



AGENDA REPORT  
July 9, 2019

**Petition to Vacate Public Right-of-Way 15th Street-Titusville-Lawrence P.  
and Katherine A. Hanken-(District 1)**

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**SUBJECT:**

Petition to Vacate, Re: 50.0 ft. wide Public Right-of-Way-15th Street-"Sun Valley" Plat Book 11, Page 29-Titusville-Lawrence P. and Katherine A. Hanken-District 1

**FISCAL IMPACT:**

\$640.00 Vacating Application Fee Paid by Petitioner

**DEPT/OFFICE:**

Public Works

**REQUESTED ACTION:**

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of an unopened public right-of-way adjacent to Lots 15, 16 and 17, Block 52, "Sun Valley" in Section 28, Township 22 South, Range 35 East. If approved, it is requested that the Board authorize the Chairman 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 Lots 15, 16 and 17 and are requesting the vacating of part of the 50.00 ft. wide unopened public right-of-way to allow for additional area for a proposed single-family residence. Right-of-way to be vacated contains 12,493 square feet, more or less.

June 24, 2019, 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 Titusville as follows: Begin at the intersection of S.R. 405 (Columbia Blvd.) and S. R. 407 (Challenger Memorial Pkwy); thence 0.60 miles west along S. R. 405; thence 1.10 miles north along Barna Avenue to the right-of-way on the east (right).

Fiscal Impact: The petitioners are charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 57315

**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.

**ATTACHMENTS:**

- Description**
- **Exhibits**



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

August 7, 2019

MEMORANDUM

TO: Corrina Gumm, Interim Public Works Director    Attn: Amber Holley

RE: Advertising Bills for Resolution Vacating Part of a Public Right-of-Way in Sun Valley Subdivision, Titusville

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-108, vacating part of a public right-of-way in Sun Valley Subdivision, Titusville, as petitioned by Lawrence P. and Katherine A, Hanken. Said Resolution was adopted by the Board of County Commissioners, in regular session on July 9, 2019.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/kp

Encls. (2)



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

August 7, 2019

Lawrence P. and Katherine A. Hanken  
P.O. Box 1897  
Titusville, FL 32781

Dear Mr. and Ms. Hanken:

Re: Resolution Vacating Part of a Public Right-of-Way in Sun Valley Subdivision, Titusville

The Board of County Commissioners, in regular session on July 9, 2019, adopted Resolution No. 19-108, vacating a public right-of-way in Sun Valley Subdivision, Titusville, as petitioned by you; and approved the Drainage Easement. Said Resolution has been recorded in ORBK 8506, Pages 11 through 15. Said Drainage Easement has been recorded in ORBK 8506, Pages 16 through 18. Enclosed are certified copy of the recorded Resolution and a copy of the recorded Drainage Easement for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

Encl. (2)

cc: Amber Holley, Public Works

Resolution 2019 - 108

**Vacating part of a public right-of-way in "Sun Valley" Subdivision, Titusville, Florida, lying in Section  
28, Township 22 South, Range 35 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **LAWRENCE P. AND KATHERINE A. HANKEN** with the Board of County Commissioners to vacate a portion of a public right-of-way in Brevard County, Florida, described as follows:

**SEE ATTACHED BOUNDARY SURVEY**

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 right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of the public right-of-way is hereby vacated; and Brevard County renounces and disclaims any rights in and to said right-of-way. 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 09<sup>TH</sup> day of July, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:

July 09, 2019

# BOUNDARY SURVEY

SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER:

PURPOSE OF SURVEY:

VACATING A PORTION OF RIGHT OF WAY OF 15TH STREET

SHEET 1 OF 2

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION:

A PORTION OF 15TH STREET, AS SHOWN ON THE PLAT OF SUN VALLEY, AS RECORDED IN PLAT BOOK 11, PAGE 29, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING SOUTH OF AND ADJACENT TO LOTS 15, 16 AND 17, BLOCK 52, AND NORTH OF AND ADJACENT TO LOTS 12, 13 AND 14, BLOCK 58, OF THE AFORESAID PLAT OF SUN VALLEY. CONTAINING 12,493 SQUARE FEET, 0.29 ACRES, MORE OR LESS.

## SURVEYOR'S NOTES

1. THE INTENDED PURPOSE OF THIS SURVEY IS FOR BOUNDARY INFORMATION AND IMPROVEMENTS ONLY, AS SHOWN HEREON.
2. THE UNDERSIGNED SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR BOUNDARY TO THE SUBJECT PROPERTY. IT IS POSSIBLE THAT THERE ARE DOCUMENTS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS THAT COULD AFFECT THE BOUNDARIES TO THE SUBJECT PROPERTY.
3. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
4. THIS SURVEY MEETS OR EXCEEDS THE MINIMAL HORIZONTAL CONTROL ACCURACY OF 1:7500 FOR A SUBURBAN SURVEY.
5. MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
6. DIMENSIONS TAKEN ARE AT THE EXPOSED AREAS OF IMPROVEMENTS, UNDERGROUND FOOTERS, FOUNDATIONS, UTILITIES OR OTHER SUBSURFACE STRUCTURES ARE NOT LOCATED FOR THE PURPOSE OF THIS SURVEY. ANY SUCH SUBSURFACE/UNDERGROUND IMPROVEMENTS SHOWN HAVE NOT BEEN EXCAVATED AND ARE APPROXIMATE LOCATIONS.
7. BEARINGS ARE ASSUMED BASED ON THE EAST RIGHT OF WAY LINE OF BARNA AVENUE (SUN VALLEY AVENUE), AS BEING N.00°23'38"W., PER PLAT.
8. GAGE INDUSTRIES, INC., RESERVES THE RIGHT TO UTILIZE ANY AND ALL INFORMATION OBTAINED IN THE PREPARATION OF THIS SURVEY INCLUDING THIS MAP OF LAND SURVEY, FOR ANY OTHER PURPOSES.
9. THIS SURVEY MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE PERMISSION OF GAGE INDUSTRIES, INC.
10. THIS DRAWING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND EMBOSSED LAND SURVEYOR'S SEAL.



