



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.4.

9/16/2025

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### **Subject:**

Petition to Vacate, Re: A portion of two public utility and drainage easements - Plat of "Port St. John, Unit 2", Plat Book 14, Page 48 - Cocoa - Dale O'Connor and Patricia Rivera - District 1

### **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 portions of easements, per Plat "Port St. John, Unit 2", Plat Book 14, Page 48, in Section 24, Township 23 South, Range 35 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 petitioner owns Lot 1, Block 31, and is requesting the vacating of a portion of two public utility and drainage easements to allow for the existing buildings to remain and resolve a code enforcement violation. The property is located in Cocoa, South of Delespine Road and North of Fay Blvd.

On September 2, 2025, 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.

Name: Amber.Holley@brevardfl.gov Phone: 321-350-8346

### **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

September 30, 2025

**M E M O R A N D U M**

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

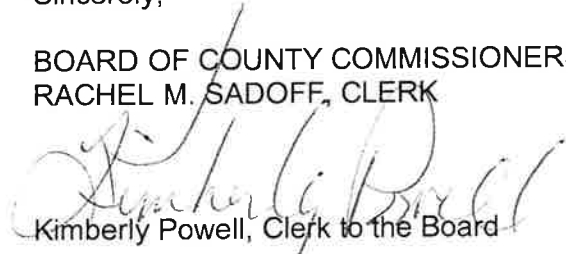
**RE:** Resolution Vacating a Portion of Two Public Utility and Drainage Easements, Plat of "Port St. John, Unit 2", Cocoa, Florida, Lying in Section 24, Township 23 South, Range 35 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 25-107, vacating a portion of two public utility and drainage easements, Plat of "Port St. John, Unit 2", Cocoa, Florida, lying in Section 24, Township 23 South, Range 35 East, as petitioned by Dale O'Connor and Patricia Rivera. Said Resolution was adopted by the Board of County Commissioners, in regular session on September 16, 2025.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/ds

Encls. (2)



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

September 30, 2025

Dale O'Connor and Patricia Rivera  
6665 Miraflores Avenue  
Cocoa, FL 32927

Dear Sir/Madam:

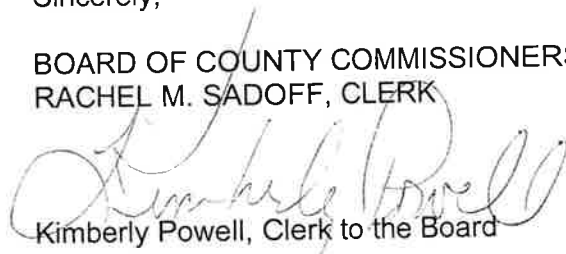
Re: Resolution Vacating a Portion of Two Public Utility and Drainage Easements, Plat of "Port St. John, Unit 2", Cocoa, Florida, Lying in Section 24, Township 23 South, Range 35 East

The Board of County Commissioners, in regular session on September 16, 2025, adopted Resolution No. 25-107, vacating a portion of two public utility and drainage easements, Plat of "Port St. John, Unit 2", Cocoa, Florida, lying in Section 24, Township 23 South, Range 35 East, as petitioned by you. 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

/ds

Encl. (1)

cc: Amber Holley

**Resolution 2025 - 107**

**Vacating a portion of two public utility and drainage easements, Plat of "Port St. John, Unit 2", Cocoa, Florida, lying in Section 24, Township 23 South, Range 35 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Dale O'Connor and Patricia Rivera** with the Board of County Commissioners to vacate public easements in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH AND 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 said public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements are 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 16<sup>th</sup> day of September, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:



Rachel Sadoff, Clerk



Rob Feltner, Chairman

As approved by the Board on:  
September 16, 2025

# LEGAL DESCRIPTION

SHEET 1 OF 3

SECTION 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST  
PARCEL ID NUMBER: 23-35-24-25-31-1  
PURPOSE OF DESCRIPTION: VACATE EASEMENT

NOT VALID WITHOUT THE  
SKETCH ON SHEETS 2&3 OF 3

## LEGAL DESCRIPTION:

A PORTION ON THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WEST OF AND ABUTTING THE EAST LINE OF LOT 1, BLOCK 31, AND A PART OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31, PORT ST. JOHN UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGES 48 THROUGH 51, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 31; THENCE S. 00°19'20" W., ALONG THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 12.94 FEET; THENCE N. 89°40'35" W. PARALLEL WITH THE NORTH LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 6.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N. 89°40'35" W., A DISTANCE OF 3.85 FEET TO A POINT LYING ON THE WEST LINE OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT THAT ABUTS THE EAST LINE OF SAID LOT 1 BLOCK 31; THENCE N. 00°19'20" E., ALONG SAID WEST LINE, A DISTANCE OF 6.94 FEET TO A POINT WHICH LIES ON THE SOUTH LINE OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31; THENCE N. 89°40'35" W., ALONG SAID SOUTH LINE, A DISTANCE OF 12.62 FEET; THENCE N. 00°19'20" E., PARALLEL WITH THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 3.44 FEET; THENCE S. 89°40'35" E., PARALLEL WITH THE NORTH LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 16.47 FEET; THENCE S. 00°19'20" W., PARALLEL WITH THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 10.39 FEET TO THE POINT OF BEGINNING. CONTAINING 83.48 SQUARE FEET.

## SURVEYOR'S NOTES:

1. Bearing shown hereon are based on the SOUTH LINE OF LOT 1 BLOCK 31, as being N 89°40'35" W, according to the Plat of PORT ST. JOHN UNIT TWO as recorded in plat book 14, at pages 48-51 of the Public Records of Brevard County, Florida.
2. This survey is prepared and certified for the exclusive use of the client named hereon.
3. Unless this sketch of legal description bears the signature and raised seal of John W. Cooper PLS 5093, it is for information purposes only and is not a valid survey.
4. Additions or deletions to this sketch of legal description by other than the signing party is prohibited without written consent of the signing party.
5. No underground utilities or improvements were located unless otherwise shown.

