

Meeting Date
December 06, 2016



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.B.

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Part of a Public Utility & Drainage Easement - Cinnamon Trail Drive – “Hidden Lakes, Phase One, Unit One, Replat” – Mims – Martarelli & Deborah Fagundes–District 1 (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 the 20.0 ft. wide public utility and drainage easement centered along the common line of Lots 8 & 9, Block 2, “Hidden Lakes, Phase One, Unit One, Replat” in Section 35, Township 20 South, Range 34 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution

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 8 and 9 and are requesting the vacating of the 20.0 ft. wide public utility and drainage easement to allow for the permitting and construction of a single family residence over the existing easement. Easement to be vacated contains 3,980 square feet, more or less.

November 21, 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 Mims as follows: Begin at the intersection of U. S. Highway No. 1 and Aurantia Rd.; thence 1.68 miles west along Aurantia Rd.; thence 0.79 miles south along Meadow Green Rd.; thence 0.44 miles west along Harrison Rd.; thence 0.67 miles south along Hog Valley Rd.; thence 0.07 miles east along Hidden Lakes Rd.; thence 0.11 miles south along Cinnamon Trail Dr. 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 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 No PR

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

December 21, 2016

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating a Part of a 20.0 Ft. Wide Public Utility and Drainage Easement in Hidden Lakes, Phase One, Unit One, Replat, Mims

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 16-219, vacating a part of a 20.0 foot wide public utility and drainage easement in Hidden Lakes, Phase One, Unit One, Replat, Mims, as petitioned by Martarelli and Deborah Fagundes. Said Resolution was adopted by the Board of County Commissioners, in regular session on December 6, 2016.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

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

December 21, 2016

Martarelli and Deborah Fagundes
4156 Cinnamon Teal Drive
Mims, FL 32754

Dear Mr. & Mrs. Fagundes:

Re: Resolution Vacating a Part of a 20.0 Ft. Wide Public Utility and Drainage Easement in Hidden Lakes, Phase One, Unit One, Replat, Mims

The Board of County Commissioners, in regular session on December 6, 2016, adopted Resolution No. 16-219, vacating a part of a 20.0 foot wide public utility and drainage easement in Hidden Lakes, Phase One, Unit One, Replat, Mims, as petitioned by you. Said Resolution has been recorded in ORBK 7781, Pages 336 through 341. 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

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

**VACATING A PART OF A 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT IN
"HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT", MIMS, FLORIDA, LYING IN
SECTION, 35, TOWNSHIP 20 SOUTH, RANGE 34 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **MARTARELLI AND DEBORAH FAGUNDES** with the Board of County Commissioners to vacate a portion of a 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 the public drainage and utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that the public utility and drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easement. 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.

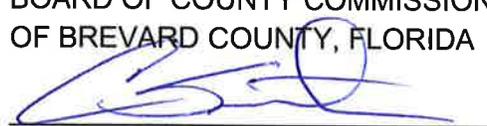
DONE, ORDERED AND ADOPTED, in regular session, this 6th day of December, 2016 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



CURT SMITH CHAIRMAN

As approved by the Board on:
December 06, 2016

PURPOSE OF SKETCH AND DESCRIPTION: EASEMENT VACATING

**SECTION 35, T.20S., R.34E.
PETITIONER'S PARCEL ID NO.
20-34-35-OG-00002.0-0008.00**

LEGAL DESCRIPTION:

THE 20.00 FT. PUBLIC UTILITY AND DRAINAGE EASEMENT LYING 10.00 FT. RIGHT AND LEFT OF THE COMMON LINE BETWEEN LOTS 8 AND 9, BLOCK 2, HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, AS RECORDED IN PLAT BOOK 34, PAGES 82 THROUGH 84, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE NORTHEASTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE RIGHT OF WAY LINE OF CINNAMON TEAL DRIVE ALSO LESS AND EXCEPT THE SOUTHWESTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE REAR LINE OF SAID LOTS 8 AND 9.

CONTAINING 3980 SQUARE FEET MORE OR LESS

THIS CERTIFIES THAT THE FOREGOING SKETCH AND LEGAL DESCRIPTION MEET THE APPLICABLE MINIMUM STANDARDS ESTABLISHED PURSUANT TO FLORIDA STATUTES 472.027 AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY, BUT ARE BASED ON INFORMATION FROM PUBLIC RECORDS WHICH MAY DIFFER.

THIS IS NOT A SURVEY



10/18/16

JOHN T. HOLLEY, P.S.M. # 5050
("NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.")

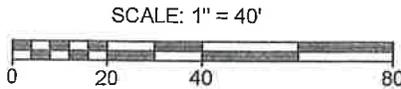
HOLLEY & ASSOCIATES INC.

