

Meeting Date
July 12, 2016



AGENDA	
Section	PUBLIC HEARING
Item No.	TV.B

**AGENDA REPORT**  
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Partial Public Utility & Drainage Easement – “Port St. John Unit Eight” – Cocoa – Justin Stevens – District 2 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating a part of a 20.0 ft. wide public utility and drainage easement at Lot 11, Block 316, plat of “Port St. John Unit - Eight” in Section 14, Township 23 South, Range 35 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements.

The petitioner as owner of Lot 11 is requesting the partial vacating of 20.0 ft. wide public utility and drainage easement to allow for the permitting and construction of pool, pool deck and screen enclosure. Easement to be vacated contains 1,020 square feet, more or less.

June 15, 2016, 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. The property is located in Cocoa as follows: Begin at the intersection of U.S. Highway No. 1 and Fay Boulevard; thence 0.63 miles west on Fay Boulevard; thence 0.53 miles north and then 0.87 miles west on Curtis Boulevard; thence 0.18 miles south on Caliph Avenue to the residence on the west (right).



Fiscal Impact: The petitioners are charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265-3699000, revenue account for vacatings. This action is in keeping with the County’s efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year’s budget.

Name: [Marc.Cazessus@brevardcounty.us](mailto:Marc.Cazessus@brevardcounty.us) Phone: Ext. 57315

Exhibits Attached: Resolution, Appraisers detail sheet, vicinity map, aerial map, plat (if applicable), petitioner’s deed, boundary survey (if available), boundary survey (right-of-way vacating) or sketch and description (easement vacating), comment summary sheet and legal notice of public hearing advertisement.

Clerk to the Board instruction: Advertise adopted Resolution Notice & Record Vacating Resolution Documents as one document (which in sequence includes the proof of publication of the notice of the public hearing, the adopted resolution, and the proof of publication of the notice of the adopted resolution)

Contract / Agreement (If attached): Reviewed by County Attorney Yes  No  PR

County Manager 	Assistant County Manager Venetta Valdengo	Department Director / Extension  John Denninghoff / Ext. 57202
Stockton Whitten	Assistant County Manager Venetta Valdengo	John Denninghoff / Ext. 57202



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

August 15, 2016

MEMORANDUM

TO: John Denninghoff, Public Works Director Attn: Marc Cazessus

RE: Advertising Bills Vacating a Portion of a 20.0 Ft. Wide Public Utility and Drainage Easement in Port St. John Unit Eight, Cocoa, in Section 14, Township 23 South, Range 35 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 16-103, vacating a portion of a 20.0 foot wide public utility and drainage easement in Port St. John Unit Eight, Cocoa, in Section 14, Township 23 South, Range 35 East, as petitioned by Justin Stevens. Said Resolution was adopted by the Board of County Commissioners, in regular session on July 12, 2016.

Your continued cooperation is greatly appreciated.

Sincerely yours,  
BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*for Donna Scott*  
Tammy Rowe, Deputy Clerk

/dm

Encl. (1)



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

August 15, 2016

Justin Stevens  
6860 Caliph Avenue  
Cocoa, FL 32927

Dear Mr. Stevens:

Re: Resolution Vacating a Portion of a 20.0 Ft. Wide Public Utility and Drainage Easement in Port St. John Unit Eight, Cocoa, in Section 14, Township 23 South, Range 35 East

The Board of County Commissioners, in regular session on July 12, 2016, adopted Resolution No. 16-103, vacating a portion of a 20.0 foot wide public utility and drainage easement in Port St. John Unit Eight, Cocoa, in Section 14, Township 23 South, Range 35 East, as petitioned by you. Said Resolution has been recorded in ORBK 7684, Pages 405 through 409. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*for*   
Tammy Rowe, Deputy Clerk

/dm

Encl. (1)

cc: Marc Cazessus, Public Works

RESOLUTION 2016 - 103

**VACATING A PORTION OF A 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE  
EASEMENT IN "PORT ST. JOHN UNIT- EIGHT", COCOA, FLORIDA, LYING IN SECTION,  
14, TOWNSHIP 23 SOUTH, RANGE 35 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JUSTIN STEVENS** with the Board of County Commissioners to vacate a portion of a 20.0 ft. wide public utility and drainage easement in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH & 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 a portion of the public utility and drainage easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of the public utility and drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. 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 July, 2016 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

  
\_\_\_\_\_  
JIM BARFIELD, CHAIRMAN

As approved by the Board on:  
July 12, 2016

A Daily Publication By:



Tammy Rowe

BREVARD COUNTY PURCHASING  
P.O. BOX 999  
STE C303  
TITUSVILLE FL 32940

STATE OF FLORIDA COUNTY OF BREVARD:

Before the undersigned authority personally appeared Kim Curro, who on oath says that he or she is a 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


**Bids and Proposals**

as published in FLORIDA TODAY in the issue(s) of:

06/15/16

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 15th of June 2016, by Kim Curro who is personally known to me

  
Ruby Royer  
Notary Public for the State of Florida  
My Commission expires January 30, 2018

Publication Cost: \$213.90  
Ad No: 0001348553  
Customer No: BRE-6BR527



RUBY ROYER  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF088043  
Expires 1/30/2018

AD#1348553 06/15/16  
LEGAL NOTICE  
NOTICE TO VACATE A PORTION OF A 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE WEST/REAR LINE OF LOT 11, BLOCK 316, "PORT ST. JOHN UNIT -EIGHT" IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, 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 Justin Stevens with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

SEE EXHIBIT "A"

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 a.m. on July 12, 2016 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 meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

EXHIBIT "A"

THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS THE EAST 15.00 FEET OF THE WEST 20.00 FEET OF LOT 11, BLOCK 316 OF THE PLAT OF PORT ST. JOHN, UNIT EIGHT AS RECORDED IN PLAT BOOK 23, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET OF SAID LOT 11, CONTAINING 1,020 SQUARE FEET, MORE OR LESS.  
PREPARED BY: MARK A. JOHNSON, PSM

RECEIVED

JUN 17 2016

Commissioners

# LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID NUMBER: 23-35-14-JZ-00316.0-0011.00

PURPOSE OF DESCRIPTION AND SKETCH: TO VACATE A PORTION OF THE 20.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING WITHIN LOT 11 BLOCK 316

## LEGAL DESCRIPTION:

THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS THE EAST 15.00 FEET OF THE WEST 20.00 FEET OF LOT 11, BLOCK 316 OF THE PLAT OF PORT ST. JOHN, UNIT EIGHT AS RECORDED IN PLAT BOOK 23, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET OF SAID LOT 11. CONTAINING 1,020 SQUARE FEET, MORE OR LESS.

