

Meeting Date
April 19, 2016



AGENDA	
Section	PUBLIC HEARING
Item No.	IV. A

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Public Utility Easement – U. S. Highway No. 1 – “Haley Subdivision” – Melbourne – William and Kelly Neeley – District 4 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating parts of 5.0 ft. wide and 10.0 ft. wide public utility easements at Lots 2 and 3, “Haley Subdivision” in Section 32, Township 26 South, Range 37 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioners as owners of Lots 2 and 3 are requesting the partial vacating of 5.0 ft. wide and 10.00 ft. wide public utility easements to allow for the permitting and construction of a single family residence over the common lot line. Easements to be vacated contain 3,686 square feet, more or less.

March 28, 2016, 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 Melbourne as follows: Begin at the intersection of U.S. Highway No. 1 and Post Road; thence 0.15 miles north along U. S. Highway No. 1 to the lots 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 0002-30265-3699000, revenue account for vacatings. This action is in keeping with the County’s efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year’s budget.

Name: Marc.Cazessus@brevardcounty.us Phone: Ext. 57315

Exhibits Attached: Resolution, Appraisers detail sheet, vicinity map, aerial map, plat (if applicable), petitioner’s deed, boundary survey (if available), boundary survey (right-of-way vacating) or sketch and description (easement vacating), comment summary sheet and legal notice of public hearing advertisement.

Clerk to the Board instruction: Advertise adopted Resolution Notice & Record Vacating Resolution Documents as one document (which in sequence includes the proof of publication of the notice of the public hearing, the adopted resolution, and the proof of publication of the notice of the adopted resolution)

Contract / Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten	Assistant County Manager Venetta Valdengo	John Denninghoff / Ext. 57202



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

May 6, 2016

M E M O R A N D U M

TO: John Denninghoff, Public Works Director Attn: Marc Cazessus

RE: Advertising Bills and Receipt for Resolution Vacating Portions of a 5.0 Ft. Wide and 10.0 Ft. Wide Public Utility Easements – Hailey Subdivision, Melbourne

Enclosed for your necessary action are copies of the advertising bills and receipt of recordation for Resolution No. 16-047, vacating portions of a 5.0 Ft. wide and 10.0 Ft. wide public utility easements – Haley Subdivision, Melbourne, in Section 32, Township 26 South, Range 37 East – William and Kelly Neeley. Said Resolution was adopted by the Board of County Commissioners, in regular session on April 19, 2016.

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

Tammy Rowe, Deputy Clerk

/ds

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

May 6, 2016

William and Kelly Neeley
700 North Wickham Road, Suite 105
Melbourne, FL 32935

Dear Mr. & Mrs. Neeley:

Re: Resolution Vacating Portions of a 5.0 Ft. Wide and 10.0 Ft. Wide Public Utility Easements – Haley Subdivision, Melbourne

The Board of County Commissioners, in regular session on April 19, 2016, adopted Resolution No. 16-047, vacating portions of a 5.0 ft. wide and 10.0 ft. wide public utility easements – Haley Subdivision, Melbourne, located in Section 32, Township 26 South, Range 37 East, as petitioned by you. Said Resolution has been recorded in ORBK 7606, Pages 1235 through 1241. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

RESOLUTION 2016 - 047

**VACATING PORTIONS OF 5.0 FT. WIDE AND 10.0 FT. WIDE PUBLIC UTILITY
EASEMENTS IN "HALEY SUBDIVISION", MELBOURNE, FLORIDA, LYING IN SECTION, 32,
TOWNSHIP 26 SOUTH, RANGE 37 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **WILLIAM AND KELLY NEELEY** with the Board of County Commissioners to vacate portions of two public utility easements 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 portions of the public utility easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portions of the public utility easements are hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. 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.

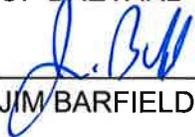
DONE, ORDERED AND ADOPTED, in regular session, this 19th day of April, 2016 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



JIM BARFIELD, CHAIRMAN

As approved by the Board on:
April 19, 2016

LEGAL DESCRIPTION

SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

SHEET 1 OF 2

NOT VALID WITHOUT
SHEET 2 OF 2

PARCEL ID# 26-37-32-54-A-2
AND 26-37-32-54-A-3

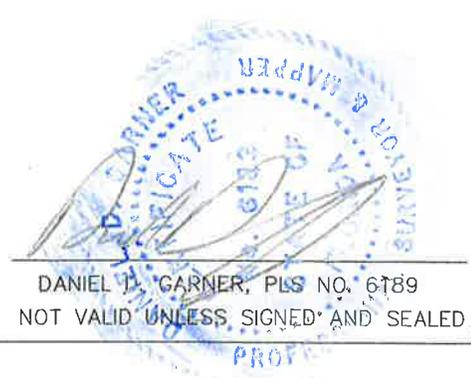
PURPOSE: VACATE A PORTION OF TWO 5.00
FOOT WIDE PUBLIC UTILITY AND DRAINAGE
EASEMENTS.

DESCRIPTION:

THE 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 2 AND 3, BLOCK A, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA WHICH LIES EASTERLY OF THE EAST LINE OF THE 100.00 FOOT WIDE PUBLIC UTILITY AND INGRESS/EGRESS AND PRIVATE DRAINAGE EASEMENT AS DEPICTED ON SAID PLAT. CONTAINING 3,230 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A BOUNDARY SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE STRIP OF LAND HEREIN DESCRIBED HEREIN.
2. THE BEARING SHOWN HEREON ARE BASED ON THE SOUTH LINE OF HALEY SUBDIVISION WHICH BEARS $S66^{\circ}52'41''W$, AN ASSUMED BEARING, AS SHOWN ON THE PLAT OF HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
4. THE PUPOSE OF THIS SKETCH AND DESCRIPTION IS TO VACATE TWO 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS.



DANIEL J. GARNER, PLS NO. 6189
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR:

WILLIAM AND KELLY NEELEY

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.

ADDRESS: 3970 MINTON ROAD, WEST MELBOURNE, FL. 32904

LICENSE BUSINESS #6623

PHONE: (321) 768-8110, FAX: (321) 952-9771, E-MAIL: aalsurvey@aalsurvey.com

DRAWN BY: J. BROMAN

CHECKED BY: A. W. POWSHOK

DRAWING NO. 34232-SOD-1

SECTION 32

DATE: 01-11-16

SHEET 1 OF 2

REVISIONS 03-10-16

TOWNSHIP 26 SOUTH

RANGE 37 EAST

SKETCH OF DESCRIPTION

SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

THIS IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREON.

