



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.3.

7/23/2024

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement - 1000 Royal Oak Court - "Sandy Run at Suntree" Plat Book 25, Page 143 - Melbourne - Gary Louis and Mary Susan Baxter, Trustees - District 4

Fiscal Impact:

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

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility & drainage easement, "Sandy Run at Suntree" in Section 14, Township 26 South, Range 36 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lot 26, Block 2, and are requesting the vacating of a portion of a public utility & drainage easement to allow for the existing pool to be enclosed with a screen. The easements to be vacated contains 526.00 square feet, (0.012 AC) more or less. The property is located on Melbourne South of N. Wickham Road and East of Interlachen Road.

On July 8, 2024, 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 and no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

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



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

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

August 21, 2024

Gary Louis and Mary Susan Baxter, Trustees
1000 Royal Oak Court
Melbourne, FL 32940

Dear Sir/Madam:

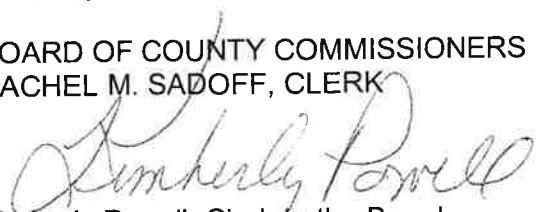
Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Sandy Run at Suntree", Melbourne

The Board of County Commissioners, in regular session on July 23, 2024, adopted Resolution No. 2024-067, vacating a portion of a public utility and drainage easement in Plat "Sandy Run at Suntree", Melbourne, as petitioned by you. Said Resolution has been recorded in ORBK 10131, Pages 327 through 332. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works



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

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

August 21, 2024

MEMORANDUM

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

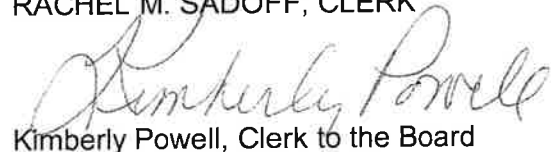
RE: Advertising Bills for Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Sandy Run at Suntree", Melbourne

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 2024-067, vacating a portion of a public utility and drainage easement in Plat "Sandy Run at Suntree", Melbourne, as petitioned by Gary Louis and Mary Susan Baxter, Trustees. Said Resolution was adopted by the Board of County Commissioners, in regular session on July 23, 2024.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

Resolution 2024 - 067

**Vacating a portion of a public utility and drainage easement in plat "Sandy Run at Suntree",
Melbourne, Florida, lying in Section 14, Township 26 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Gary Louis and Mary Susan Baxter, Trustees** with the Board of County Commissioners to vacate 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 utility and drainage easement will not be detrimental to Brevard County or the public.

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

DONE, ORDERED, AND ADOPTED, in regular session, this 23rd day of July, 2024 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:


Rachel Sadoff, Clerk


Jason Steele, Chair

As approved by the Board on:
July 23, 2024

CFN 2024162715, OR BK 10131 PAGE 327
Recorded 08/12/2024 at 11:13 AM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:6

LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2 & 3 OF 3

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 26-36-14-03-2-26

SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: VACATING 5 FEET OF A 10 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT.

LEGAL DESCRIPTION:

(PREPARED BY SURVEYOR)

DESCRIPTION: A PORTION OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 26, BLOCK 2, SANDY RUN AT SUNTREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 143, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 26, AND RUN SOUTH 10°59'34" WEST ALONG THE WEST LINE OF SAID LOT 26, A DISTANCE OF 10.00 FEET; THENCE SOUTH 79°00'26" EAST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 10°59'34" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 79°00'26" EAST, A DISTANCE OF 105.96 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF INVERNESS AVENUE, SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 645.00 FEET, A CENTRAL ANGLE OF 00°27'50", AND A RADIAL BEARING OF SOUTH 61°57'50" EAST; THENCE SOUTHWESTERLY ALONG THE ARC, A DISTANCE OF 5.22 FEET; THENCE NORTH 79°00'26" WEST, A DISTANCE OF 104.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 526 SQUARE FEET OR 0.012 ACRES, MORE OR LESS.

