



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.2.

8/12/2025

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### Subject:

Petition to Vacate, Re: A portion of a public utility and drainage easement - Plat of "Brandywine North", Plat Book 37, Page 65 - Titusville - Wayne Herring Family Trust - District 1

### Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

### Dept/Office:

Public Works Department - Surveying & Mapping

### Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating a portion of the easement, per Plat "Brandywine North", Plat Book 37, Page 65, in Section 20, Township 21 South, Range 35 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

### Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lot 14, Block 1, and is requesting the vacating of a portion of a public utility and drainage easement to allow for the screened pool to remain. The property is located in Titusville, South of Parrish Road and West of US 1.

On July 28, 2025, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: 321-350-8346

### Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document, which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice, and the proof of publication of the adopted resolution notice.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

August 28, 2025

**M E M O R A N D U M**

**TO:** Marc Bernath, Public Works Director    Attn: Amber Holley


**RE:** Resolution Vacating a Portion of a Public Utility and Drainage Easement, Plat of "Brandywine North", Mims, Florida, Lying in Section 20, Township 21 South, Range 35 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 25-077, vacating a portion of a public utility and drainage easement, Plat of "Brandywine North", Mims, Florida, lying in Section 20, Township 21 South, Range 35 East, as petitioned by Wayne Herring Family Trust. Said Resolution was adopted by the Board of County Commissioners, in regular session on August 12, 2025.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/ds

Encls. (2)



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

August 28, 2025

Wayne Herring Family Trust  
2615 Windsorgate Lane  
Orlando, FL 32828

Dear Sir/Madam:

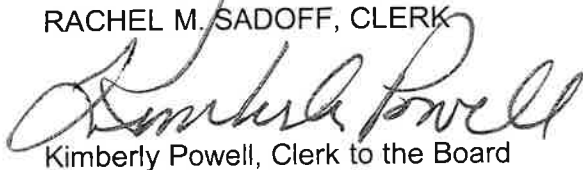
Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement, Plat of "Brandywine North", Mims, Florida, Lying in Section 20, Township 21 South, Range 35 East

The Board of County Commissioners, in regular session on July 22, 2025, adopted Resolution No. 25-077, vacating a portion of a public utility and drainage easement, Plat of "Brandywine North", Mims, Florida, lying in Section 20, Township 21 South, Range 35 East, as petitioned by you. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/ds

Encl. (1)

cc: Amber Holley

**Resolution 2025 - 077**

**Vacating a portion of a public utility and drainage easement, Plat of "Brandywine North", Mims,  
Florida, lying in Section 20, Township 21 South, Range 35 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Wayne Herring Family Trust** with the Board of County Commissioners to vacate public easements in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH AND DESCRIPTION**

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating said public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title, or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED, AND ADOPTED, in regular session, this 12<sup>th</sup> day of August, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk



Rob Feltner, Chairman

As approved by the Board on:  
August 12, 2025

## LEGAL DESCRIPTION

SECTION 20, TOWNSHIP 21 SOUTH, RANGE 35 EAST  
LOT 14, BRANDYWINE NORTH, Platbook 37, Page 65  
PARCEL ID NUMBER: 21-35-20-61-1-14

SHEET 1 OF 2

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

PURPOSE OF SURVEY: THIS IS NOT A BOUNDARY SURVEY  
VACATE A PORTION OF THE DRAINAGE & UTILITY EASEMENT WITHIN LOT 14, BLOCK 1, BRANDYWINE  
NORTH, AS RECORDED IN PLAT BOOK 37, PAGE 65, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

## LEGAL DESCRIPTION:

A part of that certain DRAINAGE AND UTILITY EASEMENT depicted on Lot 14, Block 1, BRANDYWINE NORTH, as recorded in Plat Book 37, Page 65 of the Public Records of Brevard County, Florida, being more particularly described as follows:  
COMMENCE that the northeast corner of the aforesaid Lot 14, run thence South 78 degrees 25 minutes 03 seconds West, along the north line of said Lot 14, a distance of 28.00 feet to the point of intersection of the westerly line of the aforesaid DRAINAGE AND UTILITY EASEMENT;  
Thence South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 28.58 feet to the POINT OF BEGINNING of the lands herein described;  
Thence continue South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 55.42 feet;  
Thence the following two courses and distances;  
North 04 degrees 00 minutes 32 seconds East, a distance of 53.61 feet;  
North 85 degrees 59 minutes 28 seconds West, a distance of 14.04 feet to a point on the aforesaid westerly line and the POINT OF BEGINNING. Containing: 376.4 Sq. Ft. more or less

## SURVEYOR'S NOTES:

I hereby certify that this Sketch of Legal Description of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation of said lands and meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.053, Florida Administrative Code, pursuant to section 472.027, Florida Statutes.

This Sketch is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper, except when the electronic signature and seal of a Florida licensed surveyor and mapper is affixed hereto.

