

Meeting Date
July 12, 2016



AGENDA	
Section	PUBLIC HEARING
Item No.	TV.C

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Part of an Unnamed 20.0 ft. wide Public Right-of-Way – plat of “Sherwood Forest” – Merritt Island – Ruth Little – 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 part of an unnamed 20.0 ft. wide public right-of-way, plat of “Sherwood Forest” in Section 27, Township 24 South, Range 36 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 owners of Lots C and 8 and is requesting the partial vacating of a 20.0 ft. wide public right-of-way to allow for the combining of the two lots now separated by the right-of-way. Right-of-way to be vacated contain 1,715 square feet or 0.04 acres, 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 Merritt Island as follows: Begin at the intersection of S. R. No. 520 and S. R. No. 3 (aka: North Tropical Trail); thence 1.04 miles north along S. R. No. 3 to Robin Hood Drive; thence 0.14 miles west along Robin Hood Drive to the unnamed right-of-way to be vacated to the south (left).

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 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	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	Assistant County Manager		Department Director / Extension							
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

Ruth Little
535 Robin Hood Drive
Merritt Island, FL 32953

Dear Ms. Little:

Re: Resolution Vacating a Portion of a 20.0 Ft. Wide Unnamed Public Right-of-Way in the Plat of Sherwood Forest, Merritt Island, in Section 27, Township 24 South, Range 36 East

The Board of County Commissioners, in regular session on July 12, 2016, adopted Resolution No. 16-104, vacating a portion of a 20.0 foot wide unnamed public right-of-way in the Plat of Sherwood Forest, Merritt Island, in Section 27, Township 24 South, Range 36 East, as petitioned by you. Said Resolution has been recorded in ORBK 7684, Pages 410 through 414. 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 Senna Scott
Tammy Rowe, Deputy Clerk

/dm

Encl. (1)

cc: Marc Cazessus, Public Works



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 Unnamed Public Right-of-Way in the Plat of Sherwood Forest, Merritt Island, in Section 27, Township 24 South, Range 36 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 16-104, vacating a portion of a 20.0 foot wide unnamed public right-of-way in the Plat of Sherwood Forest, Merritt Island, in Section 27, Township 24 South, Range 35 East, as petitioned by Ruth Little. 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)

RESOLUTION 2016 - 104

VACATING A PORTION OF A 20.0 FT. WIDE UNNAMED PUBLIC RIGHT-OF-WAY IN THE PLAT OF "SHERWOOD FOREST", MERRITT ISLAND, FLORIDA, LYING IN SECTION, 27, TOWNSHIP 24 SOUTH, RANGE 36 EAST

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **RUTH LITTLE** with the Board of County Commissioners to vacate portions 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 portion of the 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 12th day of June, 2016 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



JIM BARFIELD, CHAIRMAN

As approved by the Board on:
June 12, 2016



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

Notice Public Hearing

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: \$239.98
Ad No: 0001352207
Customer No: BRE-6BR527



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

AD#1352207 6/15/2016
LEGAL NOTICE
NOTICE TO VACATE A PORTION OF THE 20.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF ROBIN HOOD DRIVE BETWEEN LOTS C AND 8, PLAT OF "SHERWOOD FOREST" IN SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 85, Article II, Section 86-36, Brevard County Code, a petition has been filed by Ruth Little 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 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"

DESCRIPTION: A PORTION OF A 20.0 FOOT WIDE UNNAMED RIGHT OF WAY LYING WITHIN SHERWOOD FOREST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF SAID UNNAMED 20.00 FOOT WIDE RIGHT OF WAY LYING BETWEEN LOTS 8 AND C THAT LIES SOUTHERLY OF A LINE PARALLEL WITH AND 85.78 FEET NORTHERLY OF THE SOUTH LINE OF SAID PLAT AS MEASURED ALONG THE EAST LINE OF SAID 20.00 FOOT RIGHT OF WAY, CONTAINING 1.715 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.
 PREPARED BY: ANDREW W. POWSHOK, PLS

RECEIVED
JUN 17 2016
Commissioners

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT
SHEET 2 OF 2

PETITIONER'S PARCEL ID# 24-36-07-03-00000.0-0008.00
AND 24-36-07-03-00000.0-000C.00

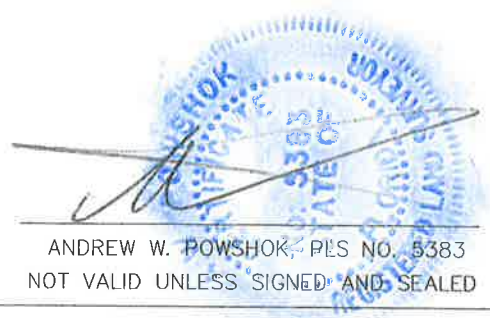
PURPOSE: VACATE A PORTION OF A 20.00 FOOT WIDE
UNNAMED RIGHT OF WAY.

