

Meeting Date
November 01, 2016



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.B.

AGENDA REPORT 16-197
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Part of the 50.0 ft. right-of-way of London Boulevard – Kelly Park – District 2 - ACN Company; Keith Notary; Zvonimir Matkovic and Radovan Cvetkovic – (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 the partial vacating of London Boulevard, an undeveloped 50.0 ft. wide public right-of-way in Section 07, Township 24 South, Range 37 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 petitioners own Lots 2 – 4 and 15 – 19 of Block C which adjoin the London Boulevard right-of-way and are requesting the vacating of a portion of the right-of-way to allow for a more efficient use of the land, future business expansions and improved maintenance and security of the vacated parcel. The right-of-way parcel to be vacated contains 0.29 acres/12,500 square feet, more or less.

October 30, 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 and in 1982, the north 475 ft. of the London Boulevard was vacated. The property is located in Merritt Island as follows: Begin at the intersection of S.R. 528 (Beeline Express) and North Banana River Drive; thence 340 ft. northerly along North Banana River Drive; thence 370 ft. westerly along Sea Ray Drive to the right-of-way on the north (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 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 Approved Resolution Notice and Record Vacating Resolution Documents (as one resolution type document which in sequence includes the proof of publication of the public hearing notice, the approved/signed resolution, and the proof of publication of the adopted resolution notice.

Contract / Agreement (If attached):	Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager	Assistant County Manager	Department Director / Extension
	Assistant County Manager	
Stockton Whitten	Venetta Valdengo	John Denninghoff / Ext. 57202

PARTIAL VACATING OF LONDON BOULEVARD, A 50.0 FT. WIDE, UNOPENED AND UNDEVELOPED PUBLIC RIGHT-OF-WAY IN "KELLY PARK", MERRITT ISLAND, FLORIDA, LYING IN SECTION, 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **THE ACN COMPANY; KEITH NOTARY; ZVONIMIR MATKOVIC AND RADOVAN CVETKOVIC** with the Board of County Commissioners to vacate a portion of a public right-of-way in Brevard County, Florida, described as follows:

SEE ATTACHED BOUNDARY SURVEY

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 right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of the public right-of-way is hereby vacated; and Brevard County renounces and disclaims any rights in and to said right-of-way. 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 1st day of November, 2016 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



JIM BARFIELD, CHAIRMAN

As approved by the Board on:
November 01, 2016

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

ABUTTING PARCEL ID* 24 37-07-CF-C-2 &
 ABUTTING PARCEL ID* 24 37-07-CF-C-4
 ABUTTING PARCEL ID* 24 37-07-CF-C-15

PURPOSE OF SURVEY: VACATE A PORTION OF ROAD RIGHT-OF-WAY

LEGAL DESCRIPTION TO BE VACATED:

A PORTION OF LONDON BOULEVARD (A 50 FOOT RIGHT-OF-WAY AND FORMERLY KNOWN AS ROOSEVELT AVENUE) LYING WESTERLY OF LOTS 15-19, BLOCK "C", MAP OF KELLY PARK, AS RECORDED IN PLAT BOOK 4, PAGE 21, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LYING IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST. CONTAINING 0.2966 ACRES OR 12,918.07 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 19, BLOCK C, ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD, THENCE RUN S04°37'40"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, BLOCK C, ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SEA RAY DRIVE, ALSO KNOWN AS LAMBERT ROAD (RIGHT-OF-WAY VARIES), THENCE RUN S89°56'17"W, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 15, BLOCK "C", A DISTANCE OF 50.17 FEET, THENCE DEPARTING WESTERLY EXTENSION LINE, RUN N04°37'40"E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD AND THE WESTERLY LINE OF PLAT BOOK 4, PAGE 21, A DISTANCE OF 250.00 FEET, THENCE LEAVING WESTERLY RIGHT-OF-WAY LINE, N89°56'17"E, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 19, A DISTANCE OF 50.17 FEET TO THE POINT-OF-BEGINNING.

SURVEYOR'S NOTES:

1. NO UNDERGROUND IMPROVEMENTS ARE LOCATED.
2. ONLY VISIBLE IMPROVEMENTS ARE SHOWN.
3. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. THIS TRACT OF LAND CONTAINS 12500.00 SQUARE FEET OR 0.2870 ACRES OF LAND MORE OR LESS.
4. THIS BOUNDARY 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 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
5. BEARINGS ARE BASED UPON THE EAST R/W LINE OF LONDON BLVD (ROOSEVELT AVENUE), SHOWN TO BEAR S04°37'40"W, AS PER PLAT BOOK 4, PAGE 21, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
6. THIS PROPERTY IS WITHIN FLOOD ZONE "X", DETERMINED 3-17-14 BY FLOOD INSURANCE RATE MAP, PANEL NUMBER 1250920345G.
7. FIELD WORK WAS COMPLETED ON 06-06-16.
8. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEY AND MAPPER.

LEGEND	
CBS	CONCRETE BLOCK STRUCTURE
POB	POINT-OF-BEGINNING
ORB	OFFICIAL RECORDS BOOK
PLS	PROFESSIONAL LAND SURVEYOR
R/W	RIGHT-OF-WAY
C	CALCULATED
(D)	DEED
AKA	ALSO KNOWN AS
WPP	WOOD POWER POLE
☼	WOOD LIGHT POLE
CONC	CONCRETE
CLF	CHAIN LINK FENCE
WF	WOOD FENCE
A/C	AIR CONDITIONER
RCP	REINFORCED CONCRETE PIPE
IRC	IRON ROD & CAP
O/H	OVERHEAD WIRES
(P)	PLAT
LB	LAND BUSINESS

PREPARED FOR:
 ALBERT NOTARY
 KEITH NOTARY


 TIM CARLILE, PLS, FLORIDA PLS NO. 5170
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: LAND AND SEA SURVEYING CONCEPTS, INC.
 ADDRESS: 1605 CHASE HAMMOCK ROAD, MERRITT ISLAND, FL 32953
 PHONE: 321-454-6310 "CERTIFICATE OF AUTHORIZATION LB NO.6447"

LAND & SEA SURVEYING

DRAWN BY: <u>SK</u>	CHECKED BY: <u>TC</u>	DRAWING NO. <u>1993-561</u>	SECTION <u>07</u>
DATE: <u>09-07-16</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS _____	TOWNSHIP <u>24</u> SOUTH
			RANGE <u>37</u> EAST

BOUNDARY SURVEY

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

SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST

ABUTTING PARCEL ID# 24 37-07-CF-C-2 &
 ABUTTING PARCEL ID# 24 37-07-CF-C-4
 ABUTTING PARCEL ID# 24 37-07-CF-C-15

SCALE: 1" = 40'

TAX PARCEL 24-37-07-00-753
 OWNER: CANAVERAL PORT AUTHORITY

FOUND 1/2" IRC "LB 266"
 1.05" SOUTH
 0.34" EAST

6" CLF
 THE WESTERLY EXTENSION
 OF THE NORTH
 LINE OF LOT 19

6" WF
 SET 5/8" IRC "PLS #5170"