PARCEL ID# 26-37-32-54-A-2
AND 26-37-32-54-A-3

SHEET 2 OF 2

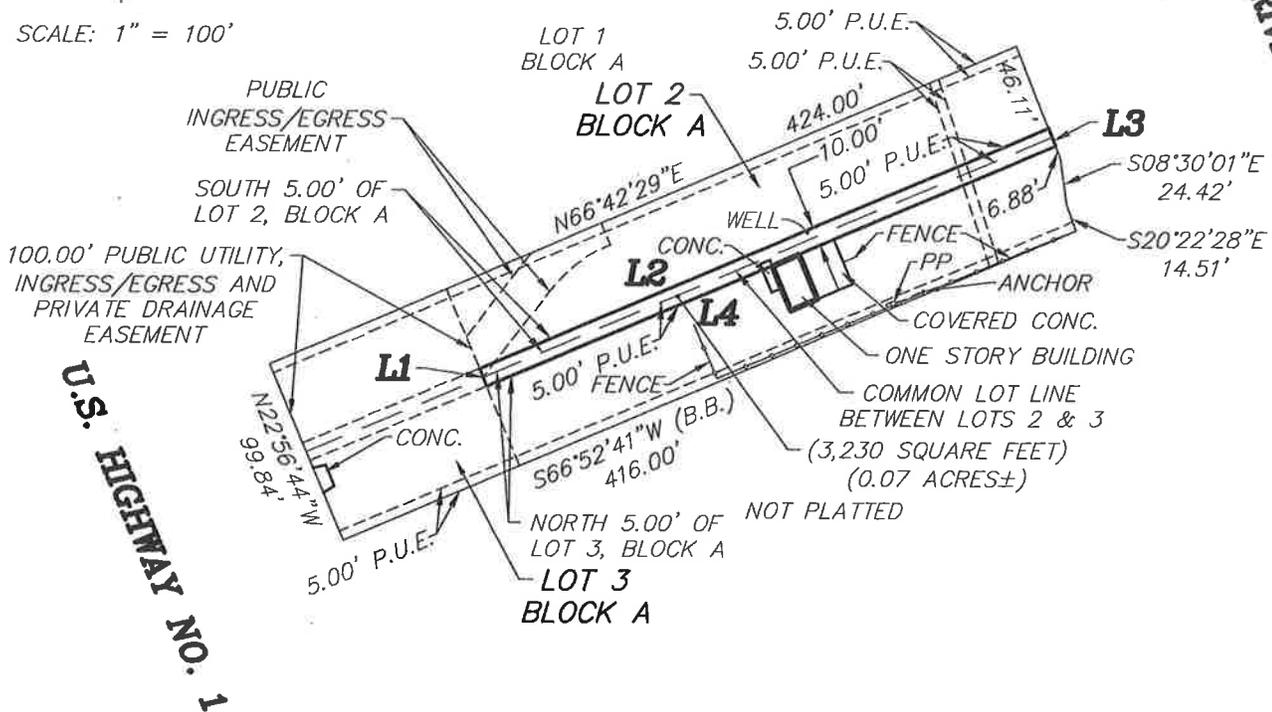
THIS SKETCH IS NOT A SURVEY AND IS NOT VALID WITHOUT SHEET 1 OF 2

LINE TABLE

L1=N23°07'19"W	10.00'
L2=N66°52'41"E	323.08'
L3=S21°48'14"E	10.00'
L4=S66°52'41"W	322.88'



SCALE: 1" = 100'



INDIAN RIVER

LEGEND

- B.B. - BEARING BASIS
- CONC. - CONCRETE
- PP - POWER POLE
- P.U.E. - PUBLIC UTILITY EASEMENT

DRAWING NO. 34232-SOD-1

SECTION 32, TOWNSHIP 26
SOUTH, RANGE 37 EAST

PREPARED BY:
AAL LAND SURVEYING SERVICES, INC.

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

NOT VALID WITHOUT
SHEET 2 OF 2

PARCEL ID# 26-37-32-54-A-2
AND 26-37-32-54-A-3

PURPOSE: VACATE A 5.00 FOOT WIDE PUBLIC
UTILITY EASEMENT.

DESCRIPTION:

THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING WITHIN LOTS 2 AND 3, BLOCK A, LESS AND EXCEPT THE NORTH 5.00 FEET OF SAID LOT 2 AND THE SOUTH 5.00 FEET OF SAID LOT 3, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 456 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A BOUNDARY SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE STRIP OF LAND HEREIN DESCRIBED HEREIN.
2. THE BEARING SHOWN HEREON ARE BASED ON THE SOUTH LINE OF HALEY SUBDIVISION WHICH BEARS S66°52'41"W, AN ASSUMED BEARING, AS SHOWN ON THE PLAT OF HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
4. THE PUPOSE OF THIS SKETCH AND DESCRIPTION IS TO VACATE A 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT.

PREPARED FOR:

WILLIAM AND KELLY NEELEY

DANIEL D. GARNER, FLS NO. 6189
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.

ADDRESS: 3970 MINTON ROAD, WEST MELBOURNE, FL. 32904

PHONE: (321) 768-8110, FAX: (321) 952-9771, E-MAIL: aalsurvey@aalsurvey.com

LICENSE BUSINESS #6623

DRAWN BY: J. BROMAN

CHECKED BY: A. W. POWSHOK

DRAWING NO. 34232-SOD-2

SECTION 32

DATE: 01-11-16

SHEET 1 OF 2

REVISIONS 03-10-16

TOWNSHIP 26 SOUTH

RANGE 37 EAST

SKETCH OF DESCRIPTION

SHEET 2 OF 2

SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

THIS IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREON.

