

Meeting Date
April 28, 2015



AGENDA	
Section	PUBLIC HEARING
Item No.	TV.A

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Public Utility Easement – Missileview Avenue – Piney Woods – Carlos and David Torres – District 2
	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 a public utility easement at Lots 7 and 8, Block B, plat of Piney Woods in Section 07, Township 25 South, Range 37 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioners as the owners of said Lot 7 and 8 are requesting the vacating of the 10.0 ft. wide public utility easement centered along the common lot line between said Lots 7 and 8, less and excepted therefrom the South 5.00 ft. of said Lots 7 and 8 to remove the newly constructed residence as an encroachment over said easement, to allow for a Final Building Inspection and the issuance of a Certificate of Occupation.

April 09, 2015, 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: begin at the intersection of State Road No. 520 (aka: Merritt Island Causeway) and Newfound Harbor Drive; thence 1.93 miles south along Newfound Harbor Drive; thence 0.06 miles east along Missileview Avenue to the residence on the south (right). Resolution 95-057 vacated the similar 10.0 ft. wide public utility easement at Lots 4 and 5, Block C of this plat to likewise remove the existing residence as a encroachment over the easement.

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

Clerk to the Board instruction: Advertise Final Legal Notice and Record Vacating Resolution Documents(which in sequence, includes the initial notice of public hearing ad, the approved resolution, and the final legal notice ad).

Exhibits Attached: Resolution, Maps & Comment Summary

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



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

May 4, 2014

MEMORANDUM

TO: Recording

RE: Item IV.A., Resolution Vacating a Public Utility Easement on Missileview Avenue in Piney Woods, as Petitioned by Carlos and David Torres

The Board of County Commissioners, in regular session on April 28, 2015, adopted Resolution to vacate a portion of the 10.0 foot wide public utility easement centered along the common lot line between Lots 7 and 8, Block B, Plat of Piney Woods in Section 7, Township 25 South, Range 37 East in Merritt Island. Enclosed are the proof of publication setting the public hearing, Resolution No. 15-048, with attached Exhibits, and proof of publication advertising the vacation.

Please record the same in Public Records, bill to Public Works Department's Account Number 3175 or call Marc Cazessus at 5-7315 if you have any questions, and return the recorded documents to this office, **including a receipt for the recordation.**

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

Encls. (3)



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

May 5, 2015

Carlos and David Torres
c/o Mr. David Wells
5441 Avocado Avenue
Cocoa, FL 32926

Dear Mr. Torres:

RE: Item IV.A., Resolution Vacating a Public Utility Easement on Missileview Avenue in Piney Woods

The Board of County Commissioners, in regular session on April 28, 2015, adopted Resolution No. 15-048, vacating a portion of the 10.0 foot wide public utility easement centered along the common lot line between Lots 7 and 8, Plat of Piney Woods in Section 7, Township 25 South, Range 37 East in Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 7358, PG's 2986 -2990. 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 Etheridge, Deputy Clerk

/kg

Encl. (1)

cc: Marc Cazessus



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

May 5, 2015

MEMORANDUM

TO: John Denninghoff, Public Works Director

Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating a Public Utility Easement on Missileview Avenue in Piney Woods, as Petitioned by Carlos and David Torres

Enclosed for your necessary action are copies of the advertising bills and receipt of recordation for Resolution 15-048, vacating public utility easement as petitioned by Carlos and David Torres. Said Resolution was adopted by the Board of County Commissioners, in regular session on April 28, 2015.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

/kg

Encls. (4)

Mailed to:

Brevard County BOCC
Attn: Tammy Etheridge
PO Box 999
Titusville, FL 32781-0999

A daily publication by:



CFN 2015089044. OR BK 7358 PAGE 2986.
Recorded 05/05/2015 at 09:13 AM, Scott Ellis, Clerk of Courts,
Brevard County
Pgs:5

STATE OF FLORIDA
COUNTY OF BREVARD

Kathy Cicala

Before the undersigned authority personally appeared _____
who on oath says that she is LEGAL ADVERTISING SPECIALIST of the FLORIDA TODAY, a
newspaper published in Brevard County, Florida; that the attached copy of advertising being a

LEGAL NOTICE

Ad # (352015)	\$	169.04	The matter of:
Acct. # (6BR427			
BREVARD COUNTY BOCC			
the	Court	WILL HOLD A PUBLIC HEARING TO DETERMINE....	
APRIL 28, 2015			

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

April 9, 2015

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, regularly as stated above, 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Kathy Cicala
(Signature of Affiant)

Sworn to and subscribed before this:



9th day of April 2015

Carolyn R. Roper
(Signature of Notary Public)

Carolyn Roper

(Name of Notary Typed, Printed or Stamped)

Personally Known X or Produced Identification _____
Type Identification Produced: _____

AD#352015.04/09/2015

LEGAL NOTICE
NOTICE TO VACATE A PORTION OF THE 10.0 FT. WIDE PUBLIC UTILITY EASEMENT CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 7 AND 8, BLOCK B, PLAT OF PINEY WOODS IN SECTION 7, TOWNSHIP 25 SOUTH, RANGE 37 EAST, MERRITT ISLAND, 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 **CARLOS AND DAVID TORRES** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