PREPARED & CERTIFIED FOR:

LARRY HANKEN

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

Roger D. Kiser  
Professional Surveyor & Mapper No. 6104  
State of Florida

NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: GAGE INDUSTRIES, AND SURVEYING DIVISION

ADDRESS: 1996 ROBI CIRCLE, TITUSVILLE, FL

PHONE: (321) 684-0073

DRAWN BY: SEK

DATE: 1/31/2019

CHECKED BY: RDK

SHEET 1 OF 2

DRAWING NO: 190027

REVISIONS:

SECTION 28

TOWNSHIP 22 SOUTH

RANGE 35 EAST





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

AD#3642147, 6/24/2019
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF
THE UNOPENED, 50.0 FT. WIDE PUBLIC
RIGHT-OF-WAY OF 15TH STREET, PLAT
OF "SUN VALLEY" IN SECTION 28,
TOWNSHIP 22 SOUTH, RANGE 35 EAST,
TITUSVILLE, FL

STATE OF NEW JERSEY COUNTY OF MONMOUTH:
Before the undersigned authority personally appeared
Diana Figueroa, who on oath says that he or she is a Legal
Advertising Representative of the FLORIDA TODAY, a daily
newspaper published in Brevard County, Florida that the
attached copy of advertisement, being a Legal Ad in the
matter of

NOTICE 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 LAWRENCE P. AND KATHRINE A.
HANKEN with the Board of County Com-
missioners of Brevard County, Florida, to
request vacating the following described
property, to wit:

Notice Public Hearing

A PORTION OF 15TH STREET AS SHOWN
ON THE PLAT OF SUN VALLEY, AS RE-
CORDED IN PLAT BOOK 11, PAGE 29, OF
THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA, LYING SOUTH OF
AND ADJACENT TO LOTS 15, 16 AND 17,
BLOCK 52, AND NORTH OF AND ADJA-
CENT TO LOTS 12, 13 AND 14, BLOCK 58,
OF THE AFORESAID PLAT OF SUN
VALLEY, CONTAINING 12,493 SQUARE
FEET, 0.29 ACRES, MORE OR LESS PRE-
PARED BY: ROGER D. KISER, PSM

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

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 5:00
P.M. on July 09, 2019 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.

06/24/19

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.

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.

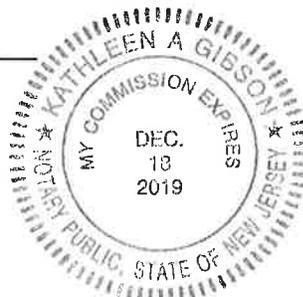
Sworn to and Subscribed before me this 24th of June 2019,
by Diana Figueroa who is personally known to me

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/hearing is contacted at least 48
hours prior to the public
meeting/hearing by any person wishing
assistance.

Signature of Diana Figueroa
Affiant

Signature of Kathleen A Gibson
Notary Kathleen A Gibson



Publication Cost: \$204.12
Ad No: 0003642147
Customer No: BRE-6BR327



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

AD#3686227, 07/18/2019
LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC RIGHT-OF-WAY IN SUN VALLEY SUBDIVISION, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST - LAWRENCE P. AND KATHERINE A. HANKEN

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 9th day of July 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of a public right-of-way in Sun Valley Subdivision, lying in Section 28, Township 22 South, Range 35 East, as petitioned by Lawrence P. and Katherine A. Hanken.

A PORTION OF 15TH STREET AS SHOWN ON THE PLAT OF SUN VALLEY, AS RECORDED IN PLAT BOOK 11, PAGE 29, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING SOUTH OF AND ADJACENT TO LOTS 15, 16 AND 17, BLOCK 52, AND NORTH OF AND ADJACENT TO LOTS 12, 13 AND 14, BLOCK 58, OF THE AFORESAID PLAT OF SUN VALLEY, CONTAINING 12,493 SQUARE FEET, 0.29 ACRES, MORE OR LESS. PREPARED BY: ROGER D. KISER, PSM

The Board further renounced and disclaimed any right of the County in and to said right-of-way.

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

STATE OF NEW JERSEY COUNTY OF MONMOUTH:
Before the undersigned authority personally appeared Shelly Hora 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:

07/18/19

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

Sworn to and Subscribed before me this 29th of July 2019, by Shelly Hora who is personally known to me

Signature of Shelly Hora
Affiant

Signature of Vicky Felty
Notary State of Wisconsin County of Brown

9-19-21

My commission expires
Publication Cost: \$109.42
Ad No: 0003686250
Customer No: BRE-6BR327



Work Request No. \_\_\_\_\_

Sec. 28, Twp 22 S, Rge 35 E

Parcel I.D. 22-35-28-01-58-12  
(Maintained by County Appraiser)

Form 3722-A (Stocked) Rev. 7/94

# EASEMENT

This Instrument Prepared By

Name: ALAN HOWARD  
Co. Name: Florida Power & Light Company  
Address: 917 TROPIC ST  
TITUSVILLE FL 32796  
pg 1 of 2.