REGISTERED LAND SURVEYORS L.B.#4595
1846 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-6113

SKETCH OF DESCRIPTION:

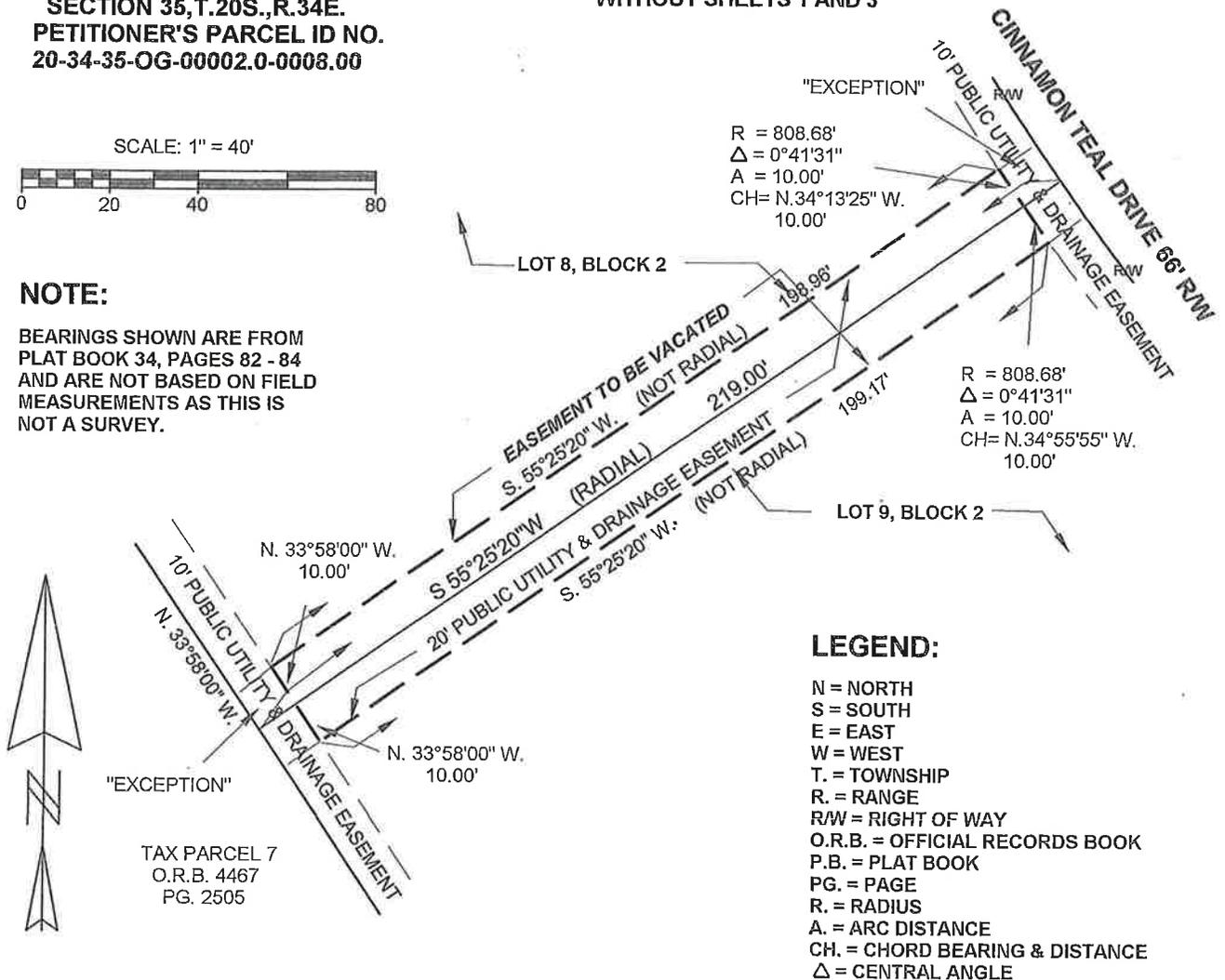
SECTION 35, T.20S., R.34E.
 PETITIONER'S PARCEL ID NO.
 20-34-35-OG-00002.0-0008.00

SHEET 2 OF 3 NOT VALID
 WITHOUT SHEETS 1 AND 3



NOTE:

BEARINGS SHOWN ARE FROM
 PLAT BOOK 34, PAGES 82 - 84
 AND ARE NOT BASED ON FIELD
 MEASUREMENTS AS THIS IS
 NOT A SURVEY.



THIS CERTIFIES THAT THE FOREGOING SKETCH AND LEGAL DESCRIPTION MEET THE APPLICABLE MINIMUM STANDARDS ESTABLISHED PURSUANT TO FLORIDA STATUTES 472.027 AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY, BUT ARE BASED ON INFORMATION FROM PUBLIC RECORDS WHICH MAY DIFFER.

