



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.3.

12/22/2020

Subject:

Petition to Vacate, Re: Public Utility Easement - 443 Seagull Drive - "Barefoot Bay Unit Two Part Thirteen" Plat Book 23, Page 29 - Barefoot Bay - Howard T. and Mary-Anne Jo LaBarca - District 3

Fiscal Impact:

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

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 easement along the front line of Lot 1, Block 87A, "Barefoot Bay Unit Two Part Thirteen" in Section 10, Township 30 South, Range 38 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lot 1, Block 87A and are requesting the vacating of the portion of a 6.00 ft. wide public utility easement along the front line of lot 1, Block 87A to allow for the existing improvement to remain. Easement to be vacated contains 72 square feet, more or less. The property is located in Barefoot Bay North of Micco Road and West of US Highway 1.

December 7, 2020, 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: 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

January 13, 2021

M E M O R A N D U M

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

RE: Advertising Bills for Resolution Vacating a Portion of a Public Utility Easement in "Barefoot Bay Unit Two, Part Thirteen" Subdivision, Barefoot Bay, Lying in Section 10, Township 30 South, Range 38 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 20-163, vacating a portion of a public utility easement in "Barefoot Bay Unit Two, Part Thirteen" Subdivision, Barefoot Bay, lying in Section 10, Township 30 South, Range 38 East, as petitioned by Howard T. and Mary-Anne Jo LaBarca. Said Resolution was adopted by the Board of County Commissioners, in regular session on December 22, 2020.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

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

January 13, 2021

Howard T. and Mary-Anne Jo LaBarca
443 Seagull Drive
Barefoot Bay, FL 32976

Dear Sir/Madam:

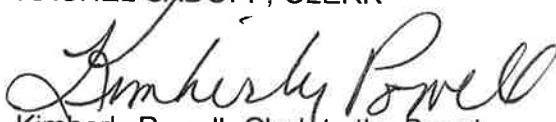
Re: Resolution Vacating a Portion of a Public Utility Easement in "Barefoot Bay Unit Two, Part Thirteen" Subdivision, Barefoot Bay, Lying in Section 10, Township 30 South, Range 38 East

The Board of County Commissioners, in regular session on December 22, 2020, adopted Resolution No. 20-163, vacating a portion of a public utility easement in "Barefoot Bay Unit Two, Part Thirteen" Subdivision, Barefoot Bay, lying in Section 10, Township 30 South, Range 38 East, as petitioned by you. Said Resolution has been recorded in ORBK 8978, Pages 597 through 601. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works

Resolution 2020 - 163

**Vacating a portion of a public utility easement in "Barefoot Bay Unit Two, Part Thirteen" Subdivision,
Barefoot Bay, Florida, lying in Section 10, Township 30 South, Range 38 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **HOWARD T. AND MARY-ANNE JO LaBARCA** with the Board of County Commissioners to vacate 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 public utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility easement are 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.

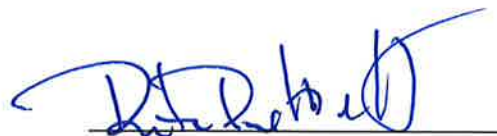
DONE, ORDERED AND ADOPTED, in regular session, this 22nd day of December, 2020 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Rita Pritchett, Chair

As approved by the Board on:
December 22, 2020

LEGAL DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PARCEL ID NUMBER: 30-38-10-76-87.A-1

SHEET 1 OF 2

NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

PURPOSE OF SKETCH AND DESCRIPTION

TO VACATE A PORTION OF A 6.00 FOOT WIDE PUBLIC UTILITY EASEMENTS LYING
ON WEST SIDE OF THE LOT 1, BLOCK 87A.

LEGAL DESCRIPTION:

THE NORTH 12.00 FEET OF THE SOUTH 22.00 FEET OF THE WEST 6.00 FEET OF THE 6.00 FOOT
PUBLIC UTILITY EASEMENT LYING ALONG THE WEST 6.00 FEET OF LOT 1, BLOCK 87A, BAREFOOT
BAY MOBILE HOME SUBDIVISION, UNIT TWO PART THIRTEEN, ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 23, PAGES 29 THRU 31, PUBLIC RECORDS OF BREVARD COUNTY,
FLORIDA. CONTAINING 72.00 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE BASED ON THE CENTERLINE OF SEA-GULL
DRIVE AS N 89°32'30" E AS PER RECORD PLAT.

2. NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHTS
OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR
EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

3. THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND
FOUNDATIONS, ENCROACHMENTS OR ANY IMPROVEMENTS
EXCEPT AS SHOWN.

4. THIS SKETCH IS NOT A BOUNDARY SURVEY.

PREPARED FOR: HOWARD T. LABARCA and MARY-ANNE JO LABARCA
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

THOMAS R. CECRLE, PLS 4896
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: CECRLE LAND SURVEYING, INC. CERTIFICATION OF AUTHORIZATION L.B. NO. 6637

ADDRESS: 10749 HIGHWAY US1, SUITE A, SEBASTIAN, FL 32958

PHONE: PHONE 772-388-0520 FAX 772-388-2012 EMAIL tcecrle@bellsouth.net

DRAWN BY T.R.C.

CHECKED BY T.R.C.

DRAWN NO. 19-249-L1

SECTION 10

DATE: 11-9-2020

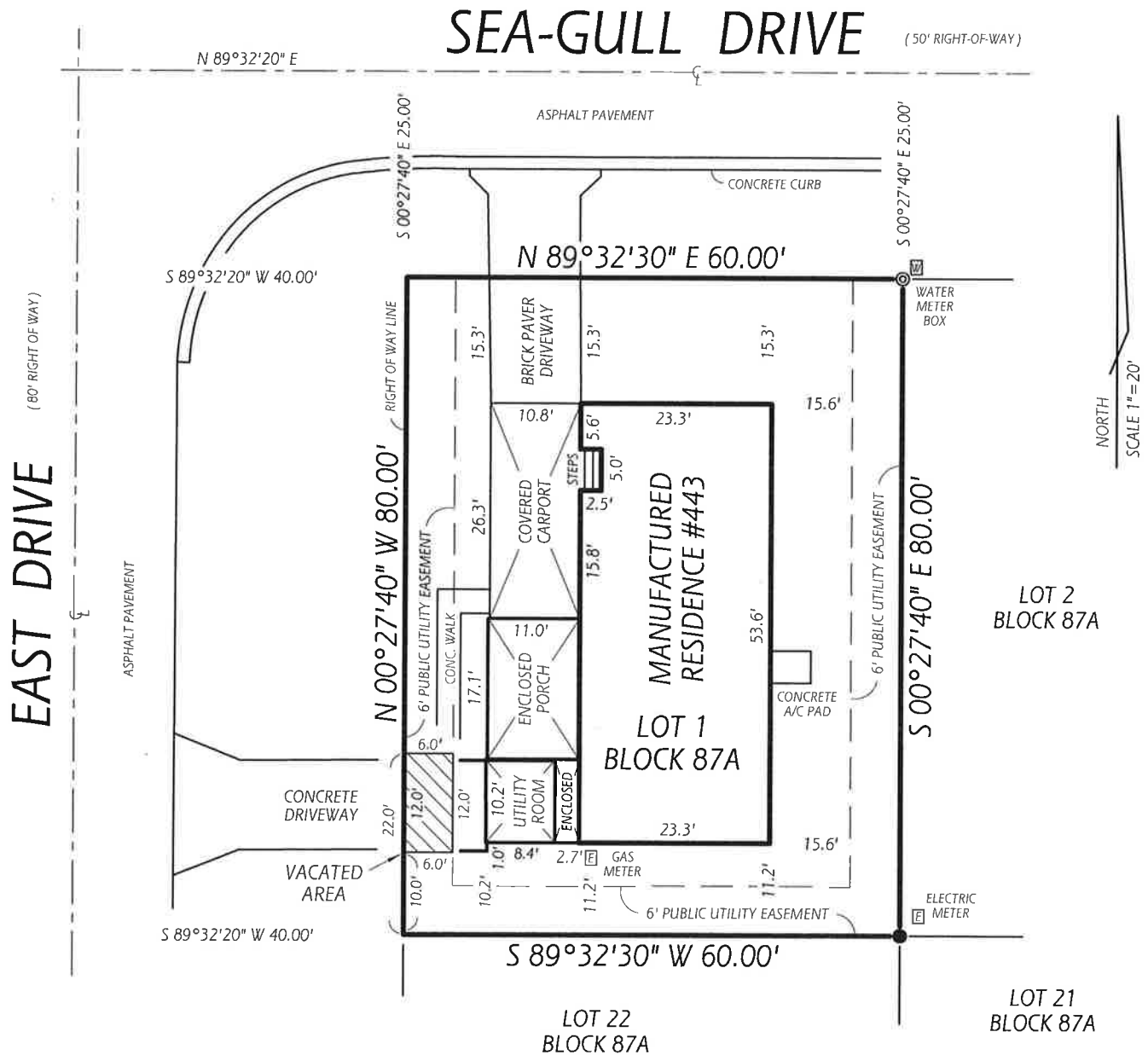
SHEET 1 OF 2

REVISIONS: N/A

TOWNSHIP 30 SOUTH
RANGE 38 EAST

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST
PARCEL ID NUMBER: 30-38-10-76-87.A-1

SHEET 2 OF 2
NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2



ABBREVIATIONS: C-CENTERLINE
SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PROJECT NO : 19-249
PREPARED BY : T.R.C.



Amber Holley
BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A 220
VIERA, FL 32940

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared Joe Heynen who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Legal Notices

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

12/7/2020

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 7th of December 2020, by Joe Heynen who is personally known to me

[Signature]

Affiant

[Signature: Nancy Heyrman]
Notary State of Wisconsin County of Brown
5.15.23

My commission expires

Publication Cost \$220.99
Ad No: 0004490958