THIS SKETCH IS NOT A SURVEY AND IS NOT VALID WITHOUT SHEET 1 OF 2

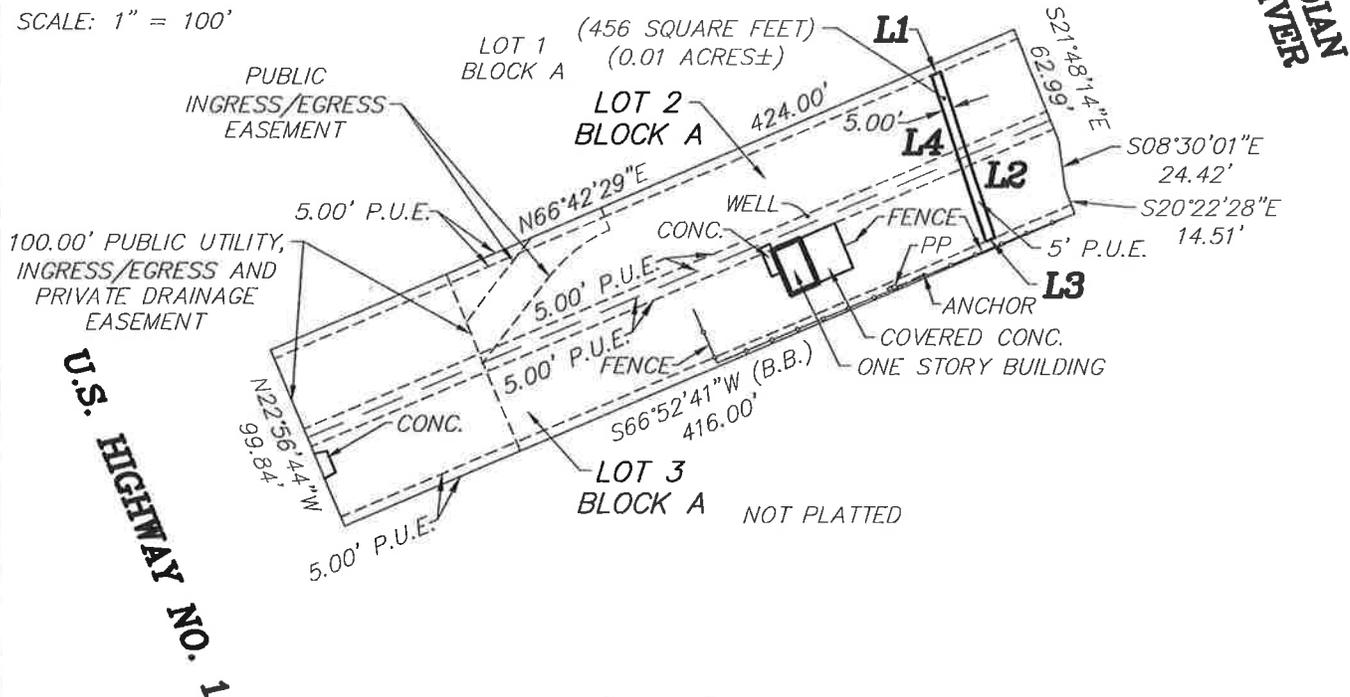
PARCEL ID# 26-37-32-54-A-2
AND 26-37-32-54-A-3

LINE TABLE

L1=N66°42'29"E	5.02'
L2=S18°30'49"E	91.26'
L3=S66°52'41"W	5.02'
L4=N18°30'49"W	91.25'



SCALE: 1" = 100'



LEGEND

- B.B. - BEARING BASIS
- CONC. - CONCRETE
- PP - POWER POLE
- P.U.E. - PUBLIC UTILITY EASEMENT

DRAWING NO. 34232-SOD-2
SECTION 32, TOWNSHIP 26
SOUTH, RANGE 37 EAST

PREPARED BY:
AAL LAND SURVEYING SERVICES, INC.

A Daily Publication By:



BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
VIERA FL 32940

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared
Kim Curro, 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:

03/28/16

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 March
2016, by Kim Curro who is personally known to me

Handwritten signature of Adia Bell

Adia Bell
Notary Public for the State of Florida
My Commission expires January 27, 2020

Publication Cost: \$259.54
Ad No: 0001144991
Customer No: BRE-6BR327



Adia Bell
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF954893
Expires 1/27/2020

AD#1144991 3/28/2016

LEGAL NOTICE
NOTICE TO VACATE PORTIONS OF A
5.00 FT. WIDE AND 10.00 FT. WIDE
PUBLIC UTILITY EASEMENTS AT LOTS
2 AND 3, BLOCK A, PLAT OF "HALEY
SUBDIVISION" IN MELBOURNE, FLORI-
DA AND LYING IN SECTION 32,
TOWNSHIP 26 SOUTH, RANGE 37
EAST

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 William and Kelly Neeley with
the Board of County Commissioners of
Brevard County, Florida, to request
vacating the following described proper-
ty, to wit:
SEE EXHIBIT "A"

The Board of County Commissioners will
hold a public hearing to determine the
advisability of such vacating of the
above-described easements at 9:00 a.m.
on April 19, 2016 at the Brevard County
Government Center Board Room, Build-
ing 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 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/hearing is contacted at least 48
hours prior to the public
meeting/hearing by any person wishing
assistance.

EXHIBIT "A"

THE 5.00 FOOT WIDE PUBLIC UTILITY
EASEMENT LYING WITHIN LOTS 2 AND 3,
BLOCK A, LESS AND EXCEPT THE NORTH
5.00 FEET OF SAID LOT 2 AND THE
SOUTH 5.00 FEET OF SAID LOT 3, HALEY
SUBDIVISION, ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK
61, PAGE 18, OF THE PUBLIC RECORDS
OF BREVARD COUNTY, FLORIDA, CON-
TAINING 456 SQUARE FEET OR 0.01
ACRES, MORE OR LESS.

TOGETHER WITH:
DESCRIPTION: THE 10.00 FOOT WIDE
PUBLIC UTILITY EASEMENT CENTERED
ALONG THE COMMON LOT LINE BE-
TWEEN LOTS 2 AND 3, BLOCK A, HALEY
SUBDIVISION, ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK
61, PAGE 18, OF THE PUBLIC RECORDS
OF BREVARD COUNTY, FLORIDA WHICH
LIES EASTERLY OF THE EAST LINE OF THE
100.00 FOOT WIDE PUBLIC UTILITY AND
INGRESS/EGRESS AND PRIVATE DRAIN-
AGE EASEMENT AS DEPICTED ON SAID
PLAT, CONTAINING 3,230 SQUARE FEET
OR 0.07 ACRES, MORE OR LESS.