ABBREVIATIONS

B.B. = BASIS OF BEARINGS
D.E. = DRAINAGE EASEMENT
O.R.B. = OFFICIAL RECORDS BOOK
P.O.B. = POINT OF BEGINNING
P.U. = PUBLIC UTILITY EASEMENT

SURVEYORS NOTES:

1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE 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.
2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
4. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN OWNERSHIP AND ENCUMBRANCE REPORT.
5. BEARINGS ARE BASED ON A BEARING OF SOUTH 79°00'26" EAST FOR THE NORTH LINE OF LOT 26, BLOCK 2, SANDY RUN AT SUNTREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 143, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS


ANDREW W. POWSHOK, PLS 5383
PROFESSIONAL LICENSED SURVEYOR

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

DRAWN BY:
DOUG W. GUARE

CHECKED BY:
ANDREW W. POWSHOK

REVISION: _____

REVISION: _____

REVISION: _____

DATE: 06-11-24

PROJECT # 49729

SECTION 14,
TOWNSHIP 26 SOUTH,
RANGE 36 EAST

SKETCH OF DESCRIPTION

EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT SHEETS 1 AND 3 OF 3

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 26-36-14-03-2-26

SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA

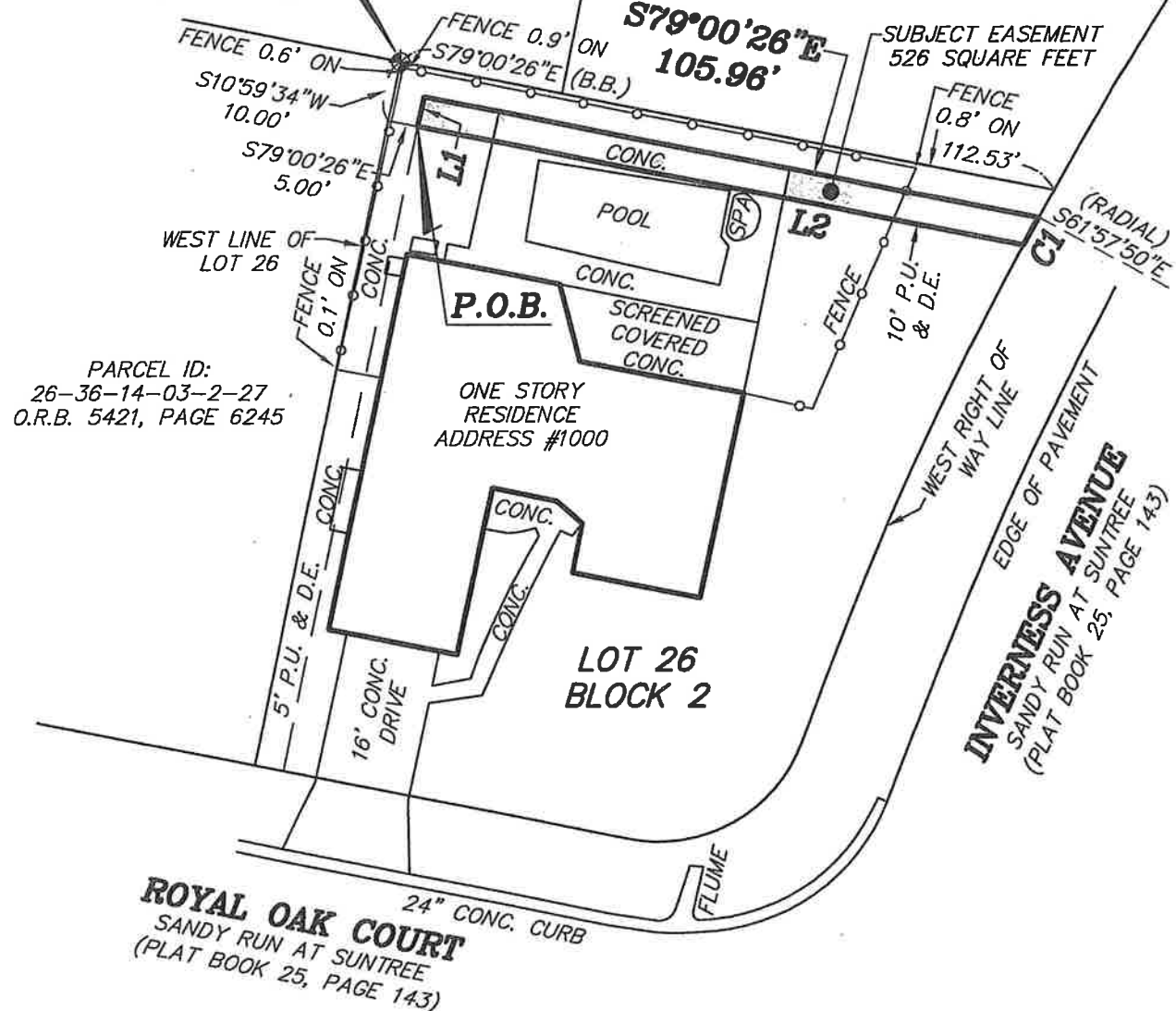
PURPOSE: VACATING 5 FEET OF A 10 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT.