EXHIBIT "A"
TWO 5.00 FOOT WIDE PUBLIC UTILITY EASEMENTS TO BE VACATED, BEING A PART OF LOT 7 AND LOT 8, BLOCK B, PINEY WOODS, AS RECORDED IN PLAT BOOK 11, AT PAGE 83, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
THE EAST 5.00 FEET OF SAID LOT 7, AND THE WEST 5.00 FEET OF SAID LOT 8, LESS AND EXCEPT THEREFROM THE SOUTH 5.00 FEET OF SAID LOTS 7 AND 8, CONTAINING 752 SQUARE FEET, MORE OR LESS.
PREPARED BY: ERIC NIELSEN, PSM

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 **April 28, 2015** 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.

RECEIVED

APR 13 2015

Board of County Commissioners

Mailed to:

A daily publication by:

Brevard County BOCC
Attn: Tammy Etheridge
PO Box 999
Titusville, FL 32781-0999



STATE OF FLORIDA
COUNTY OF BREVARD

Before the undersigned authority personally appeared Kathy Cicala,
who on oath says that she is LEGAL ADVERTISING SPECIALIST of the FLORIDA TODAY, a
newspaper published in Brevard County, Florida; that the attached copy of advertising being a

LEGAL NOTICE

Ad # (353311 # \$ 119.45 The matter of:
Acct. # (6BR427

BREVARD COUNTY BOCC

the Court RESOLUTION VACATING A PORTION OF THE 10.0 FT. WIDE..

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

April 30, 2015

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, regularly as stated above, 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 she has neither paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of securing this advertisement for
publication in said newspaper.

Sworn to and subscribed before this:



Kathy Cicala
(Signature of Affiant)

30th day of April 2015

Carolyn R. Roper
(Signature of Notary Public)
Carolyn Roper

(Name of Notary Typed, Printed or Stamped)

AD#353311,04/30/2015
LEGAL NOTICE
RESOLUTION VACATING A PORTION OF THE 10.0 FT. WIDE PUBLIC UTILITY EASEMENT CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 7 AND 8, BLOCK B, PLAT OF PINEY WOODS IN SECTION 7, TOWNSHIP 25 SOUTH, RANGE 37 EAST TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the 28th day of April, 2015, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating public utility easement, Missileview Avenue, Piney Woods, petitioned by Carlos and David Torres to wit:
EXHIBIT "A"
LEGAL DESCRIPTION:
TWO 5.00 FOOT WIDE PUBLIC UTILITY EASEMENTS TO BE VACATED, BEING A PART OF LOT 7 AND LOT 8, BLOCK B, PINEY WOODS, AS RECORDED IN PLAT BOOK 11, AT PAGE 83, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
THE EAST 5.00 FEET OF SAID LOT 7, AND THE WEST 5.00 FEET OF SAID LOT 8, LESS AND EXCEPT THEREFROM THE SOUTH 5.00 FEET OF SAID LOTS 7 AND 8, CONTAINING 752 SQUARE FEET, MORE OR LESS.
PREPARED BY: ERIC NIELSEN, PSM
The Board further renounced and disclaimed any right of the County in and to said public utility and drainage easement.
All persons govern yourselves accordingly.
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA
SCOTT ELLIS, CLERK
BY: Tammy Etheridge, Deputy Clerk

Personally Known X or Produced Identification _____
Type Identification Produced: _____

**VACATING A PORTION OF A PUBLIC UTILITY EASEMENT – PLAT OF PINEY WOODS-
MERRITT ISLAND – FLORIDA - SECTION 07, TOWNSHIP 25 SOUTH, RANGE 37 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Carlos and David Torres** with the Board of County Commissioners to vacate a portion of a public utility easement in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating a portion of the public utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of the public utility 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 28th day of April A.D., 2015.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



ROBIN FISHER, CHAIRMAN

As approved by the Board on:
April 28, 2015

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 07, TOWNSHIP 25 SOUTH, RANGE 37 EAST
PARCEL ID# 25-37-07-01-0000B.0-0007.00

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PURPOSE OF SKETCH AND DESCRIPTION: VACATE PORTION OF EASEMENT

LEGAL DESCRIPTION:

TWO 5.00 FOOT WIDE PUBLIC UTILITY EASEMENTS TO BE VACATED, BEING A PART OF LOT 7 AND LOT 8, BLOCK B, PINEY WOODS, AS RECORDED IN PLAT BOOK 11, AT PAGE 83, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:



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SURVEYOR'S NOTES:

THE BASIS OF BEARINGS OF THE ABOVE DESCRIBED DESCRIPTION IS THE SOUTH RIGHT OF WAY LINE OF MISSILEVIEW AVENUE AS PER PLAT OF PINEY WOODS

THE SKETCH ON SHEET 2 OF 2 IS NOT A "BOUNDARY SURVEY," IT IS A SKETCH ONLY TO ACCOMPANY THE "LEGAL DESCRIPTION".