PREPARED BY: DANIEL D. GARNER, PLS



A Daily Publication By:



CLERK TO THE BOARD OF COUNTY C
400 SOUTH ST
TITUSVILLE FL 32780

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared
Kim Curro, 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:

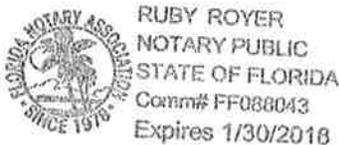
04/23/16

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 25th of April
2016, by Kim Curro who is personally known to me

Ruby Royer signature
Ruby Royer
Notary Public for the State of Florida
My Commission expires January 30, 2018

Publication Cost: \$159.99
Ad No: 0001217537
Customer No: BRE-6BR427



AD#1217537 LEGAL NOTICE 4/23/2016
RESOLUTION VACATING PORTIONS OF
5.0 FT. WIDE AND 10.0 FT. WIDE PUBLIC
UTILITY EASEMENTS - HALEY SUBDIVI-
SION, MELBOURNE, IN SECTION 32,
TOWNSHIP 26 SOUTH, RANGE 37 EAST
TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the
19th day of April, 2016, the Board of
County Commissioners of Brevard Coun-
ty, Florida, adopted a Resolution
vacating portions of 5.0 ft. wide and
10.0 ft. wide public utility easements -
Haley Subdivision, Melbourne, in Section
32, Township 26 South, Range 37 East, as
petitioned by William and Kelly Neeley.
SEE ATTACHED EXHIBIT "A"
The Board further renounced and dis-
claimed any right of the County in and
to said public utility and drainage ease-
ment.
BY ORDER OF THE BOARD OF COUNTY
COMMISSIONERS OF
BREVARD COUNTY, FLORIDA
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk
THE 5.00 FOOT WIDE PUBLIC UTILITY
EASEMENT LYING WITHIN LOTS 2 AND 3,
BLOCK A, LESS AND EXCEPT THE NORTH
5.00 FEET OF SAID LOT 2 AND THE
SOUTH 5.00 FEET OF SAID LOT 3, HALEY
SUBDIVISION, ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK
61, PAGE 18, OF THE PUBLIC RECORDS
OF BREVARD COUNTY, FLORIDA. CON-
TAINING 456 SQUARE FEET OR 0.01
ACRES, MORE OR LESS.
TOGETHER WITH:
DESCRIPTION: THE 10.00 FOOT WIDE
PUBLIC UTILITY EASEMENT CENTERED
ALONG THE COMMON LOT LINE BE-
TWEEN LOTS 2 AND 3, BLOCK A, HALEY
SUBDIVISION, ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK
61, PAGE 18, OF THE PUBLIC RECORDS
OF BREVARD COUNTY, FLORIDA WHICH
LIES EASTERLY OF THE EAST LINE OF THE
100.00 FOOT WIDE PUBLIC UTILITY AND
INGRESS/EGRESS AND PRIVATE DRAIN-
AGE EASEMENT AS DEPICTED ON SAID
PLAT. CONTAINING 3,230 SQUARE FEET
OR 0.07 ACRES, MORE OR LESS.
PREPARED BY: DANIEL D. GARNER, PLS



RECEIVED
APR 28 2016
Board of County Commissioners

BrevardClerk.US

Scott Ellis, Clerk of Court

700 South Park Avenue, Bldg. B
 P.O. Box 2767
 Titusville, FL 32781-2767
 (321) 637-2006

DBLIVE Transaction
 #: 1697994
 Receipt #: 61665562
 Cashier Date: 5/3/2016
 10:43:36 AM



Print Date:
 5/3/2016 10:43:38 AM

Customer Information	Transaction Information	Payment Summary
(3175) SURVEY SECTION BREVARD CO BCGC BLDG A ZIP 81 VIERA, FL 32904 Beginning Escrow Balance: -\$869.00	DateReceived: 05/03/2016 Source Code: Viera Q Code: Viera Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$61.00 Total Payments \$61.00

1 Payments	
ESCROW	\$61.00

1 Recorded Items	
(RSL) RESOLUTION	BK/PG: 7606/1235 CFN:2016083246 Date:5/3/2016 10:43:34 AM From: To:
Recording @ 1st=\$10 Add'l=\$8.50 ea.	7 \$61.00
Indexing @ 1st 4 Names Free, Addt'l=\$1 ea.	3 \$0.00

0 Search Items

0 Miscellaneous Items



Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: CLERK TO THE BOARD OF COUNTY C
Address: 400 SOUTH ST
TITUSVILLE FL 32780
USA

Ad No.: 0001217537
Pymt Method Invoice
Net Amt: \$159.99

Run Times: 1

No. of Affidavits: 1

Run Dates: 04/23/16

Text of Ad:

AD#1217537 4/23/2016
LEGAL NOTICE

RESOLUTION VACATING PORTIONS OF 5.0 FT. WIDE AND 10.0 FT. WIDE PUBLIC UTILITY EASEMENTS - HALEY SUBDIVISION, MELBOURNE, IN SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 19th day of April, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating portions of 5.0 ft. wide and 10.0 ft. wide public utility easements Haley Subdivision, Melbourne, in Section 32, Township 26 South, Range 37 East, as petitioned by William and Kelly Neeley. SEE ATTACHED EXHIBIT "A"

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

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

THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING WITHIN LOTS 2 AND 3, BLOCK A, LESS AND EXCEPT THE NORTH 5.00 FEET OF SAID LOT 2 AND THE SOUTH 5.00 FEET OF SAID LOT 3, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 456 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

TOGETHER WITH:

DESCRIPTION: THE 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 2 AND 3, BLOCK A, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA WHICH LIES EASTERLY OF THE EAST LINE OF THE 100.00 FOOT WIDE PUBLIC UTILITY AND INGRESS/EGRESS AND PRIVATE DRAINAGE EASEMENT AS DEPICTED ON SAID PLAT, CONTAINING 5,230 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

PREPARED BY: DANIEL D. GARNER, PLS

Donna Scott

From: LEGALS, BRE <BRELEGALS@gannett.com>
Sent: Wednesday, April 20, 2016 2:13 PM
To: Donna Scott
Subject: Brevard Classified Legal Auto Reply

Thank you for e-mailing the Brevard Classified Legal Advertising Department. Ads placed by private individuals will be accepted on a payment-in advance basis only.



AD SUBMISSION GUIDELINES

If you e-mail or fax Legal Ad(s) to us, please provide the following information:

- Account name and number
- Billing telephone number
- Contact person
- Preferred publishing dates
- Number of affidavits needed
- Address affidavit should be sent to, if different from billing.
- P.O. number (applicable to government accounts and agency advertisers)

Your notice will be published on the next available publication date unless otherwise requested.

Date of Publication:	Deadline:
Monday	Friday, 12noon
Tuesday	Friday, 4pm
Wednesday	Monday, 4pm
Thursday	Tuesday, 4pm
Friday	Wednesday, 4pm
Saturday	Thursday, 4pm
Sunday	Thursday, 4pm

We appreciate your business. If you have any questions please contact us @ 888-516-9220. Office hours Mon-Fri 8am-5pm.