### PREPARED FOR:

Karyn Isolica

Kenneth L. Ward, PSM No. 5646

NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: Kenneth L. Ward, PSM No. 5646

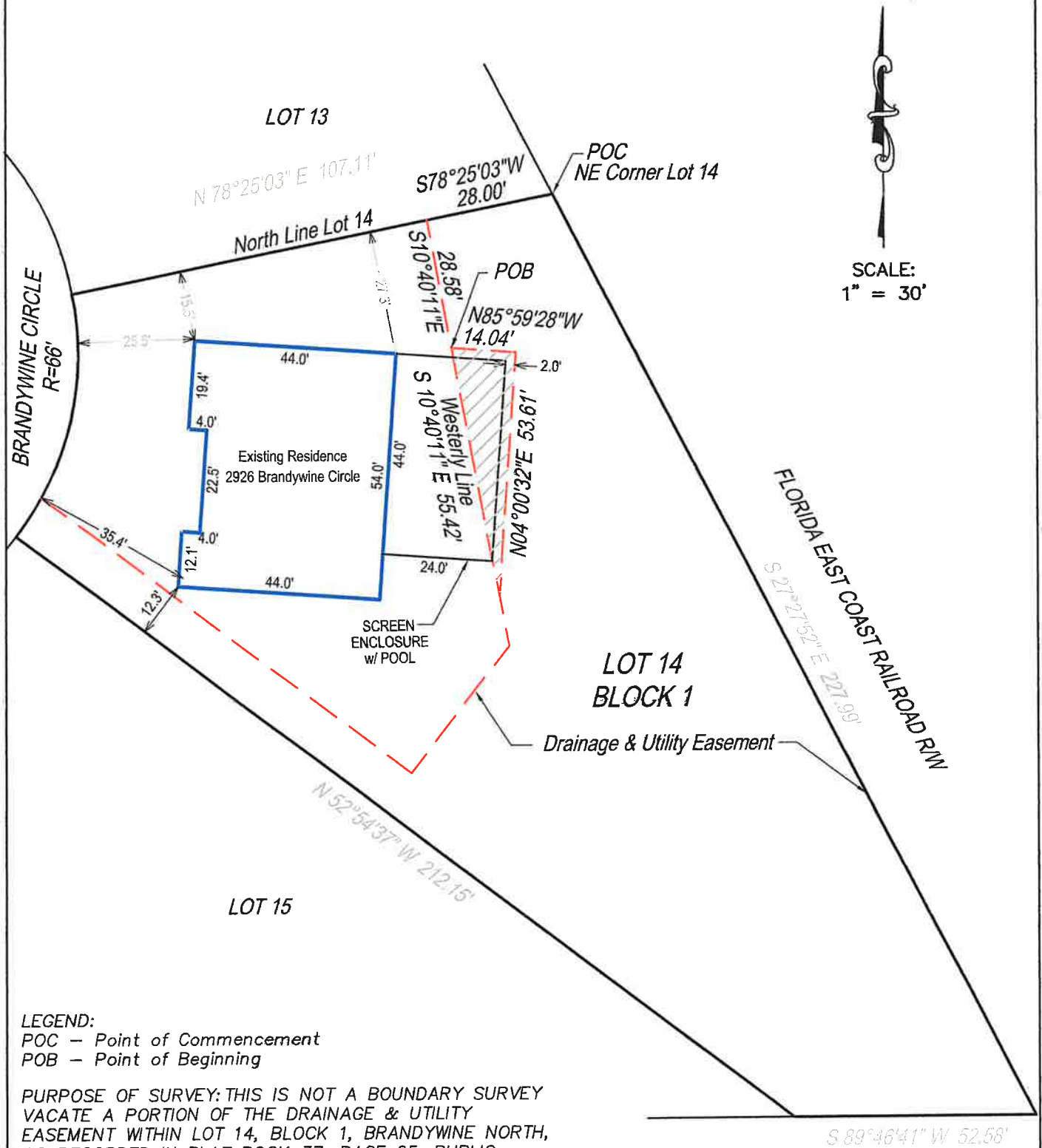
ADDRESS: 7 INDIAN RIVER AVENUE, #507  
TITUSVILLE, FLORIDA 32796  
PHONE: 321.863.6189

DRAWN BY: <u>KLW</u>	CHECKED BY: <u>KLW</u>	DRAWING NO. <u>0250707</u>	SECTION <u>20</u>
DATE: <u>JULY 7, 2025</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>          </u>	TOWNSHIP <u>21</u> SOUTH
			RANGE <u>35</u> EAST

# SKETCH OF DESCRIPTION

SECTION 20, TOWNSHIP 21 SOUTH, RANGE 35 EAST  
 LOT 14, BRANDYWINE NORTH, Platbook 37, Page 65  
 PARCEL ID NUMBER: 21-35-20-61-1-14

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2



SCALE:  
 1" = 30'

**AFFIDAVIT OF PUBLICATION**

Amber Holley  
Amber Holly  
Brevard County Public Works Dept. Surveying & Mapping Program  
2725 Judge Fran Jamieson Way, Room A-220  
Viera FL 32940

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

07/28/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/28/2025

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary, State of WI, County of Brown

8-25-26

My commission expires

Publication Cost:	\$295.04	
Tax Amount:	\$0.00	
Payment Cost:	\$295.04	
Order No:	11514456	# of Copies:
Customer No:	1127286	1
PO #:	4500092228-10	