ABBREVIATIONS:

- A.K.A.= ALSO KNOW AS
 - C/L = CENTERLINE
 - C.M. = CONCRETE MONUMENT
 - FND. = FOUND
 - I.D. = IDENTIFICATION
 - I.R. = IRON ROD
 - I.R.C.= IRON ROD AND CAP
 - L.B. = LICENSED BUISNESS
 - P = PLAT
 - P.U.E.= PUBLIC UTILITY EASEMENT
 - R/W = RIGHT OF WAY
-  = EASEMENT TO BE VACATED
 = EASEMENT EXCLUDED FROM VACATE

PREPARED FOR:
CARLOS MATHEW TORRES

I Eric Nielsen Professional Surveyor & Mapper, No. 5386, L.B. 6946, State of Florida certify this sketch and description meets the standards set per Florida Administrative Code 5J-17.051 pursuant to Chapter 472.027 per Florida Statutes.


 4-3-2015
 SURVEYOR & MAPPER, PSM NO. 5386
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY:
ERIC NIELSEN LAND SURVEYING, INC.
12 STONE STREET, SUITE 4
COCOA, FL. 32922

DRAWN BY: E.N.
DATE: 03-11-2014

CHECKED BY: EN
SHEET 1 OF 2

DRAWING NO. 14421-030615VAC.
REVISIONS APRIL 03, 2015
COUNTY APPROVAL

SECTION 07
TOWNSHIP 25 SOUTH
RANGE 37 EAST

SKETCH TO ACCOMPANY LEGAL

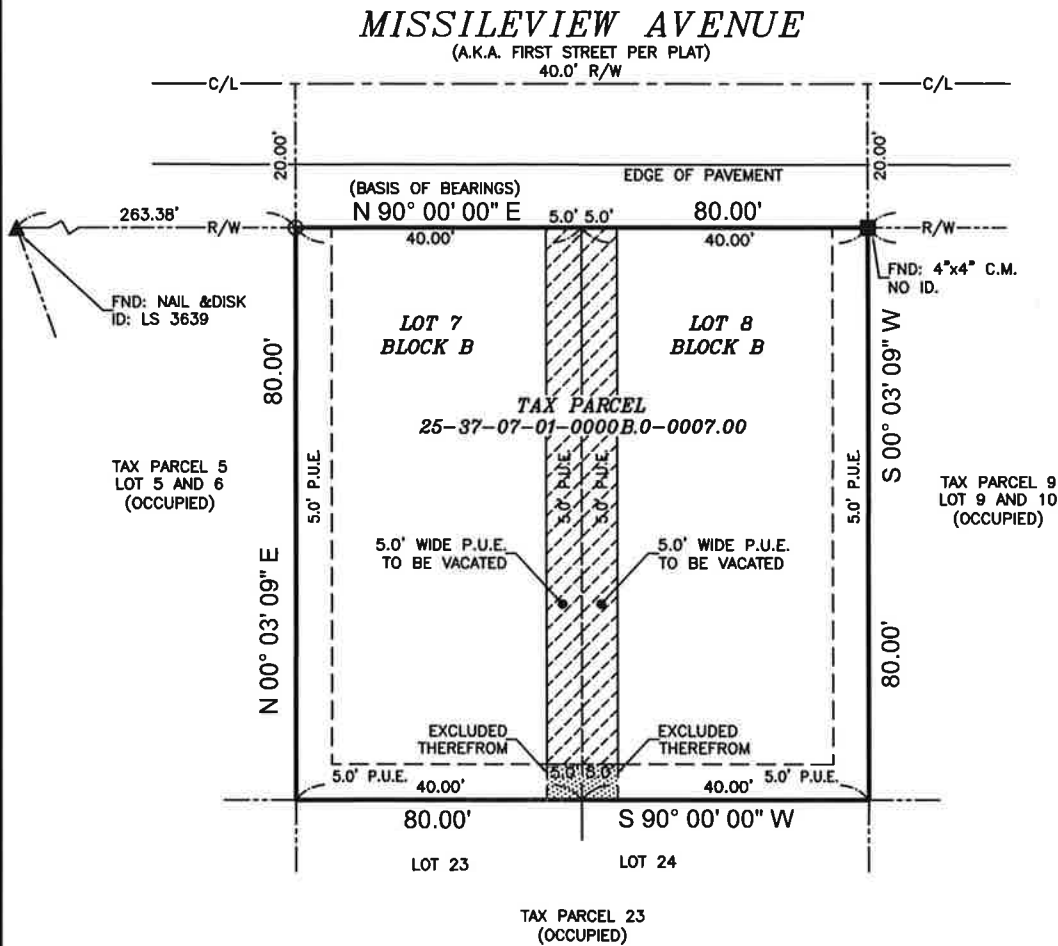
SHEET 2 OF 2

SECTION 07, TOWNSHIP 25 SOUTH, RANGE 37 EAST
 PARCEL ID# 25-37-07-01-0000B.0-0007.00

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2

PURPOSE OF SKETCH AND DESCRIPTION: VACATE PORTION OF EASEMENT

"THIS IS A SKETCH ONLY, NOT A BOUNDARY SURVEY"