## SURVEYOR'S NOTES:

1. THE BEARING REFERENCE OF SOUTH 0 DEGREES 35 MINUTES 39 SECONDS WEST IS BASED ON THE CENTERLINE OF CALIPH AVENUE, LOCATED WITHIN PORT ST. JOHN, UNIT EIGHT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
2. THIS IS NOT A BOUNDARY SURVEY.
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY EXACTA LAND SURVEYORS, INC. DATED APRIL 21, 2016



Mark A. Johnson  
 State of Florida Professional Surveyor and Mapper  
 License No. 6572

MARK A. JOHNSON, PSM NO. 6572  
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR:  
 JUSTIN STEVENS

PREPARED BY: EXACTA LAND SURVEYORS, INC. (LB # 7337)  
 ADDRESS: 11940 Fairway Lakes Drive, Suite 1, Ft. Myers, FL 33913  
 PHONE: 866.735.1916

DRAWN BY: <u>C.H.</u>	CHECKED BY: <u>M.A.J.</u>	DRAWING NO. <u>1604.1987</u>	SECTION <u>14</u>
DATE: <u>4.20.2016</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS _____	TOWNSHIP <u>23</u> SOUTH
			RANGE <u>35</u> EAST





BREVARD CTY PUBLIC WORKS DEPT  
0.00 Tammy Rowe  
P. O. BOX 999  
TITUSVILLE, FL 32781

STATE OF FLORIDA COUNTY OF BREVARD:  
Before the undersigned authority personally appeared Kim Curro who on oath says that he or she is a 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

**Notice Public Hearing**

as published in **FLORIDA TODAY** in the issue(s) of:

07/16/16

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 28th of July 2016, by Kim Curro who is personally known to me

  
Ruby Royer  
Notary Public for the State of Florida  
My Commission expires January 30, 2018

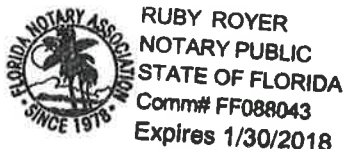
Publication Cost: \$158.48  
Ad No: 0001435660  
Customer No: BRE-6BR327

AD#1435660      7/16/16  
**LEGAL NOTICE**  
RESOLUTION VACATING A PORTION OF A 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE WEST/REAR LINE OF LOT 11, BLOCK 316, PORT ST. JOHN UNIT EIGHT, COCOA, IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST  
**TO WHOM IT MAY CONCERN:**  
NOTICE IS HEREBY GIVEN that on the 12th day of July, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a 20.0 ft. wide public utility and drainage easement at the west/rear line of Lot 11, Block 316, Port St. John Unit Eight, Cocoa, in Section 14, Township 23 South, Range 35 East, as petitioned by Justin Stevens.  
**SEE ATTACHED EXHIBIT "A"**  
The Board further renounced and disclaimed any right of the County in and to said public utility and drainage easement.  
**BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA**  
SCOTT ELLIS, CLERK  
BY: Tammy Rowe, Deputy Clerk  
**EXHIBIT "A"**  
THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS THE EAST 15.00 FEET OF THE WEST 20.00 FEET OF LOT 11, BLOCK 316 OF THE PLAT OF PORT ST. JOHN, UNIT EIGHT AS RECORDED IN PLAT BOOK 23, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET OF SAID LOT 11, CONTAINING 1,020 SQUARE FEET, MORE OR LESS.  
PREPARED BY: MARK A. JOHNSON, PSM

RECEIVED  
AUG 01 2016

Board of County Commissioners

DUPLICATE





**Dana Blickley, CFA**  
 Brevard County Property Appraiser



Enter your title or notes here

Rich text editor toolbar with icons for bold, italic, underline, font size (12), and text color.

**Identification Data**

OWNERS: Justin Stevens  
 SITE ADDRESS: 6860 Callph Ave Cocoa 32927  
 MAIL ADDRESS: 1169 Saint Andrews Dr Rockledge FL 32955  
 PARCEL ID: 23-35-14-JZ-316-11 TAX ID: 2303675  
 PROPERTY USE: 0110 - R-Single Family Residence  
 EXEMPTION: 1 - Homestead MILLAGE CODE: 1900 - **Unincorp District 1**

**Value Data**

VALUE CATEGORY	2015	2014	2013
MARKET VALUE:	\$128,000	\$107,570	\$103,650
AGRICULTURAL VALUE:	\$0	\$0	\$0
ASSESSED NON-SCHOOL:	\$97,510	\$96,740	\$95,310
ASSESSED SCHOOL:	\$97,510	\$96,740	\$95,310
HOMESTEAD EXEMPTION:	\$25,000	\$25,000	\$25,000
ADDITIONAL HOMESTEAD:	\$25,000	\$25,000	\$25,000
OTHER EXEMPTION:	\$0	\$0	\$0
TAXABLE NON-SCHOOL:	\$47,510	\$46,740	\$45,310
TAXABLE SCHOOL:	\$72,510	\$71,740	\$70,310

