

ADD ON

Meeting Date
January 27, 2015



AGENDA	
Section	Old Business
Item No.	V.A

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

<b>SUBJECT:</b>	Resolution for Exception of Tkacs Drive from Board Resolution 14-218 Petition to Vacate, Re: Rights-of-Way of Bluefish Way, Tkacs Drive, Sixth and Seventh Streets - Plan of the Town of Pineda - Melbourne - FL - 32940 - Wayne Siebold, Waelti Warehouses, LLC and KMM-FL LLC - District 4
<b>DEPT/OFFICE:</b>	Public Works Department - Surveying Section

**Requested Action:**

It is requested that the Board of County Commissioners approve the petitioner's request to except the Tkacs Drive portion of the December 16, 2014 Board approval to vacate and execute the attached Resolution.

**Summary Explanation & Background:**

The Board of County Commissioners, in regular session as part of a public hearing on December 16, 2014, adopted Resolution 14-218 vacating rights-of-way of Bluefish Way, Tkacs Drive, Sixth, and Seventh Streets in the Plan of Town of Pineda, as petitioned by Wayne Siebold, Waelti Warehouses, LLC, and KMM-FL LLC, contingent upon issues associated with Tkacs Drive being resolved with Florida Power & Light Company by January 27, 2015.

The Petitioner has informed the County that they are unable to resolve issues with Florida Power & Light by January 27, 2015 as required. Therefore, petitioner requests that the Board approve modification of the previously approved Resolution by excepting (removing) the Tkacs Drive portion from the vacate legal description. If approved, this would eliminate the need for the contingency thus allowing the remainder vacating to occur as previously approved. The Resolution advertisement will contain the revised vacating legal description.

The requested action has been reviewed and cleared for legality by the County Attorney's Office.

Name: [Marc.Cazessus@brevardcounty.us](mailto:Marc.Cazessus@brevardcounty.us)  
 Phone: Ext. 57315

Clerk to the Board instruction: Advertise Final Legal Notice and Record Vacating Resolution Documents (which in sequence include the Initial Notice of Public Hearing advertisement, the Approved Resolution, and the Approved Resolution advertisement)

Exhibits Attached: Resolution

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

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



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

February 17, 2015

MEMORANDUM

TO: Recording

RE: Item V.A., Petition to Vacate Rights-of Way of Bluefish Way and Sixth and Seventh Streets, Plan of the Town of Pineda

The Board of County Commissioners, in regular session on January 27, 2015, adopted a Resolution to Vacate Rights-of Way of Bluefish Way and Sixth and Seventh Streets Plan of the Town of Pineda. Enclosed is the proof of the publication setting the public hearing, Resolution No. 15-006, with attached Exhibits and proof of publication advertising the vacating.

Please record the same in Public Records, bill to Public Works Department's Account Number 3175 or call Marc Cazessus at 5-7315 if you have any questions; and return the recorded documents to this office, **including a receipt for the recordation.**

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Etheridge*

Tammy Etheridge, Deputy Clerk

/jl

Encls. (4)



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

February 18, 2015

Wayne Siebold  
7285 Waelti Dr.  
Melbourne, FL 32940

Dear Mr. Siebold:

RE: Item V.A., Petition to Vacate Rights-of-Way of Bluefish Way and Sixth and Seventh Streets, Plan of the Town of Pineda

The Board of County Commissioners, in regular session on January 27, 2015, adopted a Resolution to Vacate Rights-of-Way of Bluefish Way and Sixth and Seventh Streets, Plan of the Town of Pineda, as petitioned by you. Said Resolution has been recorded in ORBK 7304, PGs 1567 through 1572. 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 Etheridge, Deputy Clerk

/jl

Encl. (1)



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

February 18, 2015

Bryan Moffit  
7285 Waelti Dr.  
Melbourne, FL 32940

Dear Mr. Moffit:

RE: Item V.A., Petition to Vacate Rights-of-Way of Bluefish Way and Sixth and Seventh Streets, Plan of the Town of Pineda

The Board of County Commissioners, in regular session on January 27, 2015, adopted a Resolution to Vacate Rights-of-Way of Bluefish Way and Sixth and Seventh Streets, Plan of the Town of Pineda, as petitioned by you. Said Resolution has been recorded in ORBK 7304, PGs 1567 through 1572. 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 Etheridge, Deputy Clerk

/jl

Encl. (1)



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

February 18, 2015

Waelti Warehouses  
7275 Waelti Dr.  
Melbourne, FL 32940

Dear Sir:

RE: Item V.A., Petition to Vacate Rights-of-Way of Bluefish Way and Sixth and Seventh Streets, Plan of the Town of Pineda

The Board of County Commissioners, in regular session on January 27, 2015, adopted a Resolution to Vacate Rights-of-Way of Bluefish Way and Sixth and Seventh Streets, Plan of the Town of Pineda, as petitioned by you. Said Resolution has been recorded in ORBK 7304, PGs 1567 through 1572. 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 Etheridge, Deputy Clerk

/jl

Encl. (1)



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

February 23, 2015

MEMORANDUM

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

RE: Advertising Bills for Resolution to Vacate Public Rights-of-Way and Sixth and Seventh Streets,  
Plan of the Town of Pineda

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 15-006, vacating part of a public rights-of-way and Sixth and Seventh Streets, Plan of the Town of Pineda. Said Resolution was adopted by the Board of County Commissioners, in regular session on January 27, 2015.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

Encls. (2)

Mailed to:

Brevard County BOCC  
Attn: Tammy Etheridge  
PO Box 999  
Titusville, FL 32781-0999

A daily publication by:



CFN 2015032896 OR BK 7304 PAGE 1567.  
Recorded 02/17/2015 at 04:13 PM, Scott Ellis, Clerk of Courts,  
Brevard County  
# Pgs:6

STATE OF FLORIDA  
COUNTY OF BREVARD

**Kathy Cicala**

Before the undersigned authority personally appeared \_\_\_\_\_  
who on oath says that she is LEGAL ADVERTISING SPECIALIST of the FLORIDA TODAY,  
a newspaper published in Brevard County, Florida; that the attached copy of advertising being a

LEGAL NOTICE

Ad # ( 342870 )	\$	205.58	the matter of:
Acct. # ( 6BR427			
BREVARD COUNTY BOCC			
the	Court	NOTICE TO VACATE PORTIONS OF THE PUBLIC RIGHTS-OF-WAY OF BLUEFISH WAY	
		KMM-FL, LLC	

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

November 6, 2014

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, regularly as stated above, 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

*Kathy Cicala*  
(Signature of Affiant)

6th day of November 2014

*Ruby Royer*  
(Signature of Notary Public)

**Ruby Royer**

(Name of Notary Typed, Printed or Stamped)

Sworn to and subscribed before this:



**RUBY ROYER**  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF088043  
Expires 1/30/2018

AD#342870,11/06/2014

**LEGAL NOTICE**  
**NOTICE TO VACATE PORTIONS OF THE PUBLIC RIGHTS-OF-WAY OF BLUEFISH WAY, TKACS STREET, SIXTH STREET AND SEVENTH STREET, AS SHOWN ON THE PLAT OF THE PLAN OF THE TOWN OF PINEDA IN MELBOURNE, FL. 32940 AND LYING IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 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 KMM-FL, LLC 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 public rights-of-way at 9:00 a.m. on **NOVEMBER 25, 2014** 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"**  
**Right of Ways to be Vacated:**  
 A portion of the un-named right of way now posted as Bluefish Way (a 50 foot wide right of way) lying South of the South lines of Blocks 41, 42, and 43, extending from the Southerly extension of the West line of Block 41 to the West right of way line of the Florida East Coast Railway, that portion of the un-named right of way shown as Sixth Street on the Brevard County Property Appraiser's Map and lying between Blocks 38 and 39, that portion of the un-named right of way shown as Seventh Street on the Brevard County Property Appraiser's Map as Seventh Street and lying between Blocks 39 and 40, and that portion of the un-named right of way posted as TKACS Drive extending from the Southerly extension of the West line of Block 38 to the East right of way line of the Florida East Coast Railway, all being portions of those lands platted in PLAN OF TOWN OF PINEDA, according to the plat thereof recorded in Plat Book 1, Page 41 of the Public Records of Brevard County, Florida.  
 Containing 1.90 Acres or 82,865 square feet, more or less  
 Prepared by: Robert M. Salmon, PSM