TAX PARCEL 24-37-07-00-751
 PARK N CRUISE II, LLC

LOT 21
 BLOCK "C"
 TAX PARCEL 24-37-07-CF-C-1
 OWNER: CANAVERAL PORT AUTHORITY

LOT 20
 BLOCK "C"
 TAX PARCEL 24-37-07-CF-C-20
 OWNER: CHARLES C. CHANDLER, TRUSTEE

POINT-OF-BEGINNING
 THE NORTHWEST CORNER OF LOT 19, BLOCK C
 FOUND 1/2" IRC "5208"
 0.36" SOUTH 0.18" EAST

RETENTION AREA
 PAVEMENT 1.3" INSIDE
 ASPHALT
 LOT 19
 BLOCK "C"
 ASPHALT
 ONE STORY CBS
 TAX PARCEL 24-37-07-CF-C-2
 OWNER: ACN COMPANY

RETENTION AREA
 ASPHALT
 LOT 18
 BLOCK "C"
 ASPHALT
 TAX PARCEL 24-37-07-CF-C-4
 OWNER: KEITH NOTARY

FOUND 5/8" IRON ROD (NO ID)
 0.18" NORTH
 0.22" EAST

LOT 17
 BLOCK "C"
 CBS #2755 UNIT S

THE SOUTHWEST CORNER OF LOT 17, BLOCK C
 FOUND 5/8" IRC "PLS #5170"

LOT 16
 BLOCK "C"

TAX PARCEL 24-37-07-CF-C-15
 OWNER: ZVONIMIR MATKOVIC & RADOVAN CVETKOVIC

THE NORTHWESTERLY HALF OF LOT 15
 BLOCK "C"

THE WESTERLY
 EXTENSION
 OF THE
 SOUTH
 LINE OF LOT 15

THE SOUTHWEST CORNER OF LOT 15
 FOUND 1/2" IRC "5208"
 0.42" SOUTH
 1.42" EAST

EDGE OF PAVEMENT

SEA RAY DRIVE
 PER ROAD PLAT BOOK 01, PAGE 20
 (RIGHT-OF-WAY VARIES)

SET 5/8" IRC "PLS #5170"

50.17'
 S89° 56' 17" W

14.91'
 S73° 48' 21" W 53.49'

NORTHERLY R/W LINE

50.17'
 N89° 56' 17" E (P)

250.00'
 EASTERLY RIGHT-OF-WAY LINE

50.17'
 S89° 56' 17" W

50.17'
 N72° 01' 00" E (D) 161.95' (D)

159.94'
 N73° 48' 21" E

50.17'
 S89° 56' 17" W (P)



Tammy Rowe

BREVARD CTY PUBLIC WORKS DEPT
TITUSVILLE COURTHOUSE, 2ND FLOOR, P. O. BOX 999, T
BLDG A 220
TITUSVILLE FL

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:

09/30/16

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 30th of October
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: \$305.18
Ad No: 0001621318
Customer No: BRE-6BR327



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

AD#1621318 9/30/1616

LEGAL NOTICE

NOTICE FOR A PARTIAL VACATING OF
THE 50.0 FT. WIDE RIGHT-OF-WAY OF
LONDON BOULEVARD (aka: ROOSEVELT
AVENUE), PLAT OF "KELLY PARK" IN
SECTION 07, TOWNSHIP 24 SOUTH,
RANGE 37 EAST, MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant
to Chapter 336.09, Florida Statutes, and
Chapter 86, Article II, Section 86-36, Bre-
vard County Code, a petition has been
filed by Keith Notary, the Acn Compa-
ny, Zvonimir Matkovic and Radovan
Cvetkovic with the Board of County
Commissioners of Brevard County, Flori-
da, to request vacating the following de-
scribed 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 right-of-way at 9:00
a.m. on **November 01, 2016** at the Bre-
vard County Government Center Board
Room, Building C, 2725 Judge Fran Ja-
mieson Way, Viera, Florida, at which
time and place all those for or against
the same may be heard before final ac-

tion 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 pur-
pose, 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 ap-
peal 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 im-
paired persons shall be met if the de-
partment sponsoring the
meeting/hearing is contacted at least 48
hours prior to the public
meeting/hearing by any person wishing
assistance.

EXHIBIT "A"

A PORTION OF LONDON BOULEVARD (A
50 FOOT RIGHT-OF-WAY AND FORMER-
LY KNOWN AS ROOSEVELT AVENUE) LY-
ING WESTERLY OF LOTS 15-19, BLOCK
"C", MAP OF KELLY PARK, AS RECORD-
ED IN PLAT BOOK 4, PAGE 21, PUBLIC
RECORDS OF BREVARD COUNTY, FLORI-
DA, LYING IN SECTION 07, TOWNSHIP 24
SOUTH, RANGE 37 EAST, CONTAINING
0.2966 ACRES OR 12,918.07 SQUARE
FEET, MORE OR LESS, AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE NORTHWEST CORNER OF
LOT 19, BLOCK "C", ALSO BEING A
POINT ON THE EASTERLY RIGHT-OF-
WAY LINE OF LONDON BOULEVARD,
THENCE RUN S04°37'40"W, ALONG SAID
EASTERLY RIGHT-OF-WAY LINE, A DIST-
ANCE OF 250.00 FEET TO THE
SOUTHWEST CORNER OF SAID LOT 15,
BLOCK "C", ALSO BEING ON THE
NORTHERLY RIGHT-OF-WAY LINE OF
SEA RAY DRIVE, ALSO KNOWN AS
LAMBERT ROAD (RIGHT-OF-WAY VAR-
IES), THENCE RUN S89°56'17"W, ALONG
THE WESTERLY EXTENSION OF THE
SOUTH LINE OF LOT 15, BLOCK "C", A
DISTANCE OF 50.17 FEET, THENCE DE-
PARTING WESTERLY EXTENSION LINE
RUN N04°37'40"E, ALONG THE WESTER-
LY RIGHT-OF-WAY LINE OF LONDON
BOULEVARD AND THE WESTERLY LINE
OF PLAT BOOK 4, PAGE 21, A DISTANCE
OF 250.00 FEET, THENCE LEAVING WEST-
ERLY RIGHT-OF-WAY LINE, N89°56'17"E,
ALONG THE WESTERLY EXTENSION OF
THE NORTH LINE OF LOT 19, A DISTANCE
OF 50.17 FEET TO THE POINT-OF-
BEGINNING.

PREPARED BY: TIM CARLILE, PLS

RECEIVED
OCT 03 2016
COUNTY CLERK, BREVARD COUNTY, FLORIDA



BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A 220
VIERA, 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

Notice Public Hearing

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

11/10/16

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 10th of November 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: \$190.64
Ad No: 0001720003
Customer No: BRE-6BR327



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

AD#1720003
LEGAL NOTICE

RESOLUTION VACATING PART OF THE 50.0 FT. RIGHT-OF-WAY OF LONDON BOULEVARD IN KELLY PARK, MERRITT ISLAND, IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 1st day of November, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of the 50.0 ft. right-of-way of London Boulevard in Kelly Park, Merritt Island, in Section 07, Township 24 South, Range 37 East, as petitioned by The ACN Company, Keith Notary, Zvonimir Matkovic, and Radovan Cvetkovic.