CFN 2019170520, OR BK 8506 PAGE 16,  
Recorded 08/05/2019 at 02:13 PM, Scott Ellis, Clerk of  
Courts, Brevard County  
# Pgs:3

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement 10 feet in width described as follows:

Reserved for Circuit Court

SEE EXHIBIT A

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on May 15, 2019

Signed, sealed and delivered in the presence of:

Binda V. Chapman  
(Witness' Signature)  
Print Name: Binda V. Chapman  
(Witness)

Laura Mutter  
(Witness' Signature)  
Print Name: Laura Mutter  
(Witness)

By: William G. Gillespie, Jr  
(Grantor's signature)  
Print Name: William G. Gillespie, Jr  
Print Address: 5205 SARNA AV  
TITUSVILLE, FL 32780  
By: Karen C. Gillespie  
(Grantor's signature)  
Print Name: KAREN C. GILLESPIE  
Print Address: 5205 SARNA AV  
TITUSVILLE, FL 32780

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of May, 2019, by William Gillespie, and Karen Gillespie, who is(are) personally known to me or has(have) produced \_\_\_\_\_ as identification, and who did (did not) take an oath. (Type of Identification)

My Commission Expires:

Leah Brooks  
Notary Public, Signature  
Print Name Leah Brooks



# LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID NUMBER:

PURPOSE OF SURVEY:

10' WIDE FLORIDA POWER & LIGHT EASEMENT

## LEGAL DESCRIPTION:

A 10' WIDE UTILITY EASEMENT LYING 5 FEET EITHER SIDE OF EXISTING POWER LINE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10' WIDE EASEMENT LYING 5 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCE AT THE NORTHEAST CORNER OF LOT 13, BLOCK 58, SUN VALLEY, AS RECORDED IN PLAT BOOK 11, PAGE 29, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N.00°23'38"W., 3.52 FEET; THENCE N.89°50'21"W., PARALLEL TO THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 43.86 FEET TO THE POINT OF BEGINNING; THENCE S.89°15'36"W., A DISTANCE OF 120.64 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF BARNA AVENUE (SUN VALLEY AVENUE - A 100' RIGHT OF WAY) AND THE POINT OF TERMINUS.

CONTAINING 0.03 ACRES, 1,206 SQUARE FEET, MORE OR LESS.

## SURVEY NOTES

1. THE INTENDED PURPOSE OF THIS SKETCH IS TO DESCRIBED 10' WIDE FLORIDA POWER & LIGHT EASEMENT, AS SHOWN HEREON.
2. THIS IS A SKETCH OF DESCRIPTION ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY PERFORMED BY THIS FIRM.
3. THIS SKETCH DOES NOT REFLECT OR DETERMINE OWNERSHIP.
4. MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
5. DIMENSIONS TAKEN ARE AT THE EXPOSED AREAS OF IMPROVEMENTS, UNDERGROUND FOOTERS, FOUNDATIONS, UTILITIES OR OTHER SUBSURFACE STRUCTURES ARE NOT LOCATED FOR THE PURPOSE OF THIS SKETCH. ANY SUCH SUBSURFACE/UNDERGROUND IMPROVEMENTS SHOWN HAVE NOT BEEN EXCAVATED AND ARE APPROXIMATE LOCATIONS.
6. BEARINGS ARE REFERENCED TO THE SOUTH RIGHT OF WAY LINE OF 15TH STREET, AS BEING N.89°50'20"W., PER PLAT.
7. GAGE INDUSTRIES, INC., RESERVES THE RIGHT TO UTILIZE ANY AND ALL INFORMATION OBTAINED IN THE PREPARATION OF THIS SURVEY INCLUDING THIS SKETCH OF DESCRIPTION FOR ANY OTHER PURPOSES.
8. THIS THIS SKETCH MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE PERMISSION OF GAGE INDUSTRIES, INC.
9. THIS DRAWING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND EMBOSSED LAND SURVEYOR'S SEAL.

Roger D. Kiser  
Professional Surveyor & Mapper No. 6104  
State of Florida  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED & CERTIFIED FOR:  
WILLIAM & KAREN GILLESPIE  
FLORIDA POWER & LIGHT COMPANY

PREPARED BY: GAGE INDUSTRIES, AND SURVEYING DIVISION

ADDRESS: 1996 ROBI CIRCLE, TITUSVILLE, FL

PHONE: (321) 684-0073

DRAWN BY: SEK  
DATE: 4/9/2019

CHECKED BY: RDK  
SHEET 1 OF 2

DRAWING NO: 190027  
REVISIONS:

SECTION 28  
TOWNSHIP 22 SOUTH  
RANGE 35 EAST



# Appraiser's Detail Sheet



**Brevard County Property Appraiser**  
 Titusville • Merritt Island • Viera • Melbourne • Palm Bay  
**PROPERTY DETAILS**