Personally Known  or Produced Identification \_\_\_\_\_  
Type Identification Produced: \_\_\_\_\_

RESOLUTION 2015 -006  
AMENDING RESOLUTION 14-218 TO EXCLUDE OR REMOVE TKACS DRIVE

**VACATING THE PUBLIC RIGHT-OF-WAY OF BLUEFISH WAY AND PARTS OF SIXTH AND SEVENTH STREETS, PLAT OF THE TOWN OF PINEDA SUBDIVISION, MELBOURNE, FLORIDA IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST**

WHEREAS, pursuant to the Brevard County Code, a petition has been filed by **KMM-FL LLC, WAYNE SIEBOLD & WAELTI WAREHOUSES, LLC** with the Board of County Commissioners to vacate public rights-of-way in Brevard County, Florida; and

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 when Resolution 14-218 was adopted; and

WHEREAS, the Board found that vacating the public rights-of-way would not be detrimental to Brevard County or the public provided certain contingencies were met on Tkacs Drive; and

WHEREAS, the Board was informed the contingencies regarding Tkacs Drive cannot be met; and

WHEREAS, the Board finds excepting Tkacs Drive from the vacating action addressed in 14-218 will eliminate the need to meet contingencies, and

WHEREAS, the Board finds it is appropriate to delete, except or remove Tkacs Drive from the vacating action and Resolution 14-218.

THEREFORE BE IT RESOLVED that Resolution 14-218 is modified to delete Tkacs Drive and the public rights-of-way described in the attached boundary survey are hereby vacated; and Brevard County renounces and disclaims any rights in and to said rights-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 27<sup>th</sup> day of January A.D., 2015.

ATTEST:

  
SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

  
ROBIN FISHER, CHAIRMAN

As approved by the Board on:  
January 27<sup>th</sup>, 2015

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF PORTION OF EASEMENT TO BE VACATED:**

**LEGAL DESCRIPTION:**

**Right of Ways to be Vacated:**

A portion of the un-named right of way now posted as Bluefish Way (a 50 foot wide right of way) lying South of the South lines of Blocks 41, 42, and 43, extending from the Southerly extension of the West line of Block 41 to the West right of way line of the Florida East Coast Railway, that portion of the un-named right of way shown as Sixth Street on the Brevard County Property Appraiser's Map and lying between Blocks 38 and 39, and that portion of the un-named right of way shown as Seventh Street on the Brevard County Property Appraiser's Map and lying between Blocks 39 and 40, all being portions of those lands platted in PLAN OF TOWN OF PINEDA, according to the plat thereof recorded in Plat Book 1, Page 41 of the Public Records of Brevard County, Florida.

Containing 1.67 Acres or 72,911 square feet, more or less

Prepared by Robert M. Salmon, PSM

# BOUNDARY SURVEY

SHEET 1 OF 2

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID NUMBER: N/A

PURPOSE OF SURVEY: ROAD VACATIONS

## LEGAL DESCRIPTION:

Right of Ways to be Vacated:

A portion of the un-named right of way now posted as Bluefish Way (a 50 foot wide right of way) lying South of the South lines of Blocks 41, 42, and 43, extending from the Southerly extension of the West line of Block 41 to the West right of way line of the Florida East Coast Railway, that portion of the un-named right of way shown as Sixth Street on the Brevard County Property Appraiser's Map and lying between Blocks 38 and 39, and that portion of the un-named right of way shown as Seventh Street on the Brevard County Property Appraiser's Map and lying between Blocks 39 and 40, all being portions of those lands platted in PLAN OF TOWN OF PINEDA, according to the plat thereof recorded in Plat Book 1, Page 41 of the Public Records of Brevard County, Florida.