### PREPARED FOR:

DALE O'CONNOR AND PATRICIA RIVERA  
BREVARD COUNTY BOARD OF COMMISSIONERS

  
JOHN W. COOPER  
Professional Land Surveyor No. 5093  
State of Florida  
NOT VALID UNLESS SIGNED & SEALED

PREPARED BY: JOHN W. COOPER LAND SURVEYING, INC.

ADDRESS: 2326 S. HOPKINS AVENUE, TITUSVILLE, FLORIDA 32780

PHONE: 321-268-5646 L.B. NO. 6544

DRAWN BY: JAB

CHECKED BY: JWC

DRAWING NO. 25-06-33A

SECTION 24

DATE: 7/8/2025

SHEET 1 OF 3

REVISIONS

TOWNSHIP-23-SOUTH

RANGE 35 EAST





# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SHEET 3 OF 3

SECTION 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST  
 PARCEL ID NUMBER: 23-35-24-25-31-1  
 PURPOSE OF DESCRIPTION: VACATE EASEMENT

NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

## LEGEND OF ABBREVIATIONS

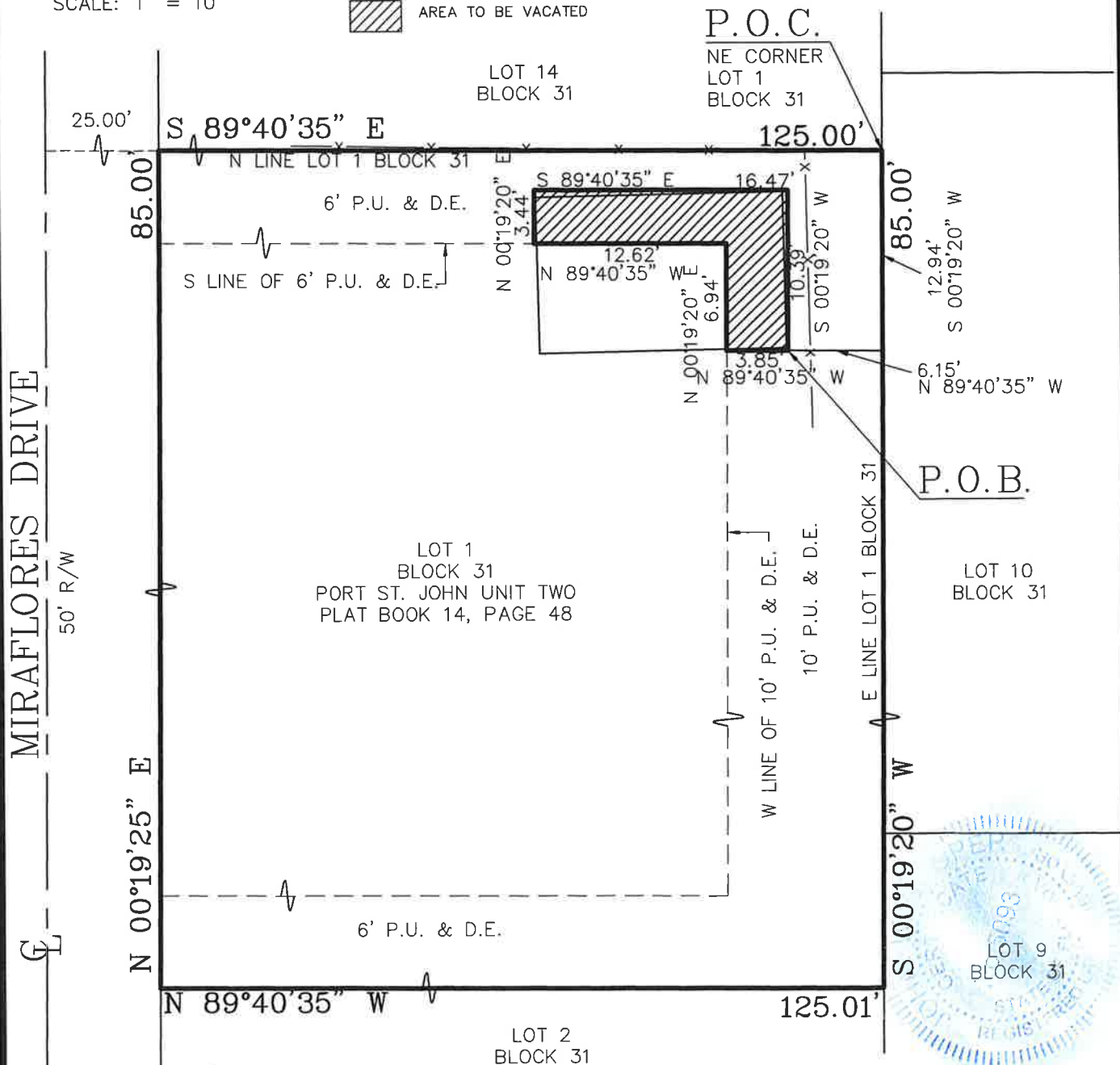


SCALE: 1" = 10'

PB PLAT BOOK  
 PG PAGE  
 FD. FOUND  
 C.B.S. CONCRETE BLOCK STRUCTURE  
 P.O.B. POINT OF BEGINNING  
 P.O.C. POINT OF COMMENCEMENT  
 P PLAT  
 M MEASURED  
 W.P.P. WOOD POWER POLE  
 O.H.W. OVERHEAD WIRE