***IF THIS SUBMISSION IS FOR A LEGAL DISPLAY PLEASE CONTACT US IMMEDIATELY AT 888-516-9220 SO WE CAN ACCURATELY PROCESS YOUR ORDER.**

LEGAL NOTICE

RESOLUTION VACATING PORTIONS OF 5.0 FT. WIDE AND 10.0 FT. WIDE PUBLIC UTILITY EASEMENTS –
HALEY SUBDIVISION, MELBOURNE, IN SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 19th day of April, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating portions of 5.0 ft. wide and 10.0 ft. wide public utility easements – Haley Subdivision, Melbourne, in Section 32, Township 26 South, Range 37 East, as petitioned by William and Kelly Neeley.

SEE ATTACHED EXHIBIT “A”

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

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

FLORIDA TODAY:

Please advertise in the April 23, 2016, issue of the Florida TODAY.

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

THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING WITHIN LOTS 2 AND 3, BLOCK A, LESS AND EXCEPT THE NORTH 5.00 FEET OF SAID LOT 2 AND THE SOUTH 5.00 FEET OF SAID LOT 3, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 456 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

TOGETHER WITH:

DESCRIPTION: THE 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 2 AND 3, BLOCK A, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA WHICH LIES EASTERLY OF THE EAST LINE OF THE 100.00 FOOT WIDE PUBLIC UTILITY AND INGRESS/EGRESS AND PRIVATE DRAINAGE EASEMENT AS DEPICTED ON SAID PLAT. CONTAINING 3,230 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

PREPARED BY: DANIEL D. GARNER, PLS



Photo



Identification

Values

Sales

Building

Land

Title

All None



Dana Blickley, CFA
Brevard County Property Appraiser



Enter your title or notes here

B I U | 12

Identification Data

OWNERS: Haley John D
SITE ADDRESS: 4131 N Highway 1 Melbourne 32935
MAIL ADDRESS: PO Box 410558 Melbourne FL 32941
PARCEL ID: 26-37-32-52-* -30 TAX ID: 2611674
PROPERTY USE: 0839 - R-Three Or Four Living Units - Not Attached
EXEMPTION: MILLAGE CODE: 4200 - Unincorp District 4

Value Data

VALUE CATEGORY	2015	2014	2013
MARKET VALUE:	\$540,460	\$528,610	\$501,760
AGRICULTURAL VALUE:	\$0	\$0	\$0
ASSESSED NON-SCHOOL:	\$540,460	\$528,610	\$501,760
ASSESSED SCHOOL:	\$540,460	\$528,610	\$501,760
HOMESTEAD EXEMPTION:	\$0	\$0	\$0
ADDITIONAL HOMESTEAD:	\$0	\$0	\$0
OTHER EXEMPTION:	\$0	\$0	\$0
TAXABLE NON-SCHOOL:	\$540,460	\$528,610	\$501,760
TAXABLE SCHOOL:	\$540,460	\$528,610	\$501,760

Sale Data

SALE TYPE: Improved	SALE DATE: 10/14/2014	SALE PRICE: \$560,000	ORBP: 7228/0256
DEED: CT - Certificate Of Title			
SALE TYPE: Improved	SALE DATE: 09/21/2010	SALE PRICE: \$100	ORBP: 6246/1958
DEED: CT - Certificate Of Title			
SALE TYPE: Improved	SALE DATE: 08/25/2000	SALE PRICE: \$420,000	ORBP: 4212/3480
DEED: WD - Warranty Deed/Special Warranty Deed			
SALE TYPE: Improved	SALE DATE: 08/30/1996	SALE PRICE: \$100	ORBP: 3604/0134
DEED: WD - Warranty Deed/Special Warranty Deed			
SALE TYPE: Vacant	SALE DATE: 11/01/1977	SALE PRICE: \$85,000	ORBP: 1815/0191
DEED:			
SALE TYPE: Vacant	SALE DATE: 08/01/1968	SALE PRICE: \$145,000	ORBP: 1038/1021
DEED:			