Containing 1.67 Acres or 72,911 square feet, more or less

## SURVEYOR'S NOTES:

1. Only platted easements, unless noted otherwise, are shown.
2. Unless otherwise noted, underground improvements (foundations, septic tanks, utilities etc.) were not located.
3. The bearings shown are based on the West line of S.W. 1/4 of Section 12, Township 26 S., Range 36 E. having a bearing of N00°52'48"W.
4. According to FIRM (Flood Insurance Rate Map) Map Number 12009C0510G, Panel Number 125092 0510 G, Map Index date: March 17, 2014, this property lies within FIRM Zones "X".
5. See Sheet 1 for Sketch of Boundary.

## LEGEND:

○ = SET 5/8" IRON ROD WITH PLASTIC CAP STAMPED "ALLEN ENG LB 266"

## ABBREVIATIONS:

CONC. CONCRETE  
 CP CONCRETE POST  
 GA GUY ANCHOR  
 LB LAND SURVEYING BUSINESS  
 OHW OVERHEAD WIRE  
 R/W RIGHT OF WAY  
 TRB TELEPHONE RISER BOX  
 WPP WOOD POWER POLE

## SURVEYOR'S CERTIFICATION:

I hereby certify that the attached Sketch of Boundary Survey was prepared under my direction, in accordance with all applicable requirements of the "Minimum Technical Standards," for land surveying in the State of Florida, described in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes.

ALLEN ENGINEERING, INC.

# ALLEN


Engineering, Inc.

SURVEYORS - ENGINEERS  
106 DIXIE LANE  
COCOA BEACH, FLORIDA 32931

TELEPHONE: (321)783-7443 - FAX: (321)783-5902  
WEBSITE: www.alleneng.net - EMAIL: info@alleneng.net

CERTIFICATE OF AUTHORIZATION #LB266

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

BY:   
ROBERT M. SALMON  
Professional Surveyor & Mapper  
Florida Registration No. 4262

PREPARED AND CERTIFIED FOR:

KMM-FL LLC

3.	
2.	
1.	REVISE SKETCH & DESCRIPTION 1-19-15
JOB NO.	040071.2
DATE:	9-26-14

# BOUNDARY SURVEY

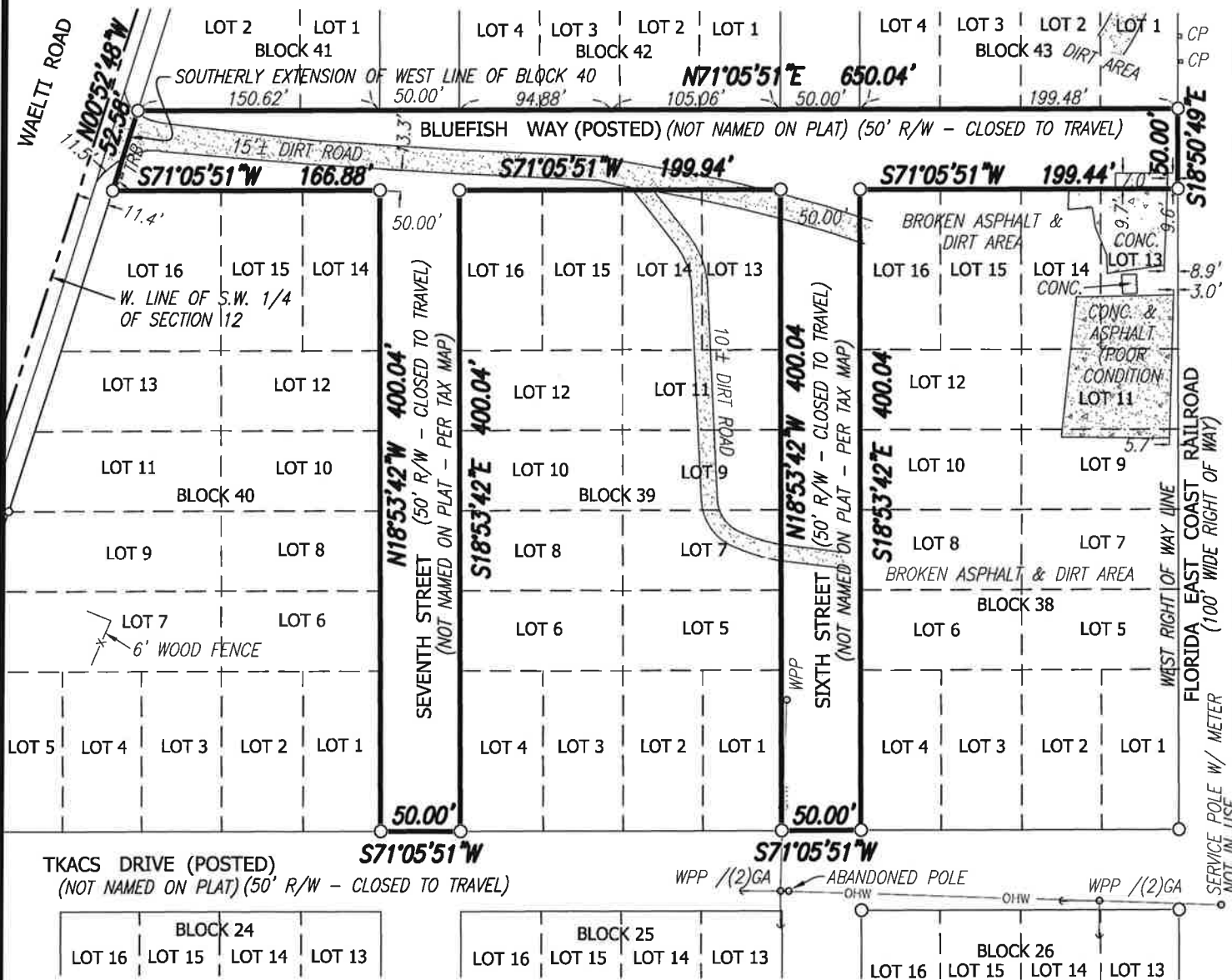
SHEET 2 OF 2

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2

PARCEL ID NUMBER: N/A

PURPOSE OF SURVEY: ROAD VACATIONS



**ALLEN**  
Engineering, Inc.  
SURVEYORS - ENGINEERS  
106 DIXIE LANE  
COCOA BEACH, FLORIDA 32931

TELEPHONE: (321)783-7443 - FAX: (321)783-5902  
WEBSITE: www.alleneng.net - EMAIL: info@alleneng.net

CERTIFICATE OF AUTHORIZATION #LB266

## NOTES:

1. See Sheet 1 for Survey Notes, Abbreviations, Legend and Legal Description.
2. Right-of-Way to be vacated to contain 1.90 Acres or 82,865 square feet, more or less

PREPARED AND CERTIFIED FOR:

KMM-FL LLC

3.	
2.	
1.	REVISE SKETCH & DESCRIPTION 1-19-15
DATE:	9-26-14
DRAWN BY:	DJG
JOB NO.	040071.2
SCALE:	1"=100'

Mailed to:

Brevard County BOCC  
Attn: Tammy Etheridge  
PO Box 999  
Titusville, FL 32781-0999

A daily publication by:



STATE OF FLORIDA  
COUNTY OF BREVARD

**Kathy Cicala**

Before the undersigned authority personally appeared \_\_\_\_\_, who on oath says that she is LEGAL ADVERTISING SPECIALIST of the FLORIDA TODAY, a newspaper published in Brevard County, Florida; that the attached copy of advertising being a

LEGAL NOTICE

Ad # ( 347846 )	\$	137.72	The matter of:
Acct. # ( 6BR427			
			BREVARD COUNTY BOCC
the	Court		RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY

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

FEBRUARY 5 2015

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, regularly as stated above, 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before this:



RUBY ROYER  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF088043  
Expires 1/30/2018

*Kathy Cicala*  
(Signature of Affiant)

5TH DAY OF FEBRUARY 2015

*Ruby Royer*  
(Signature of Notary Public)  
Ruby Royer

(Name of Notary Typed, Printed or Stamped)

AD#347846,02/05/2015

**LEGAL NOTICE**  
**RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY AND PARTS IF THE SIXTH AND SEVENTH STREETS, PLAT OF THE TOWN OF PINEDA SUBDIVISION, MELBOURNE, FLORIDA IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST**

TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on the 27ND day of January, 2015, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a utility easement petitioned by Wayne Siebold, Waelii Warehouses, LLC, and KMM-FL LLC to wit:

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF PORTION OF EASEMENT TO BE VACATED:**

**LEGAL DESCRIPTION:**  
Right of Ways to be Vacated:  
A portion of the un-named right of way now posted as Bluefish Way (a 50 foot wide right of way) lying South of the South lines of Blocks 41, 42, and 43, extending from the Southerly extension of the West line of Block 41 to the West right of way line of the Florida East Coast Railway, that portion of the un-named right of way shown as Sixth Street on the Brevard County Property Appraiser's Map and lying between Blocks 38 and 39, and that portion of the un-named right of way shown as Seventh Street on the Brevard County Property Appraiser's Map and lying between Blocks 39 and 40, all being portions of those lands platted in PLAN OF TOWN OF PINEDA, according to the plat thereof recorded in Plat Book 1, Page 41 of the Public Records of Brevard County, Florida. Containing 1.67 Acres or 72,911 square feet, more or less.

Prepared by Robert M. Salmon, PSM  
The Board further renounced and disclaimed any right of the County in and to said public utility and drainage easement. All persons govern yourselves accordingly.  
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
BY: Tammy Etheridge, Deputy Clerk

Personally Known  X  or Produced Identification \_\_\_\_\_  
Type Identification Produced: \_\_\_\_\_

**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  
 #: 1468364  
 Receipt #: 61439988  
 Cashier Date: 2/17/2015  
 4:13:28 PM



Print Date:  
 2/17/2015 4:13:30 PM

Customer Information	Transaction Information	Payment Summary
(3175) SURVEY SECTION BREVARD CO BCGC BLDG A ZIP 81 VIERA, FL 32904 Beginning Escrow Balance: -\$1574.00	Date Received: 02/17/2015 Source Code: Titusville - Six Story Q Code: Titusville - Six Story Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$52.50 Total Payments \$52.50

1 Payments	
ESCROW	\$52.50

1 Recorded Items	
(RSL) RESOLUTION	BK/PG: 7304/1567 CFN: 2015032896 Date: 2/17/2015 4:13:26 PM From: To:
Recording @ 1st=\$10 Add'l=\$8.50 ea.	6 \$52.50
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2 \$0.00

0 Search Items
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1 Miscellaneous Items
(AGTR) AGENT TRANSMITTAL

LEGAL NOTICE

RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY AND PARTS IF THE SIXTH  
AND SEVENTH STREETS, PLAT OF THE TOWN OF PINEDA SUBDIVISION,  
MELBOURNE, FLORIDA IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 27<sup>ND</sup> day of January, 2015, the Board of  
County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a  
utility easement petitioned by Wayne Siebold, Waelti Warehouses, LLC, and KMM-FL LLC to  
wit:

**SEE ATTACHED EXHIBIT "A"**

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

All persons govern yourselves accordingly.