Customer No: BRE-6BR327

NANCY HEYRMAN
Notary Public
State of Wisconsin

ADR4490958, 12/07/2020
NOTICE FOR THE PARTIAL VACATING OF
A 6.0 FT. WIDE PUBLIC UTILITY EASE-
MENT, PLAT OF "BAREFOOT BAY MO-
BILE HOME SUBDIVISION, UNIT TWO
PART THIRTEEN" IN SECTION 10,
TOWNSHIP 30 SOUTH, RANGE 38 EAST,
BAREFOOT BAY, FL

NOTICE IS HEREBY GIVEN that pursuant
to Chapter 336.09, Florida Statutes, and
Chapter 86, Article II, Section 86-36, Bre-
vard County Code, a petition has been
filed by HOWARD T. AND MARY-ANNE
JO LABARCA with the Board of County
Commissioners of Brevard County, Flori-
da, to request vacating the following de-
scribed property, to wit:
THE NORTH 12.00 FEET OF THE SOUTH
22.00 FEET OF THE WEST 6.00 FEET OF
THE 6.00 FOOT PUBLIC UTILITY EASE-
MENT LYING ALONG THE WEST 6.00
FEET OF LOT 1, BLOCK 87A, BAREFOOT
BAY MOBILE HOME SUBDIVISION, UNIT
TWO PART THIRTEEN, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN
PLAT BOOK 23, PAGES 29 THRU 31, PUB-
LIC RECORDS OF BREVARD COUNTY,
FLORIDA, CONTAINING 72.00 SQUARE
FEET MORE OR LESS, PREPARED BY:
THOMAS R. CECILE, 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 December 22, 2020 at the Brevard
County Government Center Board
Room, Building C, 2725 Judge Fran Ja-
mieson Way, Viera, Florida, at which
time and place all those for or against
the same may be heard before final ac-
tion 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 pur-
pose, he or she may need to ensure that
a verbatim record of the proceedings is
made, which record includes the testi-
mony and evidence upon which the ap-
peal 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 im-
paired persons shall be met if the de-
partment sponsoring the meeting/hear-
ing is contacted at least 48 hours prior to
the public meeting/hearing by any per-
son wishing assistance.