**Sale Data**

SALE TYPE: Improved	SALE DATE: 01/26/2016	SALE PRICE: \$146,000	ORBP: 7544/2855
DEED: WD - Warranty Deed/Special Warranty Deed			
SALE TYPE: Improved	SALE DATE: 02/13/2015	SALE PRICE: \$100	ORBP: 7302/1907
DEED: CT - Certificate Of Title			
SALE TYPE: Improved	SALE DATE: 03/21/2008	SALE PRICE: \$178,000	ORBP: 5853/4291
DEED: WD - Warranty Deed/Special Warranty Deed			
SALE TYPE: Improved	SALE DATE: 09/28/2007	SALE PRICE: \$143,000	ORBP: 5818/6480
DEED: WD - Warranty Deed/Special Warranty Deed			
SALE TYPE: Improved	SALE DATE: 02/28/1999	SALE PRICE: \$110,400	ORBP: 3971/1483
DEED: WD - Warranty Deed/Special Warranty Deed			
SALE TYPE: Vacant	SALE DATE: 10/30/1998	SALE PRICE: \$9,000	ORBP: 3913/3944
DEED: WD - Warranty Deed/Special Warranty Deed			
SALE TYPE: Vacant	SALE DATE: 10/01/1974	SALE PRICE: \$1,200	ORBP: 1485/0091
DEED:			

**Building Data**

PROPERTY DATA CARD # 1

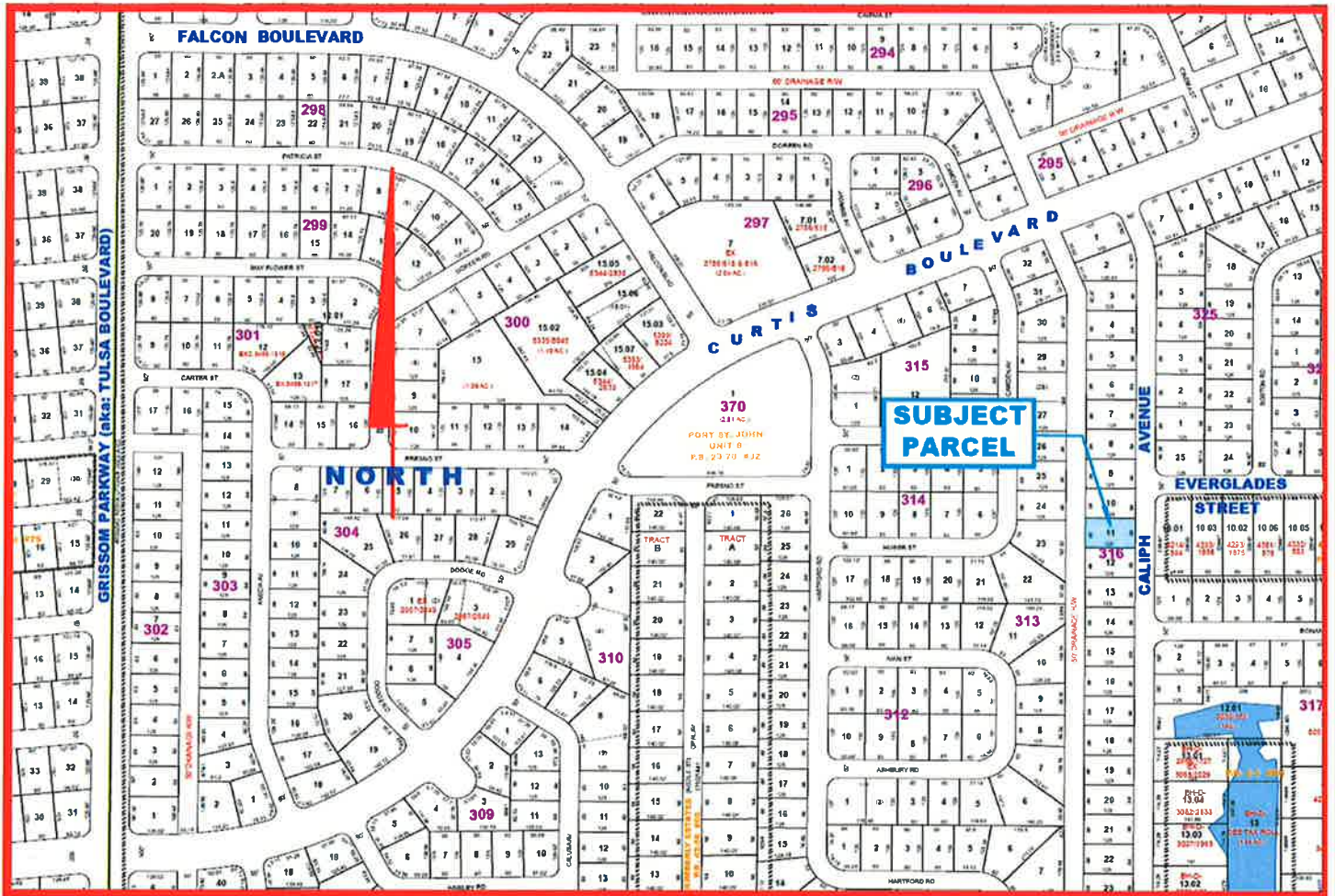
BUILDING TYPE: Residential	YEAR BUILT: 1999
BUILDING USE: 0110 - Single Family Residence	
BUILDING SUB-AREAS	
DESCRIPTION	SQUARE-FEET
Base Area Floor 1	2,273
Garage	447
Open Porch	42
BUILDING EXTRA FEATURES	
DESCRIPTION	UNITS
No Building Extra Features Data Found	

**Land Data**

TOTAL ACRES: 0.23 SITE CODE: 0001 - No Other Code Appl.  
 ABBREVIATED DESCRIPTION