NOT TO SCALE

NOTE: FOR THE LOCATION OF EXISTING IMPROVEMENTS, SEE ERIC NIELSEN LAND SURVEYING, INC. SURVEY JOB NO. 14-421-12, DATED 12-05-2014, LAST REVISED 03-06-2015

PREPARED FOR:
 CARLOS MATHEW TORRES

Eric Nielsen 4-3-2015
 SURVEYOR & MAPPER, PSM NO. 5386
 NOT VALID UNLESS SIGNED AND SEALED

I Eric Nielsen Professional Surveyor & Mapper, No. 5386, L.B. 6946, State of Florida certify this sketch and description meets the standards set per Florida Administrative Code 5J-17.051 pursuant to Chapter 472.027 per Florida Statutes.

PREPARED BY:
 ERIC NIELSEN LAND SURVEYING, INC.
 12 STONE STREET, SUITE 4
 COCOA, FL. 32922

DRAWN BY: E.N.
 DATE: 03-11-2014

CHECKED BY: EN
 SHEET 2 OF 2

DRAWING NO. 14421-030615VAC.
 REVISIONS APRIL 03, 2015
COUNTY APPROVAL

SECTION 07
 TOWNSHIP 25 SOUTH
 RANGE 37 EAST

BrevardClerk.US

Scott Ellis, Clerk of Court

700 South Park Avenue, Bldg. B

P.O. Box 2767

Titusville, FL 32781-2767

(321) 637-2006

DBLIVE Transaction

#: 1510551

Receipt #: 61481348

Cashier Date: 5/5/2015

9:13:39 AM



Print Date:


5/5/2015 9:13:42 AM

Customer Information	Transaction Information	Payment Summary
(3175) SURVEY SECTION BREVARD CO BCGC BLDG A ZIP 81 VIERA, FL 32904 Beginning Escrow Balance: -\$1677.50	Date Received: 05/05/2015 Source Code: Titusville - Six Story Q Code: Titusville - Six Story Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$44.00 Total Payments \$44.00

1 Payments

 ESCROW	\$44.00
--	---------

1 Recorded Items

 (RSL) RESOLUTION	<i>BK/PG: 7358/2986 CFN:2015089044</i> <i>Date: 5/5/2015 9:13:38 AM</i> <i>From: To:</i>	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	5	\$44.00
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00

0 Search Items**1 Miscellaneous Items**

 (AGTR) AGENT TRANSMITTAL
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LEGAL NOTICE

RESOLUTION VACATING A PORTION OF THE 10.0 FT. WIDE PUBLIC UTILITY EASEMENT CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 7 AND 8, BLOCK B, PLAT OF PINEY WOODS IN SECTION 7, TOWNSHIP 25 SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 28th day of April, 2015, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating public utility easement, Missileview Avenue, Piney Woods, petitioned by Carlos and David Torres to wit:

SEE ATTACHED EXHIBIT "A"

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

All persons govern yourselves accordingly.

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

FLORIDA TODAY:

Please advertise in the April 30, 2015 issue of Florida TODAY.

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

LEGAL DESCRIPTION:

TWO 5.00 FOOT WIDE PUBLIC UTILITY EASEMENTS TO BE VACATED, BEING A PART OF LOT 7 AND LOT 8, BLOCK B, PINEY WOODS, AS RECORDED IN PLAT BOOK 11, AT PAGE 83, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PREPARED BY: ERIC NIELSEN, PSM

Kelly Fulton

From: Cicala, Kathy <kcicala@floridatoday.com>
Sent: Wednesday, April 29, 2015 2:07 PM
To: Kelly Fulton; Tammy Etheridge
Cc: Ashley Folsom
Subject: RE: I need all of these in word documents FW: Legal Ads for Vacating

TORRES
#353311
\$119.45
4/30

AD#353311,04/30/2015 û

¥

<BF>LEGAL NOTICE<NM> û

RESOLUTION VACATING A PORTION OF
THE 10.0 FT. WIDE PUBLIC UTILITY
EASEMENT CENTERED ALONG THE
COMMON LOT LINE BETWEEN LOTS 7
AND 8, BLOCK B, PLAT OF PINEY
WOODS IN SECTION 7, TOWNSHIP 25
SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN :

NOTICE IS HEREBY GIVEN that on the 28th
day of A p r i l, 2015, the Board of County
Commissioners of Brevard County, Florida,
adopted a Resolution vacating public utility
easement, Missileview Avenue, Piney
Woods, petitioned by<BF> Carlos and David
Torres<NM> to wit:

EXHIBIT ÔÔAÔÔ û

LEGAL DESCRIPTION:

<IT.6>TWO 5.00 FOOT WIDE PUBLIC UTILITY
EASEMENTS TO BE VACATED, BEING
A PART OF LOT 7 AND LOT 8, BLOCK
B, PINEY WOODS, AS RECORDED IN
PLAT BOOK 11, AT PAGE 83, OF THE
PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA, BEING MORE
PARTICULARLY DESCRIBED AS FOL'
LWS:

THE EAST 5.00 FEET OF SAID LOT 7,
AND THE WEST 5.00 FEET OF SAID
LOT 8, LESS AND EXCEPT THEREF'
ROM THE SOUTH 5.00 FEET OF SAID
LOTS 7 AND 8. CONTAINING 752

SQUARE FEET, MORE OR LESS.
PREPARED BY: ERIC NIELSEN, PSM<XI>
The Board furtherrenounced and disclaimed
any right of the County in and to said public
utility and drainage easement.
All persons govern yourselves accordingly.
BY ORDER OF THE BOARD OF COUNTY
COMMISSIONERS OF BREVARD COUN'
TY, FLORIDA
SCOTT ELLIS, CLERK
BY: Tammy Etheridge, Deputy Clerk

Kathy Cicala
LEGAL ADVERTISING SPECIALIST
FLORIDA TODAY, THE EAGLE, THE REPORTER
FLORIDATODAY
P.O. Box 419000, Melbourne, FL 32941-9000
321 242-3832
legals@floridatoday.com
thereporter@gannett.com
theeagle@gannett.com
kcicala@floridatoday.com

Please visit us online at www.floridatoday.com

THIS EMAIL IS NOT A BILL.

From: Kelly Fulton [<mailto:Kelly.Fulton@brevardclerk.us>]
Sent: Wednesday, April 29, 2015 1:46 PM
To: Cicala, Kathy; Tammy Etheridge
Cc: Ashley Folsom
Subject: RE: I need all of these in word documents FW: Legal Ads for Vacating
Importance: High

Kathy,

Attached are the five (5) Legal Ads in Word.

Thank you.

Kelly Greene Fulton
Clerk to the Board/VAB Clerk
321-637-2001
kelly.fulton@brevardclerk.us

From: Cicala, Kathy [<mailto:kcicala@floridatoday.com>]
Sent: Wednesday, April 29, 2015 1:32 PM
To: Kelly Fulton; Tammy Etheridge
Subject: I need all of these in word documents FW: Legal Ads for Vacating
Importance: High

Dana Blickley, CFA
Property Appraiser
Brevard County, FL



Property Details

New Search
Online Homestead
TRIM Notice
Map
Map + Sales
Classic Map
Bird's Eye View
Taxes
Photos
Building Drawings
Plat
Comments
Permits
Land Info
Building Info
Help

General Parcel Information

Parcel ID: 25-37-07-01-0000B.0-0007.00	Millage Code: 2200	Exemption:	Use Code: 232
Site Address: 1875 MISSILEVIEW AVE , MERRITT ISLAND 32952			Tax ID: 2515152

Site Address is assigned by Brevard County Address Assignment for E-911 purposes and may not reflect the postal community name.

Owner Information

Owner Name: TORRES, CARLOS M
Second Name: TORRES, DAVID A
Mailing Address: 951 PURPLE SAGE CT
City, State, Zipcode: BARSTOW, CA 92311

Abbreviated Description

Plat Book/Page: 0011/0083	Sub Name: PINEY WOODS	LOTS: 7,8 BLK B:
----------------------------------	------------------------------	-----------------------------------

Value Summary

Roll Year:	2012	2013	2014
Market Value Total: ¹	\$16,340	\$17,020	\$11,210
Agricultural Market Value:	\$0	\$0	\$0
Assessed Value Non-School:	\$16,340	\$17,020	\$11,210
Assessed Value School:	\$16,340	\$17,020	\$11,210
Homestead Exemption: ²	\$0	\$0	\$0
Additional Homestead: ²	\$0	\$0	\$0
Other Exemptions: ²	\$0	\$0	\$0
Taxable Value Non-School: ³	\$16,340	\$17,020	\$11,210
Taxable Value School: ³	\$16,340	\$17,020	\$11,210

Land Information

Acres:	0.15
Site Code:	1

¹: Market value is established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

²: Exemptions are applicable for the year shown and may or may not be applicable if an owner change has occurred.

³: The Additional Homestead exemption does not apply when calculating taxable value for school districts pursuant to Amendment 1.

Sale Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	Sale Screening Code	Sale Screening Source	Physical Change Code	Vacant/Improved
7251/2826	11/20/2014	\$15,000	WD	01			I
3598/4814	3/1/1996	\$100	QC				I
3231/2090	9/1/1992	\$100	QC				I
2583/2366	2/28/1985	\$100	NN				
1609/0948	4/1/1976	\$100					