POINT OF COMMENCEMENT

NORTHWEST CORNER OF
LOT 26, BLOCK 2,
SANDY RUN AT SUNTREE
(PLAT BOOK 25, PAGE 143)

PARCEL ID:
26-36-14-03-2-24
O.R.B. 8669, PAGE 184

PARCEL ID:
26-36-14-03-2-25
O.R.B. 3562, PAGE 2432



PARCEL ID:
26-36-14-03-2-27
O.R.B. 5421, PAGE 6245

ROYAL OAK COURT
SANDY RUN AT SUNTREE
(PLAT BOOK 25, PAGE 143)



NORTH

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.

3970 MINTON ROAD, WEST MELBOURNE, FL 32904

PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

SCALE: 1" = 30'

PROJECT # 49729

REVISION:

REVISION:

REVISION:

SECTION 14,
TOWNSHIP 26 SOUTH,
RANGE 36 EAST

SKETCH OF DESCRIPTION

EXHIBIT "A"

SHEET 3 OF 3

NOT VALID WITHOUT SHEETS 1 AND 2 OF 3

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 26-36-14-03-2-26

SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: VACATING 5 FEET OF A 10 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT.

LINE TABLE

LINE	BEARING	LENGTH
L1	N10°59'34"E	5.00'
L2	N79°00'26"W	104.45'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C1	645.00'	5.22'	0°27'50"	5.22'	S27°48'14"W



NORTH

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.

3970 MINTON ROAD, WEST MELBOURNE, FL 32904

PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

SCALE: N/A

PROJECT # 47929

REVISION: _____

REVISION: _____

REVISION: _____

SECTION 14,
TOWNSHIP 26 SOUTH,
RANGE 36 EAST

AFFIDAVIT OF PUBLICATION

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

STATE OF WISCONSIN, COUNTY OF BROWN

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

07/08/2024

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/08/2024

Legal Clerk

Notary, State of WI, County of Brown

5.15.27

My commission expires

Publication Cost:	\$325.01	
Tax Amount:	\$0.00	
Payment Cost:	\$325.01	
Order No:	10350055	# of Copies:
Customer No:	1127286	1
PO #:	4500092228-10	

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NANCY HEYRMAN
 Notary Public
 State of Wisconsin

Ad#10350055 7/8/2024
LEGAL NOTICE
 NOTICE FOR THE VACATING OF A PORTION OF A PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "SANDY RUN AT SUNTREE" IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, 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 GARY LOUIS AND MARY SUSAN BAXTER, TRUSTEES with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:
 A PORTION OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 26, BLOCK 2, SANDY RUN AT SUN TREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 143, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE NORTH-WEST CORNER OF SAID LOT 26, AND RUN SOUTH 10°59'34" WEST ALONG THE WEST LINE OF SAID LOT 26, A DISTANCE OF 10.00 FEET; THENCE SOUTH 79°00'26" EAST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 10°59'34" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 79°00'26" EAST, A DISTANCE OF 105.96 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF INVERNESS AVENUE, SAID POINT BEING ON A CURVE CONCA VE SOUTH-EASTERLY, HAVING A RADIUS OF 645.00 FEET, A CENTRAL ANGLE OF 00°27'50" AND A RADIAL BEARING OF SOUTH 61°57'50" EAST; THENCE SOUTH-WESTERLY ALONG THE ARC, A DISTANCE OF 5.22 FEET; THENCE NORTH 79°00'26" WEST, A DISTANCE OF 104.45 FEET TO THE POINT OF BEGINNING, CONTAINING 526 SQUARE FEET OR 0.012 ACRES, MORE OR LESS.
 PREPARED BY: ANDREW W. POWSHOK, PLS.
 The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on July 23, 2024, 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.



Florida

GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

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

STATE OF WISCONSIN, COUNTY OF BROWN

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

07/31/2024

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/31/2024

Legal Clerk

Notary, State of WI, County of Brown

51527

My commission expires

Publication Cost: \$258.41

Tax Amount: \$0.00

Payment Cost: \$258.41

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Ad#10412837

07/31/2024

LEGAL NOTICE
RESOLUTION VACATING A
PORTION OF A PUBLIC UTILITY
AND DRAINAGE EASEMENT IN
PLAT "SANDY RUN AT
SUNTREE", MELBOURNE, LYING
IN SECTION 14, TOWNSHIP 26
SOUTH, RANGE 36 EAST - GARY
LOUIS AND MARY SUSAN
BAXTER, TRUSTEES

TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that
on the 23rd of July, 2024, the Board
of County Commissioners of
Brevard County, Florida, adopted a
Resolution vacating a portion of a
public utility and drainage easement
in plat "Sandy Run at Suntree",
Melbourne, lying in Section 14,
Township 26 South, Range 36 East
as petitioned by Gary Louis and
Mary Susan Baxter, Trustees.