SEE ATTACHED EXHIBIT "A"

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

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

EXHIBIT "A"

A PORTION OF LONDON BOULEVARD (A 50 FOOT RIGHT-OF-WAY AND FORMERLY KNOWN AS ROOSEVELT AVENUE) LYING WESTERLY OF LOTS 15-19, BLOCK "C", MAP OF KELLY PARK, AS RECORDED IN PLAT BOOK 4, PAGE 21, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST, CONTAINING 0.2966 ACRES OR 12,918.07 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 19, BLOCK "C", ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD, THENCE RUN 504°37'40"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, BLOCK "C", ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SEA RAY DRIVE, ALSO KNOWN AS LAMBERT ROAD (RIGHT-OF-WAY VARIES), THENCE RUN 589°56'17"W, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 15, BLOCK "C", A DISTANCE OF 50.17 FEET, THENCE DEPARTING WESTERLY EXTENSION LINE, RUN N04°37'40"E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD AND THE WESTERLY LINE OF PLAT BOOK 4, PAGE 21, A DISTANCE OF 250.00 FEET, THENCE LEAVING WESTERLY RIGHT-OF-WAY LINE, N89°56'17"E, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 19, A DISTANCE OF 50.17 FEET TO THE POINT-OF-BEGINNING.

PREPARED BY: TIM CARLILE, PLS





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

September 26, 2016

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating Part of the 50.0 Ft. Right-of-Way of London Boulevard in Kelly Park, Merritt Island, in Section 07, Township 24 South, Range 37 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 16-197, vacating part of the 50.0 foot wide right-of-way of London Boulevard in Kelly Park, Merritt Island, in Section 07, Township 24 South, Range 37 East, as petitioned by Keith Notary. Said Resolution was adopted by the Board of County Commissioners, in regular session on November 1, 2016.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for: Donna Scott
Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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

November 21, 2016

Keith Notary
690 Timuquana Drive
Merritt Island, FL 32952

Dear Mr. Notary:

Re: Resolution Vacating Part of the 50.0 Ft. Right-of-Way of London Boulevard in Kelly Park, Merritt Island, in Section 07, Township 24 South, Range 37 East

The Board of County Commissioners, in regular session on November 1, 2016, adopted Resolution No. 16-197, vacating part of the 50.0 foot right-of-way of London Boulevard in Kelly Park, Merritt Island, in Section 07, Township 24 South, Range 37 East, as petitioned by you. Said Resolution has been recorded in ORBK 7757, Pages 1492 through 1496. 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: Donna Scott
Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

LEGAL NOTICE

RESOLUTION VACATING PART OF THE 50.0 FT. RIGHT-OF-WAY OF LONDON BOULEVARD IN KELLY PARK, MERRITT ISLAND, IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 1st day of November, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of the 50.0 ft. right-of-way of London Boulevard in Kelly Park, Merritt Island, in Section 07, Township 24 South, Range 37 East, as petitioned by The ACN Company, Keith Notary, Zvonimir Matkovic, and Radovan Cvetkovic.

SEE ATTACHED EXHIBIT "A"

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

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 November 10, 2016, issue of the Florida TODAY.

**Bill the Board of County Commissioners Account Number 6BR327
and forward bill and proof of publication to:**

**Marc Cazessüs, Public Works Department
2725 Judge Fran Jamieson Way, Bldg. A-220
Viera, FL 32940**

LEGAL DESCRIPTION:

EXHIBIT "A"

A PORTION OF LONDON BOULEVARD (A 50 FOOT RIGHT-OF-WAY AND FORMERLY KNOWN AS ROOSEVELT AVENUE) LYING WESTERLY OF LOTS 15-19, BLOCK "C", MAP OF KELLY PARK, AS RECORDED IN PLAT BOOK 4, PAGE 21, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST. CONTAINING 0.2966 ACRES OR 12,918.07 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 19, BLOCK "C", ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD, THENCE RUN $S04^{\circ}37'40''W$, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, BLOCK "C", ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SEA RAY DRIVE, ALSO KNOWN AS LAMBERT ROAD (RIGHT-OF-WAY VARIES), THENCE RUN $S89^{\circ}56'17''W$, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 15, BLOCK "C", A DISTANCE OF 50.17 FEET, THENCE DEPARTING WESTERLY EXTENSION LINE, RUN $N04^{\circ}37'40''E$, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD AND THE WESTERLY LINE OF PLAT BOOK 4, PAGE 21, A DISTANCE OF 250.00 FEET, THENCE LEAVING WESTERLY RIGHT-OF-WAY LINE, $N89^{\circ}56'17''E$, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 19, A DISTANCE OF 50.17 FEET TO THE POINT-OF-BEGINNING.

PREPARED BY: TIM CARLILE, PLS

IV, B
Attachment

DAVID W. KABBOORD
3201 North Atlantic Avenue
Cocoa Beach, Florida 32931

October 25, 2016

Brevard County Board of Commissioners
2725 Judge Fran Jamieson Way
Viera, Florida 32940

Attention: Commissioner Andy Anderson
Commissioner Curt Smith
Commissioner Trudie Infantini
Commissioner Jim Barfield
Commissioner Robin Fisher

RE: Public Hearing – November 1, 2016
Request to Vacate – London Boulevard
Case No. 05:2012-CA-48562
Merritt Industrial Park II, LLC v. Brevard County, et al.

Dear Commissioner:

Please be advised that I am one of the managing member of Plaintiff Merritt Industrial Park II, LLC which is currently in litigation regarding the above referenced quiet title action concerning ownership of London Boulevard (see Exhibit A attached). The litigation has been ongoing since August 21, 2012 which amounts to **four plus years** of the County, in conjunction with defendants Notary, fighting to retain an undeveloped, undedicated parcel of land **that lies within the boundary of my property** according to testimony of surveyor John Campbell, the expert in the above case.

During this entire time, Brevard County vigorously fought the lawsuit to vacate London/Roosevelt Boulevard costing the Plaintiff a great financial burden (and also costing tax payers for the County's time in this battle) which the County now appears willing to release at the demand of Defendants Notary. Prior to filing the lawsuit, I attempted to obtain this exact hearing to vacate this property before the Board, to no avail.

Please understand that I want the County to vacate their interest; however, I vehemently disagree with Defendants Notary's Reason for Vacating set forth in the Notice of Public Hearing (see Exhibit B attached).

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Wag
OCT 27 2016

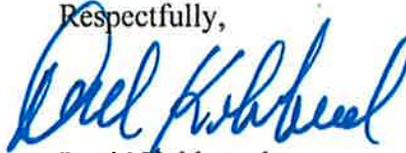
Brevard County Attorney

A *lis pendens* was filed (Brevard County Official Records, Book 6672, Page 1791) (see Exhibit C attached) which clouds the issue of reversion of title (as it pertains to all Defendants Notary, including CAN Company, a Florida corporation formerly known as A.C. Notary Company) until this matter is ordered by the Court. Mr. Notary is a defendant in the above lawsuit. According to the Affidavit of John Campbell, surveyor contained as Exhibit A-1 attached to the Complaint (Exhibit A)) Mr. Notary has no possessory rights in the vacated property. Mr. Notary is attempting to skew the Commissioners on this issue by his "Reason for Vacating" pursuant to the Notice of Public Hearing. Defendant Brevard County filed a Motion for Summary Judgment and Motion for Sanctions, both of which were denied (see Exhibit D - Order Denying Defendant Brevard County's Motion for Summary Judgment and Motion for Sanctions and Denying Defendant Brevard County's Motion for Clarification entered August 11, 2016).

