



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.2.

10/8/2019

Subject:

Petition to Vacate, Re: Public Utility and Drainage Easements - "Wingate Estates, Phase Two" Plat Book 48, Pages 64-66 - Rockledge - Hamid Hafizi - (District 4)

Fiscal Impact:

\$640 Vacating Application Fee paid by Petitioner

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 part of the public utility and drainage easements along the side lot lines of Lot 45, Block "B", "Wingate Estates, Phase Two" in Section 27, Township South, Range 36 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 petitioner owns Lot 45 and is requesting the vacating of part of the 7.50 ft. wide public utility and drainage easements along the side lot lines of lot 45 to remove the existing residence as an encroachment into said easement.

September 23, 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.

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 235

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.



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

October 28, 2019

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating Part of a Public Utility and Drainage Easement in Wingate Estates Phase Two Subdivision, Rockledge

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-196, vacating part of a public utility and drainage easement in Wingate Estates Phase Two Subdivision, Rockledge, as petitioned by Hamid Hafizi. Said Resolution was adopted by the Board of County Commissioners, in regular session on October 8, 2019.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

Encls. (2)

Resolution 2019 - 196

**Vacating a part of a public utility and drainage easement in "Wingate Estates Phase Two" Subdivision,
Rockledge, Florida, lying in Section 27, Township 25 South, Range 36 East**

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

SEE ATTACHED SKETCH & DESCRIPTION

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

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

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

THEREFORE BE IT RESOLVED that said portion of the public utility and drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easement. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 08TH day of October, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:
October 08, 2019

LEGAL DESCRIPTION

SHEET 1 OF 2
NOT VALID WITHOUT SHEET 2 OF 2

SITUATED IN SECTION 27, TOWNSHIP 25 SOUTH, RANGE 36 EAST
PARENT PARCEL: #25-36-27-04-B-45
PURPOSE OF SURVEY: VACATION OF P.U.D & E EASEMENT

LEGAL: VACATIONING OF A PORTION OF A 7.5 FOOT P.U.DE EASEMENT (BY SURVEYOR)

A PORTION OF THE 7.50 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 45, BLOCK B, AS SHOWN ON THE PLAT OF WINGATE ESTATES, PHASE TWO, VIERA NORTH P.U.D., PARCELS F2-F3, AS RECORDED IN PLAT BOOK 48, PAGES 64 THROUGH 66 OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY 2.50 FEET OF THE NORTHERLY 7.50 FOOT PU&DE, LESS THE WESTERLY 5.00 FEET AND LESS THE EASTERLY 10.00 FEET; AND THE NORTHERLY 2.50 FEET OF THE SOUTHERLY 7.50 FOOT PU&DE, LESS THE WESTERLY 5.00 FEET AND LESS THE EASTERLY 10.00 FEET CONTAINING 575.00 SQUARE FEET.

SURVEYORS NOTES & LEGEND:

1. BEARINGS BASED ON A ASSUMED BEARING OF N72°56'28"E,, ALONG THE NORTHERLY LIE OF LOT 45, BLOCK B.
2. THIS IS NOT A BOUNDARY SURVEY
3. IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY PRECISION LAND SURVEYING, INC., PROJECT #19-1869, DATED 07/29/2019.

C = CENTERLINE
 CH = CHORD
 CONC. = CONCRETE
 (D) = DEEDED
 DEL = DELTA
 FD = FOUND
 ID = IDENTIFICATION
 IR = IRON ROD
 L = LENGTH
 LB = LICENSE BUSINESS
 LS = LICENSE SURVEYOR
 (M) = MEASURED
 NO = NUMBER
 ORB = OFFICIAL RECORDS BOOK
 PG = PAGE
 PC = POINT OF CURVATURE
 (P) = PLATTED
 PU&DE = PUBLIC UTILITY & DRAINAGE
 R = RADIUS



Myron E. Barker
 MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085
 CERTIFICATE OF AUTHORIZATION LB. 6586
 PROFESSIONAL SURVEYOR & MAPPER
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFIED TO:
**BREVARD COUNTY BOARD
 OF COUNTY COMMISSIONERS**