¢ CENTERLINE  
 I.D. IDENTIFICATION  
 I.R. IRON ROD  
 I.P. IRON PIPE  
 L.B. LICENSED BUSINESS  
 N/D NAIL & DISC  
 ORB OFFICIAL RECORDS BOOK  
 P.U. & D.E. PUBLIC UTILITY & DRAINAGE EASEMENT  
 R/W RIGHT OF WAY

AREA TO BE VACATED



**AFFIDAVIT OF PUBLICATION**

Amber Holley  
Amber Holly  
Brevard County Public Works Dept. Surveying & Mapping Program  
2725 Judge Fran Jamieson Way, Room A-220  
Viera FL 32940

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 Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

09/02/2025

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 09/02/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$374.96	
Tax Amount:	\$0.00	
Payment Cost:	\$374.96	
Order No:	11616550	# of Copies:
Customer No:	1127286	1
PO #:	4500092228-10	

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

AMY KOKOTT  
Notary Public  
State of Wisconsin

Ad#11616550 09/02/2025  
**LEGAL NOTICE**  
**NOTICE FOR THE VACATING OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF PORT ST. JOHN, UNIT 2, IN SECTION 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FL**  
NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 50, Article II, Section 86-36, Brevard County Code, a petition has been filed by DALE O'CONNOR AND PATRICIA RIVERA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:  
**A PORTION ON THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WEST OF AND ABUTTING THE EAST LINE OF LOT 1, BLOCK 31, AND A PART OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31, PORT ST. JOHN UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGES 48 THROUGH 51 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**  
COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 31; THENCE S. 00°19'20" W., ALONG THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 12.94 FEET; THENCE N. 89°40'35" W., PARALLEL WITH THE NORTH LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 8.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N. 89°40'35" W., A DISTANCE OF 3.65 FEET TO A POINT LYING ON THE WEST LINE OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT THAT ABUTS THE EAST LINE OF SAID LOT 1, BLOCK 31; THENCE N. 00°19'20" E., ALONG SAID WEST LINE, A DISTANCE OF 8.94 FEET TO A POINT WHICH LIES ON THE SOUTH LINE OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31; THENCE N. 89°40'35" W., ALONG SAID SOUTH LINE, A DISTANCE OF 12.52 FEET; THENCE N. 00°19'20" E., PARALLEL WITH THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 3.44 FEET; THENCE S. 89°40'35" E., PARALLEL WITH THE NORTH LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 16.47 FEET; THENCE S. 00°19'20" W., PARALLEL WITH THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 10.39 FEET TO THE POINT OF BEGINNING, CONTAINING 63.44 SQUARE FEET. PREPARED BY: JOHN W. COOPER, PSN  
The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 8:00 A.M. on September 16, 2025 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 hearing is contacted at least 48 hours prior to the public 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 Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

BRE Brevard Florida Today 09/21/2025  
BRE floridatoday.com 09/21/2025

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 09/21/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$298.37

Tax Amount: \$0.00

Payment Cost: \$298.37

Order No: 11682380

# of Copies:

Customer No: 1127286

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PO #:

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Ad#11682380 09/21/2025

**LEGAL NOTICE**  
RESOLUTION VACATING A PORTION OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "PORT ST. JOHN, UNIT 2", COCOA, FLORIDA, LYING IN SECTION 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST - DALE O'CONNOR AND PATRICIA RIVERA TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on September 16, 2025, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public utility and drainage easements, plat of "Port St. John, Unit 2", Cocoa, Florida, lying in Section 24, Township 23 South, Range 35 East, as petitioned by Dale O'Connor and Patricia Rivera

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The Board further renounced and disclaimed any right of the County in and to said public easements. BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell, Clerk to the Board

KONGMENG YANG  
Notary Public  
State of Wisconsin

KONGMENG YANG  
Notary Public  
State of Wisconsin

## LEGAL NOTICE

RESOLUTION VACATING A PORTION OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "PORT ST. JOHN, UNIT 2", COCOA, FLORIDA, LYING IN SECTION 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST – DALE O'CONNOR AND PATRICIA RIVERA

### TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on September 16, 2025, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public utility and drainage easements, plat of "Port St. John, Unit 2", Cocoa, Florida, lying in Section 24, Township 23 South, Range 35 East, as petitioned by Dale O'Connor and Patricia Rivera

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LOT 1, BLOCK 31, A DISTANCE OF 10.39 FEET TO THE POINT OF BEGINNING. CONTAINING 83.48 SQUARE FEET. PREPARED BY: JOHN W. COOPER, PSM

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

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA

RACHEL M. SADOFF, CLERK

BY: Kimberly Powell, Clerk to the Board

**Florida TODAY:**

Please advertise in the **September 20, 2025**, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**

A PORTION ON THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WEST OF AND ABUTTING THE EAST LINE OF LOT 1, BLOCK 31, AND A PART OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31, PORT ST. JOHN UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGES 48 THROUGH 51, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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# Brevard County Property Appraiser Detail Sheet

Account 2311276

Owners O'CONNOR, DALE; RIVERA, PATRICIA

Mailing Address 6665 MIRAFLORES AVE COCOA FL 32927

Site Address 6665 MIRAFLORES AVE COCOA FL 32927

Parcel ID 23-35-24-25-31-1

Taxing District 1900 - UNINCORP DISTRICT 1

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Property Use 0110 - SINGLE FAMILY RESIDENCE