This property has been within our family of partnership and corporations since the 1970s. I am urging the Board to vacate the London/Roosevelt property (which, as you can see, I have been trying to do for the last four plus years), but leave the assignment of the property to the Court to finalize.

I will be at the Public Hearing on this issue and look forward to addressing the Board in person.

Respectfully,



David Kabboord

Exhibit A	Complaint
Exhibit B	Notice of Public Hearing
Exhibit C	Lis Pendens Brevard County Official Records, Book 6672, Page 1791
Exhibit D	Order Denying Defendant Brevard County's Motion for Summary Judgment and Motion for Sanctions and Denying Defendant Brevard County's Motion for Clarification entered August 11, 2016

Exhibit A Complaint



Brevard County Property Appraiser
 Government Complex - North
 400 South Street • Titusville, FL 32796
 Phone: (321) 264-6700
<http://www.bcopa.us>

Property Information

Account #: 2428296

Owners Acn Company
 Site Address 2755 N Banana River Dr Unit N Bldg Merritt Island Fl 32952
 Mailing Address 690 Timuquana Drive Merritt Island Fl 32952
 Parcel ID 24-37-07-CF-C-2
 Property Use 4830 - Warehouse - Flex Space
 Exemptions None
 Taxing District 2200 - Unincorp District 2
 Subdivision Kelly Park

Value Summary Information

Value Category	2016	2015	2014
Total Market Value	\$345,000	\$320,000	\$309,000
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$345,000	\$320,000	\$309,000
Assessed Value School	\$345,000	\$320,000	\$309,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$345,000	\$320,000	\$309,000
Taxable Value School	\$345,000	\$320,000	\$309,000

Sales History Information

Sale Date	Sale Price	Deed Type	Vacant/Improved	Book/Page
09/30/2014	\$100	QC	False	7221/1834
12/01/1983	\$9,600	PT		2471/2734

Building Information

Property Data Card #1			
Building Use:	4830 - Warehouse - Flex Space		
Year Built:	1986		
Building Materials		Building Sub-areas	
EXTERIOR WALL	STUCCO , WALLCOVL	BASE AREA (1st)	10890
FRAME	MASNRYCONC , WOOD FRAME	BASE AREA (2nd)	2860
ROOF	ASPH/ASB SHNGL	OPEN PORCH	550
ROOF STRUCTURE	WOOD TRUSS		
Extra/Special Features			
PAVING: ASPHALT		7000	

Land Information

Total Acres 0.75
 Site Code 0348 - Banana Riv Dr (MI)
 Plat Book/Page 0004/0021
 Description Kelly Park Lots 2, 3, 18, 19 Blk C

APPRAISER'S DETAIL PAGE
SHEET 1 OF 3: ACN CO. PARCEL



Brevard County Property Appraiser
 Government Complex - North
 400 South Street • Titusville, FL 32796
 Phone: (321) 264-6700
<http://www.bcpa.us>

Property Information

Account #: 2428298

Owners Notary, Keith I
 Site Address 2755 N Banana River Dr Unit S Bldg Merritt Island Fl 32952
 Mailing Address 690 Timuquana Dr Merritt Island Fl 32953
 Parcel ID 24-37-07-CF-C-4
 Property Use 4830 - Warehouse - Flex Space
 Exemptions None
 Taxing District 2200 - Unincorp District 2
 Subdivision Kelly Park

Value Summary Information

Value Category	2016	2015	2014
Total Market Value	\$125,000	\$116,000	\$113,000
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$125,000	\$116,000	\$113,000
Assessed Value School	\$125,000	\$116,000	\$113,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$125,000	\$116,000	\$113,000
Taxable Value School	\$125,000	\$116,000	\$113,000

Sales History Information

Sale Date	Sale Price	Deed Type	Vacant/Improved	Book/Page
03/01/1994	\$7,600	QC	False	3448/4125
07/30/1991	\$7,000	WD	True	3145/3603
01/08/1990	\$100	WD		3037/1084
04/24/1963	\$2,800	WD		0611/0058

Building Information

Property Data Card #1
 Building Use: 4830 - Warehouse - Flex Space
 Year Built: 1994

Building Materials		Building Sub-areas	
EXTERIOR WALL	STUCCO	BASE AREA (1st)	4370
FRAME	MASRYCONC	OPEN PORCH	256
ROOF	ASPH/ASB SHNGL	OPEN PORCH	32
ROOF STRUCTURE	WOOD TRUSS	UTILITY ROOM	35

Extra/Special Features

PAVING: ASPHALT 6500
 FENCE: CHAIN LINK 6' 210

Land Information

Total Acres 0.34
 Site Code 0348 - Banana Riv Dr (M)
 Plat Book/Page 0004/0021
 Description Kelly Park Lots 4, 17 Blk C

APPRAISER'S DETAIL PAGE
SHEET 2 OF 3: NOTARY PARCEL



Property Information

Account #: 2428299

Owners: Matkovic, Zvonimir
 Radovan Cvetkovic
 Site Address: 1750 Sea Ray Dr Merritt Island Fl 32952
 Mailing Address: 3799 S Banana River Blvd , Unit # 302 Cocoa Beach Fl 32931
 Parcel ID: 24-37-07-CF-C-15
 Property Use: 1100 - Retail Store - 1 Unit
 Exemptions: None
 Taxing District: 2200 - Unincorp District 2
 Subdivision: Kelly Park

Value Summary Information

Value Category	2016	2015	2014
Total Market Value	\$230,000	\$212,000	\$205,000
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$230,000	\$212,000	\$205,000
Assessed Value School	\$230,000	\$212,000	\$205,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$230,000	\$212,000	\$205,000
Taxable Value School	\$230,000	\$212,000	\$205,000

Sales History Information

Sale Date	Sale Price	Deed Type	Vacant/Improved	Book/Page
05/25/2016	\$21,200	WD	False	7634/2547
04/16/2004	\$66,000	WD	True	5269/2917
04/23/2003	\$100	OC	True	4907/2223
02/28/1998	\$15,000	WD	True	3790/1199
01/30/1957	\$0	WD		0027/0250

Building Information

Property Data Card #1	1100 - Retail Store - 1 Unit		
Building Use:	2008		
Year Built:	2008		
Building Materials	STUCCO	Building Sub-areas	
EXTERIOR WALL		BASE AREA (1st)	1700
FRAME	MASNRYCONC	BASE AREA (2nd)	1292
ROOF	ASPH/ASB SHNGL	OPEN PORCH	408
ROOF STRUCTURE	WOOD TRUSS		
Extra/Special Features			
PAVING: ASPHALT		3049	
LIGHT POLES: AVERAGE		3	
FENCE: IRON		45	
FENCE: WOOD 6'		12	
PAVING: CONCRETE		626	
WALL: CONCRETE BLOCK		216	

Land Information

Total Acres: 0.26
 Site Code: 0001 - No Other Code Appl.
 Plat Book/Page: 0004/0021
 Description: Kelly Park Lot 16 & Nwly 1/2 Of Lot 15 Blk C

APPRAISER'S DETAIL PAGE
SHEET 2 OF 3: MATKOVIC &
CVETKOVIC PARCEL

This instrument prepared by
and please return to:

Edward L. Stahley, Esq.
150-D Fortenberry Road
Merritt Island, FL 32952

Property Appraiser's Parcel
I.D. No.