Amber Holley
BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A 220
VIERA, FL 32940

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared Joe Heynen who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Legal Notices

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

1/2/2020

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 2nd of January, 2021 by Joe Heynen who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost \$142.18
Ad No: 0004530697
Customer No: BRE-6BR327

Ad#4530697 01/02/2021
LEGAL NOTICE

RESOLUTION VACATING A PUBLIC UTILITY EASEMENT IN "BAREFOOT BAY UNIT TWO, PART THIRTEEN" SUBDIVISION, BAREFOOT BAY, LYING IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST - HOWARD T. AND MARY-ANNE JO LABARCA

TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the 22ND day of December, 2020, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a public utility easement in "Barefoot Bay Unit Two, Part Thirteen" subdivision, Barefoot Bay, lying in Section 10, Township 30 South, Range 38 East as petitioned by Howard T. and Mary-Anne Jo Labarca.

LEGAL DESCRIPTION:

THE NORTH 12.00 FEET OF THE SOUTH 22.00 FEET OF THE WEST 6.00 FEET OF THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WEST 6.00 FEET OF LOT 1, BLOCK 87A, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO PART THIRTEEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGES 29 THRU 31, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 72.00 SQUARE FEET MORE OR LESS, PREPARED BY: THOMAS R. CECILE, 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 SADOFF, CLERK
BY: Kimberly Powell, Clerk to the Board

VICKY FELTY
Notary Public
State of Wisconsin

Brevard County Property Appraiser Detail Sheet

Account 3005901

Owners Labarca, Howard T; Labarca, Mary-Anne Jo

Mailing Address 443 Seagull Dr Barefoot Bay FL 32976

Site Address 443 Sea-Gull Dr Barefoot Bay FL 32976

Parcel ID 30-38-10-76-87.A-1

Property Use 0213 - Manufactured Housing - Double Wide

Exemptions HEX1 - Homestead First

HEX2 - Homestead Additional

Taxing District 3400 - Unincorp District 3

Total Acres 0.11

Subdivision Barefoot Bay Unit 2 Part 13

Site Code 0001 - No Other Code Appl.

Plat Book/Page 0023/0029

Land Description Barefoot Bay Unit 2 Part 13 Lot 1 Blk 87A

VALUE SUMMARY

Category	2020	2020	2019
Market Value	\$86,080	\$76,250	\$70,030
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$65,120	\$32,550	\$31,950
Assessed Value School	\$65,120	\$32,550	\$31,950
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$15,120	\$0	\$0
Other Exemptions	\$0	\$500	\$500
Taxable Value Non-School	\$25,000	\$7,050	\$6,450
Taxable Value School	\$40,120	\$7,050	\$6,450

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/22/2019	\$113,000	WD	Improved	8549/1880
01/30/1994	--	WD	Improved	3363/4567
09/01/1987	\$56,900	WD	--	2844/0194

Fig. 1: Copy of Property Appraiser's detail sheet for lot 1, block 87A, Barefoot Bay Unit Two Part Thirteen, 443 Seagull Drive, Barefoot Bay, FL 32976, Section 10, Township 30 South, Range 38 East, District 3