PREPARED BY: PRECISION LAND SURVEYING, INC.
 2600 LAKE WASHINGTON ROAD, SUITE 1
 MELBOURNE, FLORIDA 32935

DRAWN BY: J. PRESSMAN	CHECKED BY: M. BARKER	PROJECT NO. 19-1869			SECTION 27 TOWNSHIP 25 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 07/30/2019	DRAWING: 19-1869.dwg				

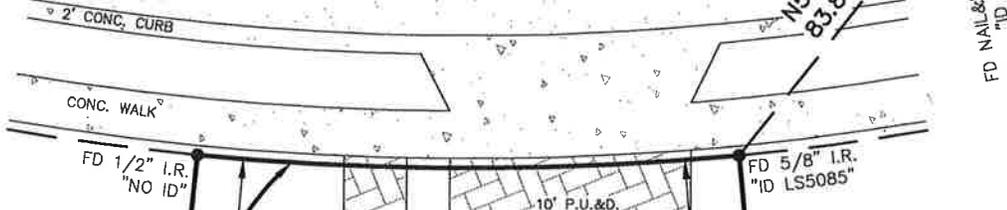
SKETCH AND DESCRIPTION

SITUATED IN SECTION 27, TOWNSHIP 25 SOUTH, RANGE 36 EAST
 PARENT PARCEL: #25-38-27-04-B-45

SHEET 2 OF 2
 NOT VALID WITHOUT SHEET 1 OF 2

HEATON PARK TRAIL

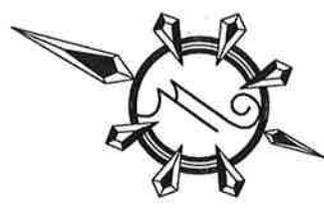
22' ASPHALT ROAD
 (50' PUBLIC RIGHT-OF-WAY)



$R=290.00$ Del= $11^{\circ}06'25''$
 $L=56.22'$ CH= $56.13'$ (P&M)

LOT 44
 BLOCK B

1 STORY RESIDENCE
 CONCRETE BLOCK STRUCTURE
 440B HEATON PARK TRAIL



THE SOUTHERLY 2.50 FEET OF
 THE NORTHERLY 7.50' PU&DE
 LESS THE WESTERLY 5.00 FEET
 AND LESS THE EASTERLY 10.00
 FEET OF P.U.&D. EASEMENT TO
 BE VACATED

N72°56'28"E 130.00' (P&M)

LOT 46
 BLOCK B

THE NORTHERLY 2.50 FEET OF
 THE SOUTHERLY 7.50' PU&DE
 LESS THE WESTERLY 5.00 FEET
 AND LESS THE EASTERLY 10.00
 FEET OF P.U.&D. EASEMENT TO
 BE VACATED

N61°50'03"E 130.00' (P&M)

LOT 45
 BLOCK B



$R=420.00$ Del= $11^{\circ}06'25''$
 $L=81.42'$ CH= $81.29'$ (P&M)

TRACT I

PREPARED BY: PRECISION LAND SURVEYING, INC. 2600 LAKE WASHINGTON ROAD, SUITE 1 MELBOURNE, FLORIDA 32935	SCALE: 1"=20'	SECTION 27 TOWNSHIP 25 SOUTH RANGE 36 EAST
	PROJECT NO.: 19-1869	



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

STATE OF FLORIDA COUNTY OF BREVARD
Before the undersigned authority personally appeared I,
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 NOTICE

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

9/24/19

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.

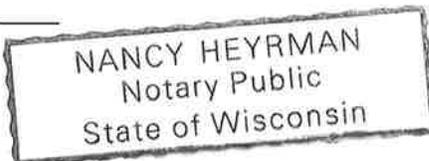
Sworn to and Subscribed before me this 24th of
September 2019, by Joe Heynen who is personally
known to me