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

MARIAH VERHAGEN  
Notary Public  
State of Wisconsin

Ad#11514456 07/28/2025  
LEGAL NOTICE  
NOTICE FOR THE VACATING OF A  
PORTION OF A PUBLIC UTILITY  
AND DRAINAGE EASEMENT, PLAT  
OF "BRANDYWINE NORTH", IN  
SECTION 20, TOWNSHIP 21  
SOUTH, RANGE 35 EAST,  
TITUSVILLE, FL  
NOTICE IS HEREBY GIVEN that  
pursuant to Chapter 336.09, Florida  
Statutes, and Chapter 86, Article II,  
Section 86-36, Brevard County  
Code, a petition has been filed by  
WAYNE HERRING FAMILY TRUST  
with the Board of County Commis-  
sioners of Brevard County, Florida,  
to request vacating the following  
described property, to wit:  
A part of that certain DRAINAGE  
AND UTILITY EASEMENT depicted  
on Lot 14, Block 1, BRANDYWINE  
NORTH, as recorded in Plat Book  
37, Page 65 of the Public Records  
of Brevard County, Florida, being  
more particularly described as  
follows: COMMENCE that the  
northeast corner of the aforesaid  
Lot 14, run thence South 78  
degrees 25 minutes 03 seconds  
West, along the north line of said  
Lot 14, a distance of 28.00 feet to  
the point of intersection of the  
westerly line of the aforesaid  
DRAINAGE AND UTILITY EASE-  
MENT; Thence South 10 degrees  
40 minutes 11 seconds East, along  
said westerly line, a distance of  
28.58 feet to the POINT OF BEGIN-  
NING of the lands herein  
described; Thence continue South  
10 degrees 40 minutes 11 seconds  
East, along said westerly line, a  
distance of 55.42 feet; Thence the  
following two courses and  
distances; North 04 degrees 00  
minutes 32 seconds East, a  
distance of 53.61 feet; North 85  
degrees 59 minutes 28 seconds  
West, a distance of 14.04 feet to a  
point on the aforesaid westerly  
line and the POINT OF BEGINNING.  
Containing: 376.4 square feet,  
more or less. Prepared by:  
Kenneth L. Ward, PSM.  
The Board of County Commis-  
sioners will hold a public hearing to  
determine the advisability of such  
vacating of the above-described  
easement at 5:00 P.M. on August  
12, 2025, at the Brevard County  
Government Center Board Room,  
Building C, 2725 Judge Fran  
Jamieson Way, Viera, Florida, at  
which time and place all those for  
or against the same may be heard  
before final action is taken.  
Pursuant to Section 286.0105,  
Florida Statutes, if a person  
decides to appeal any decision  
made by the board, agency, or  
commission with respect to the  
vacating, he or she will need a  
record of the proceedings, and  
that, for such purpose, he or she  
may need to ensure that a verbatim  
record of the proceedings is made,  
which record includes the testi-  
mony and evidence upon which the  
appeal is based. Persons seeking to  
preserve a verbatim transcript of  
the record must make those  
arrangements at their own  
expense. The needs of hearing or  
visually impaired persons shall be  
met if the department sponsoring  
the hearing is contacted at least 48  
hours prior to the public hearing by  
any person wishing assistance.





Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

# **AFFIDAVIT OF PUBLICATION**

Brevard County Clerk Donna Scott -Survey  
Brevard Cty Public Works Dept  
2725 Judge Fran Jamieson Way Bldg A  
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

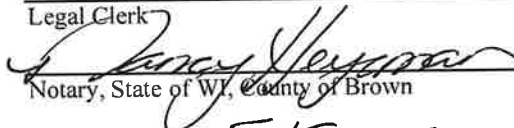
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

08/20/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/20/2025

Legal Clerk

  
Notary, State of WI, County of Brown  
5.15.27

My commission expires

Publication Cost: \$271.73  
Tax Amount: \$0.00  
Payment Cost: \$271.73  
Order No: 11584589 # of Copies:  
Customer No: 1127286 0  
PO #: WAYNE HERRING FAMILY

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

Ad#11584589

8/20/2025

## **LEGAL NOTICE**

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "BRANDYWINE NORTH", MIMS, FLORIDA, LYING IN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 35 EAST - WAYNE HERRING FAMILY TRUST  
TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on August 12, 2025, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement, plat of "Brandywine North", Mims, Florida, lying in Section 20, Township 21 South, Range 35 East, as petitioned by Wayne Herring Family Trust.

## **LEGAL DESCRIPTION:**

The Board further renounced and disclaimed any right of the County in and to said public easement. A part of that certain DRAINAGE AND UTILITY EASEMENT depicted on Lot 14, Block 1, BRANDYWINE NORTH, as recorded in Plat Book 37, Page 65 of the Public Records of Brevard County, Florida, being more particularly described as follows: COMMENCE that the north-east corner of the aforesaid Lot 14, run thence South 78 degrees 25 minutes 03 seconds West, along the north line of said Lot 14, a distance of 28.00 feet to the point of intersection of the westerly line of the aforesaid DRAINAGE AND UTILITY EASEMENT; Thence South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 28.58 feet to the POINT OF BEGINNING of the lands herein described; Thence continue South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 55.42 feet; Thence the following two courses and distances; North 04 degrees 00 minutes 32 seconds East, a distance of 53.61 feet; North 85 degrees 59 minutes 28 seconds West, a distance of 14.04 feet to a point on the aforesaid westerly line and the POINT OF BEGINNING. Containing: 376.4 square feet, more or less. Prepared by: Kenneth L. Ward, PSM.  
Closure Report of 0.009 Acre Tract  
Segment# 1: Line  
Course: S10°40'11"E Length: 55.42'  
Segment# 2: Line  
Course: N4°0'32"E Length: 53.61'  
Segment# 3: Line  
Course: N85°59'28"W Length: 14.04'  
Perimeter: 123.07' Area: 376.42 Sq. Ft. (0.009 Acres)  
Error Closure: 0.0035 Course: N 65°21'16" W  
Error North: 0.00145 East: -0.00316  
Precision: 1:35,408.89  
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell,  
Clerk to the Board

NANCY HEYRMAN  
Notary Public  
State of Wisconsin



## LEGAL NOTICE

### RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "BRANDYWINE NORTH", MIMS, FLORIDA, LYING IN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 35 EAST – WAYNE HERRING FAMILY TRUST

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The Board further renounced and disclaimed any right of the County in and to said public easement.