DESCRIPTION:

A PORTION OF A 20.0 FOOT WIDE UNNAMED RIGHT OF WAY LYING WITHIN SHERWOOD FOREST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF SAID UNNAMED 20.00 FOOT WIDE RIGHT OF WAY LYING BETWEEN LOTS B AND C THAT LIES SOUTHERLY OF A LINE PARALLEL WITH AND 85.78 FEET NORTHERLY OF THE SOUTH LINE OF SAID PLAT AS MEASURED ALONG THE EAST LINE OF SAID 20.00 FOOT RIGHT OF WAY. CONTAINING 1,715 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. DATE OF FIELD SURVEY: MAY 18, 2016.
2. THE BEARING SHOWN HEREON ARE BASED ON THE SOUTH RIGHT OF WAY LINE OF ROBIN HOOD DRIVE WHICH BEARS S78°28'00"W, AS SHOWN ON THE PLAT OF SHERWOOD FOREST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
4. THE PUPOSE OF THIS BOUNDARY SURVEY IS TO VACATE A PORTION OF A 20.00 FOOT WIDE UNNAMED RIGHT OF WAY.
5. UNDERGROUND IMPROVEMENTS NOT LOCATED.



PREPARED FOR: RUTH LITTLE

ANDREW W. POWSHOK, PLS NO. 5383
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.
ADDRESS: 3970 MINTON ROAD, WEST MELBOURNE, FL. 32904
PHONE: (321) 768-8110, FAX: (321) 952-9771, E-MAIL: aalsurvey@aalsurvey.com
LICENSE BUSINESS #6623

DRAWN BY: <u>J. BROMAN</u>	CHECKED BY: <u>A. W. POWSHOK</u>	DRAWING NO. <u>35282</u>	SECTION <u>27</u>
DATE: <u>04-19-16</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>05-18-16</u>	TOWNSHIP <u>24</u> SOUTH
			RANGE <u>36</u> EAST