Affiant

Notary State of Wisconsin County of Brown

9.15.23

My commission expires



AD #3803280 9/24/2019

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO, 7.50 FT. PUBLIC UTILITY & DRAINAGE EASEMENTS. PLAT OF "WINGATE ESTATES, PHASE TWO, VIERA NORTH P.U.D. PARCELS F2-F3" IN SECTION 27, TOWNSHIP 25 SOUTH, RANGE 36 EAST, ROCKLEDGE, 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 HAMID HAFIZI with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF THE 7.50 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 45, BLOCK B, AS SHOWN ON THE PLAT OF WINGATE ESTATES, PHASE TWO, VIERA NORTH P.U.D. PARCELS F2-F3, AS RECORDED IN PLAT BOOK 48, PAGES 64 THROUGH 66 OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY 2.50 FEET OF THE NORTHERLY 7.50 FOOT PU&DE, LESS THE WESTERLY 5.00 FEET AND LESS THE EASTERLY 10.00 FEET; AND THE NORTHERLY 2.50 FEET OF THE SOUTHERLY 7.50 FOOT PU&DE, LESS THE WESTERLY 5.00 FEET AND LESS THE EASTERLY 10.00 FEET. CONTAINING 575.00 SQUARE FEET, MOR OR LESS. PREPARED BY: MYRON E. BARKER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on October 08, 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.



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

STATE OF FLORIDA COUNTY OF BREVARD

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:

10/15/2019

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 15th of October 2019, by Joe Heynen who is personally known to me

Handwritten signature of Joe Heynen

Affiant

Handwritten signature of Nancy Heyrman

Notary State of Wisconsin County of Brown

5.15.23

My commission expires

AD #3841693 10/15/2019

LEGAL NOTICE

RESOLUTION PARTIALLY VACATING TWO 7.50 FT. PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF WINGATE ESTATES, PHASE TWO, VIERA NORTH P.U.D., PARCELS F2-F3 IN SECTION 27, TOWNSHIP 25 SOUTH, RANGE 36 EAST, ROCKLEDGE - HAMID HAFIZI

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 8th day of October 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution partially vacating two 7.50 Ft. public utility and drainage easements, Plat of Wingate Estates, Phase Two, Viera North P.U.D., parcels F2-F3, in Section 27, Township 25 South, Range 36 East, Rockledge, as petitioned by Hamid Hafizi.

SEE ATTACHED EXHIBIT "A"

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

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

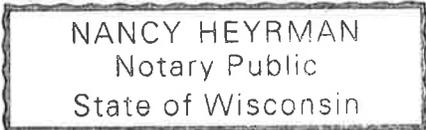
LEGAL DESCRIPTION:

EXHIBIT "A"

A PORTION OF THE 7.50 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 45, BLOCK B, AS SHOWN ON THE PLAT OF WINGATE ESTATES PHASE TWO, VIERA NORTH P.U.D., PARCELS F2-F3, AS RECORDED IN PLAT BOOK 48, PAGES 64 THROUGH 68 OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Publication Cost \$249.76
Ad No: 0003841693
Customer No: BRE-6BR327



Resolution 2019 - 196

Vacating a part of a public utility and drainage easement in "Wingate Estates Phase Two" Subdivision, Rockledge, Florida, lying in Section 27, Township 25 South, Range 36 East

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

SEE ATTACHED SKETCH & DESCRIPTION

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

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

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

THEREFORE BE IT RESOLVED that said portion of the public utility and drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easement. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 08TH day of October, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:
October 08, 2019

Public Hearing Legal Advertisement

AD #3803280 9/24/2019

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO, 7.50 FT. PUBLIC UTILITY & DRAINAGE EASEMENTS, PLAT OF "WINGATE ESTATES, PHASE TWO, VIERA NORTH P.U.D., PARCELS F2-F3" IN SECTION 27, TOWNSHIP 25 SOUTH, RANGE 36 EAST, ROCKLEDGE, FL

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A PORTION OF THE 7.50 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 45, BLOCK 8, AS SHOWN ON THE PLAT OF WINGATE ESTATES, PHASE TWO, VIERA NORTH P.U.D., PARCELS F2-F3, AS RECORDED IN PLAT BOOK 48, PAGES 64 THROUGH 66 OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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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 5:00 P.M. on October 08, 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 September 24, 2019.