A part of that certain DRAINAGE AND UTILITY EASEMENT depicted on Lot 14, Block 1, BRANDYWINE NORTH, as recorded in Plat Book 37, Page 65 of the Public Records of Brevard County, Florida, being more particularly described as follows: COMMENCE that the northeast corner of the aforesaid Lot 14, run thence South 78 degrees 25 minutes 03 seconds West, along the north line of said Lot 14, a distance of 28.00 feet to the point of intersection of the westerly line of the aforesaid DRAINAGE AND UTILITY EASEMENT; Thence South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 28.58 feet to the POINT OF BEGINNING of the lands herein described; Thence continue South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 55.42 feet; Thence the following two courses and distances; North 04 degrees 00 minutes 32 seconds East, a distance of 53.61 feet; North 85 degrees 59 minutes 28 seconds West, a distance of 14.04 feet to a point on the aforesaid westerly line and the POINT OF BEGINNING. Containing: 376.4 square feet, more or less. Prepared by: Kenneth L. Ward, PSM.

#### **Closure Report of 0.009 Acre Tract**

##### **Segment# 1: Line**

Course: S10°40'11"E                      Length: 55.42'

##### **Segment# 2: Line**

Course: N4°0'32"E                      Length: 53.61'

##### **Segment# 3: Line**

Course: N85°59'28"W                      Length: 14.04'

Perimeter: 123.07'	Area: 376.42 Sq. Ft. (0.009 Acres)
Error Closure: 0.0035	Course: N 65°21'16" W
Error North: 0.00145	East: -0.00316
Precision: 1:35,406.89	

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell, Clerk to the Board

**Florida TODAY:**

Please advertise in the **August 15, 2025**, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**

A part of that certain DRAINAGE AND UTILITY EASEMENT depicted on Lot 14, Block 1, BRANDWINE NORTH, as recorded in Plat Book 37, Page 65 of the Public Records of Brevard County, Florida, being more particularly described as follows: COMMENCE that the northeast corner of the aforesaid Lot 14, run thence South 78 degrees 25 minutes 03 seconds West, along the north line of said Lot 14, a distance of 28.00 feet to the point of intersection of the westerly line of the aforesaid DRAINAGE AND UTILITY EASEMENT; Thence South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 28.58 feet to the POINT OF BEGINNING of the lands herein described; Thence continue South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 55.42 feet; Thence the following two courses and distances; North 04 degrees 00 minutes 32 seconds East, a distance of 53.61 feet; North 85 degrees 59 minutes 28 seconds West, a distance of 14.04 feet to a point on the aforesaid westerly line and the POINT OF BEGINNING. Containing: 376.4 square feet, more or less. Prepared by: Kenneth L. Ward, PSM.

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Length: 14.04'

Perimeter: 123.07'

Area: 376.42 Sq. Ft. (0.009 Acres)

Error Closure: 0.0035

Course: N 65°21'16" W

Error North: 0.00145

East: -0.00316

Precision: 1:35,406.89

# Brevard County Property Appraiser Detail Sheet

Account 2110585  
 Owners WAYNE HERRING FAMILY TRUST  
 Mailing Address 2615 WINDSORGATE LN ORLANDO FL 32828  
 Site Address 2926 BRANDYWINE CIR TITUSVILLE FL 32796  
 Parcel ID 21-35-20-61-1-14  
 Taxing District 1300 - UNINCORP DISTRICT 1  
 Exemptions NONE  
 Property Use 0110 - SINGLE FAMILY RESIDENCE  
 Total Acres 0.49  
 Site Code 0001 - NO OTHER CODE APPL.  
 Plat Book/Page 0037/0065  
 Subdivision BRANDYWINE NORTH  
 Land Description BRANDYWINE NORTH LOT 14 BLK 1

## **VALUE SUMMARY**

<b>Category</b>	<b>2024</b>	<b>2023</b>	<b>2022</b>
Market Value	\$344,250	\$321,350	\$295,530
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$344,250	\$136,930	\$132,950
Assessed Value School	\$344,250	\$136,930	\$132,950
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$136,930	\$132,950
Taxable Value Non-School	\$344,250	\$0	\$0
Taxable Value School	\$344,250	\$0	\$0

## **SALES/TRANSFERS**

<b>Date</b>	<b>Price</b>	<b>Type</b>	<b>Parcel</b>	<b>Deed</b>
10/26/2023	--	DC	--	9998/1467
02/21/2023	--	WD	--	9744/2240