SKETCH OF BOUNDARY SURVEY

SHEET 2 OF 2

SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT SHEET 1 OF 2

PETITIONER'S PARCEL ID# 24-36-07-03-00000.0-0008.00
AND 24-36-07-03-00000.0-000C.00

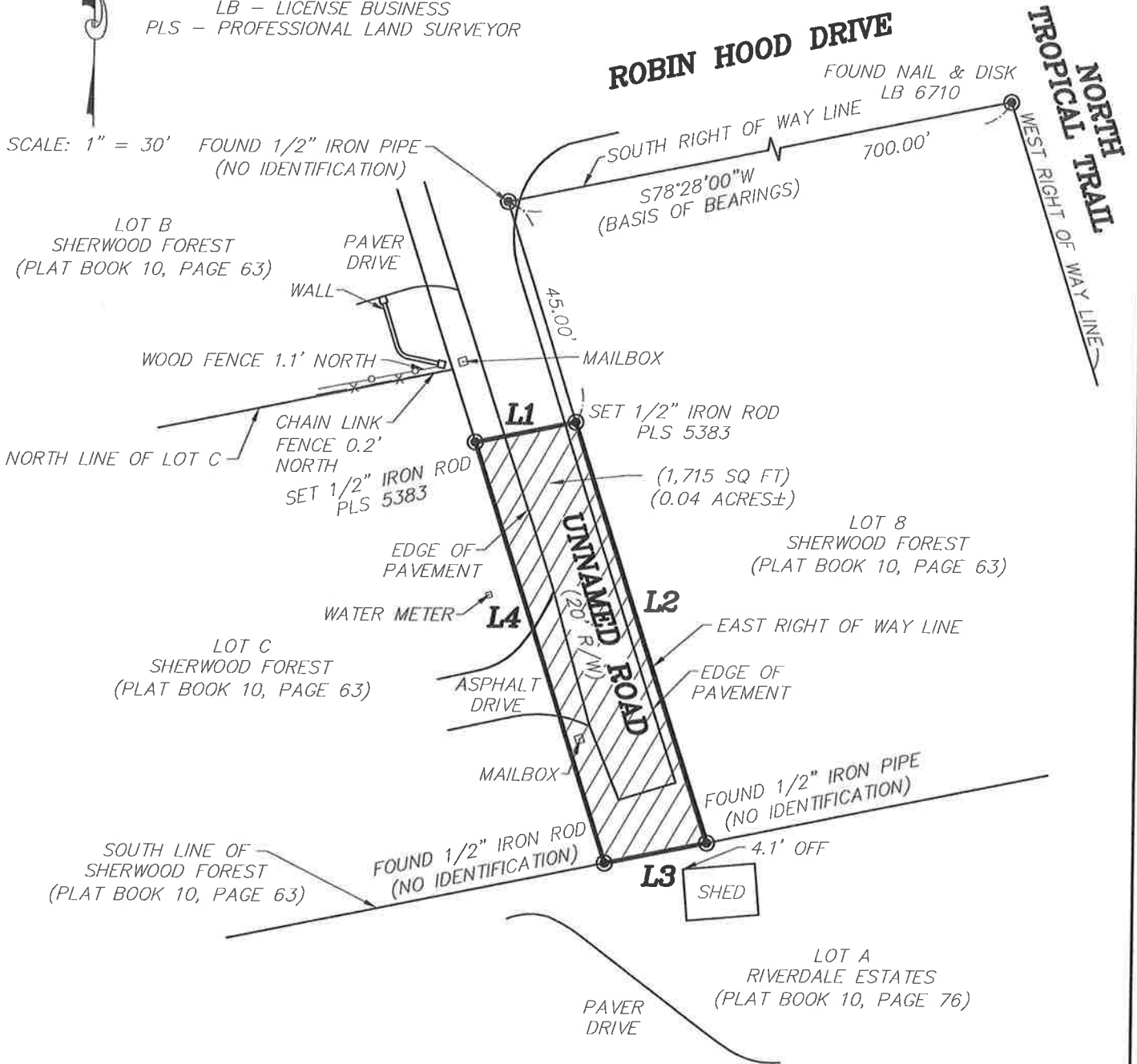
LINE TABLE LEGEND

L1	=N78°28'00"E	20.12'
L2	=S17°52'40"E	85.78'
L3	=S78°28'00"W	20.12'
L4	=N17°52'40"W	85.78'



LEGEND
LB - LICENSE BUSINESS
PLS - PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 30'



DRAWING NO. 35282

SECTION 27, TOWNSHIP 24
SOUTH, RANGE 36 EAST

PREPARED BY:
AAL LAND SURVEYING SERVICES, INC.



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:

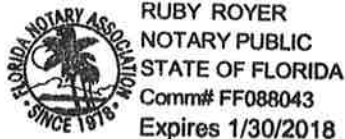
07/16/16

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: \$178.04
Ad No: 0001435706
Customer No: BRE-6BR327



DUPLICATE

AD#1435706 7/16/16
LEGAL NOTICE
RESOLUTION VACATING A PORTION OF THE 20.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF ROBIN HOOD DRIVE BETWEEN LOTS C & 8, PLAT OF SHERWOOD FOREST, MERRITT ISLAND, IN SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 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 the 20.0 ft. wide public right-of-way of Robin Hood Drive between Lots C & 8, Plat of Sherwood Forest, Merritt Island, as petitioned by Ruth Little.

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"

DESCRIPTION: A PORTION OF A 20.0 FOOT WIDE UNNAMED RIGHT OF WAY LYING WITHIN SHERWOOD FOREST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF SAID UNNAMED 20.00 FOOT WIDE RIGHT OF WAY LYING BETWEEN LOTS 8 AND C THAT LIES SOUTHERLY OF A LINE PARALLEL WITH AND 85.78 FEET NORTHERLY OF THE SOUTH LINE OF SAID PLAT AS MEASURED ALONG THE EAST LINE OF SAID 20.00 FOOT RIGHT OF WAY, CONTAINING 1,715 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