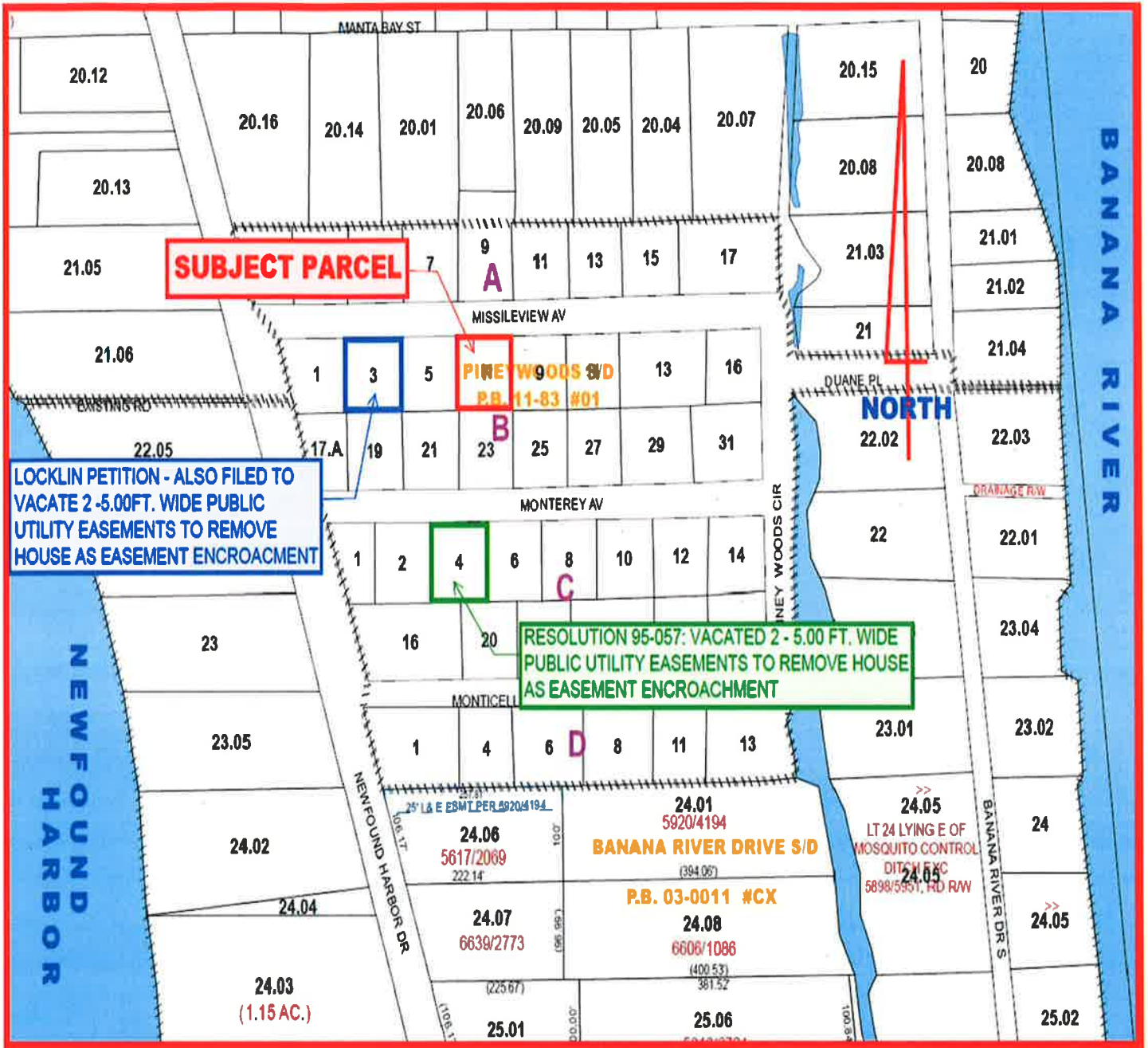
Sale screening and sale screening source codes are for assessment purposes only and have no bearing on potential marketability of the property.

Extra Feature Information

Extra Feature Description	Units
PATIO	444

https://www.bcpao.us/...cct=2515152&gen=T&tax=T&bid=T&odh=T&sal=T&ind=T&leg=T&GoWhere=real_search.asp&SearchBy=Owner[3/11/2015 1:11:58 PM]

BREVARD COUNTY PROPERTY DETAIL SHEET



VICINITY MAP

**Carlos & David Torres – Lots 7 & 8, Block B,
 Piney Woods – (P. B. 11, Pg. 83) – 1875
 Missileview Avenue, Merritt Island, FL - Section
 07, Twp. 25 S., Rge. 37 E. District 2 - Vacate 2 -
 5.00' Wide Public Utility Easements**