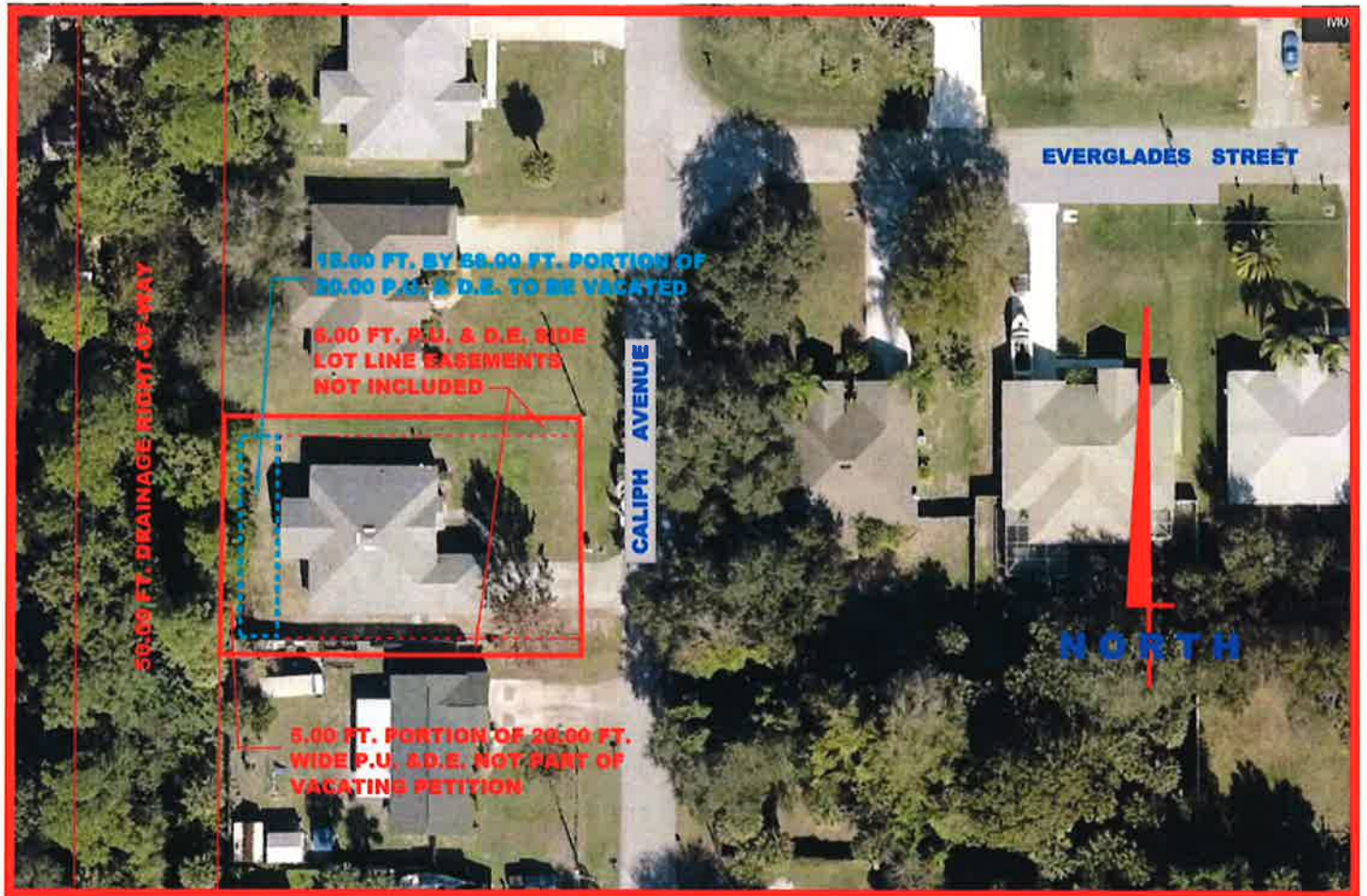
PLAT BOOK/PAGE: 0023/0070  
 SUBDIVISION: Port St John Unit 8  
 DESCRIPTION: Lot 11 Blk 316

**APPRAISER'S DETAIL SHEET**



## VICINITY MAP

Justin Stevens – 6860 Caliph Avenue, Cocoa, FL, 32827 – Lot 11, Block 316, Port St. John Unit – Eight (Plat Book 23, Page 70) – Section 14, Township 23 South, Range 35 East – District 1 Proposed Partial Vacating of 20.00 ft. Wide Public Utility and Drainage Easement



## AERIAL MAP

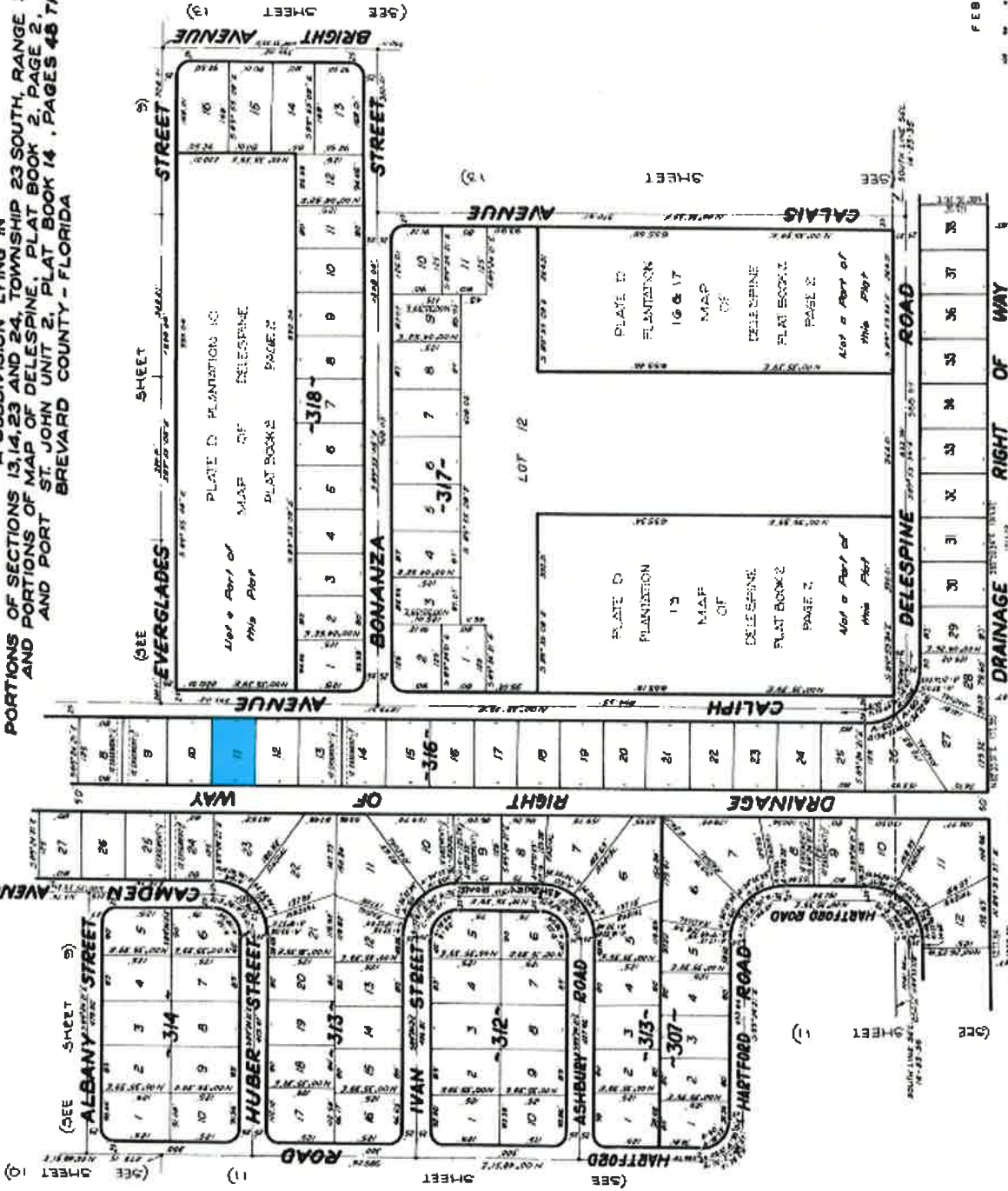
Justin Stevens – 6860 Caliph Avenue, Cocoa, FL, 32827 – Lot 11, Block 316, Port St. John Unit – Eight (Plat Book 23, Page 70) – Section 14, Township 23 South, Range 35 East – District 1 - Proposed Partial Vacating of 20.00 ft. Wide Public Utility and Drainage Easement