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

October 28, 2019

Hamid Hafizi
137 S. Courtenay Parkway, PMB 753
Merritt Island, FL 32952

Dear Hamid Hadizi:

Re: Resolution Vacating Part of a Public Utility and Drainage Easement in Wingate Estates
Phase Two Subdivision, Rockledge

The Board of County Commissioners, in regular session on October 8, 2019, adopted Resolution No. 19-196, vacating part of a public utility and drainage easement in Wingate Estates Phase Two Subdivision, Rockledge, as petitioned by you. Said Resolution has been recorded in ORBK 8568, Pages 1075 through 1079. 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

/kp

Encl. (1)

cc: Amber Holley, Public Works

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	2533172
Owners	Hafizi, Hamid
Mailing Address	137 S Courtenay Pkwy Pmb 753 Merritt Island FL 32952
Site Address	4408 Heaton Park Trl Rockledge FL 32955
Parcel ID	25-36-27-04-B-45
Property Use	0110 - Single Family Residence
Exemptions	None
Taxing District	430Y - Viera/Unincorp District 4
Total Acres	0.21
Subdivision	Wingate Estates Phase Two Viera North P.U.D., Parcels F2-F3
Site Code	0142 - Nbhd Lake/Reten Frtg
Plat Book/Page	0048/0064
Land Description	Wingate Estates Phase Two Viera North P.U.D., Parcels F2-F3 Lot 45 Block B



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$312,920	\$288,700	\$271,930
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$312,920	\$288,700	\$271,930
Assessed Value School	\$312,920	\$288,700	\$271,930
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$312,920	\$288,700	\$271,930
Taxable Value School	\$312,920	\$288,700	\$271,930

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
11/19/2008	\$183,600	WD	Improved	5900/2269
10/27/2003	\$250,000	WD	Improved	5106/3642
04/10/2003	\$126,600	WD	Vacant	4879/1562

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - Single Family Residence

Materials		Details	
Exterior Wall:	Stucco	Year Built	2003
Frame:	Masnryconc	Story Height	8
Roof:	Asph/Asb Shngl	Floors	1
Roof Structure:	Hip/Gable	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	2,438	Paving - Stone	72
Garage	552		
Open Porch	64		
Screen Porch	248		
Total Base Area	2,438		

Fig. 1: Copy of Brevard County Property Appraiser's detail sheet for Lot 45, Block "B", Wingate Estates Phase Two, Hamid Hafizi, 4408 Heaton Park Trail, Rockledge, FL 32955.