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, executed the 30th day of September, 2014, between ACN COMPANY, a Florida Corporation, formerly known as A. C. Notary Company, whose address is 690 Timuquana Drive, Merritt Island, FL 32952, first party, to ACN COMPANY, a Florida Corporation, whose address is 690 Timuquana Drive, Merritt Island, FL 32952, second party.

(Wherever used herein the terms "first party" and "second party" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the first party, for and in consideration of the sum of TEN (\$10.00) DOLLARS, in hand paid by the second parties, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Brevard, State of Florida, to-wit:

PARCEL 1: Lot One (1), Block F, Map No. Two (2), MERRITT WINTER HOME DEVELOPMENT, according to the plat thereof as recorded in Plat Book 2, page 78, Public Records of Brevard County, Florida.

AND

Lots 11 and 12 of Block "B" of MERRITT PARK PLACE, as per plat as recorded in Plat Book 5, page 48, of the Public Records of Brevard County, Florida.

PARCEL 2: The North one-half only of that portion of the following property, lying West of State Road #5. A tract of land located in Government Lot 2, Section 19, Township 26 South, Range 37 East, described as:

Begin at a point on the West line of Government Lot 2 of Section 19, 733.74 feet south of the Northwest corner of said Government Lot 2, and from said Point of Beginning for a first course run East 1500 feet, more or less, to and into the waters of

PETITIONER'S DEED

SHEET 1 OF 3: ACN CO. PARCEL

the Indian River, and thence for a second course run the waters of the Indian River southerly to a point 200 feet south by right angle measurements from the first course aforesaid; thence for a third course run West and parallel to and 200 feet distant south from the first course aforesaid 1500 feet, more or less, to the West line of Government Lot 2, aforesaid and thence for a fourth course run north on the West line of Government Lot 2 aforesaid a distance of 200 feet to the Point of Beginning, EXCEPTING the right-of-way for State Road #5; the right-of-way for Old County Road and any easement or right-of-way for electric or telephone lines across the land and easements of record, if any, the land herein described is Lot 19, shown on Map of Indian River Villa, prepared by Carl A. Schnabel, Land Surveyor, dated April 18, 1948, and recorded in Deed Book 318, page 182, Public Records of Brevard County, Florida.

PARCEL 3: Lot 12, Block "B", lots 2, 19, Block "C" of KELLY PARK SUBDIVISION, according to the plat thereof, recorded in Plat Book 4, at Page 21, of the Public Records of Brevard County, Florida; said land situate, lying and being in Brevard County, Florida.

PARCEL 4: Lot (13) thirteen, Block "B" and lots (3) three and (18) eighteen, Block "C" of Kelly Park subdivision as per plat thereof recorded in Plat Book 4, page 21, Public Records of Brevard County, Florida. Also, conveyed are the riparian and littoral rights to the said lands appertaining.

THE PARTIES HERETO ACKNOWLEDGE THAT THIS DOCUMENT WAS PREPARED WITHOUT THE BENEFIT OF ANY TITLE SEARCH OR TITLE INFORMATION.

The purpose of this Quit Claim Deed is to reflect the change of name of A. C. Notary Company to ACN Company in the Public Records

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien,

PETITIONER'S DEED
SHEET 2 OF 3: ACN CO. PARCEL

equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Edward L. Stanley
Edward L. Stanley, Witness

ACN COMPANY
By: Albert C. Notary
ALBERT C. NOTARY, President
690 Timuquana Drive
Merritt Island, FL 32952,

Valerie Richenzi
Valerie Richenzi, Witness

STATE OF FLORIDA
COUNTY OF Brevard

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared ALBERT C. NOTARY, president of ACN COMPANY, known to me to be the person described in and who executed the foregoing instrument who acknowledged before me that he executed the same, and an oath was not taken. (check one) said person is personally known to me. _____ Said person provided the following type of identification: _____

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of September, 2014.



Edward L. Stanley
Edward L. Stanley
Notary Public - State of Florida
At Large

PETITIONER'S DEED
SHEET 3 OF 3: ACN CO. PARCEL

This Quit-Claim Deed, executed this 1 day of MARCH, A. D. 19 94, by ACN COMPANY, 2755 N. BANANA RIVER DRIVE, HERRITT ISLAND, FL 32953

first party, to KEITH I. NOTARY

whose postoffice address is 690 TIMUQUANA DRIVE, HERRITT ISLAND, FL 32953

second party:

Whereas said terms "first party" and "second party" shall include singular and plural, male, female, corporations, and trusts of individuals, and the amount and nature of corporations, wherever the context so admits or requires.

Witnesseth, That the said first party, for and in consideration of the sum of \$ 10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby renounce, release and quit claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of BREVARD State of FLORIDA

2755 NORTH BANANA RIVER DRIVE, HERRITT ISLAND, FL 32953

LOTS 4 AND 17, BLOCK C, MAP OF KELLY PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 21 OF THE BOOK OF PUBLIC RECORDS.

Notary Public Seal for Albert C. Notary, 2755 N. Banana River Dr, Merritt Island, FL 32953. Includes handwritten amounts: 100, 53.20, 300.

733674
95 JUN 17 PM 2:30

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, in the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Signatures of Bonnie Stewart and Joyce Johns.

Signature of Albert C. Notary, Notary Public, 2755 N. Banana River Dr, Merritt Island, FL 32953.

STATE OF FLORIDA, COUNTY OF

I HEREBY CERTIFY that on this day, before me, an

officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

Albert C. Notary

to me known to be the person described in and who executed the foregoing instrument and he acknowledged to me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this day of A. D. 19



Signature of Bonnie Stewart, DEPUTY CLERK, per F.S. 695.03/92.50, Sandy Crawford, Clerk, Brevard County, Florida.

This instrument prepared by: Address Albert C. Notary

BR344874125
5/125

PETITIONER'S DEED

SHEET 1 OF 1: NOTARY PARCEL

Prepared by and record and return to:
Watson, Soileau, Delco, Borge &
Pickles, P.A.
John L. Soileau, Esquire
3490 North U.S. 1 Highway
Cocoa, FL 32923-6007
(321) 631-1550
Our File No:
REC:
Doc:

WARRANTY DEED

GRANTOR: ZVONIMIR MATKOVIC and RADOVAN CVETKOVIC

GRANTEE: ZVONIMIR MATKOVIC, as to an undivided 60% interest; and RADOVAN CVETKOVIC, as to an undivided 40% interest, as tenants in common

GRANTEE'S MAILING ADDRESS: 3799 S. Banana River Blvd., #302, Cocoa Beach, FL 32931

DATE: March 25, 2016

LEGAL DESCRIPTION OF PROPERTY LOCATED IN FLORIDA:

Lot 16 and the Northwestery Half of Lot 15, Block C, MAP OF KELLY PARK, according to the Plat thereof, as recorded in Plat Book 4, Page(s) 21, of the Public Records of Brevard County, Florida.