Vicinity Map

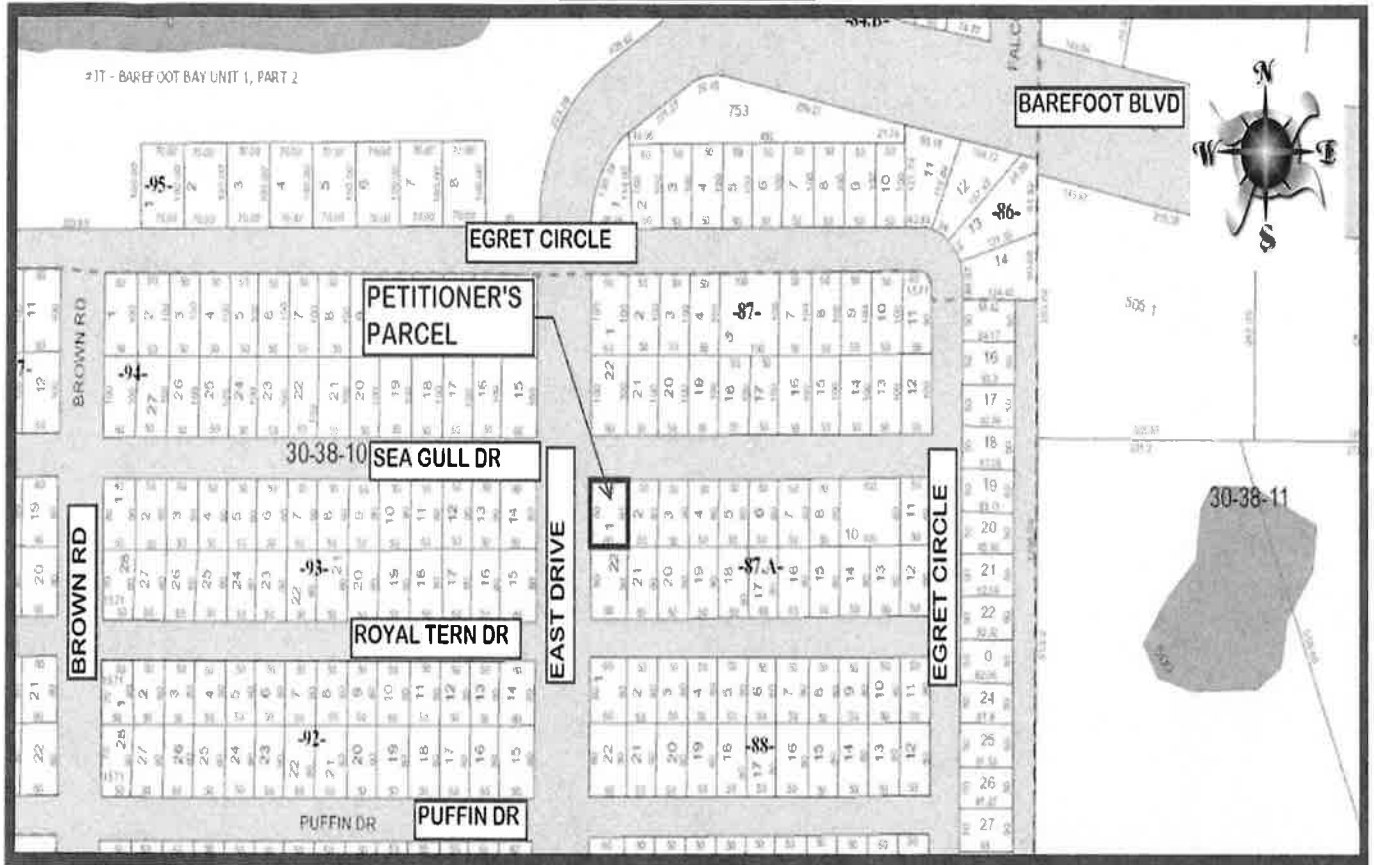


Fig. 2: Map of Lot 1, Block 87A, Barefoot Bay Unit Two, Part Thirteen, 443 Seagull Drive, Barefoot Bay, FL 32976.

Howard T. and Mary-Anne Jo LaBarca – Lot 1, Block 87A, “Barefoot Bay Unit Two, Part Thirteen” (Plat Book 23, Page 29) – 443 Seagull Drive – Section 10, Township 30 South, Range 38 East – District 3 – Proposed Vacating of a portion of a 6.0 ft. Wide Public Utility Easement along the front line.

Aerial Map



Fig. 3: Map of aerial view of Lot 1, Block 87A, Barefoot Bay Unit Two, Part Thirteen, 443 Seagull Drive, Barefoot Bay, FL 32976

Howard T. and Mary-Anne Jo LaBarca – Lot 1, Block 87A, “Barefoot Bay Unit Two, Part Thirteen” (Plat Book 23, Page 29) – 443 Seagull Drive – Section 10, Township 30 South, Range 38 East – District 3 – Proposed Vacating of a portion of a 6.0 ft. Wide Public Utility Easement along the front line.