Total Acres 0.25

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0014/0048

Subdivision PORT ST JOHN UNIT 2

Land Description PORT ST JOHN UNIT 2 LOT 1 BLK 31

## **VALUE SUMMARY**

<b>Category</b>	<b>2024</b>	<b>2023</b>	<b>2022</b>
Market Value	\$260,310	\$253,690	\$242,810
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$180,140	\$174,900	\$169,810
Assessed Value School	\$180,140	\$174,900	\$169,810
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	\$130,140	\$124,900	\$119,810
Taxable Value School	\$155,140	\$149,900	\$144,810

## **SALES/TRANSFERS**

<b>Date</b>	<b>Price</b>	<b>Type</b>	<b>Parcel</b>	<b>Deed</b>
01/26/2018	\$189,000	WD	--	8079/943
09/22/1987	\$74,900	WD	--	2866/30

## Vicinity Map

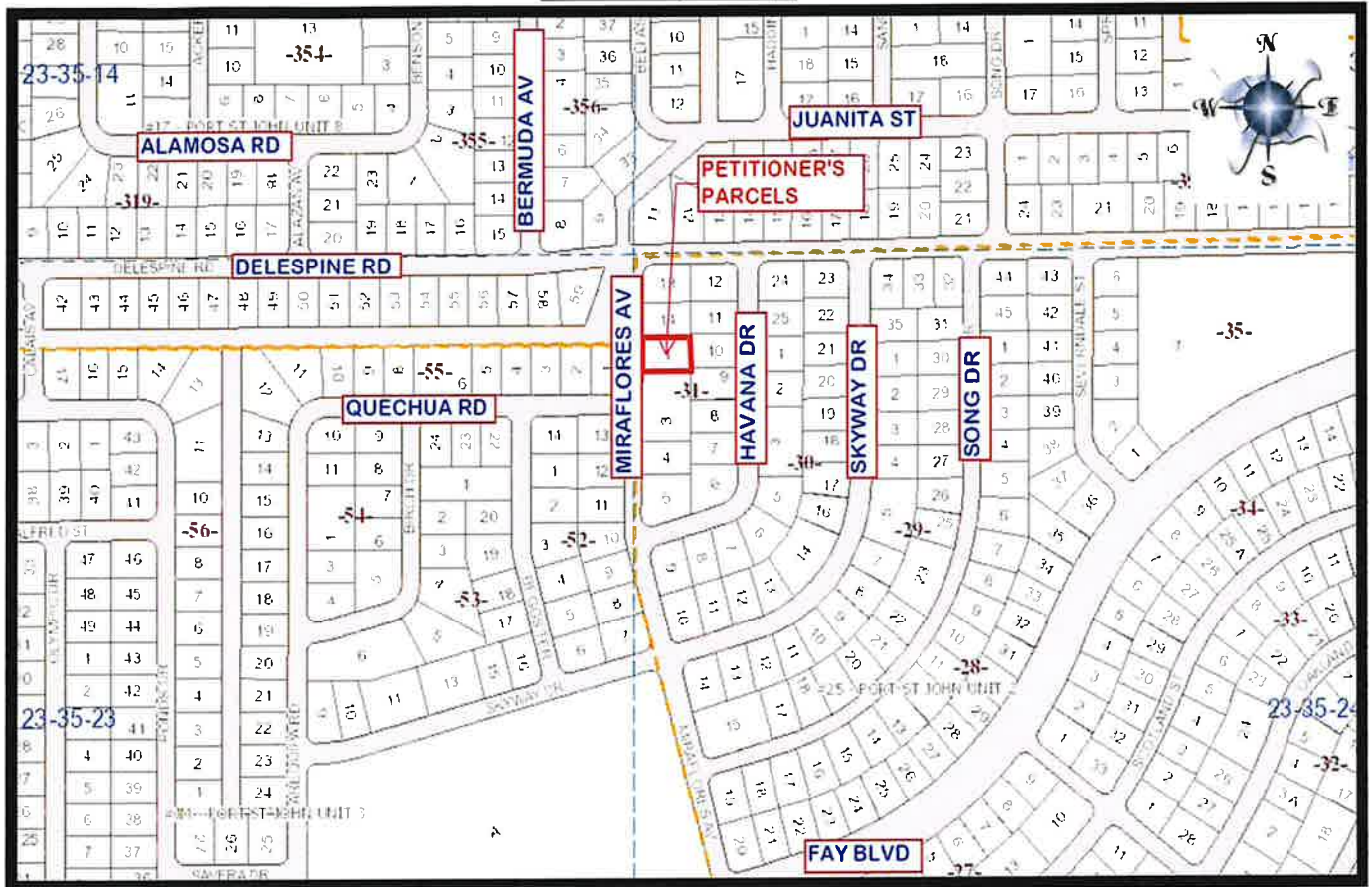


Figure 1: Map of Lot 1, Block 31, Port St. John, Unit 2, 6665 Miraflores Ave, Cocoa, Florida, 32927.

Dale O'Connor & Patricia Rivera – 6665  
Miraflores Ave – Cocoa, FL, 32927 – Lot 1,  
Block 31, plat of “Port St. John Unit 2” – Plat  
Book 14, Page 48 – Section 24, Township 23  
South, Range 35 East – District 1 – Proposed  
Vacating of a portion of a 6.00 ft. & 10.00 ft.  
Wide Public Utility & Drainage Easement