Vicinity Map

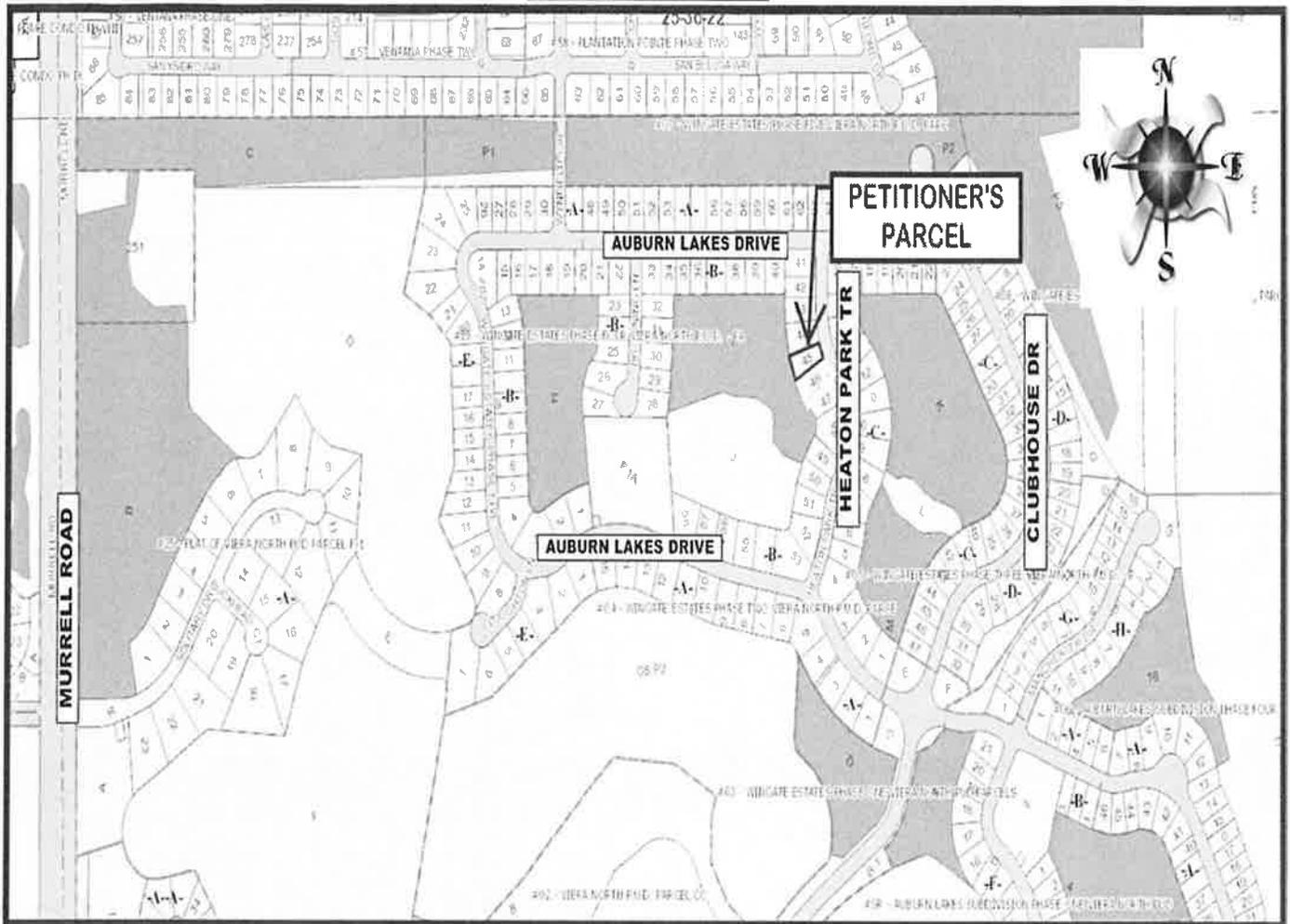


Fig. 2: Map of Lot 45, Block "B", Wingate Estates Phase Two, 4408 Heaton Park Trail

Hamid Hafizi – Lot 45, Block "B", "Wingate Estates Phase Two" (Plat Book 48, Pages 64-66) – 4408 Heaton Park Trail – Section 27, Township 25 South, Range 36 East – District 4 – Proposed Vacating of two 7.5 ft. Wide Public Utility and Drainage Easements