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

---

FLORIDA TODAY:

Please advertise in the February 5, 2015 issue of Florida TODAY.

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

LEGAL DESCRIPTION:

Right of Ways to be Vacated:

A portion of the un-named right of way now posted as Bluefish Way (a 50 foot wide right of way) lying South of the South lines of Blocks 41, 42, and 43, extending from the Southerly extension of the West line of Block 41 to the West right of way line of the Florida East Coast Railway, that portion of the un-named right of way shown as Sixth Street on the Brevard County Property Appraiser's Map and lying between Blocks 38 and 39, and that portion of the un-named right of way shown as Seventh Street on the Brevard County Property Appraiser's Map and lying between Blocks 39 and 40, all being portions of those lands platted in PLAN OF TOWN OF PINEDA, according to the plat thereof recorded in Plat Book 1, Page 41 of the Public Records of Brevard County, Florida.

Containing 1.67 Acres or 72,911 square feet, more or less

Prepared by Robert M. Salmon, PSM

## John Lynch

---

**From:** Cazessus, Marc <marc.cazessus@brevardcounty.us>  
**Sent:** Wednesday, January 28, 2015 9:51 AM  
**To:** John Lynch  
**Cc:** Tammy Etheridge; Christine Mulligan; Sweeney, Michael; Vitale, Anthony  
**Subject:** RE: Hayes: Lot 5 Stonebridge S/D - Easement Vacating

Bluefish

Mr. Lynch:

For your future use and when providing copies to the three petitioners, their contact information is as follows:

1. Bryan Moffit  
7285 Waelti Drive  
Melbourne, FL 32940
2. Wayne Siebold  
7235 Waelti Drive  
Melbourne, FL 32940
3. Waelti Warehouses, LLC  
7275 Waelti Drive  
Melbourne, FL 32940

Thank you.

**Marc**

Marc Cazessus, PLS  
Vacating & Acquisition Review Specialist  
Tel: (321) 617-7315 Fax: (321) 633-2083  
Email: [marc.cazessus@brevardcounty.us](mailto:marc.cazessus@brevardcounty.us)  
Brevard County Public Works Dept.  
2725 Judge Fran Jamieson Way, Bldg. A-220  
Viera, FL 32940

---

**From:** Cazessus, Marc  
**Sent:** Wednesday, January 28, 2015 8:30 AM  
**To:** 'John Lynch'  
**Cc:** 'Tammy Etheridge'; Christine Mulligan  
**Subject:** Hayes: Lot 5 Stonebridge S/D - Easement Vacating

## John Lynch

---

**From:** Cazessus, Marc <marc.cazessus@brevardcounty.us>  
**Sent:** Wednesday, January 28, 2015 10:00 AM  
**To:** Cazessus, Marc; John Lynch  
**Cc:** Tammy Etheridge; Christine Mulligan; Sweeney, Michael; Vitale, Anthony  
**Subject:** RE: Hayes: Lot 5 Stonebridge S/D - Easement Vacating

Mr. Lynch:

Please ignore the contact information below which is for Item 01-27-15 V. A. The correct contact information for Item 01-27-15 IV. A is: Phillip Hayes, 2320 Stonebridge Drive, Rockledge, FL 32955.