LEGAL DESCRIPTION:
A PORTION OF A 10 FOOT WIDE
PUBLIC UTILITY AND
DRAINAGE EASEMENT LYING
WITHIN LOT 26, BLOCK 2,
SANDY RUN AT SUN TREE,
ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN
PLAT BOOK 25, PAGE 143, OF
THE PUBLIC RECORDS OF
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EASTERLY, HAVING A RADIUS
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ANGLE OF 00°27'50"; AND A
RADIAL BEARING OF SOUTH
61°57'50" EAST; THENCE SOUTH-
WESTERLY ALONG THE ARC, A
DISTANCE OF 5.22 FEET;
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A DISTANCE OF 104.45 FEET TO
THE POINT OF BEGINNING.
CONTAINING 526 SQUARE FEET
OR 0.012 ACRES, MORE OR LESS.
PREPARED BY: ANDREW W.
POWESHOK, PLS.
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
RACHEL M. SADOFF, CLERK
BY: Kimberly Powell, Clerk to the
Board

NANCY HEYRMAN
Notary Public
State of Wisconsin

Brevard County Property Appraiser Detail Sheet

Account 2603858
 Owners BAXTER, GARY LOUIS; BAXTER, MARY SUSAN
 TRUSTEES
 Mailing Address 1000 ROYAL OAK CT MELBOURNE FL 32940
 Site Address 1000 ROYAL OAK CT MELBOURNE FL 32940
 Parcel ID 26-36-14-03-2-26
 Taxing District 4200 - UNINCORP DISTRICT 4
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Total Acres 0.28
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0025/0143
 Subdivision SANDY RUN AT SUNTREE
 Land Description SANDY RUN AT SUNTREE LOT 26 BLK 2

VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$352,400	\$333,610	\$275,530
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$150,250	\$145,880	\$141,640
Assessed Value School	\$150,250	\$145,880	\$141,640
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$100,250	\$95,880	\$91,640
Taxable Value School	\$125,250	\$120,880	\$116,640

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/20/2005	--	WD	Improved	5582/5558
09/16/2002	--	WD	Improved	4687/3207
11/17/1999	--	QC	Improved	4283/3061

