along said Easterly extension for a distance of 200 feet more or less to a point, said point being the Southwest corner of the aforementioned lot 10, Block 3; thence run Southeasterly along the East line of lands described as a parcel 315 feet by 70 feet by 310 feet lying East of Lot 9, Block 3, Plat of Hopkins (Pb. 2, Pg. 65) for a distance of 210 feet more or less to a point, said point being the Southeast corner of the aforementioned parcel; thence run West along the South line of said parcel for a distance of 70 feet more or less to a point, said point being the Southwest corner of the aforementioned parcel; thence run North along the West line of said parcel for a distance of 200 feet more or less to a point, said point being the intersection of the West line of the aforementioned parcel and the Southeast corner of lands described as the North 145 feet of the East ½ of Lot 9, Block 3, except road R/W, of Hopkins Plat (Pb. 2, Pg. 65); thence run West along the South line of the aforementioned East ½ of Lot 9, Block 3 to a point, said point being the Southwest corner of the said East ½ of Lot 9, Block 3; thence run South along the East line of lands described as the West ½ of Lot 9 as described in Deed Book 327, Page 254, Block 3 (except Deed Book 377, Page 117 and road R/W) Hopkins Plat as recorded in Pb. 2, Pg. 65, for a distance of 35 feet more or less to a point, said point being the Southeast corner of the aforementioned West ½ of Lot 9; thence run West along the South lines of Lots 1 thru 9, Block 3, Plat of Hopkins (Pb. 2, Pg. 65) for a distance of 666 feet more or less to a point, said point being the Southwest corner of the aforementioned Lot 1, Block 3, and said point also lying along the East Right-of-way line of Lipscomb Street (R/W varies); thence

continue West for a distance of 40 feet more or less to a point, said point lying along the West Right-of-way of Lipscomb Street; thence run North along the West Right-of-way of Lipscomb Street for a distance of 25 feet more or less to a point, said point lying along the West Right-of-way line of Lipscomb Street and also being the Southeast corner of the South ½ of Lot 6, Block 11, Hopkins Plat as recorded in Plat Book 2, Page 65; thence run West along the South lines of the South ½ of Lot 6, Lot 5, Lot 4 and the East 9 feet of Lot 3, Block 11, for a distance of 164 feet more or less to a point, said point being the Southwest corner of the East 9 feet of Lot 3, Block 11, Hopkins Plat as recorded in Plat Book 2, Page 65; thence run North along the West line of the aforementioned East 9 feet of Lot 3, Block 11, for a distance of 130 feet more or less to a point, said point lying along the South Right-of-way of Line Street (RW varies); thence continue North for a distance of 40 feet more or less to a point, said point being along the North Right-of-way line of Line Street; thence run West along the North Right-of-way of Line Street for a distance of 65 feet more or less to a point, said point being the intersection of the North Right-of-way line of Line Street and the Southwest corner of Lot 29, Metcalf's Unrecorded Plat of Wright Brother's Tract; thence run North along the West line of said Lot 29 for a distance of 140 feet more or less to a point, said point being the Northwest corner of said Lot 29; thence run East along the North property lines of Lots 29 and 28 for a distance of 88.6 feet more or less to a point, said point being the Northeast corner of said Lot 28; thence run North along the West property lines of Lots 4 and 6 – 24, Metcalf's Unrecorded Subdivision for a distance of 888 feet more or less to a point, said point being the intersection of the West line of Lot 4 and the Southern bank of Crane Creek, also said point being the Point-of-Beginning.

Containing 155.69 acres, more or less

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EXHIBIT "B"

Three parcels described as:

- 1) Parcel ID #28-37-03-FG-00003.0-0003.01 as described in the attached legal description from the Brevard County Property Appraiser.
- 2) Parcel ID #28-37-03-FG-00003.0-0003.03 as described in the attached legal description from the Brevard County Property Appraiser.
- 3) Parcel ID #28-37-03-FG-00003.0-0003.00 as described in the attached legal description from the Brevard County Property Appraiser.