Plat Reference

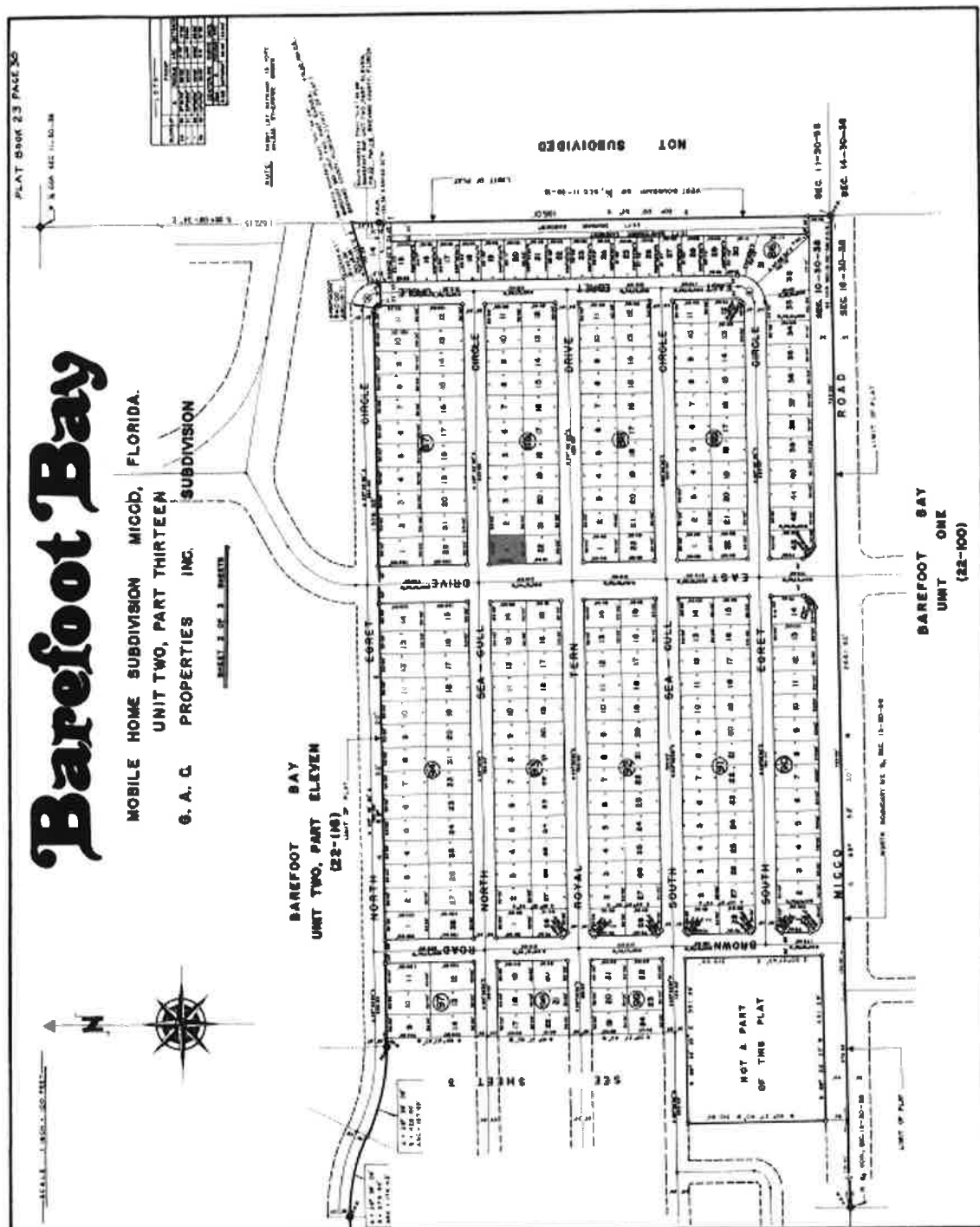


Fig. 4: Copy of plat map "Barefoot Bay" dedicated to Brevard County November 12, 1970.

LEGAL DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PARCEL ID NUMBER: 30-38-10-76-87.A-1

SHEET 1 OF 2
NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

PURPOSE OF SKETCH AND DESCRIPTION

TO VACATE A PORTION OF A 6.00 FOOT WIDE PUBLIC UTILITY EASEMENTS LYING
ON WEST SIDE OF THE LOT 1, BLOCK 87A.