PLAT BOOK 23  
AND PAGE 81

# PORT ST JOHN UNIT -- EIGHT

A SUBDIVISION LYING IN  
PORTIONS OF SECTIONS 13, 14, 23 AND 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST,  
AND PORTIONS OF MAP OF DELESPINE, PLAT BOOK 2, PAGE 2,  
AND PORT ST JOHN UNIT 2, PLAT BOOK 14, PAGES 48 THRU 51  
BREVARD COUNTY - FLORIDA



FEBRUARY - 1970  
Scale: 1" = 100'

JAMES EDWARD CLARK  
CIVIL ENGINEER  
STATE FLORIDA

PORT ST JOHN UNIT THREE PLAT BOOK 22 PAGES 25 THRU 35  
BLOCK 16

SHEET 12 OF 14 SHEETS  
118 LOTS THIS SHEET

## PLAT REFERENCE SHEET 2 OF 2

Prepared by & Return to:  
Stewart Lender Services  
Closer: LAURA GOTZ  
2002 N. Lois Ave., Suite 700  
Tampa, FL 33607  
as a necessary incident to the fulfillment of conditions  
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):  
APN: 23-35-14-JZ-00316.0-0011.00

**SPECIAL WARRANTY DEED  
(CORPORATE)**

This Special Warranty Deed Made the 26<sup>th</sup> day of January, 2016, by Fannie Mae a/k/a Federal National Mortgage Association, and having its place of business at P.O. Box 650043 Dallas, TX 75265-0043, hereinafter called the grantor, to JUSTIN STEVENS, a single man, whose post office address is: 1169 St. Andrews Drive, Rockledge, Florida 32955 hereinafter called the grantee,

**WITNESSETH:** That grantor, for and in consideration of the sum of \$146,000.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in BREVARD County, Florida, viz:

Lot 11, Block 316, Port St. John, Unit Eight, according to the plat thereof, as recorded in Plat Book 23, Page 70, Public Records of Brevard County, Florida.

GRANTEE HEREIN SHALL BE PROHIBITED FROM CONVEYING THE CAPTIONED PROPERTY FOR A SALES PRICE OF GREATER THAN \$175,200.00 FOR A PERIOD OF 3 MONTH(S) FROM THE DATE OF THE RECORDING OF THIS DEED. GRANTEE SHALL ALSO BE PROHIBITED FROM ENCUMBERING SUBJECT PROPERTY WITH A SECURITY INTEREST IN THE PRINCIPAL AMOUNT OF GREATER THAN \$175,200.00 FOR A PERIOD OF 3 MONTH(S) FROM THE DATE OF THE RECORDING OF THIS DEED. THESE RESTRICTIONS SHALL RUN WITH THE LAND AND ARE NOT PERSONAL TO GRANTEE. THIS RESTRICTION SHALL TERMINATE IMMEDIATELY UPON CONVEYANCE AT ANY FORECLOSURE SALE RELATED TO A MORTGAGE OR DEED OF TRUST.

THIS RESTRICTION SHALL TERMINATE IMMEDIATELY UPON CONVEYANCE AT ANY FORECLOSURE SALE RELATED TO A MORTGAGE OR DEED OF TRUST.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**SUBJECT ALSO** to taxes and assessments for the year 2016 and subsequent years.

**To Have and to Hold**, the same in fee simple forever.

**P E T I T I O N E R ' S   D E E D**

**S H E E T   1   O F   2**

GRANTOR'S WILL WARRANT and forever defend the right and title to the above-described real property unto the Grantees against the claims of all person, claiming by, through or under Grantor's, but not otherwise.

(Wherever used herein the terms "grantor" and "grantee" included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation.)

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES  
(TWO SEPARATE DISINTERESTED WITNESSES REQUIRED)

Witness Signature: [Handwritten Signature]  
Printed Name: Kathleen N. Washington

Fannie Mae a/k/a Federal National Mortgage Association By Stewart Lender Services as Attorney in fact

Witness Signature: [Handwritten Signature]  
Printed Name: DAMIAN FARWA LI

BY: [Handwritten Signature]  
Assistant Vice President

**Erica Z. White**

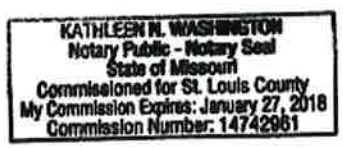
State of ~~Florida~~ Missouri  
County of ~~Hillsborough~~ St. Louis City

The foregoing instrument was acknowledged before this 26 day of January 2016, by Erica Z. White Assistant Vice President of Stewart Lender Services, Inc., as Attorney in Fact for Fannie Mae a/k/a Federal National Mortgage Association. She/He is personally known to me.