Vicinity Map

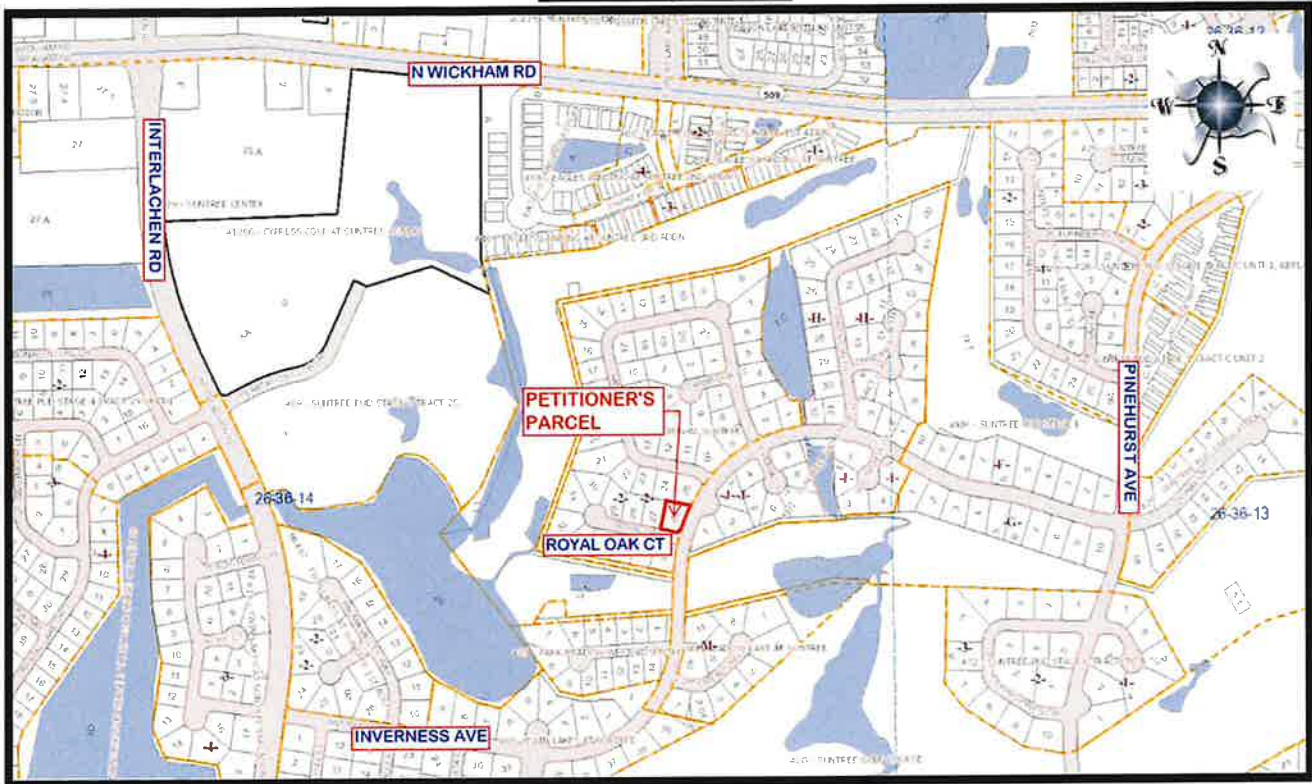


Figure 1: Map of the parcel for the easement to be vacated at Lot 26, Block 2, Sandy Run at Suntree, Melbourne, Florida, 32940.

**Gary Louis and Mary Susan Baxter – 1000
Royal Oak Court – Melbourne – Lot 26, Block
2, “Sandy run at Suntree” – Plat Book 25,
Page 143 – Section 14, Township 26 South,
Range 36 East – District 4 – Proposed
Vacating of a portion of a Public Utility &
Drainage Easement**

Aerial Map



Figure 2: Aerial Map for easements to be vacated at Lot 26, Block 2, Sandy Run at Suntree, Melbourne, Florida, 32940.

Gary Louis and Mary Susan Baxter – 1000
Royal Oak Court – Melbourne – Lot 26, Block
2, “Sandy run at Suntree” – Plat Book 25,
Page 143 – Section 14, Township 26 South,
Range 36 East – District 4 – Proposed
Vacating of a portion of a Public Utility &
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Plat Reference