## Aerial Map

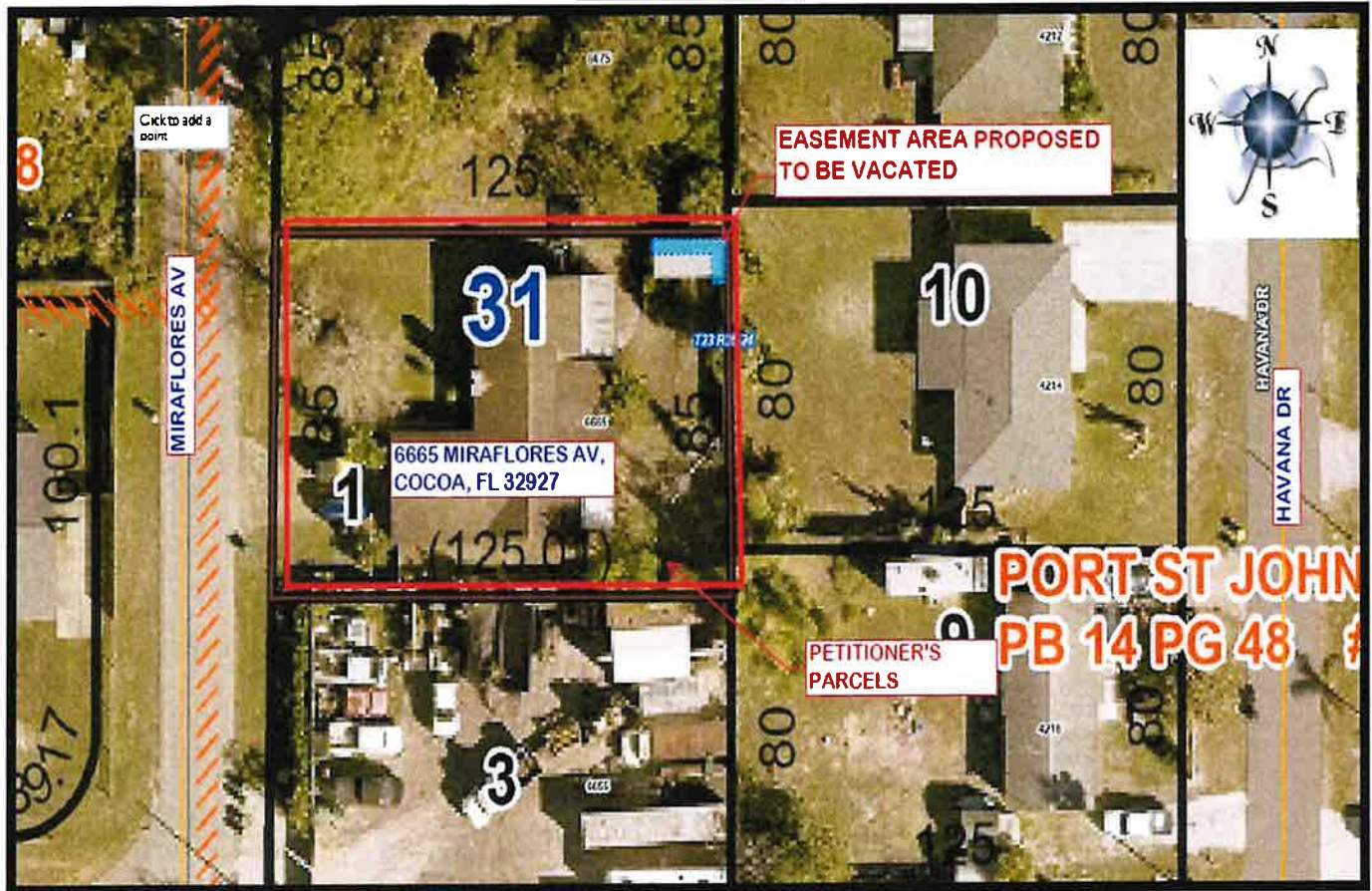
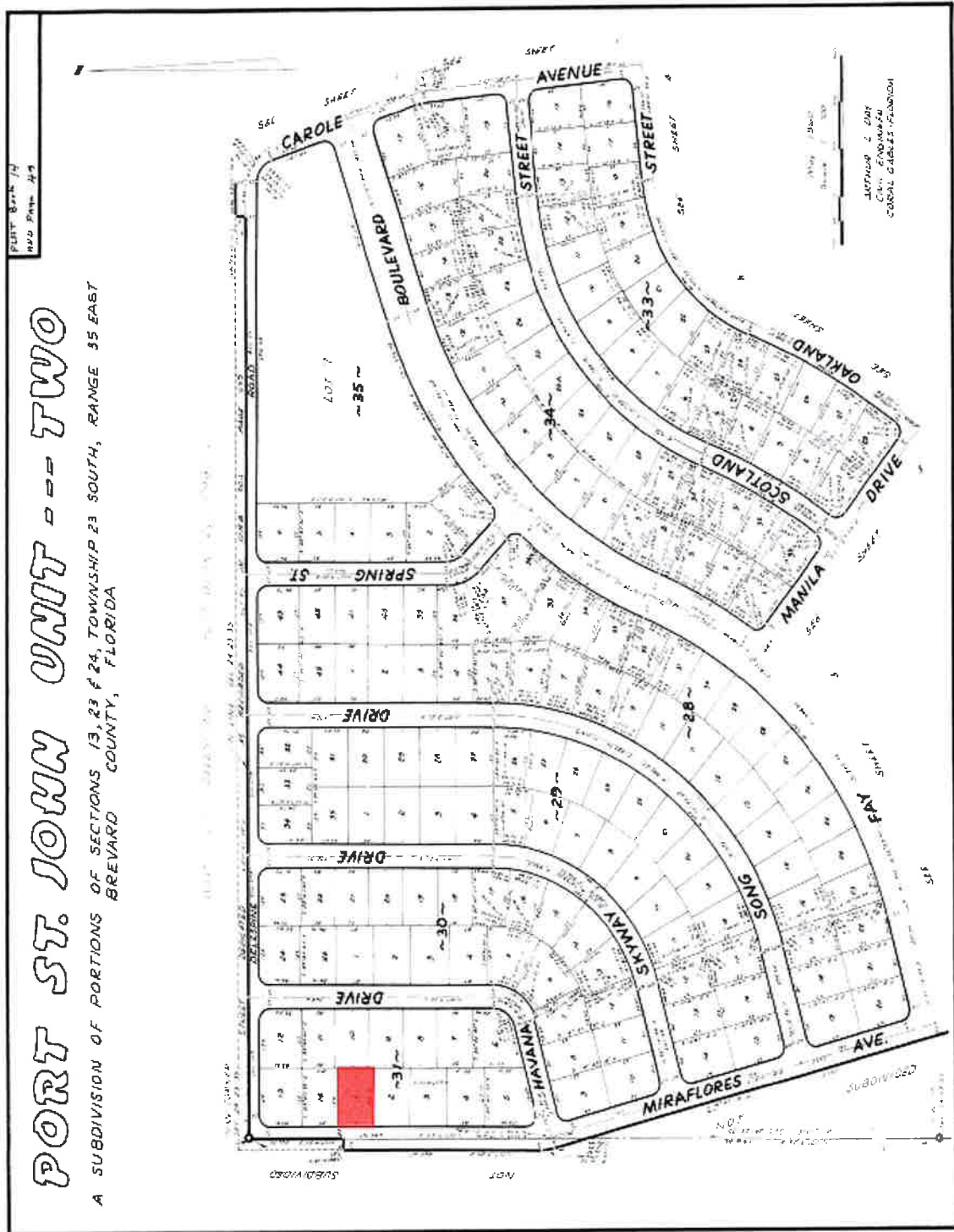