Building Data

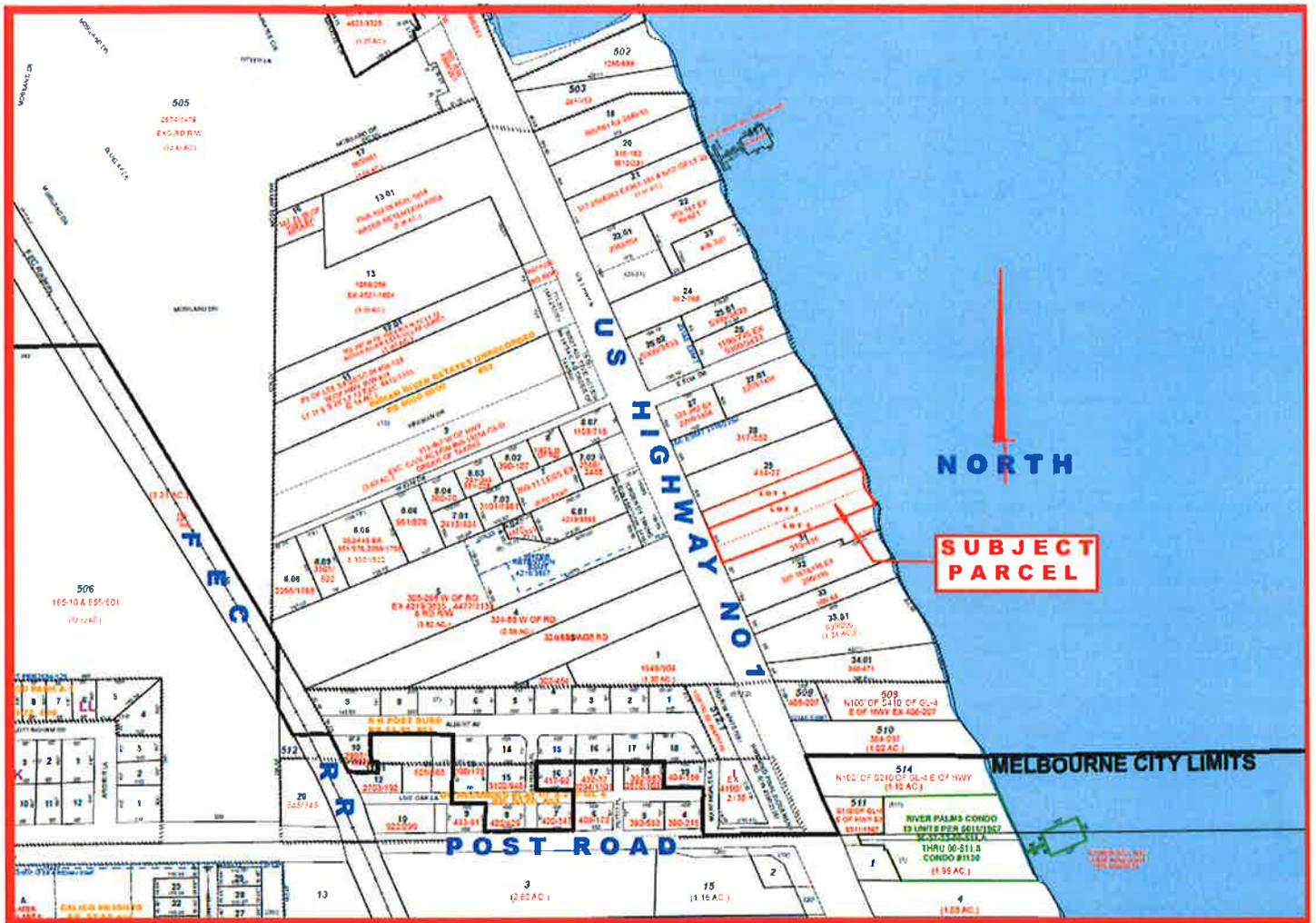
PROPERTY DATA CARD # 1

BUILDING TYPE: Residential	YEAR BUILT: 1965		
BUILDING USE: 0110 - Single Family Residence			
BUILDING SUB-AREAS	BUILDING EXTRA FEATURES		
DESCRIPTION	SQUARE-FEET	DESCRIPTION	UNITS
Carport	399	Covered Patio: Low	70
Base Area Floor 1	572	Outbuilding: Average	160

PROPERTY DATA CARD # 2

BUILDING TYPE: Residential	YEAR BUILT: 1965		
BUILDING USE: 0110 - Single Family Residence			
BUILDING SUB-AREAS	BUILDING EXTRA FEATURES		
DESCRIPTION	SQUARE-FEET	DESCRIPTION	UNITS

APPRAISER'S DETAIL SHEET



VICINITY MAP

William and Kelly Neeley – 3955 Harlock Avenue, Melbourne, FL – Lots 2 and 3, “Haley Subdivision” (Plat Book 61, Page 18) – Section 32, Township 26 south, Range 37 East – District 4 – Proposed Vacating of a 5.00 ft. wide and a 10.0 ft. Wide Public Utility Easement



AERIAL MAP

William and Kelly Neeley – 3955 Harlock Avenue, Melbourne, FL – Lots 2 and 3, “Haley Subdivision” (Plat Book 61, Page 18) – Section 32, Township 26 south, Range 37 East – District 4 – Proposed Vacating of a 5.00 ft. wide and a 10.0 ft. Wide Public Utility Easement

NOTE TO CLERK/TAX EXAMINER Actual consideration paid is \$ 540,000.00

David G. Larkin, Esq.
Fallace & Larkin, L.C.
1900 S. Hickory St.
Melbourne, FL 32901

Parcel ID Number 26-37-32-52-00000.0-0030.00

Warranty Deed

This Indenture, Made this 14th day of August, 2015 A.D. Between John D. Haley, a single man

of the County of Brevard, State of Florida, grantor, and William C. Neeley and Kelly L. Neeley, husband and wife

whose address is 3955 Harlock Ave, Melbourne, FL 32934

of the County of Brevard, State of Florida, grantees

Witnesseth that the GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10) DOLLARS and other good and valuable consideration by GRANTOR in hand paid by GRANTEEES, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEEES and GRANTEEES here, successors and assigns forever, the following described land, situate, lying and being in the County of Brevard, State of Florida: **Lots 2 and 3, Haley Subdivision, according to the map or plat thereof, as recorded in Plat Book 61, Page(s) 18, of the Public Records of Brevard County, Florida.**

The property herein conveyed DOES NOT constitute the HOMESTEAD property of the Grantor. The Grantor's HOMESTEAD address is 1249 Tappery Dr., Melbourne, FL 32940.

Subject to restrictions, reservations and easements of record, if any, and taxes subsequent to 2014.

and the grantor does hereby fully warrant the title to said land and will defend the same against lawful claims of all persons whomsoever. In Witness Whereof, the grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence

Louanna Pale
Printed Name: Louanna Pale
Witness

John D. Haley
John D. Haley (Seal)
PO Address: PO Box 410558, Melbourne, FL 32941

Edmund J. Krueger
Printed Name: Edmund J. Krueger
Witness

STATE OF Florida
COUNTY OF Brevard

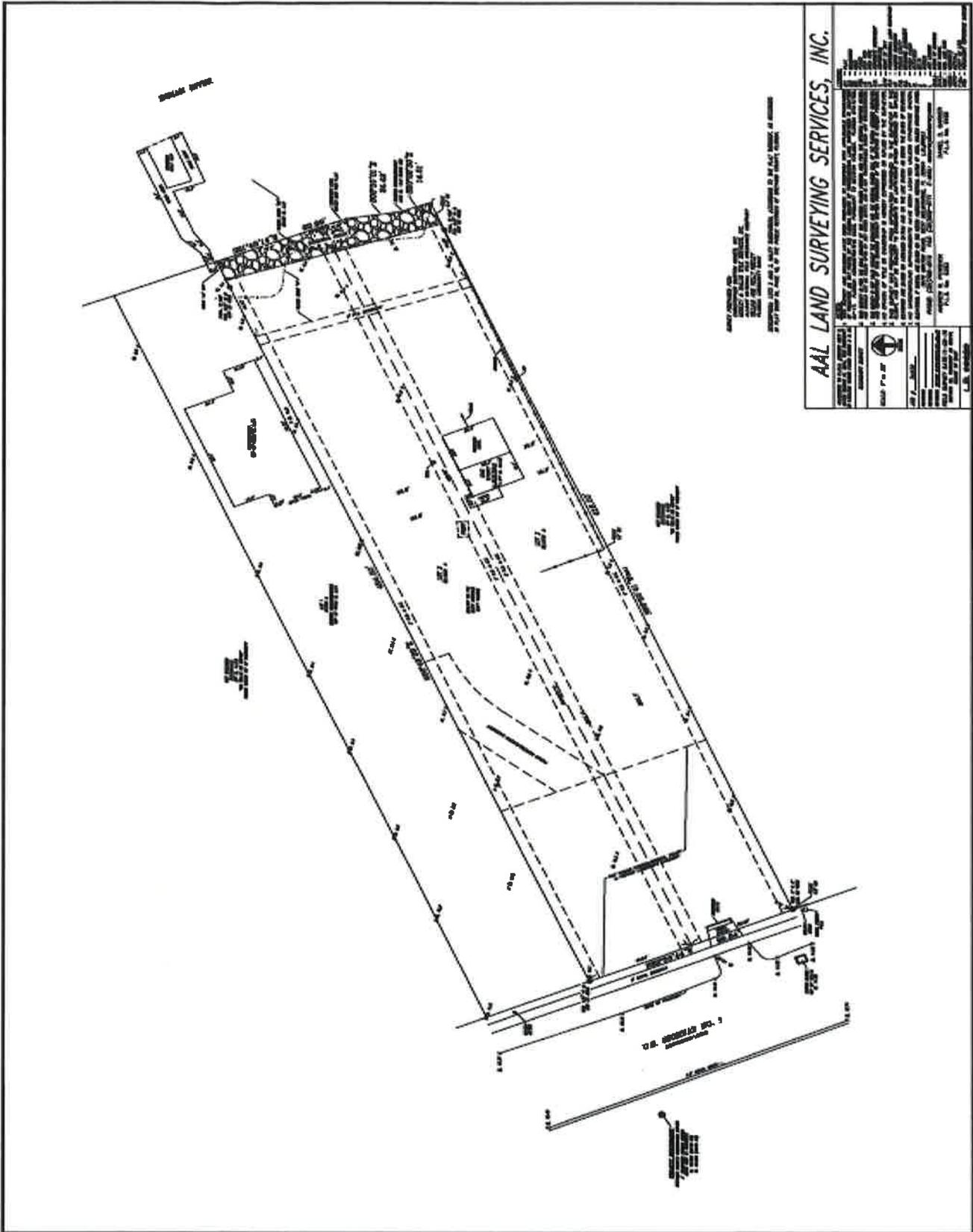
The foregoing instrument was acknowledged before me this 14th day of August, 2015 by John D. Haley, a single man