PREPARED BY: ANDREW W. POWSHOK, PLS

RECEIVED
AUG 01 2016

Commissioners



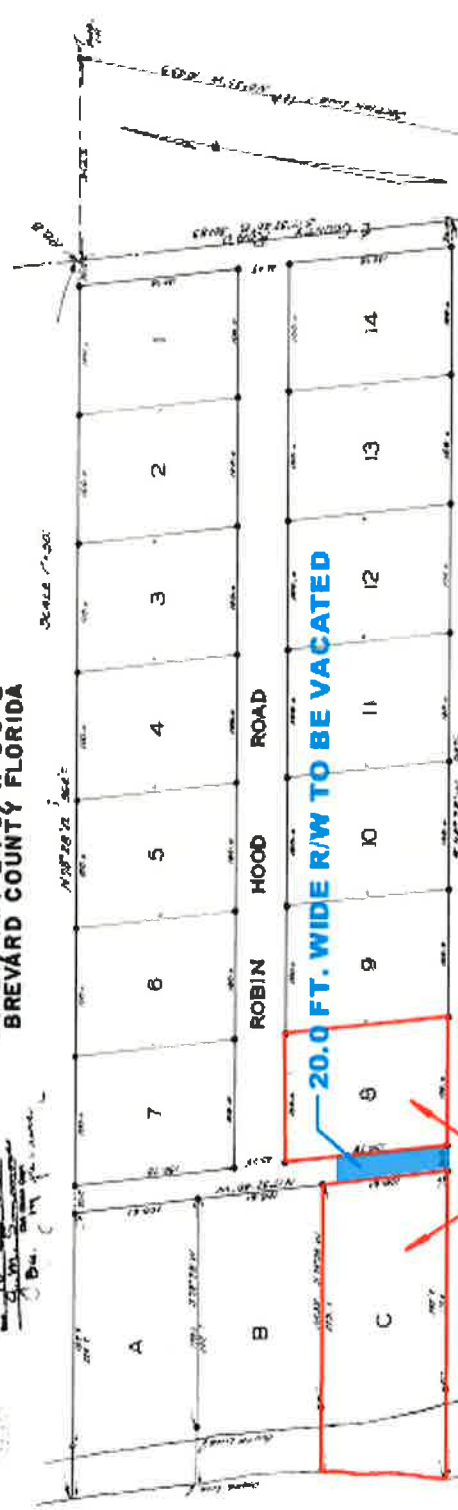
AERIAL MAP

Ruth Little – 535 Robin Hood Drive - Lots C and 8, “Sherwood Forest” (Plat Book 10, Page 63) – Section 27, Township 24 South, Range 36 East – District 2 – Proposed Partial Vacating of Unnamed 20.0 ft. Wide Right-of-Way

PB 10 02 52 63A

SHERWOOD FOREST SECOND DEVELOPMENT A SUBDIVISION OF PART OF SEC 27, TWP 24 S, R 36 E BREVARD COUNTY FLORIDA

PLAT 10 02 52 63A
DATE 11-15-13
BY [Signature]
[Signature]



DISCLAIMER
I, the undersigned, being duly sworn, depose and say that I have examined the foregoing plat and certify that it is a true and correct copy of the original plat as the same appears on the records of Brevard County, Florida, and was filed for record on this 15th day of November, 2013.

Witness my hand and the seal of said County at Brevard, Florida, this 15th day of November, 2013.
[Signature]
County Clerk

STATE OF FLORIDA
COUNTY OF BREVARD

PETITIONER'S LOTS

STATE OF FLORIDA
COUNTY OF BREVARD
I, the undersigned, being duly sworn, depose and say that I have examined the foregoing plat and certify that it is a true and correct copy of the original plat as the same appears on the records of Brevard County, Florida, and was filed for record on this 15th day of November, 2013.

STATE OF FLORIDA
COUNTY OF BREVARD
I, the undersigned, being duly sworn, depose and say that I have examined the foregoing plat and certify that it is a true and correct copy of the original plat as the same appears on the records of Brevard County, Florida, and was filed for record on this 15th day of November, 2013.

STATE OF FLORIDA
COUNTY OF BREVARD
I, the undersigned, being duly sworn, depose and say that I have examined the foregoing plat and certify that it is a true and correct copy of the original plat as the same appears on the records of Brevard County, Florida, and was filed for record on this 15th day of November, 2013.