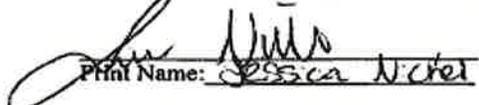
THIS INSTRUMENT WAS PREPARED UPON INFORMATION PROVIDED BY THE PARTIES WITHOUT BENEFIT OF A TITLE SEARCH. SUBJECT PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR NOR ADJACENT THERETO.

The Grantor, for and in consideration of the sum of TEN DOLLARS, and other good and valuable considerations to the Grantor in hand paid by the grantee, the receipt of which is acknowledged, has granted, bargained and sold to the Grantee, and the Grantee's heirs and assigns forever the land described above. The Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to restrictions and matters appearing on the plat or otherwise common to the subdivision; public utility easements of record and taxes for the year 2016 which are not yet due and payable.

Execution of deed witnessed by:


Print Name: Melissa Burrett


Print Name: Jessica Nickel

GRANTOR:

ZVONIMIR MATKOVIC
Address: 127 E. 10th Ln.
Cocoa Bch, FL 32931

PETITIONER'S DEED
SHEET 1 OF 2: MATKOVIC AND
CVETKOVIC PARCEL

M.L.B.
Print Name: Melissa Burnett
Jessie Nickel
Print Name: Jessica Nickel

R. Cvetrovic
RADOVAN CVETKOVIC
Address: 3799 S. BANKHA RIVER BLVD #
COCOA BEACH, FL. 32931

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 25th day of May, 2016, by ZVONIMIR MATKOVIC who is personally known to me or who has produced as identification and who did not take an oath.



Douglas J. Owens
State of Florida
MY COMMISSION # EE 878861
Expires: February 28, 2017

Notary Public:

Douglas J. Owens
Name: Douglas J. Owens

State of Florida at Large (SEAL)
My Commission Expires: Feb 28, 2017

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 25th day of May, 2016, by RADOVAN CVETKOVIC who is personally known to me or who has produced as identification and who did not take an oath.



Douglas J. Owens
State of Florida
MY COMMISSION # EE 878861
Expires: February 28, 2017

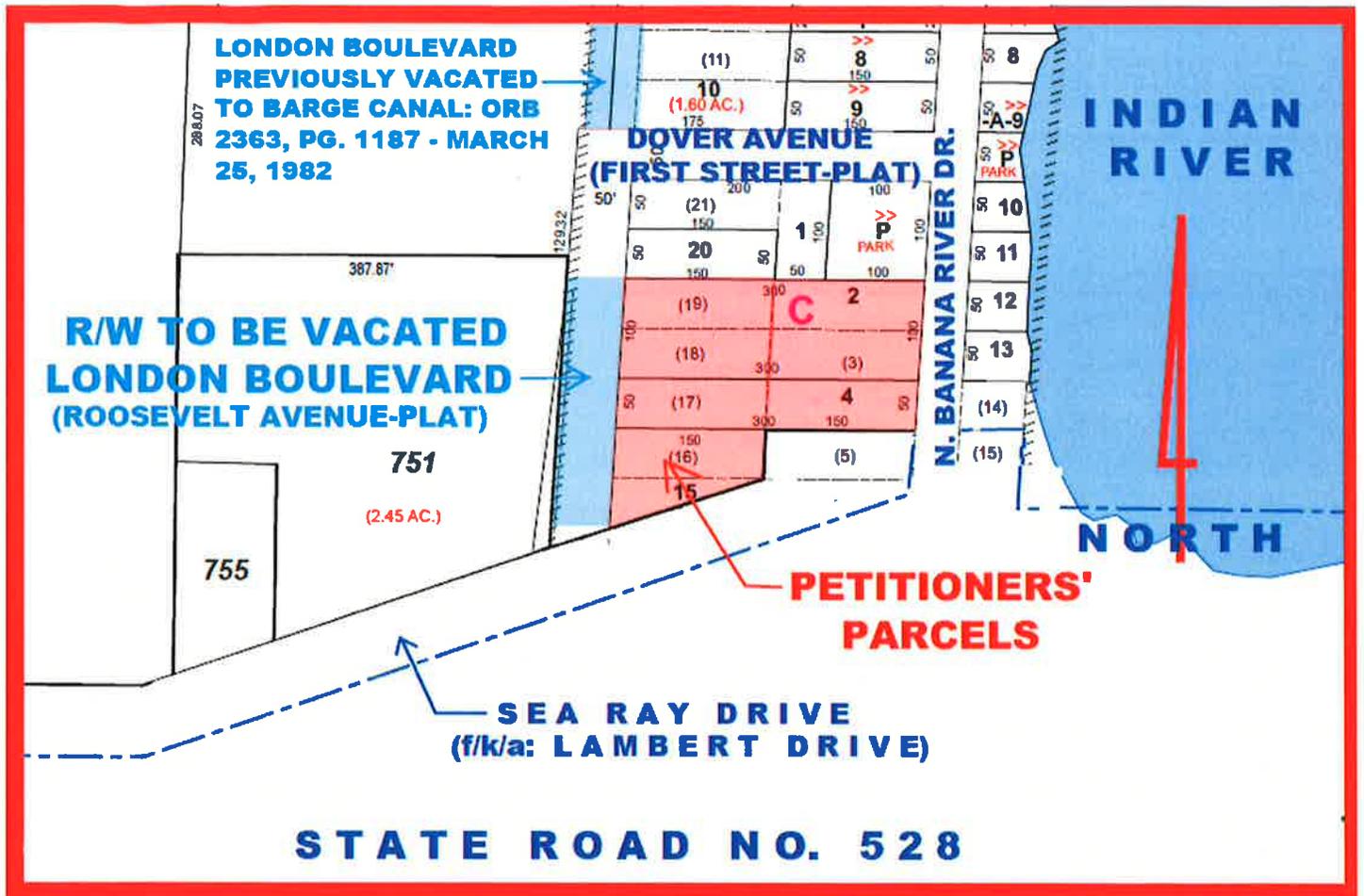
Notary Public:

Douglas J. Owens
Name: Douglas J. Owens

State of Florida at Large (SEAL)
My Commission Expires: Feb 28, 2017

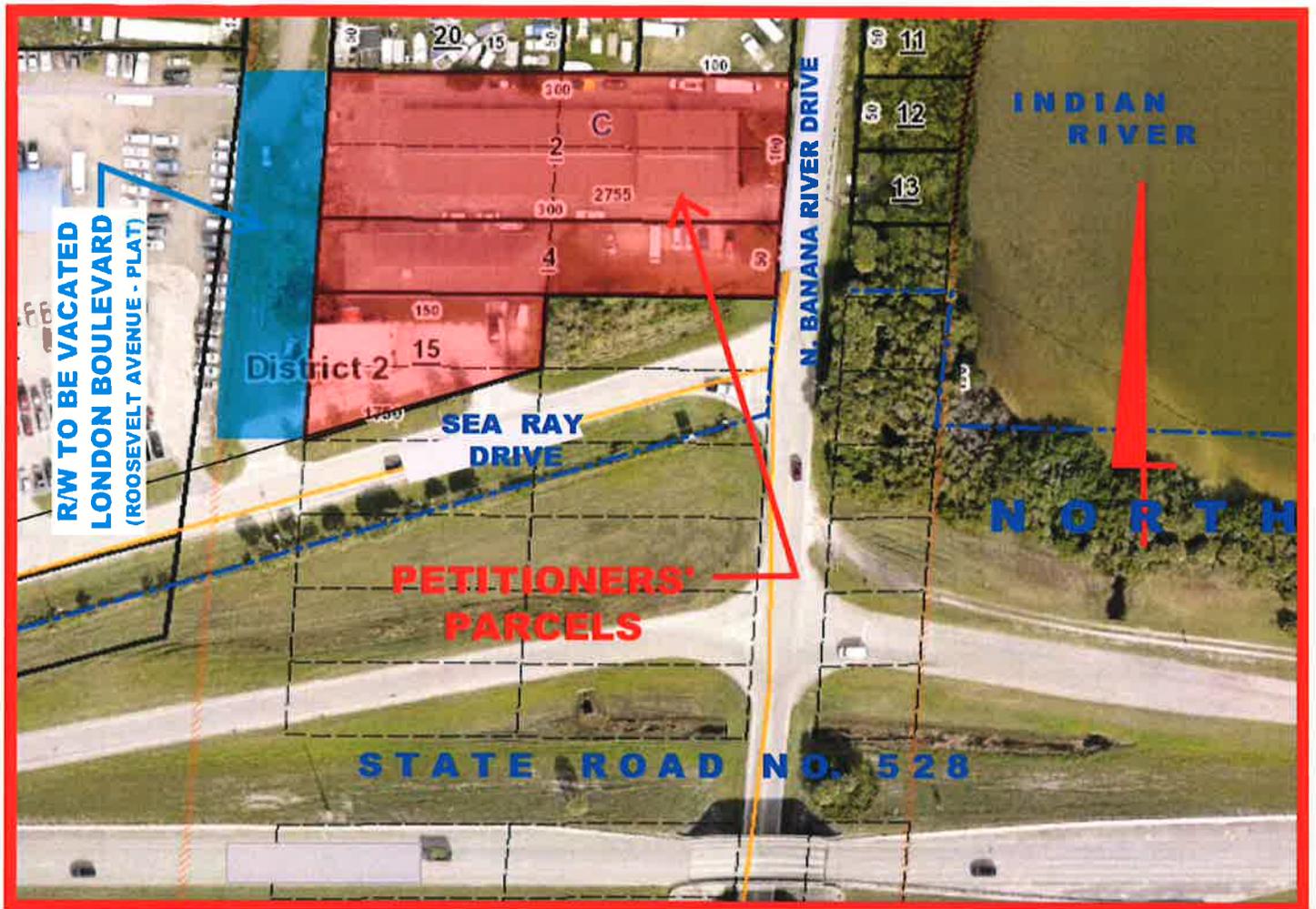
Appraiser's Identification Number: 24-37-07-CF-0000C.0-0015.00

PETITIONER'S DEED
SHEET 2 OF 2: MATKOVIC AND
CVETKOVIC PARCEL



VICINITY MAP

ACN Company, Keith Notary, Zvonimir Matkovic and Radovan Cvetkovic – Lots 2 through 4 and 15 through 19, Block C, “Map of Kelly Park” – (Plat Book 04, Page 21) – Section 07, Township 24 South, Range 37 East – District 2 – Partial Vacating of London Boulevard (f/k/a: Roosevelt Avenue)



A E R I A L M A P

ACN Company, Keith Notary, Zvonimir Matkovic and Radovan Cvetkovic – Lots 2 through 4 and 15 through 19, Block C, “Map of Kelly Park” – (Plat Book 04, Page 21) – Section 07, Township 24 South, Range 37 East – District 2 – Partial Vacating of London Boulevard (f/k/a: Roosevelt Avenue)

MAP OF

KELLY PARK

Part of Lot 1 and Sec 7 T24S R37E
 Part of Lot 161 Sec 19 T24S R37E
 Duval County, Florida