Phone: (321) 264-6700  
<https://www.bcpao.us>

|                  |   |
|------------------|---|
| Account          | 3013940   |
| Owners           | Hanken, Lawrence P; Hanken, Kathrine A                  |
| Mailing Address  | PO Box 1897 Titusville FL 32781                         |
| Site Address     | 5145 Barna Ave Titusville FL 32780                      |
| Parcel ID        | 22-35-28-01-52-15                                       |
| Property Use     | 0010 - Vacant Residential Land (Single Family, Platted) |
| Exemptions       | None  |
| Taxing District  | 1300 - Unincorp District 1                              |
| Total Acres      | 0.58  |
| Subdivision      | Sun Valley Subd   |
| Site Code        | 0001 - No Other Code Appl.                              |
| Plat Book/Page   | 0011/0029   |
| Land Description | Sun Valley Subd Lots 15, 16 & 17 Blk 52                 |

### VALUE SUMMARY

| Category                  | 2018     | 2017     | 2016 |
|---------------------------|----------|----------|------|
| Market Value              | \$18,560 | \$18,560 | \$0  |
| Agricultural Land Value   | \$0      | \$0      | \$0  |
| Assessed Value Non-School | \$18,560 | \$18,560 | \$0  |
| Assessed Value School     | \$18,560 | \$18,560 | \$0  |
| Homestead Exemption       | \$0      | \$0      | \$0  |
| Additional Homestead      | \$0      | \$0      | \$0  |
| Other Exemptions          | \$0      | \$0      | \$0  |
| Taxable Value Non-School  | \$18,560 | \$18,560 | \$0  |
| Taxable Value School      | \$18,560 | \$18,560 | \$0  |

### SALES/TRANSFERS

| Date       | Price    | Type | Parcel   | Deed      |
|------------|----------|------|----------|-----------|
| 12/19/2018 | \$45,000 | WD   | Vacant   | 8340/0754 |
| 10/17/2016 | -        | WD   | Improved | 7734/1472 |

No Data Found

Fig. 1: Copy of Brevard County Property Appraiser's detail sheet for Lots 15, 16 & 17, Block 52, Sun Valley, Lawrence P. and Katherine A. Hanken, 5145 Barna Avenue, Titusville, Section 28, Township 22 South, Range 35 East, District 1