PLAT REFERENCE

Printed for Lawyers' Title Guaranty Fund, Orlando, Florida

Warranty Deed 4856

Law Offices
CRIGGS and MEADOWS
315 DELANNOY AVENUE
COCOA, FLORIDA

STATUTORY
This Indenture, Made this 28th day of October 19 61. Between
EUGENE COLLIER and KATHARINE C. COLLIER, husband and wife

1600

of the County of Brevard, State of Florida, grantor, and
RUTH C. JOHNSON *

whose post office address is 1233 Joan Street, Merritt Island,
of the County of Brevard, State of Florida, grantee,

Witnesseth. That said grantor, for and in consideration of the sum of
Ten Dollars,
and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby
acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the fol-
lowing described land, situate, lying and being in Brevard County, Florida, to-wit:

Lot C, as shown on the Plat of Sherwood Forest, Second Development,
a subdivision in Section 27, Township 24 South, Range 36 East, which
Plat was recorded in Plat Book 10, Page 63, public records of Brevard
County, Florida.

This conveyance is made subject to taxes for 1961 and subsequent
years and zoning and/or other restrictions and prohibitions imposed
by governmental authority.

" * " = Ruth C. Johnson is the same person as
Ruth J. Little; see same name affidavit in file

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims
of all persons whomsoever.
(Herein the terms "grantor" and "grantee" shall be construed to include masculine, feminine, singular, or plural as the context indicates.)

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:

Willie K. Nonemaker
W. Curry W. Hall

Eugene Collier (Seal)
Eugene Collier (Seal)
Katharine C. Collier (Seal)
Katharine C. Collier (Seal)

STATE OF
COUNTY OF

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally
appeared

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

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

My commission expires:

Notary Public



13.50

Printed for Lawyers' Title Guaranty Fund, Orlando, Florida

This instrument was prepared by: Paul M. Goldman of Name Spielvogel, Goldman and Caruso, P.A. Address P.O. Box 1366 Merritt Island, Florida

Warranty Deed (STATUTORY FORM - SECTION 689.02 F.S.)

This Indenture, Made this 23rd day of September 1972. Between RALPH R. WETHERINGTON and ELIZABETH J. WETHERINGTON, his wife,

of the County of Brevard, State of Florida, grantor*, and

JOSEPH T. LITTLE and RUTH J. LITTLE, his wife, grantee*.

whose post office address is 535 Robin Hood Drive, Merritt Island,

of the County of Brevard, State of Florida, grantee*.

Witnesseth, That said grantor, for and in consideration of the sum of TEN and 00/100 Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Brevard County, Florida, to-wit:

Lot 8, SHERWOOD FOREST, SECOND DEVELOPMENT, according to the Plat thereof as recorded in Plat Book 10, Page 63, Public Records of Brevard County, Florida.

This conveyance is made subject to taxes for the year 1972 and subsequent years, zoning, restrictions and prohibitions imposed by governmental authority; restrictions and matters appearing on the Plat or otherwise common to the subdivision, and public utility easements of record as reflected in the Contract.



and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

* "Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presence:

Handwritten signatures of Ralph R. Wetherington and Elizabeth J. Wetherington.

Ralph R. Wetherington (Seal) RALPH R. WETHERINGTON (Seal) Elizabeth J. Wetherington (Seal) ELIZABETH J. WETHERINGTON (Seal)

STATE OF FLORIDA } ss COUNTY OF BREVARD

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared RALPH R. WETHERINGTON and ELIZABETH J. WETHERINGTON, his wife,

to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 23rd day of September 1972.

Notary Public, State of Florida at Large My commission expires: My Commission Expires Feb. 28, 1974