AERIAL MAP

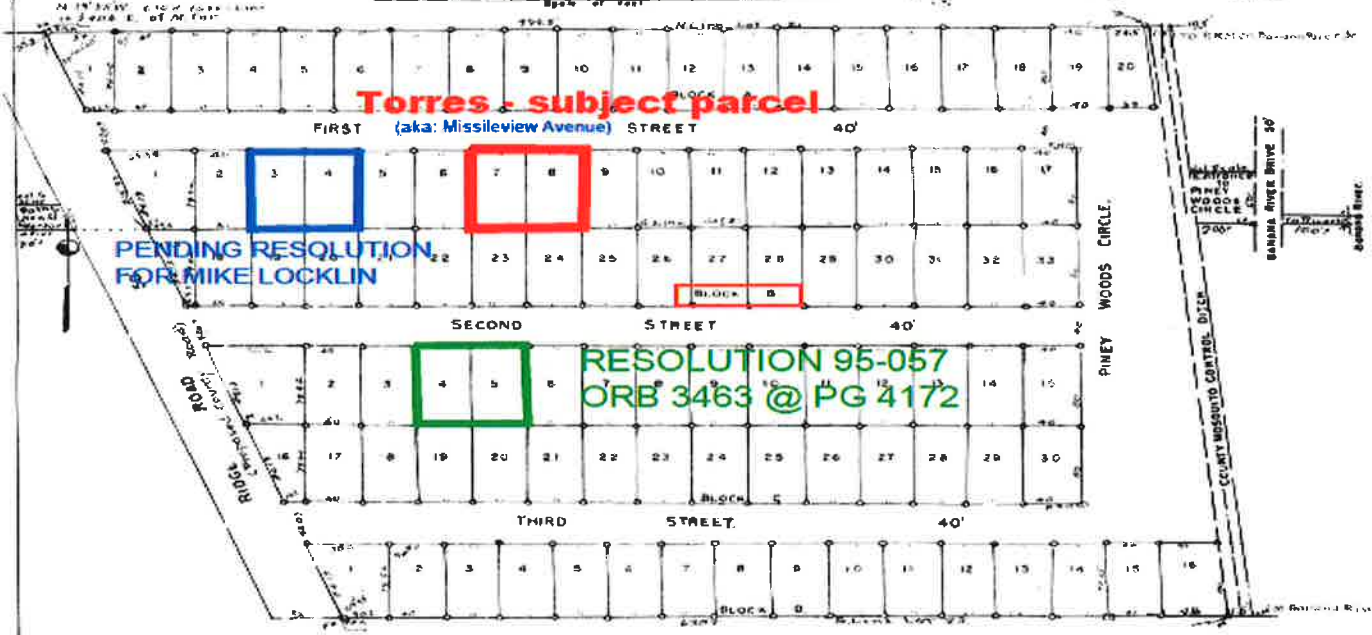
**Carlos & David Torres – Lots 7 & 8, Block B,
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Missileview Avenue, Merritt Island, FL - Section
07, Twp. 25 S., Rge. 37 E. District 2 - Vacate 2 -
5.00' Wide Public Utility Easements**

PINEY WOODS.
 A SUBDIVISION OF PART OF
 LOTS 21, 22 & 23, PLAT OF BANANA RIVER DRIVE,
 AS RECORDED IN PL. BK. 3, PAGE 11,
 RECORDS OF BREVARD CO., FLORIDA.
 IN SEC. 7, T. 25 S., R. 37 E.

PB 11 @ PG 83

RECORDED IN THE OFFICE OF THE CLERK OF THE COUNTY OF BREVARD, FLORIDA, JULY 10 1955
 [Signatures]

JULY 6, 1955. SCALE: 1 INCH TO 50 FT



DEDICATION:
 KNOW ALL MEN BY THESE PRESENTS, that Robert Stoddard and O.A. Myhre, respectively President and Secretary of Ocean Corporation, and Lloyd Campbell and Rheta C. Campbell, his wife, hereby dedicate plot to be known as Subdivision of part of Lots 21, 22 & 23, Plat of Banana River Drive as recorded in Pl. Bk. 3, Page 11, County of Brevard, Florida, in Sec. 7, T. 25 S., R. 37 E.
 In testimony whereof, witness our hands and seals, and seal said corporation, at Merritt Island, Florida, on day of May, 1955.
 WITNESSES: [Signatures]
 Ocean Corporation
 by [Signatures] seal
 Lloyd Campbell seal
 Rheta C. Campbell seal
 Secretary of Ocean Corporation, Piney Woods, Brevard County, Florida

DESCRIPTION:
 That part of Lots 21, 22 & 23, Plat of Banana River Drive, in Sec. 7, T. 25 S., R. 37 E., Brevard Co., Florida, as recorded in Pl. Bk. 3, Page 11, lying W of County Mosquito Control Ditch and East of County Precesses Road, and a lot 10' x 50' from Banana River Drive to River and pier, and also an entrance strip 50 ft wide from Banana River Drive to the subdivision, and also a strip from the Precesses County Road 25 ft wide to New Found Harbor on pier, all three lot fronts are described in Deed Book 421 on pages 11, 12 & 13. A strip of land 5 ft wide in the rear and on sides of all lots is reserved for construction and maintenance of a dike, unless Riparian Rights on Banana River and New Found Harbor are reserved to lot owners in this subdivision. All streets are dedicated to the public for proper purposes. Note: The South line of Pointe Banana River, the Entrance Road and portion New Found Harbor on the South line of Lot 21, Plat of Banana River Drive, Pl. Bk. 3, P. 11.