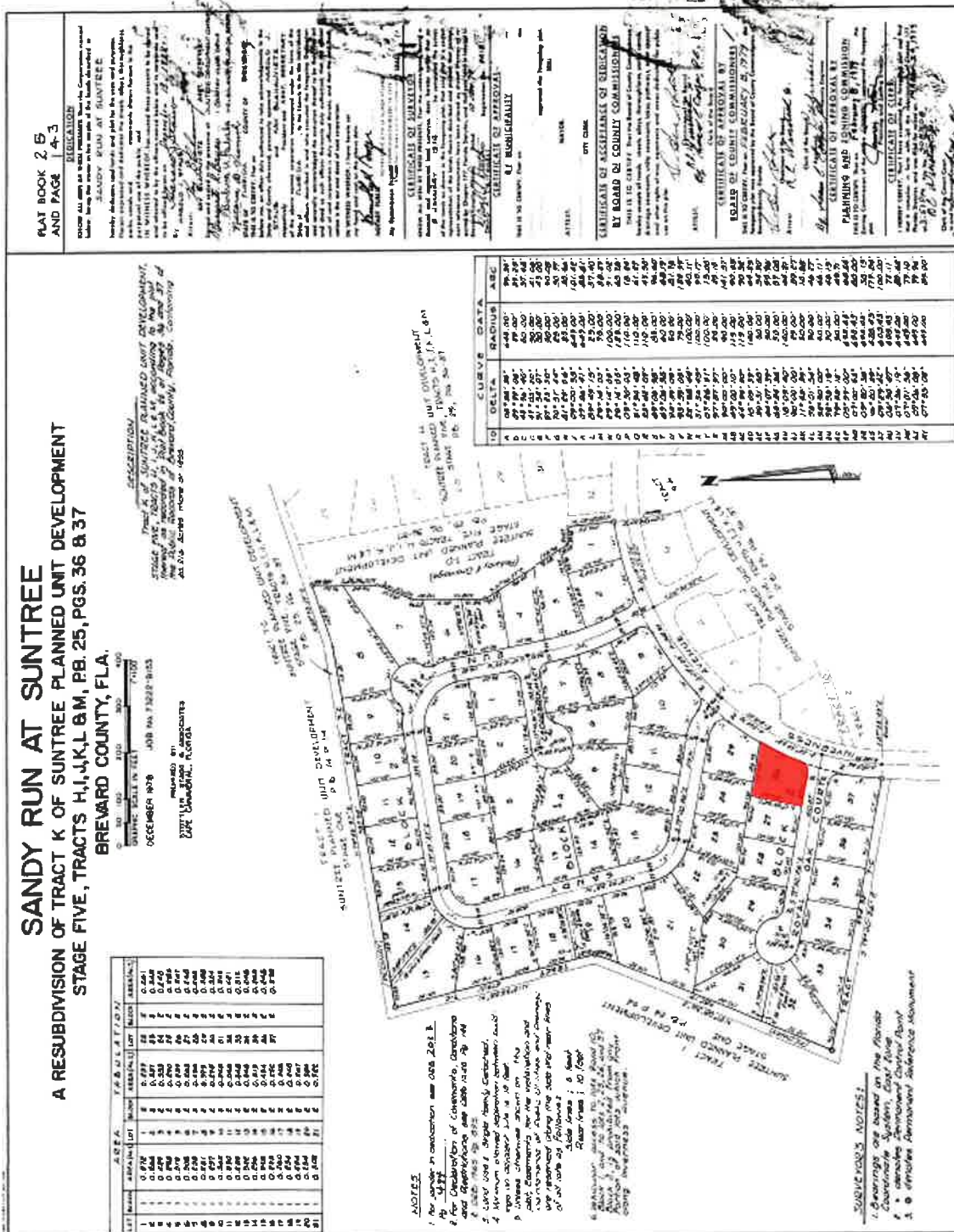


Figure 3: Copy of plat map "Sandy Run at Suntree" dedicated to Brevard County February 1979.

Petitioner's Sketch & Description Sheet 1 of 3


<u>LEGAL DESCRIPTION</u>		<u>EXHIBIT "A"</u>	
		SHEET 1 OF 3	
		NOT VALID WITHOUT SHEETS 2 & 3 OF 3	
		<u>THIS IS NOT A SURVEY</u>	
PARENT PARCEL ID#: 26-36-14-03-2-26			
SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA			
PURPOSE: VACATING 5 FEET OF A 10 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT.			
<u>LEGAL DESCRIPTION:</u>			
<u>(PREPARED BY SURVEYOR)</u>			
DESCRIPTION: A PORTION OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 26, BLOCK 2, SANDY RUN AT SUNTREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 143, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:			
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CONTAINING 526 SQUARE FEET OR 0.012 ACRES, MORE OR LESS.			
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D.E. = DRAINAGE EASEMENT			
O.R.B. = OFFICIAL RECORDS BOOK			
P.O.B. = POINT OF BEGINNING			
P.U. = PUBLIC UTILITY EASEMENT			
<u>SURVEYORS NOTES:</u>			
1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE 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.			
2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.			
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.			
4. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN OWNERSHIP AND ENCUMBRANCE REPORT.			
5. BEARINGS ARE BASED ON A BEARING OF SOUTH 79°00'26" EAST FOR THE NORTH LINE OF LOT 26, BLOCK 2, SANDY RUN AT SUNTREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 143, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.			
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS		 ANDREW W. POWSHOK, PLS 5383 PROFESSIONAL LICENSED SURVEYOR	
PREPARED BY: AAL LAND SURVEYING SERVICES, INC. 3970 MINTON ROAD, WEST MELBOURNE, FL 32904 PHONE: (321) 768-8110 FAX: (321) 952-9771 EMAIL: frontdesk@aalsurvey.com LICENSED BUSINESS #6623			
DRAWN BY: DOUG W. GUARE	CHECKED BY: ANDREW W. POWSHOK	REVISION: _____ REVISION: _____ REVISION: _____	SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST
DATE: 06-11-24	PROJECT # 49729		

Figure 4: Legal Description. Sheet 1 of 3. Section 14, Township 26 South, Range 36 East. Parcel ID number: 26-36-14-03-2-26.