My Commission expires: 1-27-2018

[Handwritten Signature]  
Notary Public Signature  
Printed Name: Kathleen N. Washington  
Serial Number

(SEAL)



**PETITIONER'S DEED**  
**SHEET 2 OF 2**

PREPARED BY:

# EXACTA

Land Surveyors, Inc.

www.exactaland.com  
Toll Free 866-735-1916 • F 866-744-2882

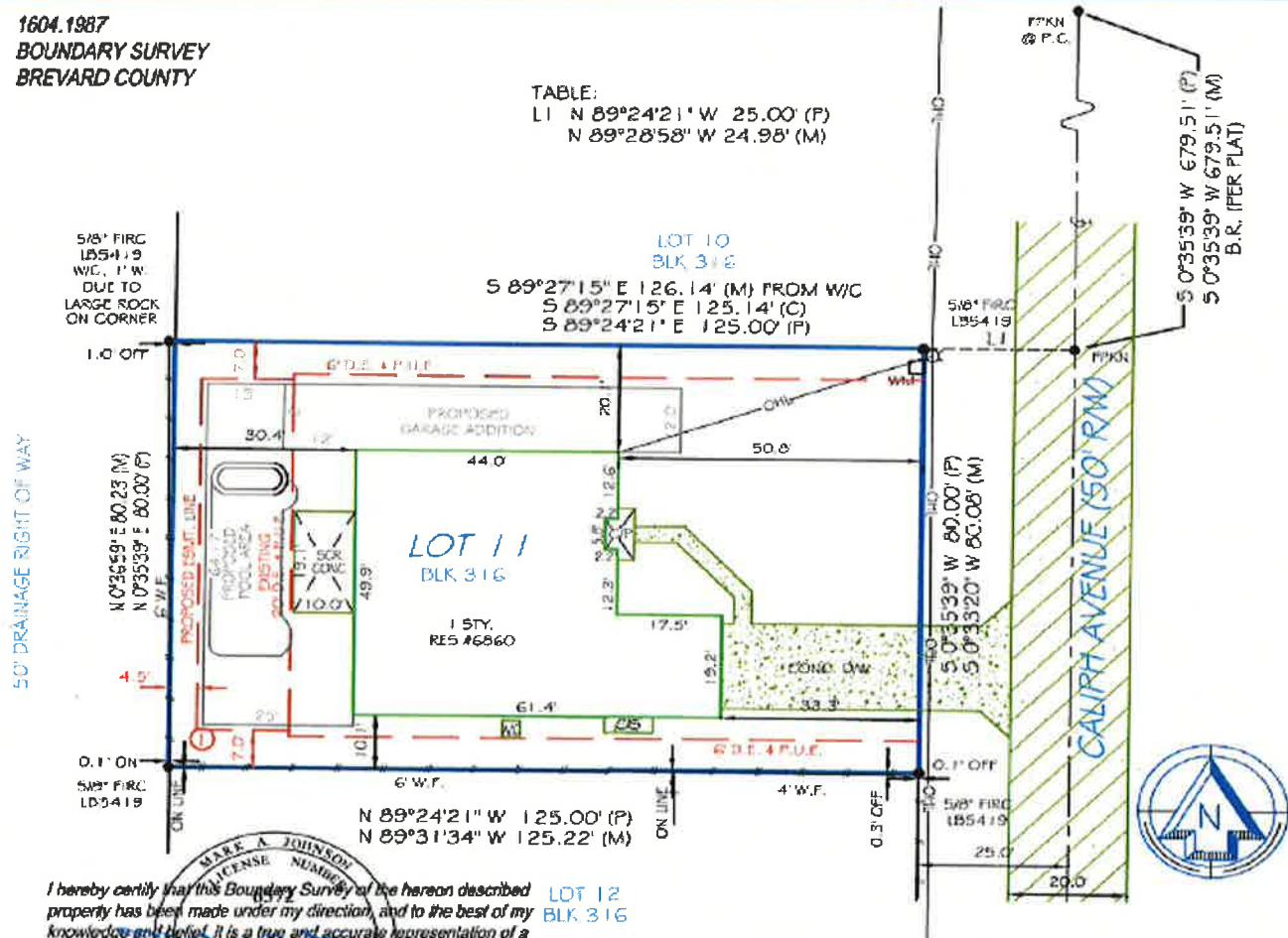


PROPERTY ADDRESS: 6860 CALIPH AVENUE, COCOA, FLORIDA 32927-8331

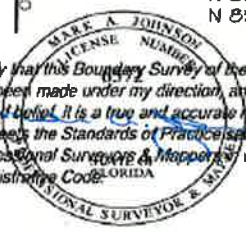
SURVEY NUMBER 1604.1987

1604.1987  
BOUNDARY SURVEY  
BREVARD COUNTY

TABLE:  
L1 N 89°24'21" W 25.00' (P)  
N 89°28'58" W 24.98' (M)

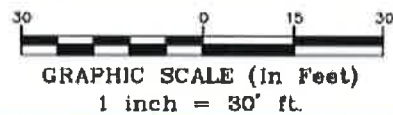


I hereby certify that this Boundary Survey of the hereon described property has been made under my direction, and to the best of my knowledge and belief, it is a true and accurate representation of a survey that meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers, Chapter 5J-17 of the Florida Administrative Code.



Mark A. Johnson  
State of Florida Professional Surveyor and Mapper  
License No. 00172

NOTES:  
LOT APPEARS TO BE SERVICED BY CITY WATER AND SEWER,  
FENCE OWNERSHIP NOT DETERMINED



BUYER: JUSTIN STEVENS

CLIENT NUMBER

DATE: 4/21/2016

SELLER:

CERTIFIED TO: JUSTIN STEVENS

This is page 1 of 2 and is not valid without all pages.

# EXACTA

Land Surveyors, Inc.