Aerial Map

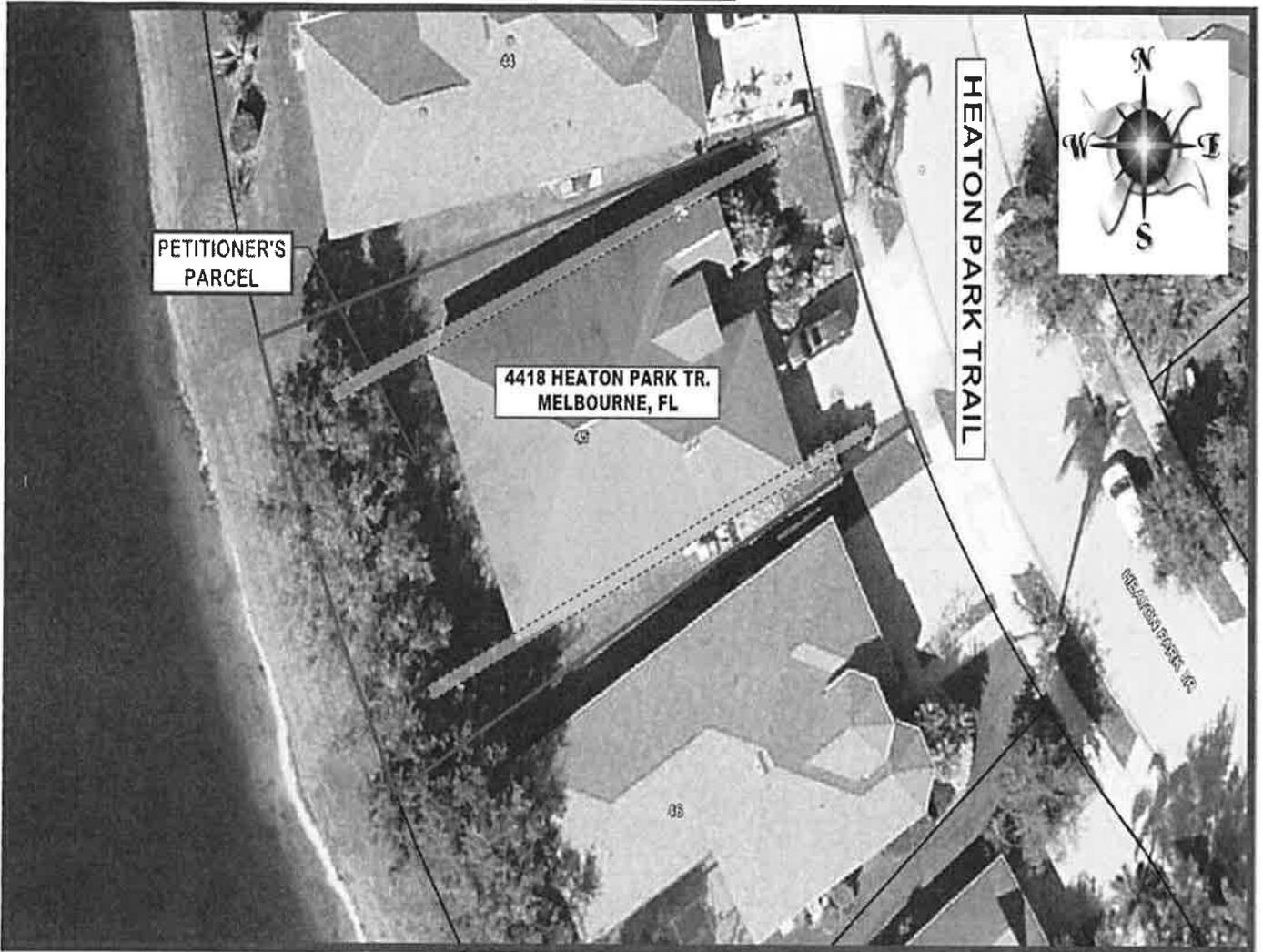


Fig. 3: Map of aerial view of Lot 45, Block "B", Wingate Estates Phase Two, 4408 Heaton Park Trail

Hamid Hafizi – Lot 45, Block "B", "Wingate Estates Phase Two" (Plat Book 48, Pages 64-66) – 4408 Heaton Park Trail – Section 27, Township 25 South, Range 36 East – District 4 – Proposed Vacating of two 7.5 ft. Wide Public Utility and Drainage Easements

Petitioner's Deed

CFN 2008222719, OR BK 5900 Page 2269, Recorded 11/26/2008 at 03:59 PM, Scott Ellis, Clerk of Courts, Brevard County Doc. D: \$1285.20

E7 Liberty Title Co
720 West Ave
Cocoa, FL 32927
Prepared by: Hamid Hafizi
779 E. Merritt Island Cswy FMB 753
Merritt Island, FL 32952

Return to: Hamid Hafizi
779 E. Merritt Island Cswy FMB 753
Merritt Island, FL 32952

General Warranty Deed

Made this November 19th, 2008 A.D. By Elizabeth A. Pickering fka Elizabeth A. Schmit, joined by her husband Brian D. Pickering, hereinafter called the grantor, to Hamid Hafizi, a married man, whose post office address is: 779 E. Merritt Island Cswy FMB 753, Merritt Island, FL 32952, hereinafter called the grantee:

(Whereas said deeds the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of said parties, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$183,541.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alien, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz:

Lot 45, Block B, Wingate Estates Phase Two, according to the plat thereof as recorded in Plat Book 48, Pages 64-66, of the Public Records of Brevard County, Florida.