who is personally known to me or who has produced his Florida driver's license as identification



Owenday W. Kurzen
Printed Name: _____
Notary Public
My Commission Expires _____

PETITIONERS' DEED



ALL RIGHTS RESERVED BY AAL LAND SURVEYING SERVICES, INC.
 NO PART OF THIS SURVEY MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF AAL LAND SURVEYING SERVICES, INC.

AAL LAND SURVEYING SERVICES, INC.
 10000 W. 10th Avenue, Suite 100, Denver, CO 80202
 (303) 751-1111
 www.aal-surveying.com

PROJECT NO. 10000 W. 10th Avenue, Suite 100, Denver, CO 80202 SHEET NO. 1 OF 1 DATE: 10/15/2010 DRAWN BY: J. J. [Name] CHECKED BY: J. J. [Name]	AAL LAND SURVEYING SERVICES, INC. 10000 W. 10th Avenue, Suite 100, Denver, CO 80202 (303) 751-1111 www.aal-surveying.com
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PETITIONERS' BOUNDARY
SURVEY

LEGAL DESCRIPTION

SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

PARCEL ID# 26-37-32-54-A-2
AND 26-37-32-54-A-3

PURPOSE: VACATE A 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT.

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

DESCRIPTION:

THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING WITHIN LOTS 2 AND 3, BLOCK A, LESS AND EXCEPT THE NORTH 5.00 FEET OF SAID LOT 2 AND THE SOUTH 5.00 FEET OF SAID LOT 3, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 456 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A BOUNDARY SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE STRIP OF LAND HEREIN DESCRIBED HEREIN.
2. THE BEARING SHOWN HEREON ARE BASED ON THE SOUTH LINE OF HALEY SUBDIVISION WHICH BEARS S66°52'41"W, AN ASSUMED BEARING, AS SHOWN ON THE PLAT OF HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
4. THE PUPOSE OF THIS SKETCH AND DESCRIPTION IS TO VACATE A 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT.

PREPARED FOR:

WILLIAM AND KELLY NEELEY

DANIEL D. GARNER, PLS. NO. 6189
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.

ADDRESS: 3970 MINTON ROAD, WEST MELBOURNE, FL. 32904

PHONE: (321) 788-8110. FAX: (321) 952-9771. E-MAIL: aalsurvey@aalsurvey.com

LICENSE BUSINESS #6623

DRAWN BY: J. BROWAN

CHECKED BY: A. W. POWSHOK

DRAWING NO. 34232-S00-2

SECTION 32

DATE: 01-11-16

SHEET 1 OF 2

REVISIONS 03-10-16

TOWNSHIP 26 SOUTH

RANGE 37 EAST

PETITIONERS' SKETCH & DESCRIPTION

SHEET 1 OF 4

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

NOT VALID WITHOUT
SHEET 2 OF 2

PARCEL ID# 26-37-32-54-A-2
AND 26-37-32-54-A-3

PURPOSE: VACATE A PORTION OF TWO 5.00
FOOT WIDE PUBLIC UTILITY AND DRAINAGE
EASEMENTS.

DESCRIPTION:

THE 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 2 AND 3, BLOCK A, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA WHICH LIES EASTERLY OF THE EAST LINE OF THE 100.00 FOOT WIDE PUBLIC UTILITY AND INGRESS/EGRESS AND PRIVATE DRAINAGE EASEMENT AS DEPICTED ON SAID PLAT. CONTAINING 3,230 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A BOUNDARY SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE STRIP OF LAND HEREIN DESCRIBED HEREIN.
2. THE BEARING SHOWN HEREON ARE BASED ON THE SOUTH LINE OF HALEY SUBDIVISION WHICH BEARS S86°52'41"W, AN ASSUMED BEARING, AS SHOWN ON THE PLAT OF HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
4. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO VACATE TWO 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS.

PREPARED FOR:

WILLIAM AND KELLY NEELEY

DANIEL D. GARNER, PLS. NO. 0189
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.

ADDRESS: 3970 MINTON ROAD, WEST MELBOURNE, FL. 32904

PHONE: (321) 768-8110, FAX: (321) 952-9771, E-MAIL: aalsurvey@aalsurvey.com

DRAWN BY: J. BROMAN

CHECKED BY: A. W. POWSHOK

DRAWING NO. 34232-500-1

SECTION 32

DATE: 01-11-16

SHEET 1 OF 2

REVISIONS 03-10-16

TOWNSHIP 26 SOUTH

RANGE 37 EAST

PETITIONERS' SKETCH & DESCRIPTION

SHEET 3 OF 4

SKETCH OF DESCRIPTION

SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST
 THIS IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION
 OF THE LEGAL DESCRIPTION SHOWN HEREON.