## Vicinity Map

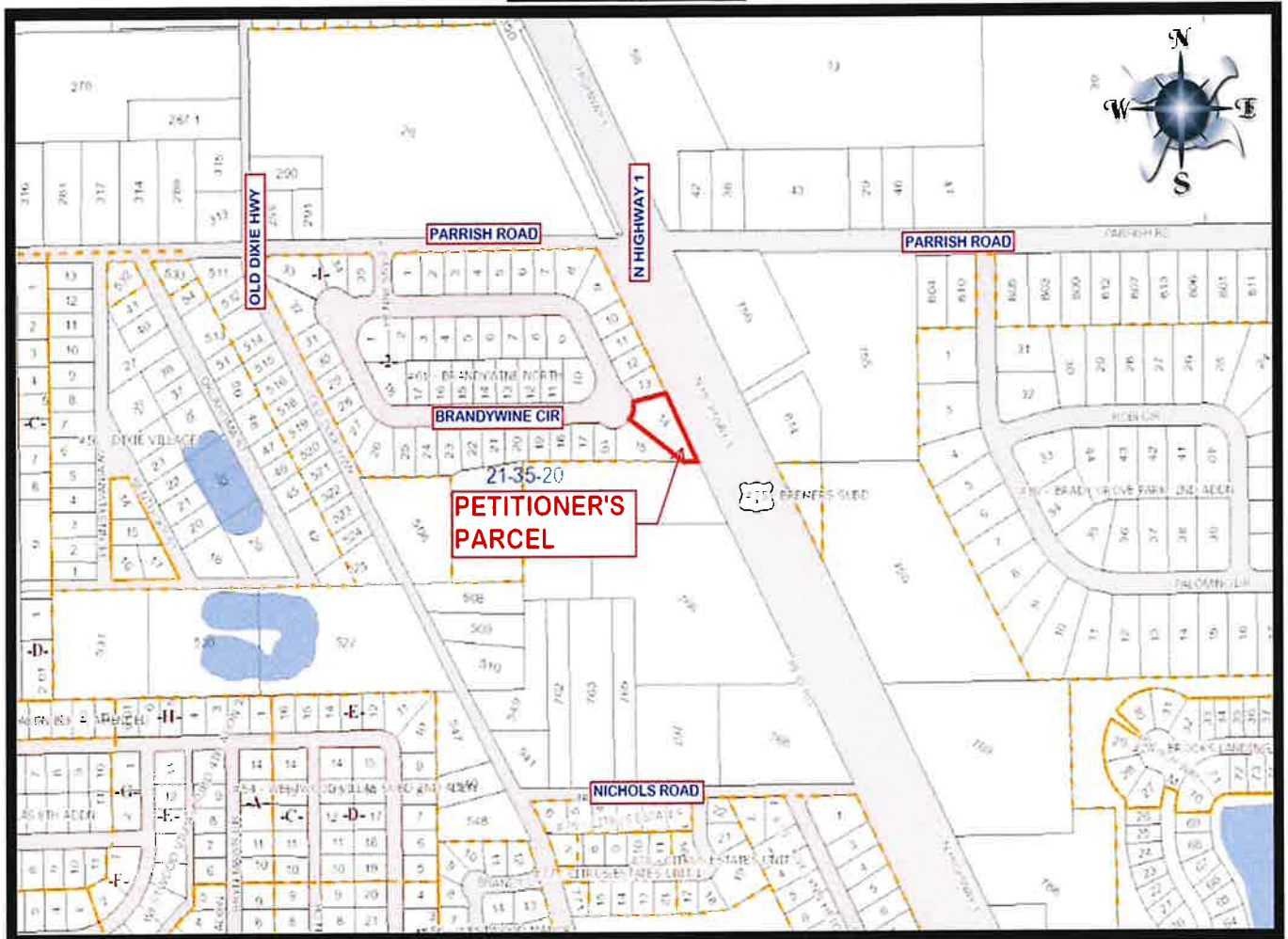


Figure 1: Map of Lot 14, Block 1, Brandywine North, 2926 Brandywine Circle, Titusville, Florida, 32796.

Wayne Herring Family Trust – 2926  
Brandywine Circle, Titusville – Lot 14, Block  
1, Brandywine North, Plat Book 37, Page 65  
– Section 20, Township 21 South, Range 35  
East – District 1 – Proposed Vacating of a  
portion of a public utility and drainage  
easement