Figure 2: Aerial Map of Lot 1, Block 31, Port St. John, Unit 2, 6665 Miraflores Ave, Cocoa, Florida, 32927.

Dale O'Connor & Patricia Rivera – 6665  
Miraflores Ave – Cocoa, FL, 32927 – Lot 1,  
Block 31, plat of “Port St. John Unit 2” – Plat  
Book 14, Page 48 – Section 24, Township 23  
South, Range 35 East – District 1 – Proposed  
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Wide Public Utility & Drainage Easement

# Map Reference

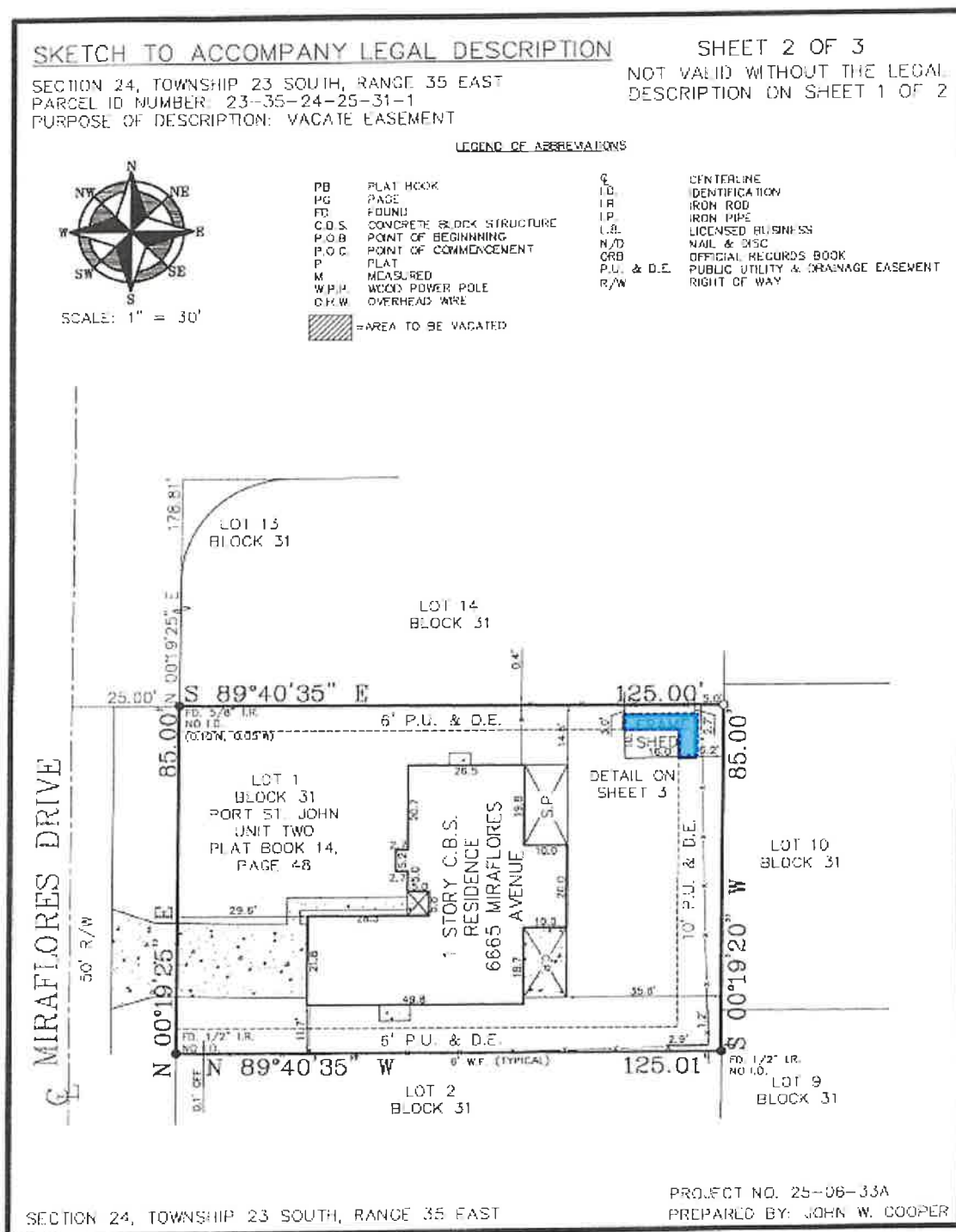


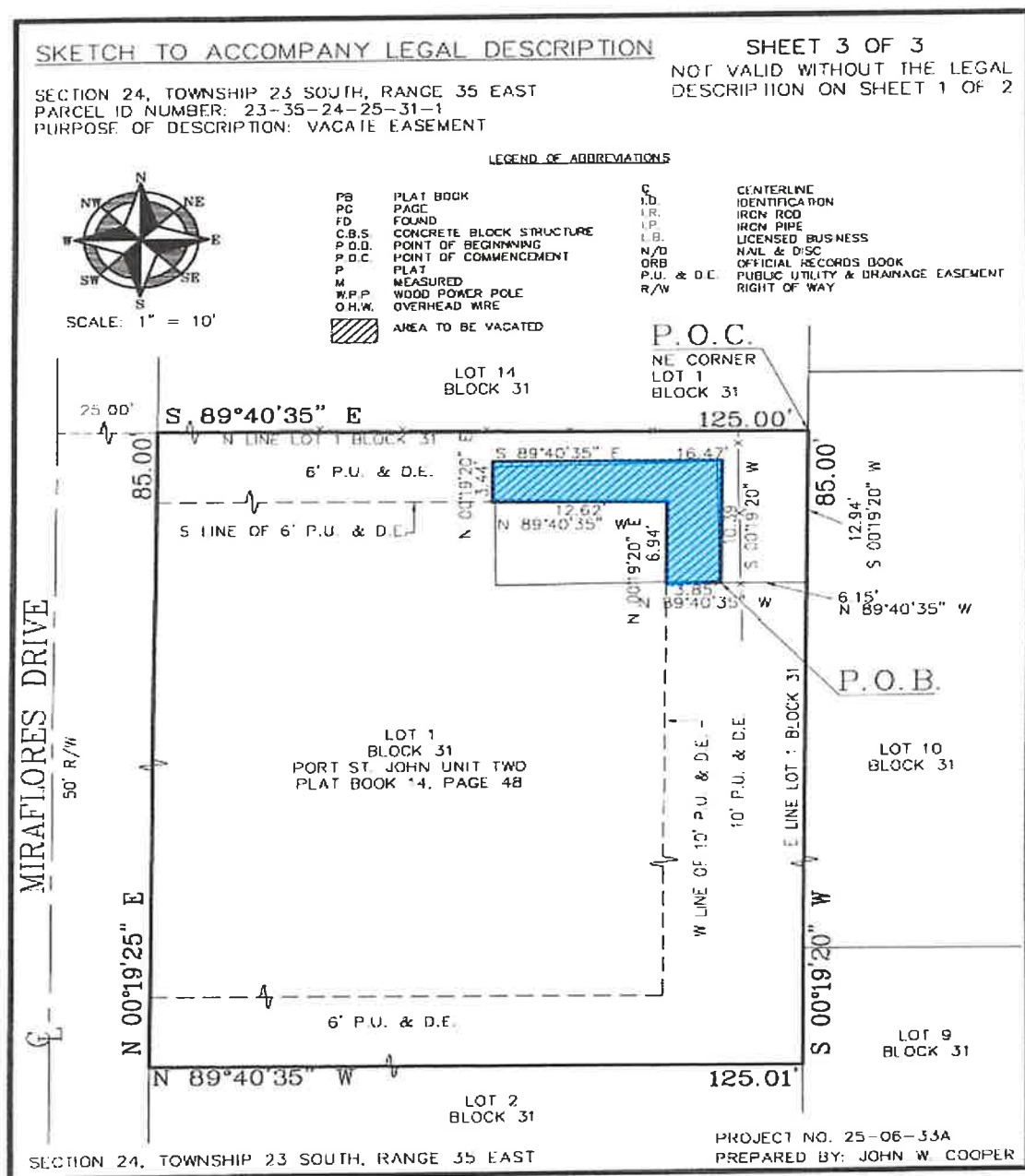
# Petitioner's Sketch & Description Sheet 1 of 3