Petitioner's Sketch & Description Sheet 2 of 3

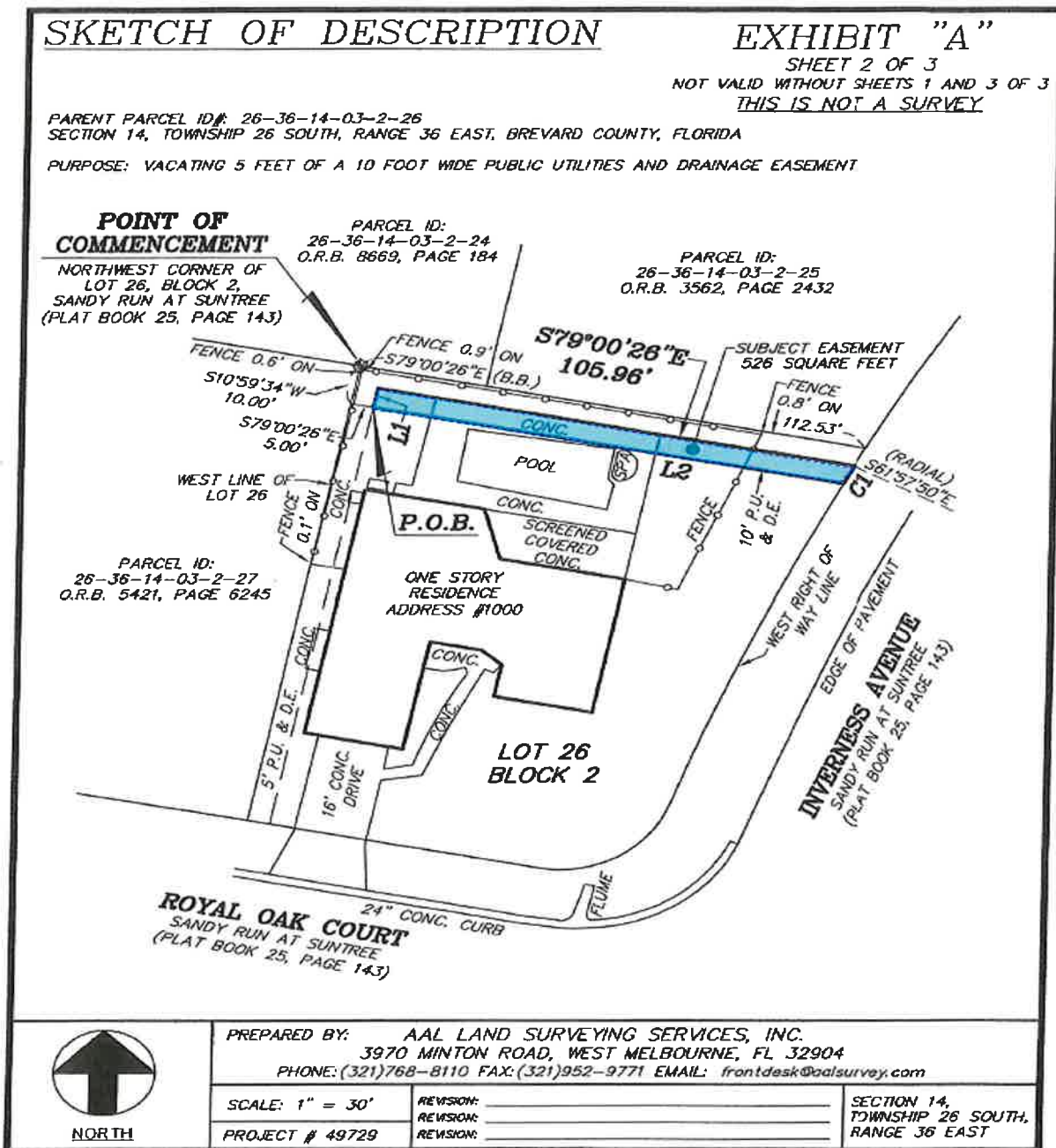


Figure 5: Sketch of description. Sheet 2 of 3. Section 14, Township 26 South, Range 36 East. Parcel ID number: 26-36-14-03-2-26.

The sketch illustrates a portion of a public utility and drainage easement on Lot 26, Block 2, Sandy Run at Suntree, Melbourne, Florida. The coordinate of the North line depicted is as follows. North boundary – South 79°00'26" East 105.96 Feet; East boundary – South 27°48'14" West 5.22 Feet; South boundary – North 79°00'26" West 104.45 Feet; West boundary – North 10°59'34" East 5.00 Feet. Prepared by: Andrew W. Powshok, LS 5383.