## Vicinity Map

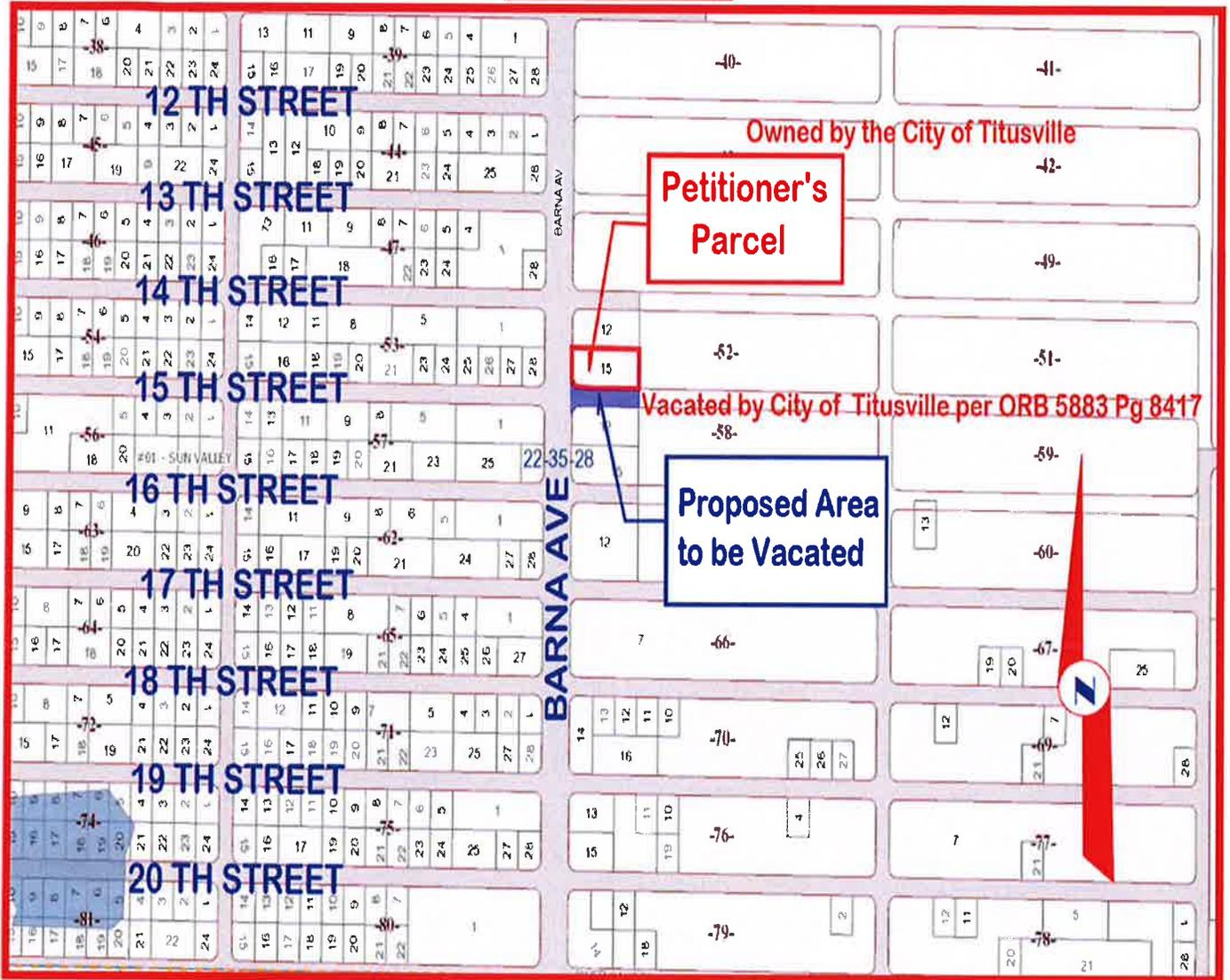


Fig. 2: Map of Lots 15, 16 & 17, Block 52, Sun Valley, Unopened 15<sup>th</sup> Street

Lawrence P. and Katherine A. Hanken – Lots 15, 16 & 17, Block 52, “Sun Valley” (Plat Book 11, Page 29) – 15<sup>th</sup> Street – Section 28, Township 22 South, Range 35 East – District 1 – Proposed Vacating of a 50.0 ft. Wide Public Right-of-Way

## Aerial Map



Fig. 3: Map of aerial view of Lots 15, 16 & 17, Block 52, Sun Valley, Unopened 15<sup>th</sup> Street

Lawrence P. and Katherine A. Hanken – Lots 15, 16 & 17, Block 52, “Sun Valley” (Plat Book 11, Page 29) – 15<sup>th</sup> Street – Section 28, Township 22 South, Range 35 East – District 1 – Proposed Vacating of a 50.0 ft. Wide Public Right-of-Way

# Plat Reference

Plat Book No. 24

129

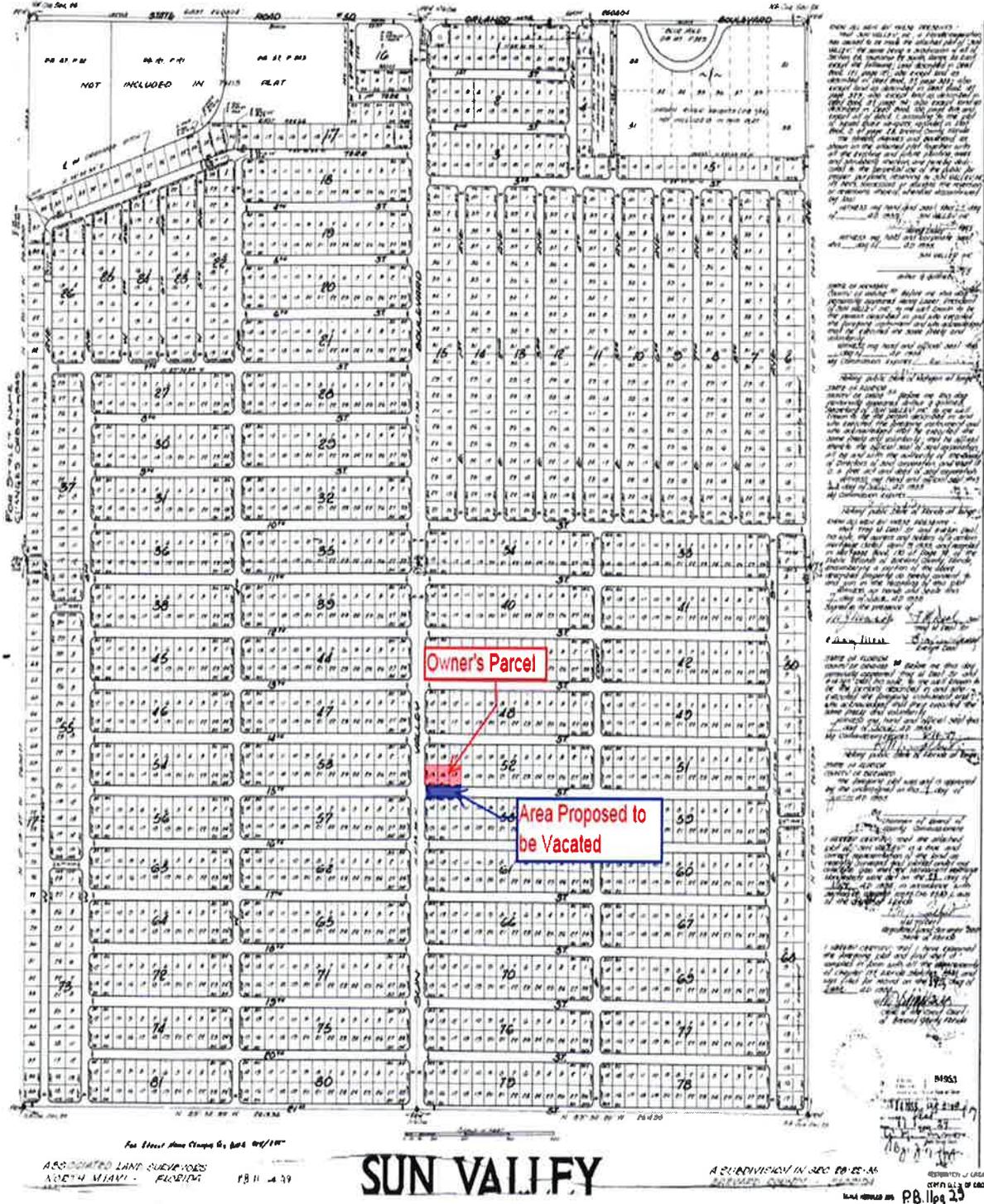


Fig. 4: Copy of plat map "Sun Valley" dedicated to Brevard County June 14, 1955

## Petitioner's Deed 1 of 2

CFN 2019000365, OR BK 8340 Page 754, Recorded 01/02/2019 at 01:48 PM Scott Ellis, Clerk of Courts, Brevard County Doc. D: \$315.00