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BAY MOBILE HOME SUBDIVISION, UNIT TWO PART THIRTEEN, ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 23, PAGES 29 THRU 31, PUBLIC RECORDS OF BREVARD COUNTY,
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SURVEYOR'S NOTES:

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1. BEARINGS SHOWN ARE BASED ON THE CENTERLINE OF SEA-GULL
DRIVE AS N 89°32'30" E AS PER RECORD PLAT.

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OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR
EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

3. THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND
FOUNDATIONS, ENCROACHMENTS OR ANY IMPROVEMENTS
EXCEPT AS SHOWN.

4. THIS SKETCH IS NOT A BOUNDARY SURVEY.

PREPARED FOR: HOWARD T. LABARCA and MARY-ANNE JO LABARCA
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

THOMAS R. CECRLE, PLS 4896
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: CECRLE LAND SURVEYING, INC. CERTIFICATION OF AUTHORIZATION L.B. NO. 6637

ADDRESS: 10749 HIGHWAY US1, SUITE A, SEBASTIAN, FL 32958

PHONE: PHONE 772-388-0520 FAX 772-388-2012 EMAIL tcecrle@bellsouth.net

DRAWN BY T.R.C.

CHECKED BY T.R.C.

DRAWN NO. 19-249-L1

SECTION 10

DATE: 11-9-2020

SHEET 1 OF 2

REVISIONS: N/A

TOWNSHIP 30 SOUTH
RANGE 38 EAST

Petitioner's Sketch & Description Sheet 2 of 2

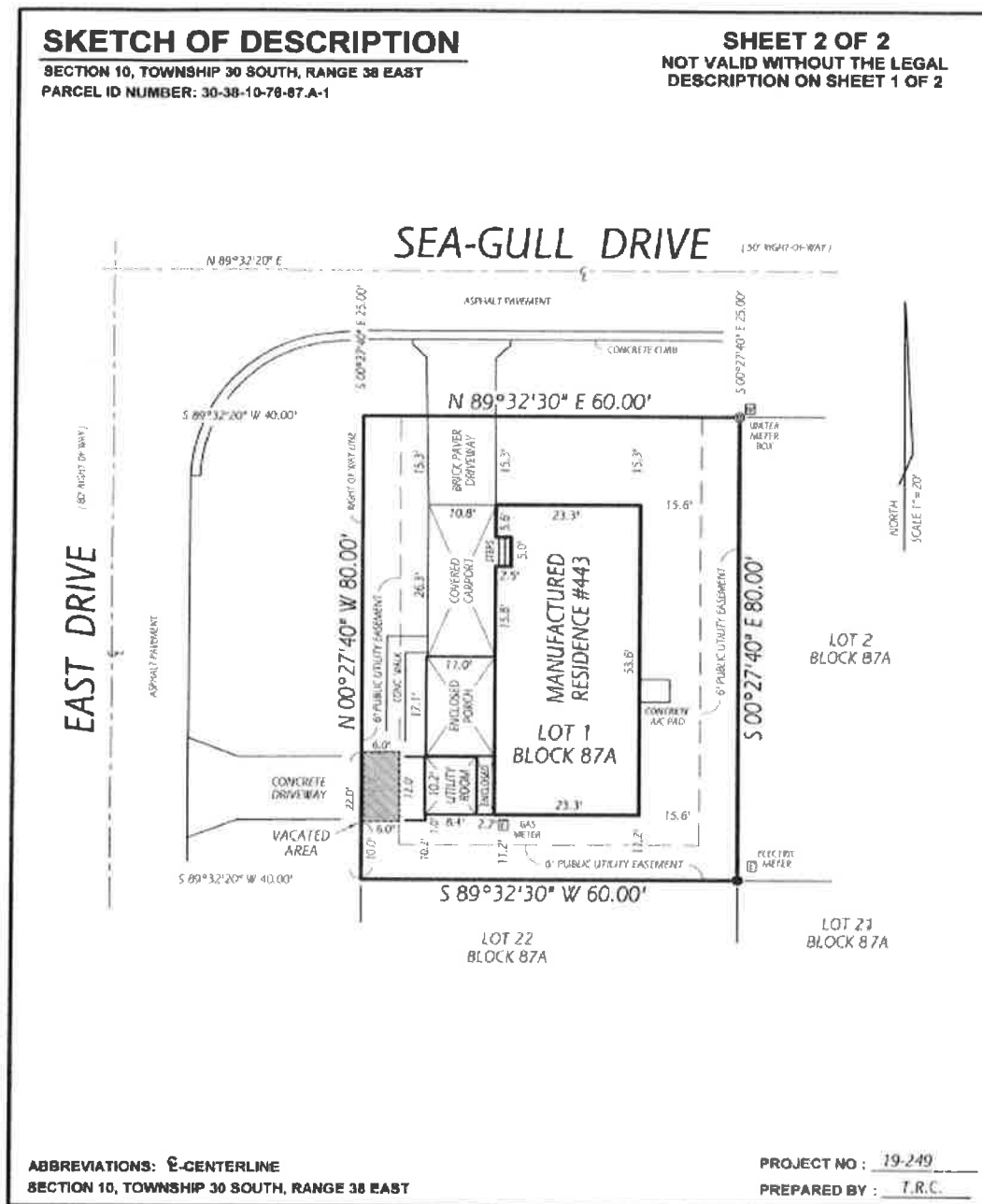


Fig. 6: Sketch of Description. Situated in Section 10, Township 30 South, Range 38 East, Parent Parcel: #30-38-10-76-87.A-1. Sheet 2 of 2. Not valid without sheet 1 of 2. Sketch illustrates lot 1 that reside on Seagull Drive, Barefoot Bay, Florida. A 6-foot public utility easement lies along the westerly line of lot 1. The coordinates of the area depicted is as follows moving North to East clockwise. North boundary – North 89°32'30" East 60.00'; East boundary South 00°27'40" East 80.00', South boundary – South 89°32'30" West 60.00'. Prepared by: Cecrle Land Surveying, Inc., FL LB# 6637. Project NO: 19-249.

Comment Sheet

Applicant: Howard LaBarca

Updated by: Amber Holley 20201201 at 1000 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20201113	20201118	Yes	No objections