Petitioner's Sketch & Description Sheet 3 of 3

<h2 style="margin: 0;">SKETCH OF DESCRIPTION</h2>		<h2 style="margin: 0;">EXHIBIT "A"</h2>																			
<p>PARENT PARCEL ID#: 26-36-14-03-2-26 SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA</p>		<p>SHEET 3 OF 3 NOT VALID WITHOUT SHEETS 1 AND 2 OF 3 <u>THIS IS NOT A SURVEY</u></p>																			
<p>PURPOSE: VACATING 5 FEET OF A 10 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT.</p>																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="3" style="text-align: center;">LINE TABLE</th> </tr> <tr> <th style="width: 15%;">LINE</th> <th style="width: 45%;">BEARING</th> <th style="width: 40%;">LENGTH</th> </tr> <tr> <td>L1</td> <td>N10°59'34"E</td> <td>5.00'</td> </tr> <tr> <td>L2</td> <td>N79°00'26"W</td> <td>104.45'</td> </tr> </table>				LINE TABLE			LINE	BEARING	LENGTH	L1	N10°59'34"E	5.00'	L2	N79°00'26"W	104.45'						
LINE TABLE																					
LINE	BEARING	LENGTH																			
L1	N10°59'34"E	5.00'																			
L2	N79°00'26"W	104.45'																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="6" style="text-align: center;">CURVE TABLE</th> </tr> <tr> <th style="width: 15%;">CURVE</th> <th style="width: 15%;">RADIUS</th> <th style="width: 15%;">LENGTH</th> <th style="width: 15%;">DELTA</th> <th style="width: 15%;">CHORD</th> <th style="width: 20%;">CHORD BEARING</th> </tr> <tr> <td>C1</td> <td>645.00'</td> <td>5.22'</td> <td>0°27'50"</td> <td>5.22'</td> <td>S27°48'14"W</td> </tr> </table>				CURVE TABLE						CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING	C1	645.00'	5.22'	0°27'50"	5.22'	S27°48'14"W
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<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 15%; text-align: center;"> <p>NORTH</p> </div> <div style="width: 60%;"> <p>PREPARED BY: AAL LAND SURVEYING SERVICES, INC. 3970 MINTON ROAD, WEST MELBOURNE, FL 32904 PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com</p> </div> <div style="width: 20%; text-align: center;"> <p>SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST</p> </div> </div>																					
<p>SCALE: N/A</p> <p>PROJECT # 47929</p>		<p>REVISION: _____</p> <p>REVISION: _____</p> <p>REVISION: _____</p>																			

Figure 6: Sketch of description. Sheet 2 of 3. Section 14, Township 26 South, Range 36 East. Parcel ID number: 26-36-14-03-2-26.

Comment Sheet

Applicant: Baxter

Updated by: Amber Holley 20240701 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20240617	20240618	Yes	No objections
FL Power & Light	20240617	20240627	Yes	No response
At&t	20240617	20240701	Yes	No objections
Charter/Spectrum	20240617	20240617	Yes	No objections
City of Cocoa	20240617	20240625	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20240617	20240617	Yes	No objections
Land Planning	20240617	20240617	Yes	No objections
Utility Services	20240617	20240618	Yes	No objections
Storm Water	20240617	20240625	Yes	No objections
Zoning	20240617	20240617	Yes	No objections

Public Hearing Legal Advertisement

AdM10350055 7/8/2024
LEGAL NOTICE
NOTICE FOR THE VACATING OF A PORTION OF A PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "SANDY RUN AT SUNTREE" IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, FL. NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86.36, Brevard County Code, a petition has been filed by GARY LOUIS AND MARY SUSAN BAXTER, TRUSTEES with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:
A PORTION OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 26, BLOCK 2, SANDY RUN AT SUN TREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 143, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTH-WEST CORNER OF SAID LOT 26, AND RUN SOUTH 10°59'34" WEST ALONG THE WEST LINE OF SAID LOT 26, A DISTANCE OF 10.00 FEET, THENCE SOUTH 79°00'26" EAST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT, THENCE NORTH 10°59'34" EAST, A DISTANCE OF 5.00 FEET, THENCE SOUTH 79°00'26" EAST, A DISTANCE OF 105.96 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF INVERNESS AVENUE, SAID POINT BEING ON A CURVE CONCAVE SOUTH-EASTERLY, HAVING A RADIUS OF 645.00 FEET, A CENTRAL ANGLE OF 00°27'50", AND A RADIAL BEARING OF SOUTH 61°57'50" EAST, THENCE SOUTH-WESTERLY ALONG THE ARC, A DISTANCE OF 5.22 FEET, THENCE NORTH 79°00'26" WEST, A DISTANCE OF 104.45 FEET TO THE POINT OF BEGINNING, CONTAINING 526 SQUARE FEET OR 0.012 ACRES, MORE OR LESS.
PREPARED BY: ANDREW W. POWSHOK, PLS.
The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on July 23, 2024, 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.

Figure 7: Copy of public hearing advertisement as published on July 8, 2024. See the next page for full text.

Legal Notice Text

LEGAL NOTICE

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