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SHEET 2 OF 3 NOT VALID
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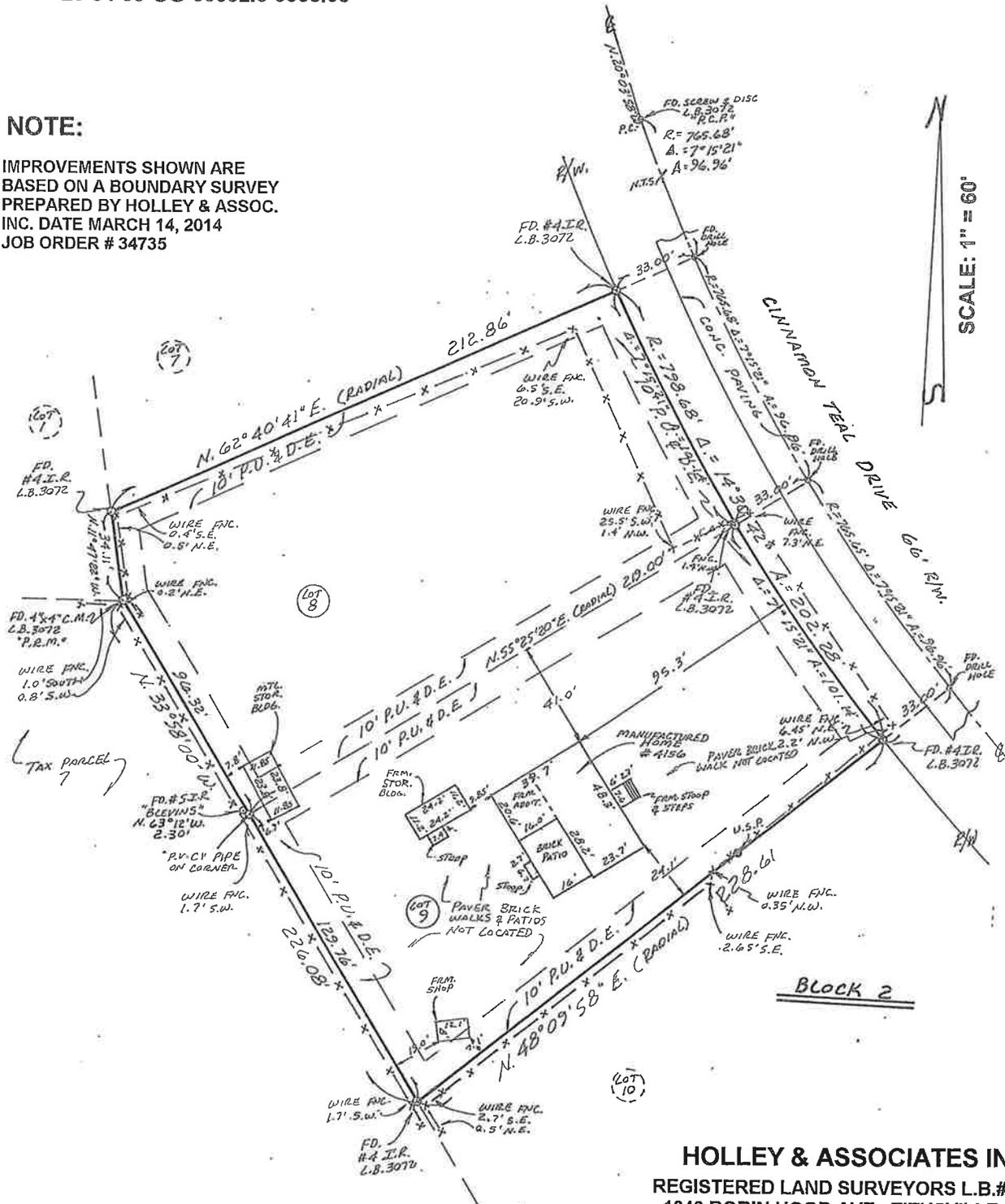
HOLLEY & ASSOCIATES INC.
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 1846 ROBIN HOOD AVE., TITUSVILLE, FL.
 P.O. BOX 1975, 32781
 321-267-6113

IMPROVEMENT SKETCH:

SECTION 35, T.20S., R.34E.
PETITIONER'S PARCEL ID NO.
20-34-35-OG-00002.0-0008.00

NOTE:

IMPROVEMENTS SHOWN ARE
BASED ON A BOUNDARY SURVEY
PREPARED BY HOLLEY & ASSOC.
INC. DATE MARCH 14, 2014
JOB ORDER # 34735



HOLLEY & ASSOCIATES INC.
REGISTERED LAND SURVEYORS L.B.#4595
1846 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-6113



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

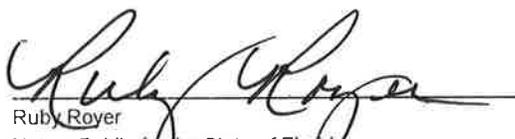
Notice Public Hearing

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

11/21/16

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 21th 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: \$239.98
Ad No: 0001740479
Customer No: BRE-GBR327


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

AD#1740479 11/21/16

LEGAL NOTICE

NOTICE TO VACATE A 20.00 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE COMMON LINE OF LOTS 8 & 9, BLOCK 2, "HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT" LYING IN SECTION 35, TOWNSHIP 20 SOUTH, RANGE 34 EAST, MIMS, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by MARTARELLI AND DEBORAH FAGUNDES 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 **December 06, 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"

LEGAL DESCRIPTION:

THE 20.00 FT. PUBLIC UTILITY AND DRAINAGE EASEMENT LYING 10.00 FT. RIGHT AND LEFT OF THE COMMON LINE BETWEEN LOTS 8 AND 9, BLOCK 2, HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, AS RECORDED IN PLAT BOOK 34, PAGES 82 THROUGH 84, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHEASTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE RIGHT OF WAY LINE OF CINNAMON TEAL DRIVE ALSO LESS AND EXCEPT THE SOUTHWESTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE REAR LINE OF SAID LOTS 8 AND 9, CONTAINING 3980 SQUARE FEET MORE OR LESS
PREPARED BY: JOHN T. HOLLEY, PSM





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:

12/15/16

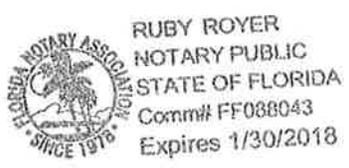
Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard 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 December 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: \$143.48
Ad No: 0001786041
Customer No: BRE-6BR327

AD#1786041 12/15/16
LEGAL NOTICE
RESOLUTION VACATING A PART OF A 20.00 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON CINNAMON TEAL DRIVE IN HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, MIMS - MARTARELLI & DEBORAH FAGUNDES
TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the 6th day of December, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of a 20.00 ft. wide public utility and drainage easement on Cinnamon Teal Drive in Hidden Lakes, Phase One, Unit One, Replat, Mims, as petitioned by Martarelli & Deborah Fagundes.
SEE ATTACHED EXHIBIT "A"
The Board further renounced and disclaimed any right of the County in and to said public easement.
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk
LEGAL DESCRIPTION:
EXHIBIT "A"
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PREPARED BY: JOHN T. HOLLEY, PSM





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.: 0001786041
Pymt Method: Invoice
Net Amt: \$143.48

Run Times: 1

No. of Affidavits: 1

Run Dates: 12/15/16

Text of Ad:

AD#1786041 12/15/16
LEGAL NOTICE

RESOLUTION VACATING A PART OF A 20.00 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON CINNAMON TEAL DRIVE IN HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, MIMS - MARTARELLI & DEBORAH FAGUNDES

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 6th day of December, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of a 20.00 ft. wide public utility and drainage easement on Cinnamon Teal Drive in Hidden Lakes, Phase One, Unit One, Replat, Mims, as petitioned by Martarelli & Deborah Fagundes.

SEE ATTACHED EXHIBIT "A"

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

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

LEGAL DESCRIPTION:

EXHIBIT "A"

THE 20.00 FT. PUBLIC UTILITY AND DRAINAGE EASEMENT LYING 10.00 FT. RIGHT AND LEFT OF THE COMMON LINE BETWEEN LOTS 8 AND 9, BLOCK 2, HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, AS RECORDED IN PLAT BOOK 34, PAGES 82 THROUGH 84, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHEASTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE RIGHT OF WAY LINE OF CINNAMON TEAL DRIVE ALSO LESS AND EXCEPT THE SOUTHWESTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE REAR LINE OF SAID LOTS 8 AND 9, CONTAINING 3980 SQUARE FEET MORE OR LESS.
PREPARED BY: JOHN T. HOLLEY, PSM

LEGAL NOTICE

RESOLUTION VACATING A PART OF A 20.00 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON CINNAMON TEAL DRIVE IN HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, MIMS – MARTARELLI & DEBORAH FAGUNDES

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SEE ATTACHED EXHIBIT "A"

The Board further renounced and disclaimed any right of the County in and to said public 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 December 15, 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"

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PREPARED BY: JOHN T. HOLLEY, PSM



Property Information

Account #: 2006149

Owners: Fagundes, Mariarell
 Fagundes, Deborah
 Site Address: 4156 Cinnamon Teal Dr Miris Fl 32754
 Mailing Address: 4156 Cinnamon Teal Dr Miris Fl 32754
 Parcel ID: 20-34-35-OG-2-8
 Property Use: 0213 - Manufactured Housing - Double Wide
 Exemptions: None
 Taxing District: 1300 - Unincorp District 1
 Subdivision: Hidden Lakes Phase One Unit One, Replat

Value Summary Information

Value Category	2016	2015	2014
Total Market Value	\$47,510	\$46,040	\$43,120
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$47,510	\$46,040	\$43,120
Assessed Value School	\$47,510	\$46,040	\$43,120
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$47,510	\$46,040	\$43,120
Taxable Value School	\$47,510	\$46,040	\$43,120

Sales History Information

Sale Date	Sale Price	Deed Type	Vacant/Improved	Book/Page
09/18/2012	\$35,000	WD	False	6695/2432
05/06/2012	\$100	WD	False	6646/2545
04/10/2012	\$100	CT	False	6576/1240
01/12/2005	\$97,000	WD	False	5411/1775
10/05/2003	\$100	WD	False	5079/0086
09/04/2003	\$36,700	WD	False	5077/1299
06/18/2003	\$100	QC	False	4956/3473
05/30/1993	\$15,800	WD	True	3296/2054
05/01/1989	\$100	PT		2994/1682
01/13/1989	\$297,000	PT		2975/1823