## Aerial Map

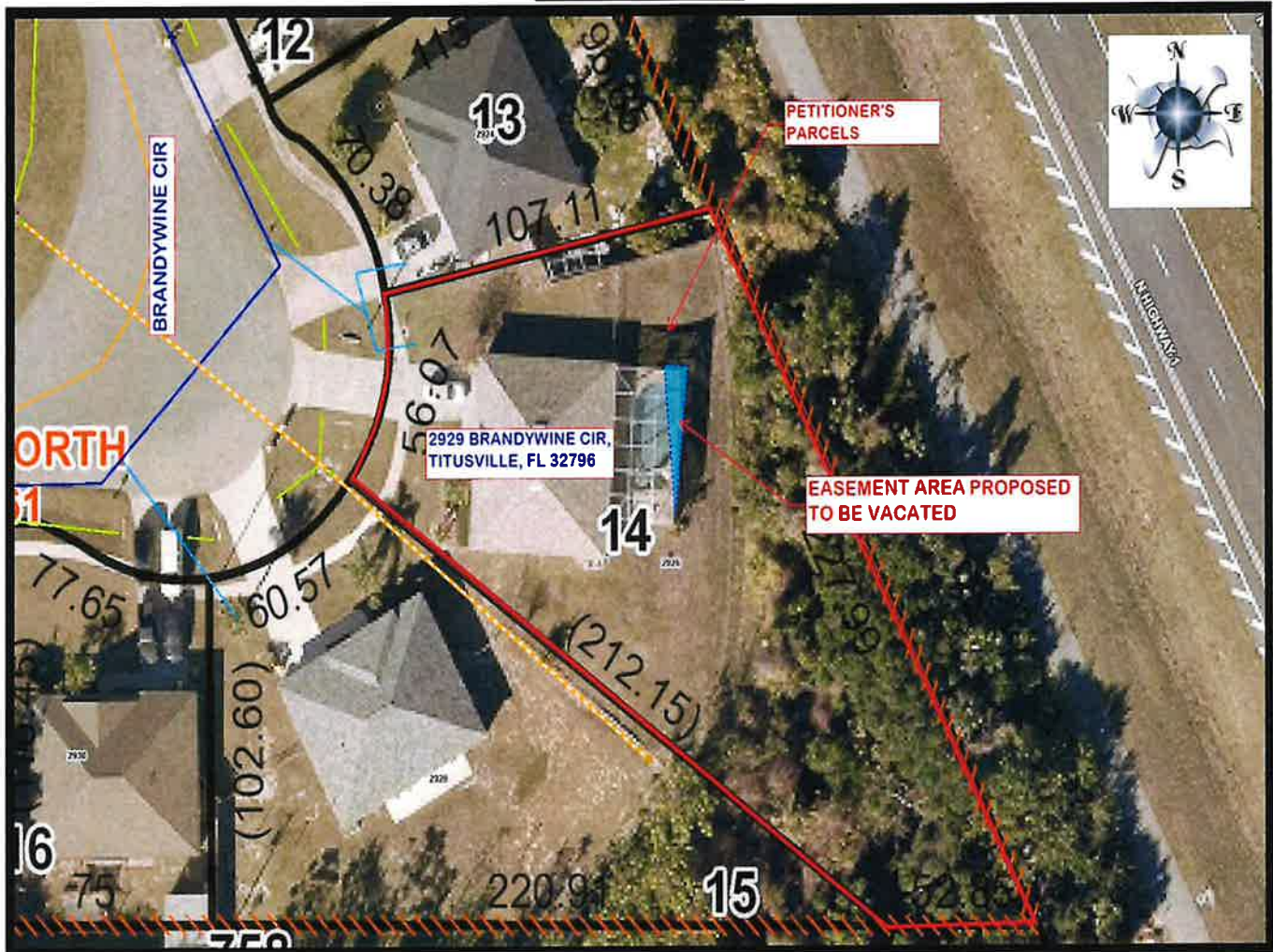


Figure 2: Aerial Map of Lot 14, Block 1, Brandywine North, 2926 Brandywine Circle, Titusville, Florida, 32796.

Wayne Herring Family Trust – 2926  
Brandywine Circle, Titusville – Lot 14, Block  
1, Brandywine North, Plat Book 37, Page 65  
– Section 20, Township 21 South, Range 35  
East – District 1 – Proposed Vacating of a  
portion of a public utility and drainage  
easement



# Map Reference

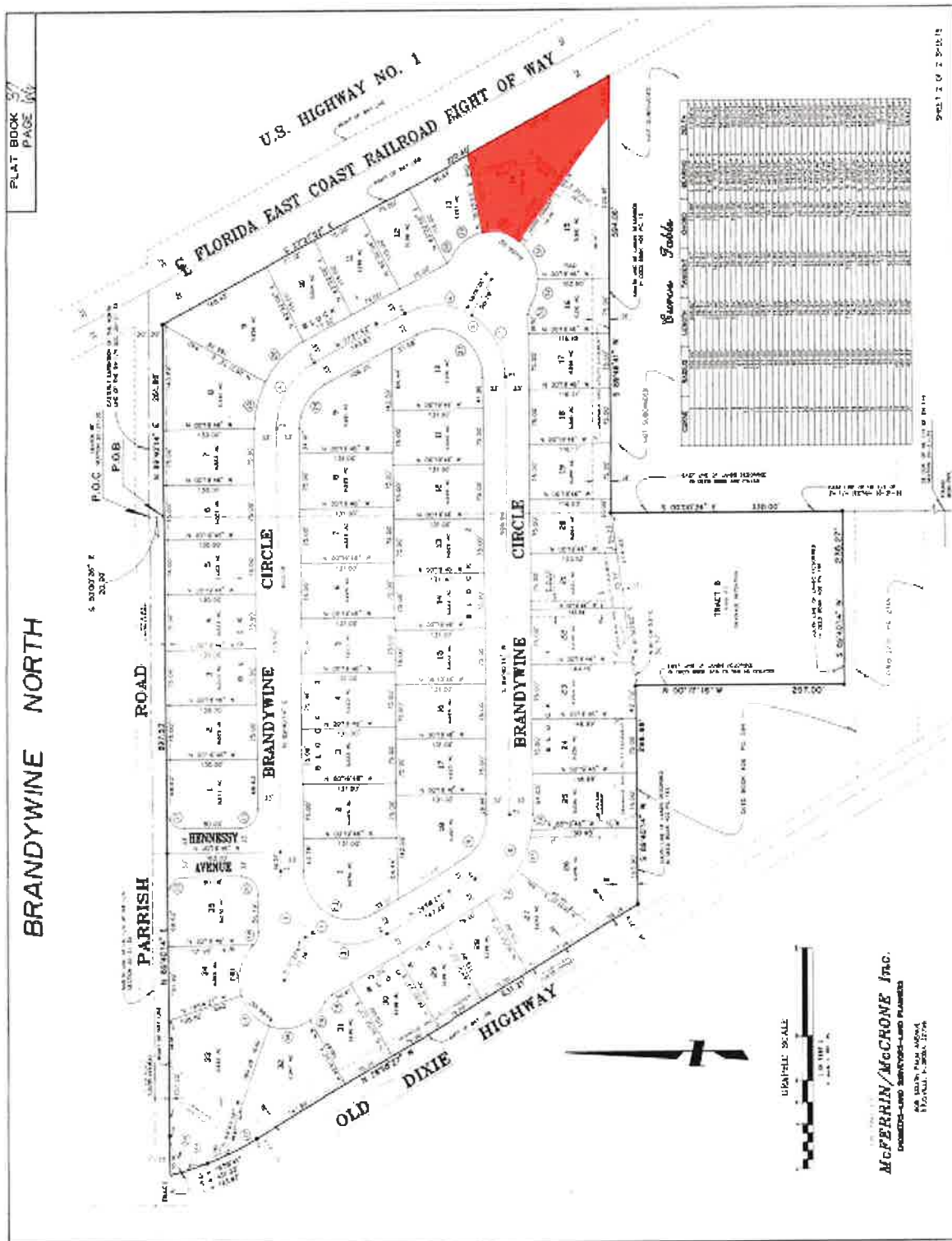


Figure 3: Copy of Plat of Brandywine North, dedicated to Brevard County in March 1991.