Prepared by and Returns to Tiffany Scarboro,  
an employee of First International Title, Inc.  
325 Indian River Avenue  
Titusville, FL 32796  
File No.: 135829-44

### WARRANTY DEED

This indenture made on December 19, 2018, by Micah Loyd and Gene Loyd whose address is: 3838 S. Hopkins Ave, Titusville, FL 32780 hereinafter called the "grantor",

to Lawrence P. Hanken and Kathrine A. Hanken, husband and wife whose address is: P. O. Box 1897, Titusville, FL 32781, hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, to-wit:

Lots 15, 16 and 17, Block 52, SUN VALLEY, according to the Plat thereof, recorded in Plat Book 11, Page(s) 29 of the Public Records of Brevard County, Florida.

\*This property is vacant and unimproved and has never been the homestead of the grantors.

Parcel Identification Number: 22-35-28-01-52-15

The land is not the homestead of the Grantor under the laws and Constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

**Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.**

**Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.**

**To Have and to Hold**, the same in fee simple forever.

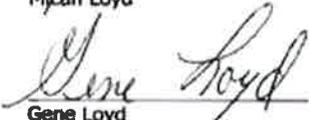
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2017.

Fig. 5: Copy of deed of sale for lots 15, 16 and 17, Block 52, Sun Valley, 5145 Barna Ave, Titusville, FL to Lawrence P. and Katherine A. Hanken on December 19, 2018.

Petitioner's Deed 2 of 2

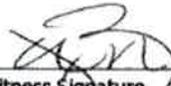
In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

  
\_\_\_\_\_  
Micah Loyd

  
\_\_\_\_\_  
Gene Loyd

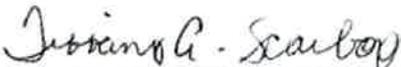
*Signed, sealed and delivered in our presence:*

  
\_\_\_\_\_  
Witness Signature  
Print Name: Tiffany Scarboro

  
\_\_\_\_\_  
Witness Signature  
Print Name: Jennifer Bergquist

State of FLORIDA  
County of BREVARD

The Foregoing Instrument Was Acknowledged before me on December 18th, 2018, by Micah Loyd and Gene Loyd, who is/are personally known to me or who has/have produced a valid Driver's License as identification.

  
\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission expires:



# Petitioner's Boundary Survey Sheet 1 of 2

|  |                        |   |
|--|------------------------|---|
| <b>BOUNDARY SURVEY</b>   |                        | SHEET 1 OF 2  |
| SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST   |                        | NOT VALID WITHOUT THE<br>SKETCH ON SHEET 2 OF 2   |
| PARCEL ID NUMBER:  |                        |   |
| PURPOSE OF SURVEY:<br>VACATING A PORTION OF RIGHT OF WAY OF 15TH STREET  |                        |   |
| <b>LEGAL DESCRIPTION:</b><br>A PORTION OF 15TH STREET, AS SHOWN ON THE PLAT OF SUN VALLEY, AS RECORDED IN PLAT BOOK 11, PAGE 29, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING SOUTH OF AND ADJACENT TO LOTS 15, 16 AND 17, BLOCK 52, AND NORTH OF AND ADJACENT TO LOTS 12, 13 AND 14, BLOCK 58, OF THE AFORESAID PLAT OF SUN VALLEY. CONTAINING 12,493 SQUARE FEET, 0.29 ACRES, MORE OR LESS. |                        |   |
| <b>SURVEYOR'S NOTES</b>  |                        |   |
| 1. THE INTENDED PURPOSE OF THIS SURVEY IS FOR BOUNDARY INFORMATION AND IMPROVEMENTS ONLY, AS SHOWN HEREON.   |                        |   |
| 2. THE UNDERSIGNED SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR BOUNDARY TO THE SUBJECT PROPERTY. IT IS POSSIBLE THAT THERE ARE DOCUMENTS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS THAT COULD AFFECT THE BOUNDARIES TO THE SUBJECT PROPERTY.  |                        |   |
| 3. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.  |                        |   |
| 4. THIS SURVEY MEETS OR EXCEEDS THE MINIMAL HORIZONTAL CONTROL ACCURACY OF 1:7500 FOR A SUBURBAN SURVEY.   |                        |   |
| 5. MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.  |                        |   |
| 6. DIMENSIONS TAKEN ARE AT THE EXPOSED AREAS OF IMPROVEMENTS, UNDERGROUND FOOTERS, FOUNDATIONS, UTILITIES OR OTHER SUBSURFACE STRUCTURES ARE NOT LOCATED FOR THE PURPOSE OF THIS SURVEY. ANY SUCH SUBSURFACE/UNDERGROUND IMPROVEMENTS SHOWN HAVE NOT BEEN EXCAVATED AND ARE APPROXIMATE LOCATIONS.   |                        |   |
| 7. BEARINGS ARE ASSUMED BASED ON THE EAST RIGHT OF WAY LINE OF BARNA AVENUE (SUN VALLEY AVENUE), AS BEING N.00°23'38"W., PER PLAT.   |                        |   |
| 8. GAGE INDUSTRIES, INC., RESERVES THE RIGHT TO UTILIZE ANY AND ALL INFORMATION OBTAINED IN THE PREPARATION OF THIS SURVEY INCLUDING THIS MAP OF LAND SURVEY, FOR ANY OTHER PURPOSES.  |                        |   |
| 9. THIS SURVEY MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE PERMISSION OF GAGE INDUSTRIES, INC.   |                        |   |
| 10. THIS DRAWING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND EMBOSSED LAND SURVEYOR'S SEAL.  |                        |   |
| PREPARED & CERTIFIED FOR:<br>LARRY HANKEN<br>BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  |                        | <br>Roger U. Kiser<br>Professional Surveyor & Mapper No. 6104<br>State of Florida<br>NOT VALID UNLESS SIGNED AND SEALED |
| PREPARED BY: GAGE INDUSTRIES, AND SURVEYING DIVISION<br>ADDRESS: 1996 ROBI CIRCLE, TITUSVILLE, FL<br>PHONE: (321) 884-0073   |                        |   |
| DRAWN BY: <u>SEK</u>   | CHECKED BY: <u>RDK</u> | DRAWING NO: <u>190027</u>   |
| DATE: <u>1/31/2019</u>   | SHEET 1 OF 2           | REVISIONS:  |
|  |                        | SECTION 28<br>TOWNSHIP 22 SOUTH<br>RANGE 35 EAST  |