PARCEL ID# 26-37-32-54-A-2
 AND 26-37-32-54-A-3

SHEET 2 OF 2

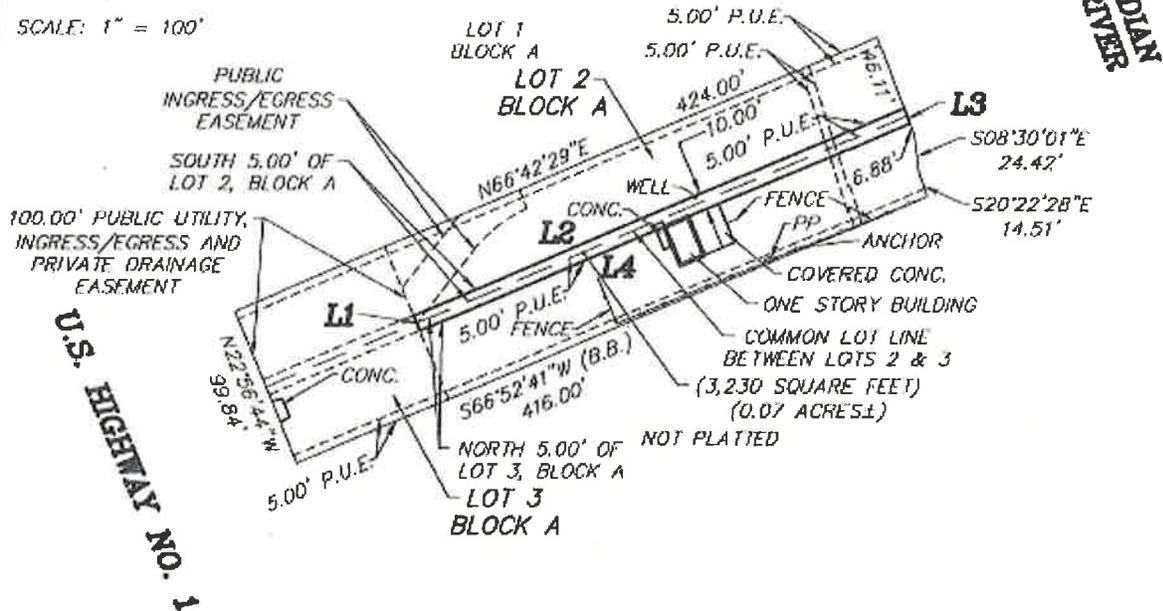
THIS SKETCH IS NOT A SURVEY AND
 IS NOT VALID WITHOUT SHEET 1 OF 2

LINE TABLE

L1=N23°07'19"W	10.00'
L2=N66°52'41"E	323.08'
L3=S21°48'14"E	10.00'
L4=S66°52'41"W	322.88'



SCALE: 1" = 100'



LEGEND
 B.B. - BEARING BASIS
 CONC. - CONCRETE
 PP - POWER POLE
 P.U.E. - PUBLIC UTILITY EASEMENT

DRAWING NO. 34232-SOD-1
 SECTION 32, TOWNSHIP 26
 SOUTH, RANGE 37 EAST

PREPARED BY:
 AAL LAND SURVEYING SERVICES, INC.

PETITIONERS' SKETCH & DESCRIPTION

SHEET 4 OF 4

COMMENT SUMMARY

APPLICANT: William Neeley

UPDATED BY/ DATE: Marc Cazessüs, PLS/20160322 @ 14:59

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
UTILITIES				
Florida City Gas	20160318	20160321	Yes	No objections
Florida Power and Light	20160318	20160322	Yes	No objections
AT & T	20160318	20160321	Yes	No objections
Bright House Networks	20160318	20160322	Yes	No objections
City of Melbourne Water/Sewer	20160318	20160322	Yes	No objections
COUNTY STAFF				
Utility Services	20160318	20160318	Yes	No objections; Tammy Hurley
Road and Bridge	20160318	20160322	Yes	No objections; Ken Lambert
Land Planning	20160318	20160321	Yes	No objections; Rebecca Ragain
NRMD - Storm Water	20160318	20160322	Yes	No objections; Harvey Wheeler
Zoning	20160318	20160321	Yes	No objections; Paul Body

Note: All County agencies and Utility providers contacted by email dated 20160318

COMMENT SHEET

**LEGAL NOTICE
NOTICE TO VACATE PORTIONS OF A
5.00 FT. WIDE AND 10.00 FT. WIDE
PUBLIC UTILITY EASEMENTS AT LOTS
2 AND 3, BLOCK A, PLAT OF "HALEY
SUBDIVISION" IN MELBOURNE, FLORI-
DA AND LYING IN SECTION 32,
TOWNSHIP 26 SOUTH, RANGE 37
EAST**

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 William and Kelly Neeley with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

SEE EXHIBIT "A"

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above described easements at 9:00 a.m. on April 19, 2016 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.

EXHIBIT "A"

THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING WITHIN LOTS 2 AND 3, BLOCK A, LESS AND EXCEPT THE NORTH 5.00 FEET OF SAID LOT 2 AND THE SOUTH 5.00 FEET OF SAID LOT 3, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 456 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

TOGETHER WITH:

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PREPARED BY: DANIEL D. GARNER, PLS

PUBLIC HEARING LEGAL
ADVERTISEMENT

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

Florida Today:

Please advertise in the March 28, 2016 issue of Florida TODAY.

PLEASE BILL: The Board of County Commissioners and forward bill and proof of publications to Tammy Rowe, Deputy Clerk, Titusville Courthouse, 2nd Floor, P. O. Box 999, Titusville, FL 32781-0999

LEGAL NOTICE

NOTICE TO VACATE PORTIONS OF A 5.00 FT. WIDE AND A 10.00 FT. WIDE PUBLIC UTILITY EASEMENTS AT LOTS 2 AND 3, BLOCK A, PLAT OF "HALEY SUBDIVISION" IN MELBOURNE, FLORIDA AND LYING IN SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST

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 **William and Kelly Neeley** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

SEE EXHIBIT "A"

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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.

EXHIBIT "A"

LEGAL DESCRIPTIONS:

THE 10.00 FOOT WIDE PUBLIC UTILITY CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 2 AND 3, BLOCK A, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 4,230 SQUARE FEET OR 0.10 ACRES, MORE OR LESS.

TOGETHER WITH

THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING WITHIN LOTS 2 AND 3, BLOCK A, HALEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 78, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 1,728 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

PREPARED BY: DANIEL D. GARNER, PLS