# Petitioner's Sketch & Description Sheet 1 of 2

## LEGAL DESCRIPTION

SECTION 20, TOWNSHIP 21 SOUTH, RANGE 35 EAST  
LOT 14, BRANDYWINE NORTH, Platbook 37, Page 65  
PARCEL ID NUMBER: 21-35-20-61-1-14

SHEET 1 OF 2

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

PURPOSE OF SURVEY: THIS IS NOT A BOUNDARY SURVEY  
VACATE A PORTION OF THE DRAINAGE & UTILITY EASEMENT WITHIN LOT 14, BLOCK 1, BRANDYWINE  
NORTH, AS RECORDED IN PLAT BOOK 37, PAGE 65, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

## LEGAL DESCRIPTION:

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COMMENCE that the northeast corner of the aforesaid Lot 14, run thence South 78 degrees 25 minutes 03 seconds West, along the north line of said Lot 14, a distance of 28.00 feet to the point of intersection of the westerly line of the aforesaid DRAINAGE AND UTILITY EASEMENT;  
Thence South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 28.58 feet to the POINT OF BEGINNING of the lands herein described;  
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North 85 degrees 59 minutes 28 seconds West, a distance of 14.04 feet to a point on the aforesaid westerly line and the POINT OF BEGINNING. Containing: 376.4 Sq. Ft. more or less

## SURVEYOR'S NOTES:

I hereby certify that this Sketch of Legal Description of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation of said lands and meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.053, Florida Administrative Code, pursuant to section 472.027, Florida Statutes.

This Sketch is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper, except when the electronic signature and seal of a Florida licensed surveyor and mapper is affixed hereto.

PREPARED FOR:

Karyn Isalca

Kenneth L. Ward, PSM No. 5646

NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: Kenneth L. Ward, PSM No. 5646

ADDRESS: 7 INDIAN RIVER AVENUE, #507  
TITUSVILLE, FLORIDA 32796

PHONE: 321.863.6189

DRAWN BY: K LW

CHECKED BY: K LW

DRAWING NO. 0250707

SECTION 20

TOWNSHIP 21 SOUTH

RANGE 35 EAST

DATE: JULY 7, 2025

SHEET 1 OF 2

REVISIONS

Figure 4: Sketch & Description. Sheet 1 of 2. Section 20, Township 21 South, Range 35 East. Parcel ID number: 21-35-20-61-1-14.