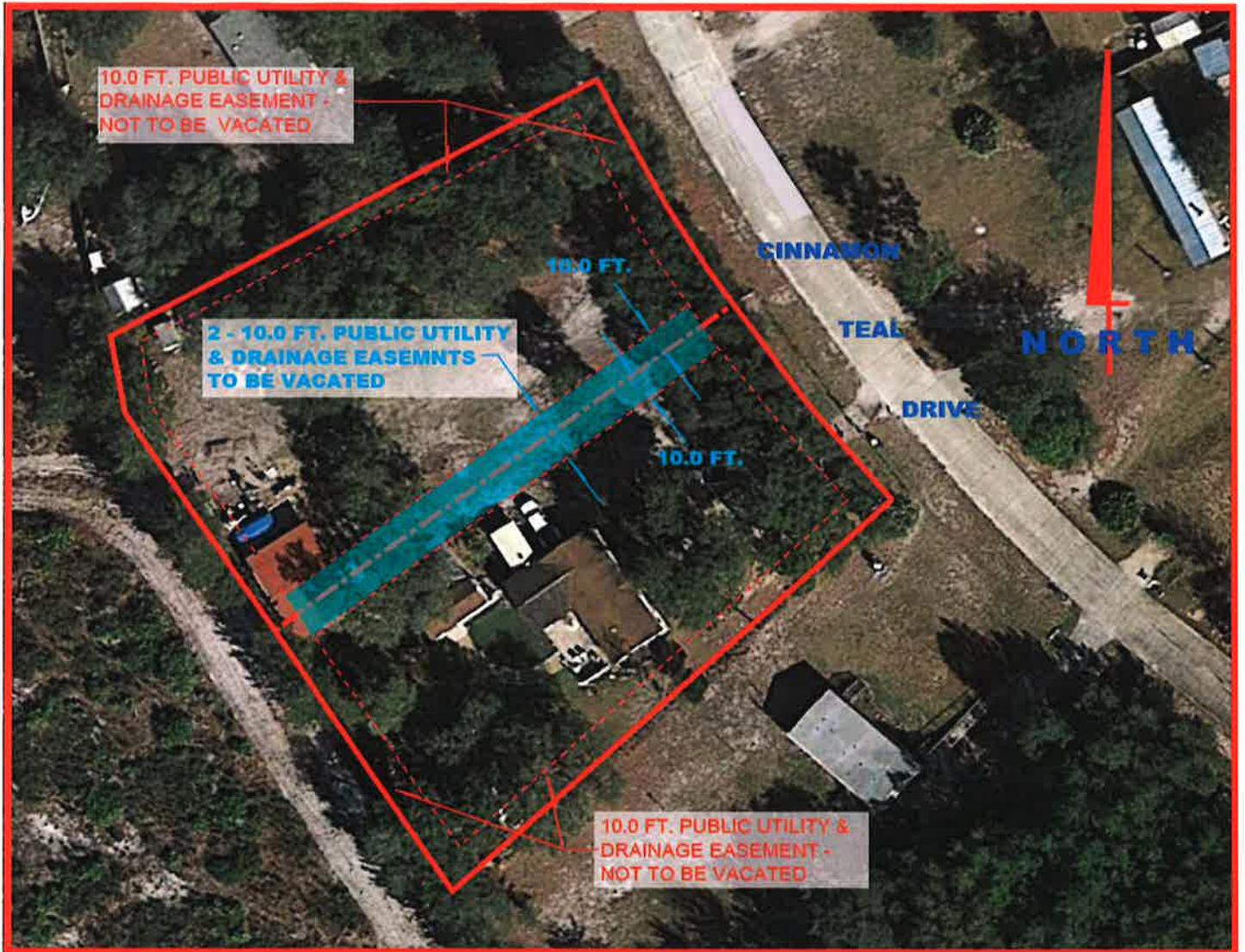
Building Information

Property Data Card #1			
Building Use:	0213 - Manufactured Housing - Double Wide		
Year Built:	1990		
Building Materials		Building Sub-areas	
EXTERIOR WALL	PLYWD/T111		
FRAME	WOOD FRAME		
ROOF	ASPH/ASB SHNGL	BASE AREA (1st)	1104
ROOF STRUCTURE	HIP/GABLE		
Extra/Special Features			
COVERED PATIO: LOW			48
OUTBUILDING: AVERAGE			120
WOOD DECK			32
ENCLOSED ROOM: AVERAGE			320
COVERED PATIO: AVERAGE			48
SKIRTING: SIMULATED STONE/BRICK			174

Land Information

Total Acres: 1.15
 Site Code: 0001 - No Other Code Appl.
 Plat Book/Page: 0034/0082
 Description: Hidden Lakes Phase One Unit One, Replat Lots 8 & 9 Blk 2

APPRAISER'S DETAIL SHEET



AERIAL MAP

Martarelli & Deborah Fagundes – 4156
Cinnamon Teal Drive, Mims – Lots 8 & 9,
Block 2, Hidden Lakes, Phase One, Unit One,
Replat – (Plat Book 34, Page 82) –Section 35,
Township 20 South, Range 34 East – District 1
– Vacating 20.0 ft. Wide Public Utility &
Drainage Easement along Common Lot Line

HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT

BEING A RESUBDIVISION OF HIDDEN LAKES, PHASE ONE, UNIT ONE, AS RECORDED IN PLAT BOOK 311, PAGES 57, 58 AND 59 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, TOGETHER WITH AN ADDITIONAL PART OF GOVERNMENT LOT 4, AND ALL OF THE ABOVE LYING IN AND BEING A PART OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 34 EAST, AND A PART OF THE NORTH 930.00 FEET OF