Thank you,

*Marc*

Marc Cazessus, PLS  
Vacating & Acquisition Review Specialist  
Tel: (321) 617-7315 Fax: (321) 633-2083  
Email: [marc.cazessus@brevardcounty.us](mailto:marc.cazessus@brevardcounty.us)  
Brevard County Public Works Dept.  
2725 Judge Fran Jamieson Way, Bldg. A-220  
Viera, FL 32940

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**From:** Cazessus, Marc  
**Sent:** Wednesday, January 28, 2015 9:51 AM  
**To:** 'John Lynch'  
**Cc:** 'Tammy Etheridge'; 'Christine Mulligan'; Sweeney, Michael; Vitale, Anthony  
**Subject:** RE: Hayes: Lot 5 Stonebridge S/D - Easement Vacating

Mr. Lynch:

For your future use and when providing copies to the three petitioners, their contact information is as follows:

1. Bryan Moffit  
7285 Waelti Drive  
Melbourne, FL 32940
2. Wayne Siebold  
7235 Waelti Drive  
Melbourne, FL 32940
3. Waelti Warehouses, LLC  
7275 Waelti Drive  
Melbourne, FL 32940

*Bluefish*

Mr. Lynch:

Per your request, I am approving the advertisement of the legal notice of the approved resolution and am providing the legal description for same in the attached Word doc. Please let me know if I may be of additional assistance.

Respectfully,

***Marc***

Marc Cazessus, PLS  
Vacating & Acquisition Review Specialist  
Tel: (321) 617-7315 Fax: (321) 633-2083  
Email: [marc.cazessus@brevardcounty.us](mailto:marc.cazessus@brevardcounty.us)  
Brevard County Public Works Dept.  
2725 Judge Fran Jamieson Way, Bldg. A-220  
Viera, FL 32940

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**From:** John Lynch [<mailto:John.Lynch@brevardclerk.us>]  
**Sent:** Tuesday, January 27, 2015 4:19 PM  
**To:** Cazessus, Marc  
**Subject:** vacating

Good afternoon,

Item I.V.A was approved at the board meeting today. "Petition to Vacate, Re: Public Utility Easement – Stonebridge Drive – Stonebridge S/D – Phillip – Hayes – District 4." I need the ok and the legal for the second for the second advertisement.

Thank you

John Lynch  
Clerk to the Board  
Brevard County Clerk of the Circuit Court  
Scott Ellis, Clerk  
Phone (321) 637-2001  
[john.lynn@brevardclerk.us](mailto:john.lynn@brevardclerk.us)

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**Under Florida law, all correspondence sent to the Clerk's Office, which is not exempt or confidential pursuant to Chapter 119 of the Florida Statutes, is public record. If you do not want the public record contents of your e-mail or your e-mail address to be provided to the public in response to a public records**

Thank you.

***Marc***

Marc Cazessus, PLS  
Vacating & Acquisition Review Specialist  
Tel: (321) 617-7315 Fax: (321) 633-2083  
Email: [marc.cazessus@brevardcounty.us](mailto:marc.cazessus@brevardcounty.us)  
Brevard County Public Works Dept.  
2725 Judge Fran Jamieson Way, Bldg. A-220  
Viera, FL 32940

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**From:** Cazessus, Marc  
**Sent:** Wednesday, January 28, 2015 8:30 AM  
**To:** 'John Lynch'  
**Cc:** 'Tammy Etheridge'; Christine Mulligan  
**Subject:** Hayes: Lot 5 Stonebridge S/D - Easement Vacating

Mr. Lynch:

Per your request, I am approving the advertisement of the legal notice of the approved resolution and am providing the legal description for same in the attached Word doc. Please let me know if I may be of additional assistance.

Respectfully,

***Marc***

Marc Cazessus, PLS  
Vacating & Acquisition Review Specialist  
Tel: (321) 617-7315 Fax: (321) 633-2083  
Email: [marc.cazessus@brevardcounty.us](mailto:marc.cazessus@brevardcounty.us)  
Brevard County Public Works Dept.  
2725 Judge Fran Jamieson Way, Bldg. A-220  
Viera, FL 32940

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**From:** John Lynch [<mailto:John.Lynch@brevardclerk.us>]  
**Sent:** Tuesday, January 27, 2015 4:19 PM  
**To:** Cazessus, Marc  
**Subject:** vacating

Good afternoon,