LD# 7332

www.exactaland.com  
866-735-1916 • F. 866-744-2882  
11940 Fairway Lakes Drive, Suite 1 • Ft. Myers, FL 33911

# PETITIONER'S BOUNDARY SURVEY: SHEET 1 OF 2

DESCRIPTION OF PROPOSED PORTION OF EASEMENT TO BE VACATED)

THE NORTH 68' OF THE SOUTH 74' OF THE EAST 15' OF THE WEST 20' OF THE FOLLOWING DESCRIBED PARCEL:

LOT 11, BLOCK 316, PORT ST. JOHN, UNIT EIGHT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 70, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYOR'S LEGEND

Table with 4 columns: Symbol, Description, Symbol, Description. Lists various surveying symbols and their corresponding meanings, such as '1/4" - 1/8" CONCRETE LINE', '1/4" - 1/8" METAL FENCE', etc.

GENERAL SURVEYOR NOTES:

- 1. The Legal Description used to perform this survey was supplied by others. The survey does not determine or imply ownership.
2. This survey only shows improvements found above ground. Underground utilities and easements are not located on this survey map.
3. If there is a septic tank, or drain field shown on the survey, the location is approximate as the location was either shown to Exacta by a third party or it was estimated by aerial detection, probing rods, and visual above ground inspection only. No excavation was performed in order to determine the exact and accurate location.
4. This survey is exclusively for the use of the parties to whom it is certified.
5. Additions or deletions to this survey map and report by other than the signing party or parties is prohibited without written consent of the signing party or parties.
6. Dimensions are in feet and decimals thereof.
7. Due to varying construction standards, house dimensions are approximate.
8. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain such data was performed at www.fema.gov.
9. All corners marked as set are a minimum 1/4" diameter, 18" high rods with a cap stamped LB97337.
10. If you are reading this survey in an electronic format, the information contained on this document is only valid if this document is electronically signed as specified in Chapter SJ-17.062(13) of the Florida Administrative Code and Florida Statute 472.025. The Electronic Signature File related to this document is prominently displayed on the invoice for this survey which is sent under separate cover. Manually signed and sealed logs of all survey signature files are kept in the office of the performing surveyor. If this document is in paper format, it is not valid without the signature and original rubber seal of a Florida Licensed Surveyor.
11. Unless otherwise stated, an examination of the abstract of title was NOT performed by the surveying surveyor to determine which instruments, if any, are affecting this property.
12. The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the center of the field location, and may not represent the actual shape or size of the feature.
13. Points of Interest (POI's) are selected above-ground improvements which may be in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, see called-out as POI's, or which are otherwise unknown to the surveyor. These POI's may not represent all items of interest to the owner.
14. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
15. The information contained on this survey has been performed exclusively, and is the sole responsibility, of Exacta Surveyors. Additional logs or references to third party firms are for informational purposes only.
16. Pursuant to F.S. 558.0033, an individual employee or agent may not be held individually liable for negligence.
17. Moine measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.

ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A free online hash calculator is available at http://www.fileformat.info/tool/md5sum.htm. To Electronically Sign any survey PDF: 1. Save the PDF onto your computer. 2. Use the online tool at http://www.fileformat.info/tool/md5sum.htm to browse for the saved PDF on your computer. 3. Select the Hash Method as SHA. 4. Click Submit. Your PDF is electronically signed if all of the characters in the SHA -1 code submitted by STARS matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes do not match exactly, your PDF is not authentic.

POINTS OF INTEREST

1. 6' WOOD FENCE OVER DRAINAGE AND PUBLIC UTILITY EASEMENT

JOB SPECIFIC SURVEYOR NOTES:

THE BEARING REFERENCE OF SOUTH 0 DEGREES 35 MINUTES 39 SECONDS WEST IS BASED ON THE CENTERLINE OF CALIPH AVENUE, LOCATED WITHIN PORT ST. JOHN, UNIT EIGHT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

FLOOD INFORMATION:

By performing a search with the local governing municipality or www.fema.gov, the property appears to be located in zone A & X (with a Base Flood Elevation of 25). This Property was found in BREVARD COUNTY, community number 125092, dated 03/17/14.



www.exactalands.com
P866-735-1916 - F.866-744-2882
11940 Fairway Lakes Drive, Suite 1 - Ft. Myers, FL 33913

PETITIONER'S BOUNDARY SURVEY: SHEET 2 OF 2



AD#1348553

06/15/16

**LEGAL NOTICE**

**NOTICE TO VACATE A PORTION OF A 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE WEST/REAR LINE OF LOT 11, BLOCK 316, "PORT ST. JOHN UNIT -EIGHT" IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, 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 Justin Stevens with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**SEE EXHIBIT "A"**

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 a.m. on July 12, 2016 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 meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

**EXHIBIT "A"**

THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS THE EAST 15.00 FEET OF THE WEST 20.00 FEET OF LOT 11, BLOCK 316 OF THE PLAT OF PORT ST. JOHN, UNIT EIGHT AS RECORDED IN PLAT BOOK 23, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET OF SAID LOT 11. CONTAINING 1,020 SQUARE FEET, MORE OR LESS.

PREPARED BY: MARK A. JOHNSON, PSM

**PUBLIC HEARING LEGAL**  
**ADVERTISEMENT**

## Donna Scott

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**From:** Cazessus, Marc <marc.cazessus@brevardfl.gov>  
**Sent:** Thursday, June 09, 2016 11:38 AM  
**To:** BRELEGALS@gannett.com  
**Cc:** Tammy Rowe; Donna Scott; Kim Reynolds; Sweeney, Michael; Vitale, Anthony  
**Subject:** Stevens: Easement Vacating - Public Hearing Ad  
**Attachments:** PUBLIC HEARING AD NOTICE-STEVENSON.doc

Dear Sir or Madame:

Please process the attached public hearing legal notice for the Justin Stevens easement vacating and schedule publication for Wednesday, June 15, 2016 in the Florida TODAY newspaper publication. **Please** use account no. 6BR527 and also take note as to the routing of the invoice and proof of publication as this will assist the County in providing payment. I thank you in advance for your assistance and continued cooperation; please do not hesitate to contact me if you have any questions.