## Petitioner's Sketch & Description Sheet 2 of 2

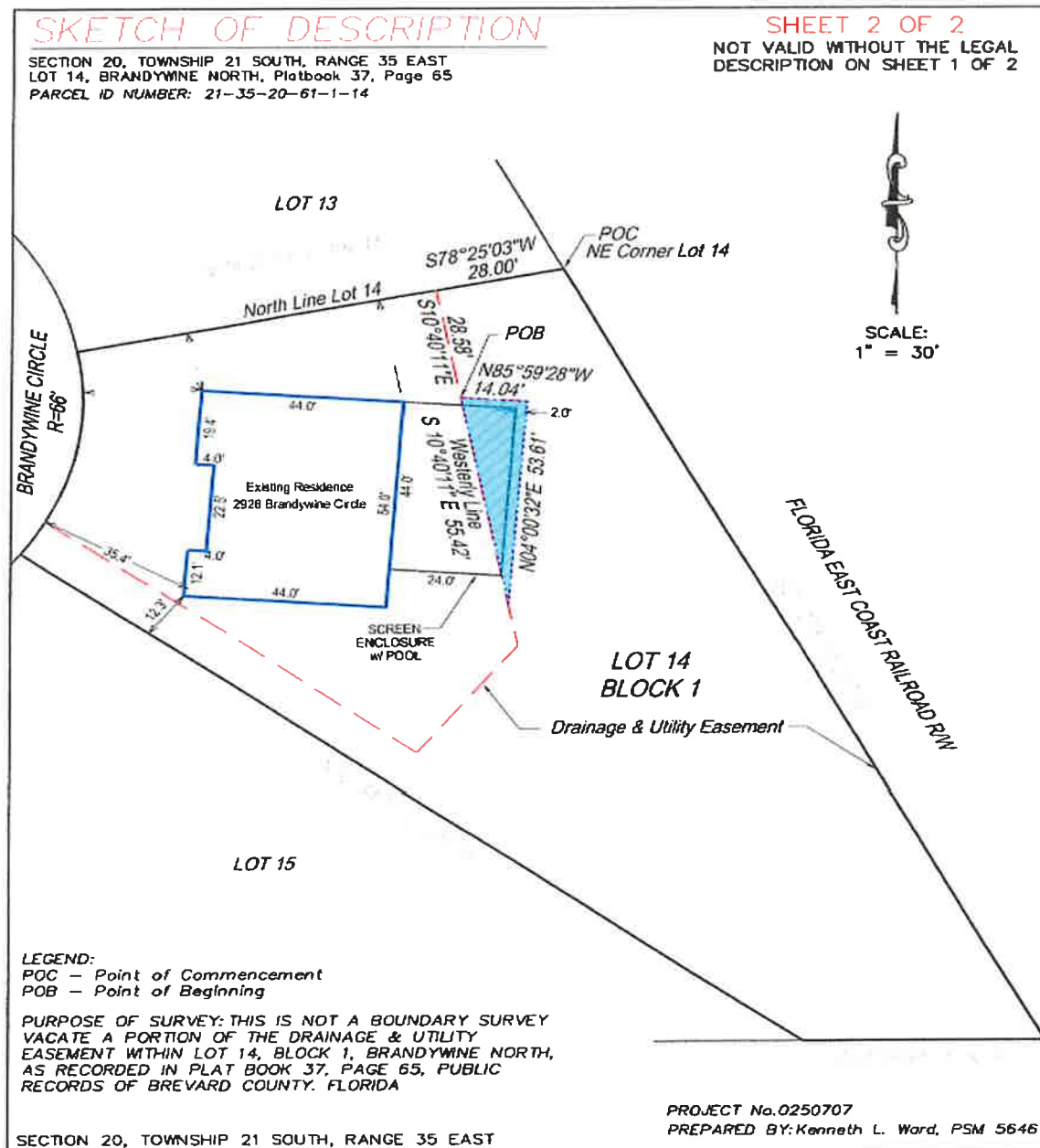


Figure 5: Sketch & Description. Sheet 2 of 2. Section 20, Township 21 South, Range 35 East. Parcel ID number: 21-35-20-61-1-14.

The sketch illustrates a portion of a public utility and drainage easement, per the Plat of Brandywine North. The coordinates of the lot are as follows: North boundary – South 78°25'03" East 107.11 feet; East boundary – South 27°27'52" East 227.99 Feet; South boundary – South 89°46'41" West 52.58 Feet; West boundary – North 52°54'37" West 212.15 feet. Prepared by: Kenneth L. Ward, PSM.

## Comment Sheet

Applicant: Wayne Herring Family Trust

Updated by: Amber Holley 20250716 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20250707	20250716	Yes	No comment
FL Power & Light	20250707	20250714	Yes	No objections
At&t	20250707	20250707	Yes	No objections
Charter/Spectrum	20250707	20250707	Yes	No objections
City of Titusville	20250707	20250708	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20250707	20250709	Yes	No objections
Land Planning	20250707	20250716	Yes	No objections
Utility Services	20250707	20250707	Yes	No objections
Storm Water	20250707	20250714	Yes	No objections
Zoning	20250707	20250716	Yes	No objections

## Public Hearing Legal Advertisement

Ad#11514456 07/28/2025  
LEGAL NOTICE  
NOTICE FOR THE VACATING OF  
A PORTION OF A PUBLIC UTILITY  
AND DRAINAGE EASEMENT, PLAT OF "BRANDYWINE  
NORTH", IN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 35 EAST,  
TITUSVILLE, FL  
NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by WAYNE HERRING FAMILY TRUST with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:  
A part of that certain DRAINAGE AND UTILITY EASEMENT depicted on Lot 14, Block 1, BRANDYWINE NORTH, as recorded in Plat Book 37, Page 65 of the Public Records of Brevard County, Florida, being more particularly described as follows:  
COMMENCE that the northeast corner of the aforesaid Lot 14, run thence South 78 degrees 25 minutes 03 seconds West, along the north line of said Lot 14, a distance of 28.00 feet to the point of intersection of the westerly line of the aforesaid DRAINAGE AND UTILITY EASEMENT; Thence South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 28.58 feet to the POINT OF BEGINNING of the lands herein described; Thence continue South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 55.42 feet; Thence the following two courses and distances: North 04 degrees 00 minutes 32 seconds East, a distance of 53.61 feet; North 85 degrees 59 minutes 28 seconds West, a distance of 14.04 feet to a point on the aforesaid westerly line and the POINT OF BEGINNING. Containing: 376.4 square feet, more or less. Prepared by: Kenneth L. Ward, PSM.  
The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on August 12, 2025, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance.

Figure 6: Copy of public hearing advertisement published on July 28, 2025. See the next page for full text.

## Legal Notice Text

### LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "SHADY VILLAS UNIT 2", IN SECTION 19, TOWNSHIP 21 SOUTH, RANGE 35 EAST, MIMS, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by TIMOTHY AND CHRISTINE MEISTER with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ABUTTING THE WEST LINE OF LOT 2, BLOCK C, SHADY VILLAS UNIT 2, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGE 85, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK C; THENCE N. 89°17'03" E., ALONG THE SOUTH LINE OF LOT 2, BLOCK C, A DISTANCE OF 10.00 FEET; THENCE N. 01°01'42" W., PARALLEL WITH THE WEST LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N. 01°01'42" W., PARALLEL WITH THE WEST LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 28.00 FEET; THENCE S. 89°17'03" W., PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 1.00 FEET; THENCE S. 01°01'42" E., PARALLEL WITH THE WEST LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 28.00 FEET; THENCE N. 89°17'03" E., PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 1.00 FEET TO THE POINT OF BEGINNING. (CONTAINING 28 SQ. FT.) PREPARED BY: JOHN W. COOPER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on August 12, 2025, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance.

**Board Meeting Date**

8-12-25

Item Number: Res. H.2

Motion By: KD

Second By: TA

Nay By: \_\_\_\_\_

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓	
Vice Chair Goodson	2	✓	
Commissioner Adkinson	3	✓	
Commissioner Altman	5	✓	
Chairman Feltner	4	✓	