COMMENT SUMMARY

APPLICANT: Ruth Little

UPDATED BY/DATE: Marc Cazessüs, PLS - 20160429 @ 16:25 Hours

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
UTILITIES				
City of Cocoa	20160420	---	---	No response
Florida City Gas	20160428	20160428	Yes	No objections
FPL	20160420	20160429	Yes	No objections
A T & T	20160420	20160420	Yes	No objections
Bright House Networks	20160420	20160428	Yes	No objections
Florida Gas Transmission	20160420	20160420	Yes	No objections
COUNTY STAFF				
Road & Bridge	20160420	20160425	Yes	No objections; Susan Jackson
Land Planning	20160420	20160428	Yes	No objections; Rebecca Ragain
Utility Services	20160420	20160421	Yes	No objections; Tammy Hurley
NRMD / Storm Water	20160420	20160428	Yes	No objections; Harvey Wheeler
Zoning	20160420	20160422	Yes	No objections; Paul Body
Traffic Engineering	20160420	20160420	Yes	No objections; Devin Swanson
Land Acquisition	20160420	20160420	Yes	No objections; Blaise Mancini
Fire and Rescue	20160428	20160429	Yes	MOVE NORTH LIMITS TO 45.0 FT. SOUTH OF THE NORTHEAST CORNER OF LOT 8 TO PROVIDE FOR VEHICLE TURN AROUND

All County agencies & utility providers contacted by email dated 20160420

COMMENT SHEET

**LEGAL NOTICE
NOTICE TO VACATE A PORTION OF
THE 20.0 FT. WIDE PUBLIC RIGHT-OF-
WAY OF ROBIN HOOD DRIVE BE-
TWEEN LOTS C AND 8, PLAT OF "SH-
ERWOOD FOREST" IN SECTION 27,
TOWNSHIP 24 SOUTH, RANGE 36
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 Ruth Little 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 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.

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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"

DESCRIPTION: A PORTION OF A 20.0 FOOT WIDE UNNAMED RIGHT OF WAY LYING WITHIN SHERWOOD FOREST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF SAID UNNAMED 20.00 FOOT WIDE RIGHT OF WAY LYING BETWEEN LOTS B AND C THAT LIES SOUTHERLY OF A LINE PARALLEL WITH AND 85.78 FEET NORTHERLY OF THE SOUTH LINE OF SAID PLAT AS MEASURED ALONG THE EAST LINE OF SAID 20.00 FOOT RIGHT OF WAY, CONTAINING 1,715 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.
PREPARED BY: ANDREW W. POWSHOK,
PLS

PUBLIC HEARING LEGAL
ADVERTISEMENT

Donna Scott

From: Cazessus, Marc <marc.cazessus@brevardfl.gov>
Sent: Thursday, June 09, 2016 1:32 PM
To: BRELEGALS@gannett.com
Cc: Tammy Rowe; Donna Scott; Kim Reynolds; Sweeney, Michael; Vitale, Anthony
Subject: Little: Robin Hood Dr. R/W Vacating - Public Hearing Legal Notice
Attachments: PUBLIC HEARING AD NOTICE-LITTLE.doc

Dear Sir or Madame:

Please process the attached public hearing legal notice for the Ruth Little right-of-way 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
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

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

LEGAL NOTICE

NOTICE TO VACATE A PORTION OF THE 20.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF ROBIN HOOD DRIVE BETWEEN LOTS C AND 8, PLAT OF "SHERWOOD FOREST" IN SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 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 **Ruth Little** 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 **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.

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PREPARED BY: ANDREW W. POWSHOK, PLS

Donna Scott

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.: 0001435706
Pymt Method Invoice
Net Amt: \$178.04

Run Times: 1

No. of Affidavits: 1

Run Dates: 07/16/16

Text of Ad:

AD#1435706 7/16/16
LEGAL NOTICE
RESOLUTION VACATING A PORTION OF THE 20.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF ROBIN HOOD DRIVE BETWEEN LOTS C & B, PLAT OF SHERWOOD FOREST, MERRITT ISLAND, IN SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 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 the 20.0 ft. wide public right-of-way of Robin Hood Drive between Lots C & B, Plat of Sherwood Forest, Merritt Island, as petitioned by Ruth Little.

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"

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PREPARED BY: ANDREW W. POWSHOK, PLS

LEGAL NOTICE

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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.**

DESCRIPTION: A PORTION OF A 20.0 FOOT WIDE UNNAMED RIGHT OF WAY LYING WITHIN SHERWOOD FOREST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF SAID UNNAMED 20.00 FOOT WIDE RIGHT OF WAY LYING BETWEEN LOTS 8 AND C THAT LIES SOUTHERLY OF A LINE PARALLEL WITH AND 85.78 FEET NORTHERLY OF THE SOUTH LINE OF SAID PLAT AS MEASURED ALONG THE EAST LINE OF SAID 20.00 FOOT RIGHT OF WAY. CONTAINING 1,715 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

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