Fig. 6: Copy of legal description sheet 1 of 2 for unopened 15<sup>th</sup> Street, Sun Valley.

# Petitioner's Boundary Survey Sheet 2 of 2

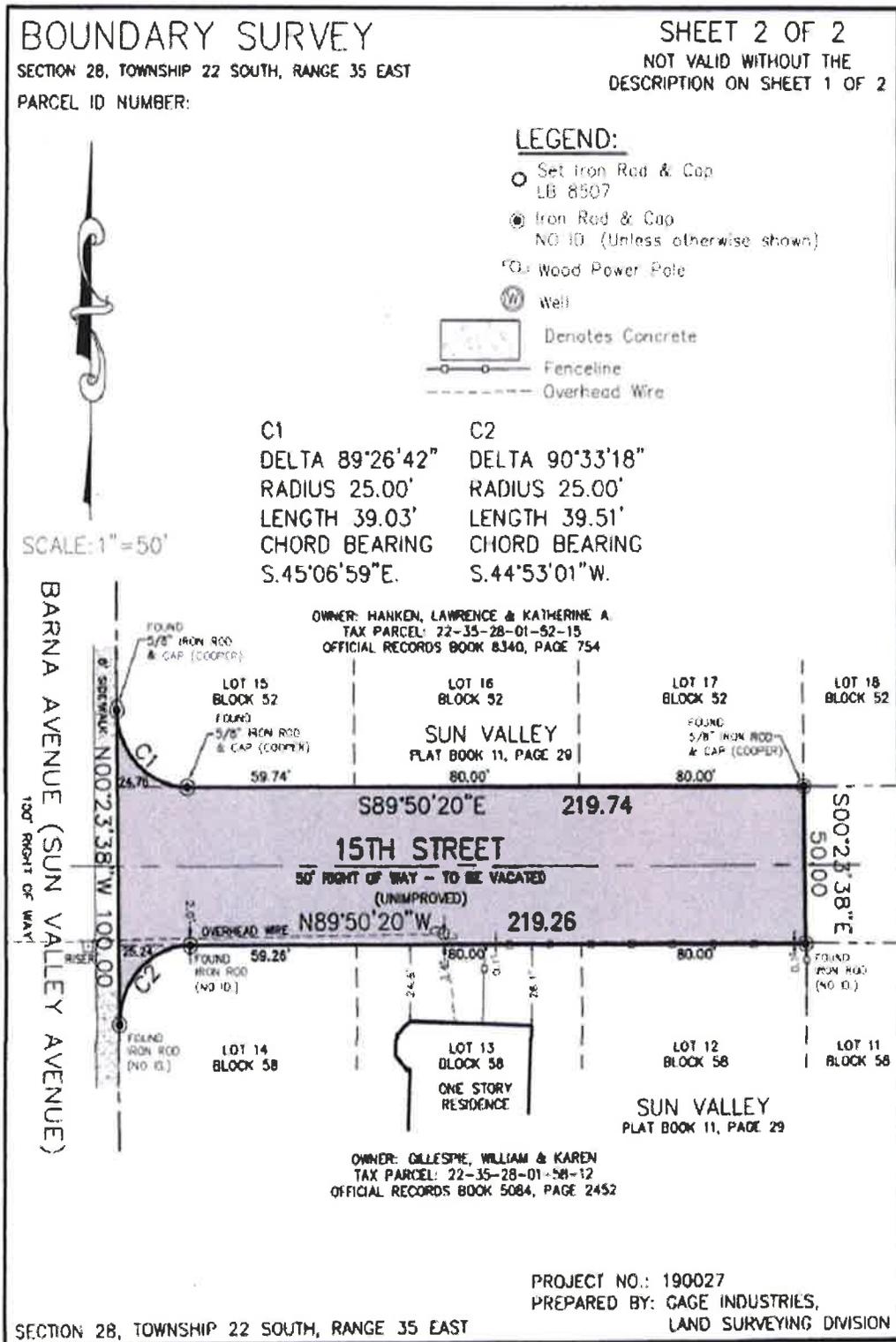


Fig. 7: Copy of sketch sheet 2 of 2 for unopened 15<sup>th</sup> Street, Sun Valley.