STATE OF FLORIDA
COUNTY OF BREVARD
 Personally appeared before me, a notary public, on this the 10th day of May, 1955, Robt. Stoddard and O.A. Myhre, respectively President and Secretary of Ocean Corporation, and Lloyd Campbell and Rheta C. Campbell, his wife, known to me to be the persons named in and whose names this instrument of dedication, being duly sworn, have severally acknowledged the execution thereof, to be their free act and deed as owners, and have signed same free and voluntarily and have affixed the corporate seal, with approval of Board of Directors, large seals thereon expressed.
 In testimony whereof, witness my hand and official seal, at Merritt Island, Florida, on day and date above named.
 My commission expires May 12, 1958
 [Signature] Notary Public, State of Florida

STATE OF FLORIDA
COUNTY OF BREVARD
 I hereby certify the attached plat, as examined and approved for file upon the records of this County on the day of May, 1955.
 [Signature] County Commissioners

SURVEYOR'S CERTIFICATE:
 I hereby certify the attached plat is a true representation of field as shown described, and that Permanent Reference Monuments have been found or set as shown in compliance with State Act of June 21, 1925. I further certify that all necessary steps to comply with State Act of June 21, 1925, and that corners marked "Ed" were found.
 [Signature] Reg. Surveyor, No. 24, State of Florida

PLAT REFERENCE

PREPARED BY AND RETURN TO:

John L. Soileau, Esq.
Winters, Soileau, Deleo,
Elyson & Pickles P.A.
3490 North US Highway 1
Cocoa, Florida 32926
(321) 631-1550
Our File No. 14-0541
RFC: \$10.00
DOC:

WARRANTY DEED

GRANTOR: Teresa R Speed a/k/a Teresa R Thornton a/k/a Teresa R Thorntonn

GRANTEE: Carlos M Torres and David A Torres

GRANTEE'S MAILING ADDRESS: 951 Purple Sage Court
Barstow, CA 92311

DATE: November 21, 2014

LEGAL DESCRIPTION OF PROPERTY LOCATED IN FLORIDA:

Lot 7 and 8, Block B, Piney Woods, according to the plat thereof, as recorded in
Plat Book 11, Page 83, of the Public Records of Brevard County, Florida.

**THE PROPERTY HEREIN DESCRIBED IS NOT AND HAS NEVER BEEN
THE HOMESTEAD PROPERTY OF THE GRANTOR, NOR IS IT ADJACENT
THERE TO.**

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

This conveyance is subject to restrictions and matters appearing on the plat or otherwise common to the subdivision; public utility easements of record and taxes for the year 2014 which are not yet due and payable.

Execution of deed witnessed by:

GRANTOR:

Danielle DeGrady
Witness Name: Danielle DeGrady

Teresa R. Speed
Teresa R Speed a/k/a Teresa R Thornton a/k/a
Teresa R Thorntonn
45 W Bay Drive
Cocoa Beach, FL 32931

JM DeLoe
Witness Name: JM DeLoe

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 20th day of November, 2014, by Teresa R Speed a/k/a Teresa R Thornton a/k/a Teresa R Thorntonn, who is personally known to me or who has produced Fla ID as identification and who did not take an oath.

Notary Public: *JM DeLoe*
State of Florida at Large (SEAL)
My Commission Expires: 11-28-2014

Appraiser's Identification Number: 25-37-07-01-0000B.0-0007.00



PETITIONERS' DEED

Kelly Fulton

From: Tammy Etheridge
Sent: Wednesday, April 29, 2015 8:24 AM
To: Kelly Fulton
Subject: FW: Torres: Lots 7 & 8, Blk. B, Piney Woods - Easement Vacating - Agenda Item No. 04-28-15 IV. A.
Attachments: 20150403_VACATING LEGAL_TORRES.docx

From: Cazessus, Marc [<mailto:marc.cazessus@brevardcounty.us>]
Sent: Tuesday, April 28, 2015 4:57 PM
To: John Lynch
Cc: Tammy Etheridge; Donna Scott; Sweeney, Michael; Vitale, Anthony
Subject: Torres: Lots 7 & 8, Blk. B, Piney Woods - Easement Vacating - Agenda Item No. 04-28-15 IV. A.

Mr. Lynch:

On April 28, 2015 the Board of County Commissioners approved the resolution to vacate an easement located on lands owned by Carlos and Davis Torres. This letter is your authorization to publish said resolution using the attached legal description. I have likewise listed the petitioners' contact information for your future use when mailing copies of the recorded resolutions to the petitioners.

- Agenda Item 04-28-15 IV. A.: Carlos and Davis Torres % Mr. David Wells, 5441 Avocado Avenue, Cocoa, FL, 32926.

Thank you for your time and continued cooperation; please 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.

Cc: Tammy Etheridge; Donna Scott; Sweeney, Michael; Vitale, Anthony

Subject: Torres: Lots 7 & 8, Blk. B, Piney Woods - Easement Vacating - Agenda Item No. 04-28-15 IV. A.

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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.
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Under Florida law, all correspondence sent to the Clerk's Office, which is not exempt or confidential pursuant to Chapter 119 of the Florida Statutes, is public record. If you do not want the public record contents of your e-mail or your e-mail address to be provided to the