9718

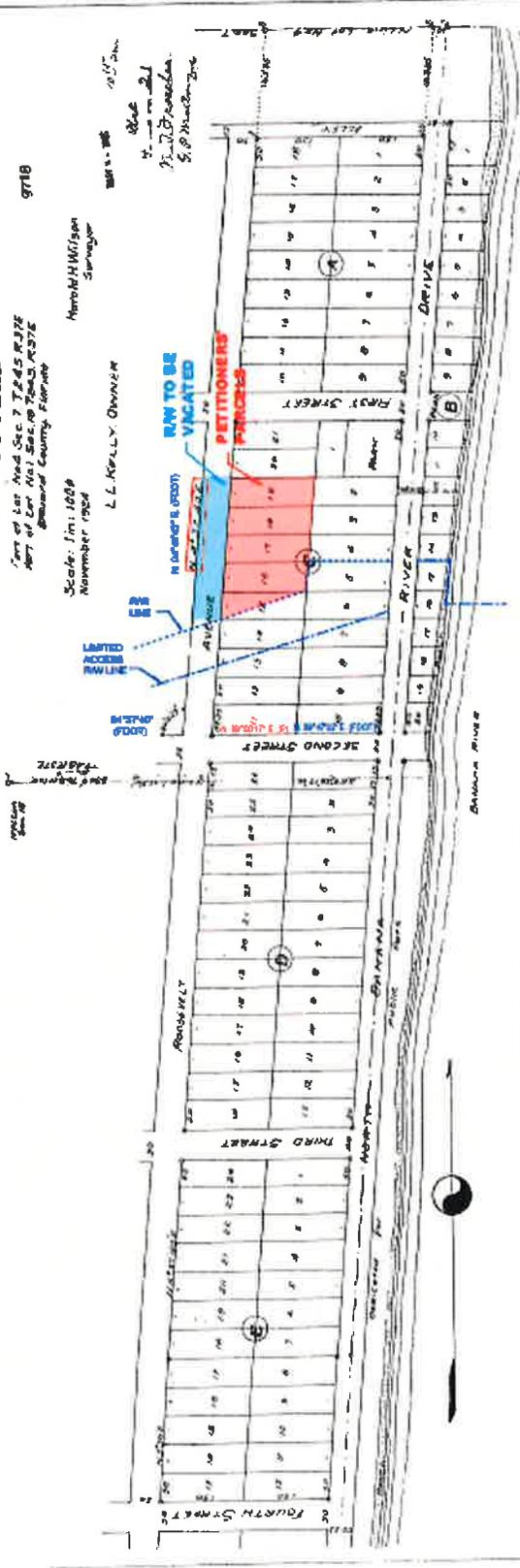
Herb H. Wilson
 Surveyor

L.L. KELLY, OWNER
 November 1968

Scale: 1 in. = 100 ft

Map No. 9718

W. 1/4 Sec 7
 T24S R37E
 S. 1/2 Section 7



PLAT REFERENCE

ACN Company; Keith & Albert Notary; COMMENT SUMMARY

APPLICANT: Zvonimir Matkovic; Radovan Cvetkovic

UPDATED BY/DATE: Marc Cazessüs, PLS - 20160927 @ 11:35 Hours

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
UTILITIES				
City of Cocoa	20160912	20160915	Yes	No objections
Florida City Gas	20160912 & 19	20160920	Yes	No objections
FPL	20160906-20-23	None	None	No response received
A T & T	20160906	20160906	Yes	No objections
Bright House Networks	20160906	20160908	Yes	No objections
Florida Gas Transmission	20160906	20160907	Yes	No objections
COUNTY STAFF				
Road & Bridge	20160906	20160916	Yes	No objections - Susan Jackson
Land Planning	20160906 & 19	20160920	Yes	No objections - Rebecca Ragain
Utility Services	20160906	20160906	Yes	No objections, Tammy Hurley
NRMD / Storm Water	20160906	20160906	Yes	No objections, Harvey Wheeler
Zoning	20160906	20160908	Yes	No objections, Paul Body
Land Acquisition	20160906 & 19	20160921	Yes	No objections - Blaise Mancini
Traffic Engineering	20160906	20160909	Yes	No objections, DevIn Swanson
Fire and Rescue	20160906 & 19	20160920	Yes	No objections - Marshall Douglas Carter

COMMENT SHEET

AD#1621318 9/30/1616 LEGAL NOTICE NOTICE FOR A PARTIAL VACATING OF THE 50.0 FT. WIDE RIGHT-OF-WAY OF LONDON BOULEVARD (aka: ROOSEVELT AVENUE), PLAT OF "KELLY PARK" IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST, MERRITT ISLAND, 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 Keith Notary, the Acn Company, Zvonimir Matkovic and Radovan Cvetkovic 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 right-of-way at 9:00 a.m. on November 01, 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" A PORTION OF LONDON BOULEVARD (A 50 FOOT RIGHT-OF-WAY AND FORMERLY KNOWN AS ROOSEVELT AVENUE) LYING WESTERLY OF LOTS 15-19, BLOCK "C", MAP OF KELLY PARK, AS RECORDED IN PLAT BOOK 4, PAGE 21, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST. CONTAINING 0.2966 ACRES OR 12,918.07 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 19, BLOCK "C", ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD, THENCE RUN S04°37'40"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, BLOCK "C", ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SEA RAY DRIVE, ALSO KNOWN AS LAMBERT ROAD (RIGHT-OF-WAY VARIES), THENCE RUN S89°56'17"W, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 15, BLOCK "C", A DISTANCE OF 50.17 FEET, THENCE DEPARTING WESTERLY EXTENSION LINE, RUN N04°37'40"E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD AND THE WESTERLY LINE OF PLAT BOOK 4, PAGE 21, A DISTANCE OF 250.00 FEET, THENCE LEAVING WESTERLY RIGHT-OF-WAY LINE, N89°56'17"E, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 19, A DISTANCE OF 50.17 FEET TO THE POINT-OF-BEGINNING. PREPARED BY: TIM CARLILE, PLS

PUBLIC HEARING LEGAL
ADVERTISEMENT

EXHIBIT "A"

A PORTION OF LONDON BOULEVARD (A 50 FOOT RIGHT-OF-WAY AND FORMERLY KNOWN AS ROOSEVELT AVENUE) LYING WESTERLY OF LOTS 15-19, BLOCK "C", MAP OF KELLY PARK, AS RECORDED IN PLAT BOOK 4, PAGE 21, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST. CONTAINING 0.2966 ACRES OR 12,918.07 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 19, BLOCK "C", ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD, THENCE RUN S04°37'40"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, BLOCK "C", ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SEA RAY DRIVE, ALSO KNOWN AS LAMBERT ROAD (RIGHT-OF-WAY VARIES), THENCE RUN S89°56'17"W, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 15, BLOCK "C", A DISTANCE OF 50.17 FEET, THENCE DEPARTING WESTERLY EXTENSION LINE, RUN N04°37'40"E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LONDON BOULEVARD AND THE WESTERLY LINE OF PLAT BOOK 4, PAGE 21, A DISTANCE OF 250.00 FEET, THENCE LEAVING WESTERLY RIGHT-OF-WAY LINE, N89°56'17"E, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 19, A DISTANCE OF 50.17 FEET TO THE POINT-OF-BEGINNING.

PREPARED BY: TIM CARLILE, PLS

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 September 30, 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

LEGAL NOTICE

NOTICE FOR A PARTIAL VACATING OF THE 50.0 FT. WIDE RIGHT-OF-WAY OF LONDON BOULEVARD (aka: ROOSEVELT AVENUE), PLAT OF "KELLY PARK" IN SECTION 07, TOWNSHIP 24 SOUTH, RANGE 37 EAST, MERRITT ISLAND, 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 **Keith Notary, the Acn Company, Zvonimir Matkovic and Radovan Cvetkovic** 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 right-of-way at 9:00 a.m. on **November 01, 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.

Donna Scott

From: Cazessus, Marc <marc.cazessus@brevardfl.gov>
Sent: Wednesday, September 28, 2016 10:43 AM
To: legals@floridatoday.com
Cc: Tammy Rowe; Donna Scott; Kim Reynolds; Sweeney, Michael; Vitale, Anthony
Subject: Notary: London Blvd. R/W Vacating @ Kelly Park
Attachments: 20160930_PUBLIC HEARING AD NOTICE-NOTARY-MATKOVIC-CVETKOVIC.DOC

Dear Sir or Madame:

Please process the attached public hearing legal notice for the Keith Notary, Acn Company, Zvonimir Matkovic and Radovan Cvetkovic partial right-of-way vacating of London Boulevard and schedule publication for Friday, September 30, 2016 in the Florida TODAY newspaper publication. **Please** use account no. 6BR527 and also take note of the routing for the invoice and proof of publication as this will assist the County in providing prompt 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

Thank you,

Marc

Marc Cazessus, PLS
Vacating & Acquisition Review Specialist
Tel: (321) 617-7315 Fax: (321) 633-2083
Email: 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."



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.: 0001720003
Pymt Method Invoice
Net Amt: \$190.64

Run Times: 1

No. of Affidavits: 1

Run Dates: 11/10/16

Text of Ad:

AD#1720003 10/10/16
LEGAL NOTICE

RESOLUTION VACATING PART OF THE
50.0 FT. RIGHT-OF-WAY OF LONDON
BOULEVARD IN KELLY PARK, MERRITT
ISLAND, IN SECTION 07, TOWNSHIP 24
SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 1st
day of November, 2016, the Board of
County Commissioners of Brevard Coun-
ty, Florida, adopted a Resolution
vacating part of the 50.0 ft. right-of-way
of London Boulevard in Kelly Park,
Merritt Island, in Section 07, Township
24 South, Range 37 East, as petitioned
by The ACN Company, Keith Notary,
Zvonimir Matkovic, and Radovan
Cvetkovic.

SEE ATTACHED EXHIBIT "A"

The Board further renounced and dis-
claimed any right of the County in and
to said public right-of-way.

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

EXHIBIT "A"

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SOUTH, RANGE 37 EAST, CONTAINING
0.2966 ACRES OR 12,918.07 SQUARE
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PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE NORTHWEST CORNER OF
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BEGINNING.

PREPARED BY: TIM CARLILE, PLS