FL Power & Light	20201113	20201124	Yes	No objections
At&t	20201113	20201117	Yes	No objections
Charter/Spectrum	20201113	20201116	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20201113	20201201	Yes	No objections
Land Planning	20201113	20201120	Yes	No objections
Utility Services	20201113	20201118	Yes	No objections
Storm Water	20201113	20201119	Yes	No objections
Zoning	20201113	20201120	Yes	No objections

Fig. 7: Copy of comment sheet for utility review.

Public Hearing Legal Advertisement

AD#4490958, 12/07/2020

**NOTICE FOR THE PARTIAL VACATING OF
A 6.0 FT. WIDE PUBLIC UTILITY EASE-
MENT, PLAT OF "BAREFOOT BAY MO-
BILE HOME SUBDIVISION, UNIT TWO
PART THIRTEEN" IN SECTION 10,
TOWNSHIP 30 SOUTH, RANGE 38 EAST,
BAREFOOT BAY, 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 **HOWARD T. AND MARY-ANNE JO LABARCA** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**THE NORTH 12.00 FEET OF THE SOUTH
22.00 FEET OF THE WEST 6.00 FEET OF
THE 6.00 FOOT PUBLIC UTILITY EASE-
MENT LYING ALONG THE WEST 6.00
FEET OF LOT 1, BLOCK 87A, BAREFOOT
BAY MOBILE HOME SUBDIVISION, UNIT
TWO PART THIRTEEN, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN
PLAT BOOK 23, PAGES 29 THRU 31, PUB-
LIC RECORDS OF BREVARD COUNTY,
FLORIDA. CONTAINING 72.00 SQUARE
FEET MORE OR LESS. PREPARED BY:
THOMAS R. CECRLE, 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 December 22, 2020** 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.

Fig. 8: Copy of public hearing advertisement as published on December 7, 2020 see next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 6.0 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO PART THIRTEEN" IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, 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 **HOWARD T. AND MARY-ANNE JO LABARCA** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

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The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **9:00 A.M. on December 22, 2020** 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.

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