

CHAPTER 2014-232

House Bill No. 817

An act relating to the City of Cocoa, Brevard County; providing for the municipal annexation of the Pinecrest Cemetery and Evergreen Memorial Park; providing boundaries; providing an effective date.

WHEREAS, Pinecrest Cemetery and Evergreen Memorial Park are situated in unincorporated Brevard County contiguous to the existing boundaries of the City of Cocoa, and

WHEREAS, the City of Cocoa has determined that the cemeteries have historical significance to the city due to their age and the fact that several Cocoa dignitaries have been laid to rest within the cemeteries, including former City of Cocoa elected officials and Emory L. Bennett, a Congressional Medal of Honor recipient of the Korean War, and

WHEREAS, the City of Cocoa has also determined that the owners of the cemeteries are unascertainable and the cemeteries appear to be abandoned and in need of regular maintenance and security to not only honor those who have been laid to rest within the cemeteries but also to prevent a public nuisance, and

WHEREAS, because of the historical significance and unascertainable ownership of the cemeteries, the City of Cocoa has petitioned, pursuant to City Council Resolution No. 2013-119, that the Legislature annex the cemeteries into the municipal limits of the city so the city can exercise the authority pursuant to s. 497.284, Florida Statutes, which permits cities to maintain and secure abandoned and unreasonably maintained cemeteries located within their territorial limits, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. The legal descriptions of the Pinecrest Cemetery and Evergreen Memorial Park are as follows:

PARCEL 1 (Pinecrest Cemetery):

PART OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 24 SOUTH, RANGE 36 EAST, CITY OF COCOA, BREVARD COUNTY, FLORIDA: BEGIN ON THE EAST LINE OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 24 SOUTH, RANGE 36 EAST AT A POINT WHICH IS 290.00 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE DUE WEST 660.00 FEET TO A POINT; THENCE DUE NORTH 400.00 FEET TO A POINT; THENCE DUE EAST 660.00 FEET TO A POINT ON SAID EAST LINE OF SAID SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30; THENCE DUE SOUTH ALONG SAID EAST LINE OF SAID SOUTHEAST ¼ OF

THE NORTHEAST ¼ OF SECTION 30, 400.00 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT LAND DESCRIBED IN OFFICIAL RECORDS BOOK 421, PAGE 589 AND OFFICIAL RECORDS BOOK 2038, PAGE 543, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

TOGETHER WITH:

PARCEL 2 (Evergreen Memorial Park):

THE SOUTH FIFTEEN (15) ACRES OF THE SOUTH THIRTY (30) ACRES OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA. LESS AND EXCEPT LAND RECORDED IN DEED BOOK 265, PAGE 564 AND DEED BOOK 351, PAGES 547 AND 549, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

Section 2. The real property described in section 1 shall be annexed to and shall be deemed a part of the City of Cocoa upon this act becoming a law. On that date, the property shall be subject to the municipal jurisdiction and laws of the City of Cocoa. The city shall be embodied with all municipal powers and authority over the property as provided by law.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor May 12, 2014.

Filed in Office Secretary of State May 12, 2014.