Parcel ID Number: 25-36-27-04-B-45

Together with all the improvements, hereditaments and appurtenances thereto belonging or in anywise 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 31, 2009.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

H. D. Davoodian
Witness Printed Name: HAMID DAVOODIAN

Catherine McHenry
Witness Printed Name: CATHERINE MCHENRY

Elizabeth A. Pickering (Seal)
Elizabeth A. Pickering

Brian D. Pickering (Seal)
Brian D. Pickering

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me this November 19, 2008, by Elizabeth A. Pickering fka Elizabeth A. Schmit joined by her husband Brian D. Pickering, who is/are personally known to me or who has produced a valid photo ID as identification.

Mary Catherine McHenry
Notary Public
Print Name: MARY CATHERINE MCHENRY
My Commission Expires: 01/03/2010



Fig. 5: Copy of deed of sale for lot 45, block "B", Wingate Estates Phase Two, 4408 Heaton Park Trail, Rockledge, FL to Hamid Hafizi on November 19, 2008.

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION		SHEET 1 OF 2												
SITUATED IN SECTION 27, TOWNSHIP 25 SOUTH, RANGE 36 EAST		NOT VALID WITHOUT SHEET 2 OF 2												
PARENT PARCEL: #25-36-27-04-B-45														
PURPOSE OF SURVEY: VACATION OF P.U.D & E EASEMENT														
LEGAL: VACATIONING OF A PORTION OF A 7.5 FOOT P.U.DE EASEMENT (BY SURVEYOR)														
<p>A PORTION OF THE 7.50 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 45, BLOCK B, AS SHOWN ON THE PLAT OF WINGATE ESTATES, PHASE TWO, VERA NORTH P.U.D., PARCELS F2-F3, AS RECORDED IN PLAT BOOK 48, PAGES 64 THROUGH 66 OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>THE SOUTHERLY 2.50 FEET OF THE NORTHERLY 7.50 FOOT PU&DE, LESS THE WESTERLY 5.00 FEET AND LESS THE EASTERLY 10.00 FEET; AND THE NORTHERLY 2.50 FEET OF THE SOUTHERLY 7.50 FOOT PU&DE, LESS THE WESTERLY 5.00 FEET AND LESS THE EASTERLY 10.00 FEET CONTAINING 575.00 SQUARE FEET.</p>														
<u>SURVEYORS NOTES & LEGEND:</u>														
<ol style="list-style-type: none"> 1. BEARINGS BASED ON A ASSUMED BEARING OF N72°56'28"E., ALONG THE NORTHERLY LIE OF LOT 45, BLOCK B. 2. THIS IS NOT A BOUNDARY SURVEY 3. IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY PRECISION LAND SURVEYING, INC., PROJECT #19-1869, DATED 07/29/2019. 														
<ul style="list-style-type: none"> C = CENTERLINE CH = CHORD CONC. = CONCRETE (D) = DEEDED DEL = DELTA FD = FOUND ID = IDENTIFICATION IR = IRON ROD L = LENGTH LB = LICENSE BUSINESS LS = LICENSE SURVEYOR (M) = MEASURED NO = NUMBER ORB = OFFICIAL RECORDS BOOK PG = PAGE PC = POINT OF CURVATURE (P) = PLATTED PU&DE = PUBLIC UTILITY & DRAINAGE R = RADIUS 	 <p><i>Myron E. Barker</i></p> <p>MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085 CERTIFICATE OF AUTHORIZATION LB. 6586 PROFESSIONAL SURVEYOR & MAPPER NOT VALID UNLESS SIGNED AND SEALED</p>													
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS														
PREPARED BY: PRECISION LAND SURVEYING, INC. 2600 LAKE WASHINGTON ROAD, SUITE 1 MELBOURNE, FLORIDA 32935														
DRAWN BY: J. PRESSMAN DATE: 07/30/2019	CHECKED BY: M. BARKER DRAWING: 19-1869.dwg	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="3">PROJECT NO. 19-1869</td> </tr> <tr> <td style="text-align: center;">REVISIONS</td> <td style="text-align: center;">DATE</td> <td style="text-align: center;">DESCRIPTION</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	PROJECT NO. 19-1869			REVISIONS	DATE	DESCRIPTION						
PROJECT NO. 19-1869														
REVISIONS	DATE	DESCRIPTION												
		SECTION 27 TOWNSHIP 25 SOUTH RANGE 36 EAST												

Fig. 6: Copy of legal description sheet 1 of 2 for lot 45, Block "B", Wingate Estates Phase Two.