# Comment Sheet

## COMMENT SUMMARY

APPLICANT: Lawrence P. Hanken

UPDATED / BY: Amber Holley 20190319 @ 15:30

| COMPANIES                    | NOTIFIED | COMMENTS RECEIVED | APPROVED | STIPULATIONS/REMARKS           |
|------------------------------|----------|-------------------|----------|--------------------------------|
| <b>UTILITIES</b>             |          |                   |          |                                |
| Florida City Gas Co.         | 20190301 | 20190301          | YES      | NO OBJECTIONS                  |
| Florida Power & Light Co.    | 20190301 | 20190319          | YES      | NO OBJECTION WITH PRIVATE ESMT |
| AT & T                       | 20190301 | 20190304          | YES      | NO OBJECTIONS                  |
| Florida Gas Transmission Co. | 20190301 | 20190304          | YES      | NO OBJECTIONS                  |
| Charter Communications       | 20190301 | 20190305          | YES      | NO OBJECTIONS                  |
| City of Titusville           | 20190301 | 20190322          | YES      | NO RESPONSE                    |
|                              |          |                   |          |                                |
|                              |          |                   |          |                                |
|                              |          |                   |          |                                |
|                              |          |                   |          |                                |
|                              |          |                   |          |                                |
| <b>COUNTY STAFF</b>          |          |                   |          |                                |
| Road & Bridge                | 20190301 | 20190305          | YES      | NO OBJECTIONS-DAVE BARBER      |
| Traffic Engineering          | 20190301 | 20190304          | YES      | NO OBJECTIONS-DEVIN SWANSON    |
| Land Acquisition             | 20190301 | 20190304          | YES      | NO OBJECTIONS-BLAISE MANCINI   |
| Land Planning                | 20190301 | 20190307          | YES      | NO OBJECTIONS-REBECCA RAGAIN   |
| Utility Services             | 20190301 | 20190304          | YES      | NO OBJECTIONS-TAMMY HURLEY     |
| NRMD / Storm Water           | 20190301 | 20190318          | YES      | NO OBJECTIONS-HARVEY WHEELER   |
| Zoning                       | 20190301 | 20190311          | YES      | NO OBJECTIONS-PAUL BODY        |
| Chief Bill Burns             | 20190301 |                   |          |                                |
| Chief Mark Schollmeyer       | 20190301 |                   |          |                                |
| Chief Frank Scates           | 20190301 |                   |          |                                |
| Chief Doug Carter            | 20190301 | 20190304          | YES      | NO OBJECTIONS-DOUGLAS CARTER   |
| Paula Fickle                 | 20190301 |                   |          |                                |
|                              |          |                   |          |                                |
|                              |          |                   |          |                                |
|                              |          |                   |          |                                |
|                              |          |                   |          |                                |

Fig. 8: Copy of comment sheet for utility review.

## Public Hearing Legal Advertisement

Florida Today | Notice Public Hearing

**AD#3642147, 6/24/2019 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF THE UNOPENED, 50.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF 15TH STREET, PLAT OF "SUN VALLEY" IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST, TITUSVILLE, 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 LAWRENCE P. AND KATHRINE A. HANKEN with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: A PORTION OF 15TH STREET, AS SHOWN ON THE PLAT OF SUN VALLEY, AS RECORDED IN PLAT BOOK 11, PAGE 29, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING SOUTH OF AND ADJACENT TO LOTS 15, 16 AND 17, BLOCK 52, AND NORTH OF AND ADJACENT TO LOTS 12, 13 AND 14, BLOCK 58, OF THE AFORESAID PLAT OF SUN VALLEY. CONTAINING 12,493 SQUARE FEET, 0.29 ACRES, MORE OR LESS. PREPARED BY: ROGER D. KISER, 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 5:00 P.M. on July 09, 2019 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. 9: Copy of public hearing advertisement as published on June 24, 2019 see next page for full text.

## Legal Notice Text

Requested by: Public Works Department of Brevard County, Florida  
Corrina Gumm/ Interim Director  
By: Amber Holley / Vacating Acquisition & Review Specialist

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Florida Today:  
Please advertise in the June 24, 2019 issue of Florida TODAY.

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**PLEASE NOTE! Please use account #BRE-6BR327 and Purchase Order No. 4500092228-10, forward invoice and proof of publication to Amber Holley, Brevard County Public Works Dept., Surveying & Mapping Program, 2725 Judge Fran Jamieson Way, Room A-220, Viera, FL, 32940**

### LEGAL NOTICE

#### **NOTICE FOR THE PARTIAL VACATING OF THE UNOPENED, 50.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF 15TH STREET, PLAT OF "SUN VALLEY" IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST, TITUSVILLE, FL**

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