LEGAL DESCRIPTION

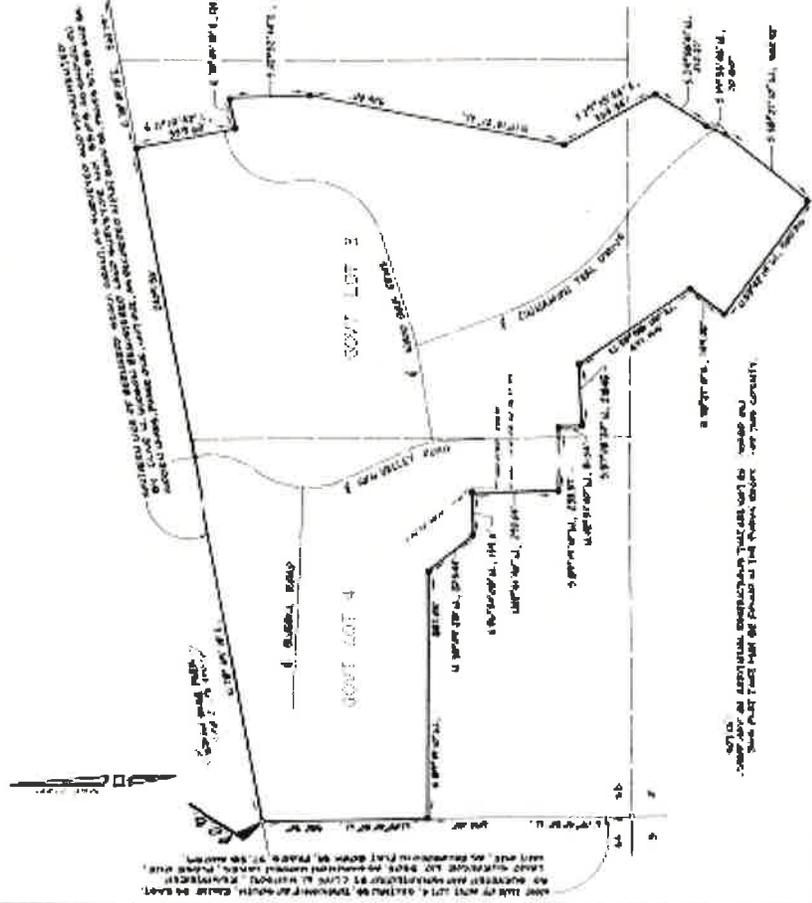
TO BE HAD IN CONFORMANCE WITH THE PROVISIONS OF CHAPTER 218, F.S., AND THE PROVISIONS OF CHAPTER 219, F.S., THE FOLLOWING IS A LEGAL DESCRIPTION OF THE ABOVE DESCRIBED PROPERTY:

THE NORTH 930.00 FEET OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, BEING A PART OF THE NORTH 930.00 FEET OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 311, PAGES 57, 58 AND 59 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, TOGETHER WITH AN ADDITIONAL PART OF GOVERNMENT LOT 4, AND ALL OF THE ABOVE LYING IN AND BEING A PART OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 34 EAST, AND A PART OF THE NORTH 930.00 FEET OF

CONVEYANCE TO THE ABOVE, NAME, NAME OF LAW

SURVEY'S NOTES

1. ALL SURVEYING INSTRUMENTS USED WERE CALIBRATED AND FOUND TO BE ACCURATE.
2. ALL SURVEYING INSTRUMENTS USED WERE CALIBRATED AND FOUND TO BE ACCURATE.
3. ALL SURVEYING INSTRUMENTS USED WERE CALIBRATED AND FOUND TO BE ACCURATE.
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9. ALL SURVEYING INSTRUMENTS USED WERE CALIBRATED AND FOUND TO BE ACCURATE.
10. ALL SURVEYING INSTRUMENTS USED WERE CALIBRATED AND FOUND TO BE ACCURATE.



PREPARED BY
MELVIN AND MARGARET
MELVIN AND MARGARET
AND SONS ENGINEERS - MIAMI, FLA.

NOTE: ANY ADDITIONAL INSTRUMENTS THAT MAY BE RECORDED TO CORRECT OR AMEND THIS PLAT MUST BE RECORDED IN THE PUBLIC RECORDS OF THIS COUNTY.

DESCRIPTION

ALL SURVEYING INSTRUMENTS USED WERE CALIBRATED AND FOUND TO BE ACCURATE.

CERTIFICATE OF SURVEYOR

I, the undersigned, being duly sworn, depose and say that I am a duly licensed Surveyor in the State of Florida, and that I have personally supervised the survey shown on the above plat, and that the same is a true and correct representation of the actual survey made by me or under my direct supervision.

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

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CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