Respectfully,

*Marc*

Marc Cazessus, PLS  
Vacating & Acquisition Review Specialist  
Tel: (321) 617-7315 Fax: (321) 633-2083  
Email: [marc.cazessus@brevardcounty.us](mailto:marc.cazessus@brevardcounty.us)  
Brevard County Public Works Dept.  
2725 Judge Fran Jamieson Way, Bldg. A-220  
Viera, FL 32940

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
By: Tammy Rowe, Deputy Clerk

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Florida Today:

Please advertise in the June 15, 2016 issue of Florida TODAY.

**PLEASE NOTE!** Please bill the Board of County Commissioners and forward bill and proof of publications to Tammy Rowe, Deputy Clerk, Titusville Courthouse, 2nd Floor, P. O. Box 999, Titusville, FL 32781-0999

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#### LEGAL NOTICE

NOTICE TO VACATE A PORTION OF A 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE WEST/REAR LINE OF LOT 11, BLOCK 316, "PORT ST. JOHN UNIT - EIGHT" IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FL

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PREPARED BY: MARK A. JOHNSON, PSM

## Donna Scott

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**From:** LEGALS, BRE <BRELEGALS@gannett.com>  
**Sent:** Thursday, July 14, 2016 12:54 PM  
**To:** Donna Scott  
**Subject:** Brevard Classified Legal Auto Reply  
**Attachments:** image001.jpg

Thank you for e-mailing the Brevard Classified Legal Advertising Department. Ads placed by private individuals will be accepted on a payment-in advance basis only.



### AD SUBMISSION GUIDELINES

If you e-mail or fax Legal Ad(s) to us, please provide the following information:

- Account name and number
- Billing telephone number
- Contact person
- Preferred publishing dates
- Number of affidavits needed
- Address affidavit should be sent to, if different from billing.
- P.O. number (applicable to government accounts and agency advertisers)

Your notice will be published on the next available publication date unless otherwise requested.

Date of Publication:	Deadline:
Monday	Friday, 12noon
Tuesday	Friday, 4pm
Wednesday	Monday, 4pm
Thursday	Tuesday, 4pm
Friday	Wednesday, 4pm
Saturday	Thursday, 4pm
Sunday	Thursday, 4pm

We appreciate your business. If you have any questions please contact us @ 888-516-9220. Office hours Mon-Fri 8am-5pm.

**\*IF THIS SUBMISSION IS FOR A LEGAL DISPLAY PLEASE CONTACT US IMMEDIATELY AT 888-516-9220 SO WE CAN ACCURATELY PROCESS YOUR ORDER.**



Classified Ad Receipt  
(For Info Only - NOT A BILL)

**Customer:** BREVARD CTY PUBLIC WORKS DEPT  
**Address:** 2725 JUDGE FRAN JAMIESON WAY  
VIERA FL 32940  
USA

**Ad No.:** 0001435660  
**Pymt Method:** Invoice  
**Net Amt:** \$158.48

**Run Times:** 1

**No. of Affidavits:** 1

**Run Dates:** 07/16/16

**Text of Ad:**

AD#1435660 7/16/16  
**LEGAL NOTICE**  
RESOLUTION VACATING A PORTION OF  
A 20.0 FT. WIDE PUBLIC UTILITY AND  
DRAINAGE EASEMENT AT THE  
WEST/REAR LINE OF LOT 11, BLOCK 316,  
PORT ST. JOHN UNIT EIGHT, COCOA, IN  
SECTION 14, TOWNSHIP 23 SOUTH,  
RANGE 35 EAST

**TO WHOM IT MAY CONCERN:**

NOTICE IS HEREBY GIVEN that on the  
12th day of July, 2016, the Board of  
County Commissioners of Brevard Coun-  
ty, Florida, adopted a Resolution  
vacating a portion of a 20.0 ft. wide  
public utility and drainage easement at  
the west/rear line of Lot 11, Block 316,  
Port St. John Unit Eight, Cocoa, in Sec-  
tion 14, Township 23 South, Range 35  
East, as petitioned by Justin Stevens.

**SEE ATTACHED EXHIBIT "A"**

The Board further renounced and dis-  
claimed any right of the County in and  
to said public utility and drainage ease-  
ment.

BY ORDER OF THE BOARD OF COUNTY  
COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
BY: Tammy Rowe, Deputy Clerk

**EXHIBIT "A"**

THAT PORTION OF THE 20.00 FOOT  
WIDE PUBLIC UTILITY AND DRAINAGE  
EASEMENT DESCRIBED AS THE EAST  
15.00 FEET OF THE WEST 20.00 FEET OF  
LOT 11, BLOCK 316 OF THE PLAT OF  
PORT ST. JOHN, UNIT EIGHT AS RECORD-  
ED IN PLAT BOOK 23, PAGE 70 OF THE  
PUBLIC RECORDS OF BREVARD COUNTY,  
FLORIDA LESS AND EXCEPT THE NORTH  
AND SOUTH 6.00 FEET OF SAID LOT 11,  
CONTAINING 1,020 SQUARE FEET,  
MORE OR LESS.

PREPARED BY: MARK A. JOHNSON, PSM

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE WEST/REAR LINE OF LOT 11, BLOCK 316, PORT ST. JOHN UNIT EIGHT, COCOA, IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 12<sup>th</sup> day of July, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a 20.0 ft. wide public utility and drainage easement at the west/rear line of Lot 11, Block 316, Port St. John Unit Eight, Cocoa, in Section 14, Township 23 South, Range 35 East, as petitioned by Justin Stevens.

SEE ATTACHED EXHIBIT "A"

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

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA

SCOTT ELLIS, CLERK

BY: Tammy Rowe, Deputy Clerk

FLORIDA TODAY:

Please advertise in the July 16, 2016, issue of the Florida TODAY.

**Bill the Board of County Commissioners and forward bill and proof of publication to:  
Tammy Rowe, P.O. Box 999, Titusville, Florida 32781-0999.**

THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS THE EAST 15.00 FEET OF THE WEST 20.00 FEET OF LOT 11, BLOCK 316 OF THE PLAT OF PORT ST. JOHN, UNIT EIGHT AS RECORDED IN PLAT BOOK 23, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET OF SAID LOT 11. CONTAINING 1,020 SQUARE FEET, MORE OR LESS.

PREPARED BY: MARK A. JOHNSON, PSM