Petitioner's Sketch & Description Sheet 2 of 2

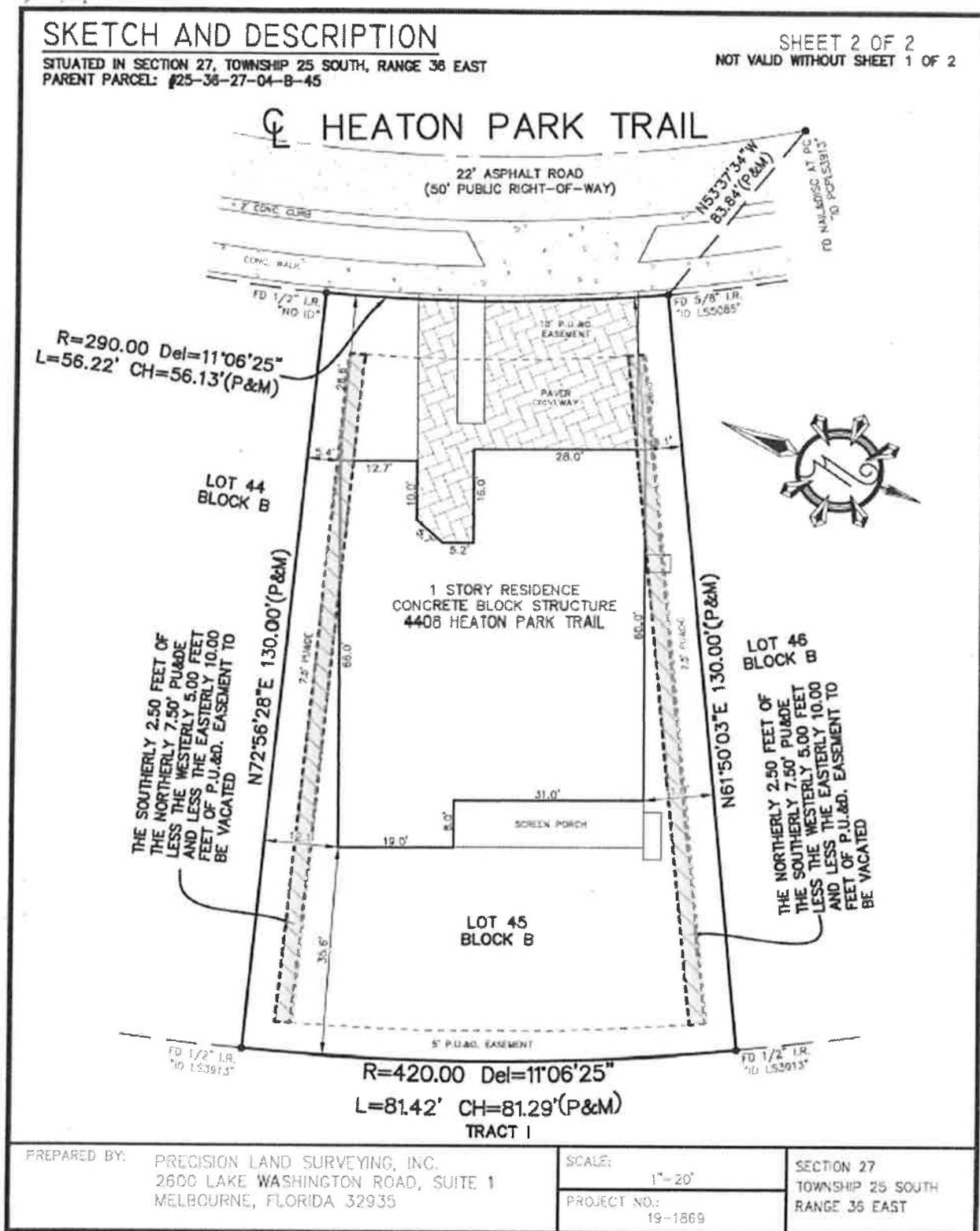


Fig. 7: Copy of sketch sheet 2 of 2 for lot 45, Block "B", Wingate Estates Phase Two.