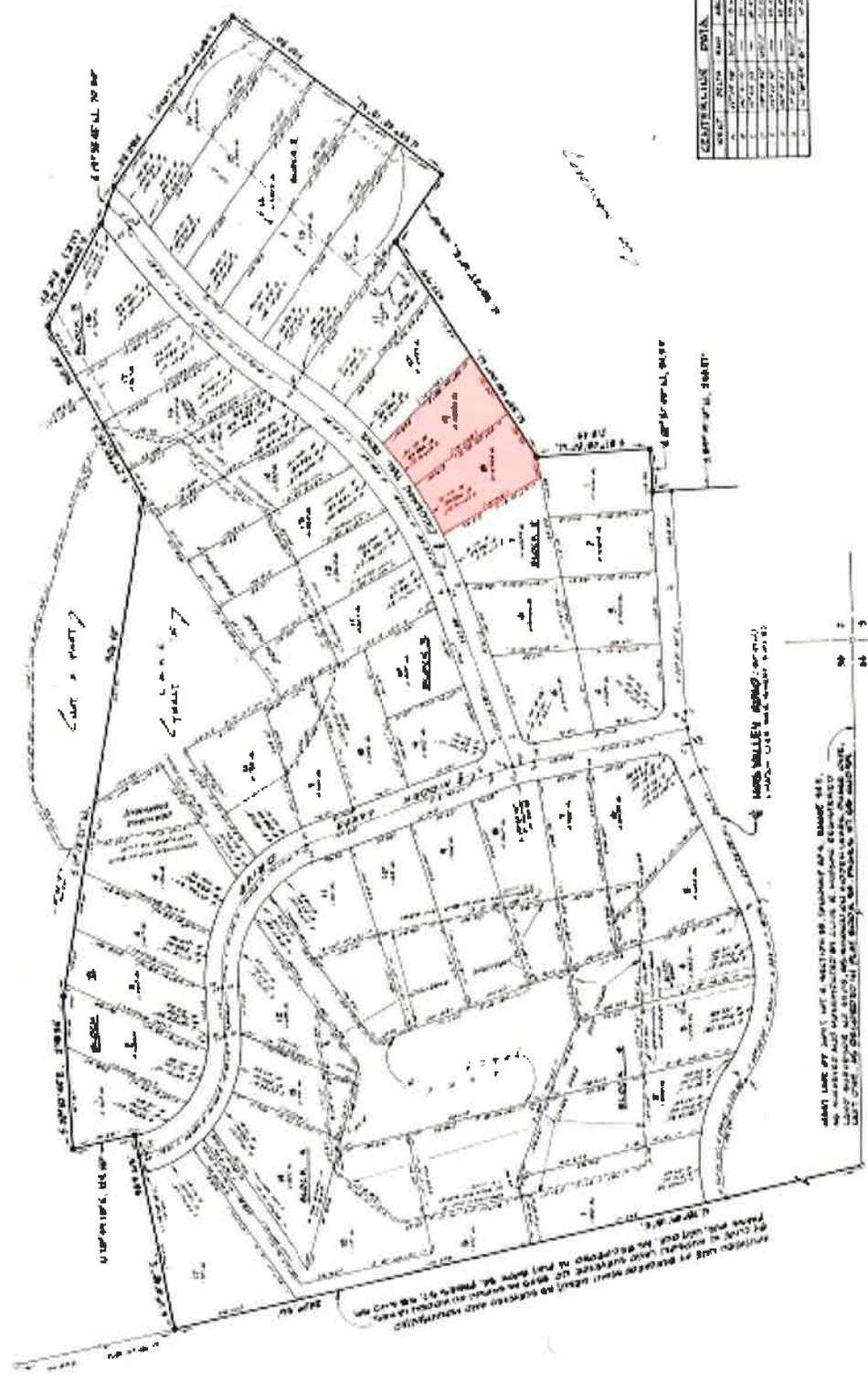
BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT

See drawing



CENTRALIA, OREGON	
LOT NO.	ACRES
1	0.10
2	0.10
3	0.10
4	0.10
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98	0.10
99	0.10
100	0.10

PLAT REFERENCE

SHEET 2 OF 2

This Instrument Prepared by: Alan L. Sandler, Esq.
On behalf of PEMCO, LTD as Asset Manager
and Contractor for Contract #C-ATL-01947G for the
U.S. Department of Housing and Urban Development
HUD Case No.: 094-516089
Return to: 5276ABP
Lawyers Advantage Title Group, Inc.
225 S. Westmonte Dr., Suite 1100
Altamonte Springs, FL 32714

Property Appraiser Parcel Identification
(Pnlc) Numbers: 20-34-34-0G-28

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS DEED NOT EFFECTIVE UNTIL 9-18-2012
THIS INDENTURE, made the 19th day of SEPTEMBER, A.D. 2012 by Shaun Donovan,
Secretary, Department of Housing and Urban Development, of Washington, D.C. herein called the grantor, whose post office
address is 40 Marietta St., Five Points Plaza, Atlanta, GA 30303, by grantor's true and lawful delegate, to Martarell Fagundes and
Deborah Fagundes, ~~joint tenants~~ whose post office address is 1685 Outrigger Drive, Merritt Island, FL 32953, hereinafter called
the Grantee(s): HUSBAND & WIFE
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives
and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and
other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, allows, remises, releases,
conveys and confirms unto the grantee all that certain land situate in BREVARD County, State of Florida, viz:

Lots 8 and 9, Block 2, HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, according to the plat thereof, as
recorded in Plat Book 34, Page 82 through 84, Public Records of Brevard County, Florida.

Together with that certain 1990 Echo Mobile Home located thereon as a fixture and appurtenance thereto: VIN #
H60489728 and H604897GL.

BEING the same property acquired by the grantor pursuant to the provisions of the National Housing Act, as amended (12 USC 1701
et seq.) and the Department of Housing and Urban Development Act (79 Stat. 667).

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the
reversion and reversions, remainder and remainders, rents, issues and profits thereof. And also all the estate, right, title, interest,
property, possession, claim and demand whatsoever, as well in law as equity, of the Grantor, of, in and to the same, and every part and
parcel thereof, with appurtenances.