<h2 style="margin: 0;">LEGAL DESCRIPTION</h2> <p style="margin: 0;">SECTION 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST          PARCEL ID NUMBER: 23-35-24-25-31-1          PURPOSE OF DESCRIPTION: VACATE EASEMENT</p>		<p style="margin: 0;">SHEET 1 OF 3</p> <p style="margin: 0;">NOT VALID WITHOUT THE          SKETCH ON SHEETS 2&amp;3 OF 3</p>
<p><b>LEGAL DESCRIPTION:</b></p> <p>A PORTION ON THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WEST OF AND ABUTTING THE EAST LINE OF LOT 1, BLOCK 31, AND A PART OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31, PORT ST. JOHN UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGES 48 THROUGH 51, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 31; THENCE S. 00°19'20" W., ALONG THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 12.94 FEET; THENCE N. 89°40'35" W. PARALLEL WITH THE NORTH LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 6.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N. 89°40'35" W., A DISTANCE OF 3.85 FEET TO A POINT LYING ON THE WEST LINE OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT THAT ABUTS THE EAST LINE OF SAID LOT 1, BLOCK 31; THENCE N. 00°19'20" E., ALONG SAID WEST LINE, A DISTANCE OF 6.94 FEET TO A POINT WHICH LIES ON THE SOUTH LINE OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31; THENCE N. 89°40'35" W., ALONG SAID SOUTH LINE, A DISTANCE OF 12.62 FEET; THENCE N. 00°19'20" E., PARALLEL WITH THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 3.44 FEET; THENCE S. 89°40'35" E., PARALLEL WITH THE NORTH LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 16.47 FEET; THENCE S. 00°19'20" W., PARALLEL WITH THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 10.39 FEET TO THE POINT OF BEGINNING. CONTAINING 83.48 SQUARE FEET.</p>		
<p><b>SURVEYOR'S NOTES:</b></p> <ol style="list-style-type: none"> <li>1. Bearing shown herein are based on the SOUTH LINE OF LOT 1, BLOCK 31, or being N 89°40'35" W. according to the Plat of PORT ST. JOHN UNIT TWO as recorded in plat book 14, at pages 48-51 of the Public Records of Brevard County, Florida.</li> <li>2. This survey is prepared and certified for the exclusive use of the client named herein.</li> <li>3. Unless this sketch of legal description bears the signature and raised seal of John W. Cooper PLS 5093, it is for information purposes only and is not a valid survey.</li> <li>4. Additions or deletions to this sketch of legal description by other than the signing party is prohibited without written consent of the signing party.</li> <li>5. No underground utilities or improvements were located unless otherwise shown.</li> </ol>		
<p>PREPARED FOR:</p> <p>DALE O'CONNOR AND PATRICIA RIVERA          BREVARD COUNTY BOARD OF COMMISSIONERS</p>		<p>PRELIMINARY-FOR COUNTY REVIEW</p> <p>JOHN W. COOPER          Professional Land Surveyor No. 5093          State of Florida          NOT VALID UNLESS SIGNED &amp; SEALED</p>
<p>PREPARED BY: JOHN W. COOPER LAND SURVEYING, INC.</p> <p>ADDRESS: 2326 S. HOPKINS AVENUE, TITUSVILLE, FLORIDA 32780</p> <p>PHONE: 321-268-5646 L.B. NO. 6514</p>		
<p>DRAWN BY: JAD</p> <p>DATE: 7/8/2025</p>	<p>CHECKED BY: JWC</p> <p>SHEET 1 OF 3</p>	<p>DRAWING NO. 25-05-33A</p> <p>REVISIONS</p>
		<p>SECTION 24</p> <p>TOWNSHIP 23 SOUTH</p> <p>RANGE 35 EAST</p>

Figure 4: Sketch & Description. Sheet 1 of 3. Section 24, Township 23 South, Range 35 East. Parcel ID number: 23-35-24-25-31-1.







## Comment Sheet

Applicant: O'Connor/Rivera

Updated by: Amber Holley 20250826 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20250807	20250818	Yes	No objections
FL Power & Light	20250807	20250826	Yes	No comment
At&t	20250807	20250826	Yes	No objections
Charter/Spectrum	20250807	20250823	Yes	No objections
City of Cocoa	20250807	20250822	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20250807	20250826	Yes	No objections
Land Planning	20250807	20250807	Yes	No objections
Utility Services	20250807	20250807	Yes	No objections
Storm Water	20250807	20250807	Yes	No objections
Zoning	20250807	20250807	Yes	No objections



# Public Hearing Legal Advertisement

Ad#11616550 09/02/2025  
**LEGAL NOTICE**  
**NOTICE FOR THE VACATING OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "PORT ST. JOHN, UNIT 2", IN SECTION 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FL**  
NOTICE IS HEREBY GIVEN that pursuant to Chapter 226.05, Florida Statutes, and Chapter 86, Article II, Section 86.36, Brevard County Code, a petition has been filed by DALE O'CONNOR AND PATRICIA RIVERA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:  
**A PORTION ON THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WEST OF AND ABUTTING THE EAST LINE OF LOT 1, BLOCK 31, AND A PART OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31, PORT ST. JOHN UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGES 48 THROUGH 51 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**  
COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 31; THENCE S. 00°19'20" W., ALONG THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 12.94 FEET; THENCE N. 89°40'35" W., PARALLEL WITH THE NORTH LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 5.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N. 89°40'35" W., A DISTANCE OF 3.85 FEET TO A POINT LYING ON THE WEST LINE OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT THAT ABUTS THE EAST LINE OF SAID LOT 1, BLOCK 31; THENCE N. 00°19'20" E., ALONG SAID WEST LINE, A DISTANCE OF 6.94 FEET TO A POINT WHICH LIES ON THE SOUTH LINE OF THE 6 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING SOUTH OF AND ABUTTING THE NORTH LINE OF SAID LOT 1, BLOCK 31; THENCE N. 89°40'35" W., ALONG SAID SOUTH LINE, A DISTANCE OF 12.62 FEET; THENCE N. 00°19'20" E., PARALLEL WITH THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 3.44 FEET; THENCE S. 89°40'35" E., PARALLEL WITH THE NORTH LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 16.47 FEET; THENCE S. 00°19'20" W., PARALLEL WITH THE EAST LINE OF SAID LOT 1, BLOCK 31, A DISTANCE OF 10.39 FEET TO THE POINT OF BEGINNING, CONTAINING 83.48 SQUARE FEET. PREPARED BY: JOHN W. COOPER, PSM  
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 September 16, 2025**, 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 hearing is contacted at least 68 hours prior to the public hearing by any person wishing assistance.

Figure 7: Copy of public hearing advertisement published on September 2, 2025. See the next page for full text.

## Legal Notice Text

### LEGAL NOTICE

NOTICE FOR THE VACATING OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "PORT ST. JOHN, UNIT 2", IN SECTION 24, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FL

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**Board Meeting Date**

9-14

Item Number: H.4

Motion By: KD

Second By: KA

Nay By: \_\_\_\_\_

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓	
Vice Chair Goodson	2	✓	
Commissioner Adkinson	3	✓	
Commissioner Altman	5	✓	
Chairman Feltner	4	✓	