TO HAVE AND TO HOLD, the above granted and described premises with the appurtenances, unto the Grantee(s), and the heirs
and assigns of said Grantee(s), to their only proper use and benefit in fee simple forever.

SUBJECT TO ALL covenants, restrictions, reservations, easements conditions and rights appearing of record and to real property
taxes for the current and subsequent years and to any state of facts an accurate survey would show.

AND the same Grantor does hereby specially warrant the title to said land against the lawful claims of all persons claiming by,
through or under Grantor.

IN WITNESS WHEREOF, the said grantor has set his/her hand and seal by grantor as a true and lawful delegate for and on behalf of
the said Secretary of Housing and Urban Development, under vested authority and by virtue of the Federal Laws recited at 70 F.R.
43171 (07/25/05) and as required by said Federal Laws will be maintained at its Web site located at
www.hud.gov/offices/hqs/sfh/real/realhome.cfm

Signed, sealed and delivered in the presence of:

To
Witness Signature
Janet Allen
Printed Witness Name

Alan
Witness Signature
Ari Meier
Printed Witness Name

Secretary, Department of Housing and Urban Development
By: PEMCO, LTD
Its true and lawful delegate being the Contractor for
Contract #C-ATL-01947G for the
U.S. Department of Housing and Urban Development

Mandy Wiles
Printed Name of Authorized Delegate
PEMCO, LTD
3525 Piedmont Road, Bldg 5, Suite 310
Atlanta, Georgia 30305

STATE OF GA

COUNTY OF Brevard

BEFORE ME personally appeared Alan, who is personally well known to me to
be the duly appointed Delegate for the U.S. Dept. of HUD, and the person who executed the foregoing instrument, by virtue of the
authority vested in her/him by the above cited authority, and acknowledged before me that she/he executed the same as for and on
behalf of Shaun Donovan, Secretary, Department of Housing and Urban Development, for the purposes therein expressed.

WITNESS my hand and Official Seal in the State and County last aforesaid the 18th day of SEP, 2012


NICHOLAUS A. RICE
FULTON COUNTY, GEORGIA
NOTARY PUBLIC
MY COMMISSION EXPIRES
FEBRUARY 7th, 2015

Nicholas A. Rice
Notary Public
Nicholas A. Rice
Printed Notary Public

PETITIONERS' DEED

COMMENT SUMMARY

APPLICANT: Martarelli & Deborah Fagundes

UPDATED BY/DATE Marc Cazessüs, PLS/20161116 @ 14:00

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
UTILITIES				
City Gas Company of Florida	20161024	20161024	Yes	No objections
Florida Power & Light	20161024	20161024	Yes	No objections
A T & T	20161024	20161031	Yes	No objections
Bright House Networks	20161024	20161025	Yes	No objections
City of Titusville	20161024	20161031	Yes	No objections
COUNTY STAFF				
Road and Bridge	20161024	20161116	Yes	No objections - Rocky Little
Land Planning	20161024	20161024	Yes	No objections - Rebecca Ragain
County Utilities	20161024	20161024	Yes	No objections - Tammy Hurley
NRMD/Storm Water	20161024	20161024	Yes	No objections - Harvey Wheeler
Zoning	20161024	20161024	Yes	No objections - Paul Body

COMMENT SHEET

AD#1740479 11/21/16 LEGAL NOTICE NOTICE TO VACATE A 20.00 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE COMMON LINE OF LOTS 8 & 9, BLOCK 2, "HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT" LYING IN SECTION 35, TOWNSHIP 20 SOUTH, RANGE 34 EAST, MIMS, FL NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by MARTARELLI AND DEBORAH FAGUNDES 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 December 06, 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" LEGAL DESCRIPTION: THE 20.00 FT. PUBLIC UTILITY AND DRAINAGE EASEMENT LYING 10.00 FT. RIGHT AND LEFT OF THE COMMON LINE BETWEEN LOTS 8 AND 9, BLOCK 2, HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, AS RECORDED IN PLAT BOOK 34, PAGES 82 THROUGH 84, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE NORTHEASTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE RIGHT OF WAY LINE OF CINNAMON TEAL DRIVE ALSO LESS AND EXCEPT THE SOUTHWESTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE REAR LINE OF SAID LOTS 8 AND 9. CONTAINING 3980 SQUARE FEET MORE OR LESS PREPARED BY: JOHN T. HOLLEY, PSM

PUBLIC HEARING LEGAL
ADVERTISEMENT

LEGAL DESCRIPTION:

THE 20.00 FT. PUBLIC UTILITY AND DRAINAGE EASEMENT LYING 10.00 FT. RIGHT AND LEFT OF THE COMMON LINE BETWEEN LOTS 8 AND 9, BLOCK 2, HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT, AS RECORDED IN PLAT BOOK 34, PAGES 82 THROUGH 84, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE NORTHEASTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE RIGHT OF WAY LINE OF CINNAMON TEAL DRIVE ALSO LESS AND EXCEPT THE SOUTHWESTERLY 10.00 FT. AS LIES ALONG AND PARALLEL WITH THE REAR LINE OF SAID LOTS 8 AND 9. CONTAINING 3980 SQUARE FEET MORE OR LESS
PREPARED BY: JOHN T. HOLLEY, PSM