

27



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.1.

8/2/2022

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easements- 2490 Sweetwater Court - "Sweetwater Downs"
Plat Book 35, Page 81 - Mims - Francis J. Sidoti - District 1

Fiscal Impact:

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

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of two public utility & drainage easements, "Sweetwater Downs" in Section 16, Township 21 South, Range 34 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lots 1 & 2, and is requesting the vacating of a portion of two 10.00 ft. wide public utility & drainage easements lying between Lots 1 & 2, to allow for the construction of a single-family home. Easement to be vacated contains 5507.00 square feet, more or less. The property is located in Mims South of Highway 46 and West of Interstate 95.

July 18, 2022, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice and the proof of publication of the adopted resolution notice.



August 16, 2022

Francis J. Sidoti
6480 Greenwood Ave
Barefoot Bay, FL 32927

Dear Sir/Madam:

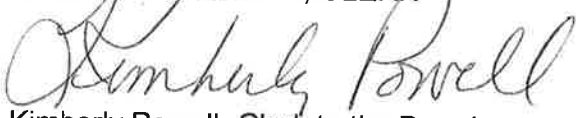
Re: Resolution Vacating a Portion of Two Public Utility and Drainage Easements in Plat "Sweetwater Downs" Subdivision, Mims, Lying in Section 16, Township 21 South, Range 34 East

The Board of County Commissioners, in regular session on August 2, 2022, adopted Resolution No. 22-073, vacating a portion of two public utility and drainage easements in Plat "Sweetwater Downs" Subdivision, Mims, lying in Section 16, Township 21 South, Range 34 East, as petitioned by you. Said Resolution has been recorded in ORBK 9587, Pages 1257 through 1261. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

June 6, 2022

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating a Portion of Two Public Utility and Drainage Easements in Plat "Sweetwater Downs" Subdivision, Mims

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 22-073, vacating a portion of two public utility and drainage easements in plat "Sweetwater Downs" Subdivision, Mims, as petitioned by Francis J. Sidoti. Said Resolution was adopted by the Board of County Commissioners, in regular session on August 2, 2022.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

Resolution 2022 - 073

**Vacating a portion of two public utility & drainage easements in plat "Sweetwater Downs"
Subdivision, Mims, Florida, lying in Section 16, Township 21 South, Range 34 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Francis J. Sidoti** with the Board of County Commissioners to vacate two public 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 the public easements will not be detrimental to Brevard County or the public.


THEREFORE BE IT RESOLVED that said public easements are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. 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 2nd day of August, 2022 A.D.

ATTEST:


Rachel Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


Kristine Zonka, Chair

As approved by the Board on:
August 2, 2022

CFN 202201438 OR BK 9587 PAGE 1257
Recorded 08/16/2022 at 09:57 AM Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs: 5

SKETCH AND DESCRIPTION: (FOR VACATING OF EASEMENT)

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

SECTION 16, T.21S., R.34E.

PETITIONER'S PARCEL ID NO. 21-34-16-50-*1

PREPARED FOR: FRANCIS J. SIDOTI

LEGAL DESCRIPTION:

THE 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF.

CONTAINING 5507 SQUARE FEET MORE OR LESS

THIS CERTIFIES THAT THE FOREGOING SKETCH AND LEGAL DESCRIPTION MEET THE APPLICABLE MINIMUM STANDARDS ESTABLISHED PURSUANT TO FLORIDA STATUTES 472.027 AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY, BUT ARE BASED ON INFORMATION FROM PUBLIC RECORDS WHICH MAY DIFFER.

THIS IS NOT A SURVEY

LEGAL DESCRIPTION REVISED AS PER BREVARD COUNTY --- 05/28/22
DRAWING REVISED --- 05/31/22

04/17/22
JOHN T. HOLLEY, P.S.M. # 5050
("NOT VALID WITHOUT THE ORIGINAL SIGNATURE
AND RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER")



SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

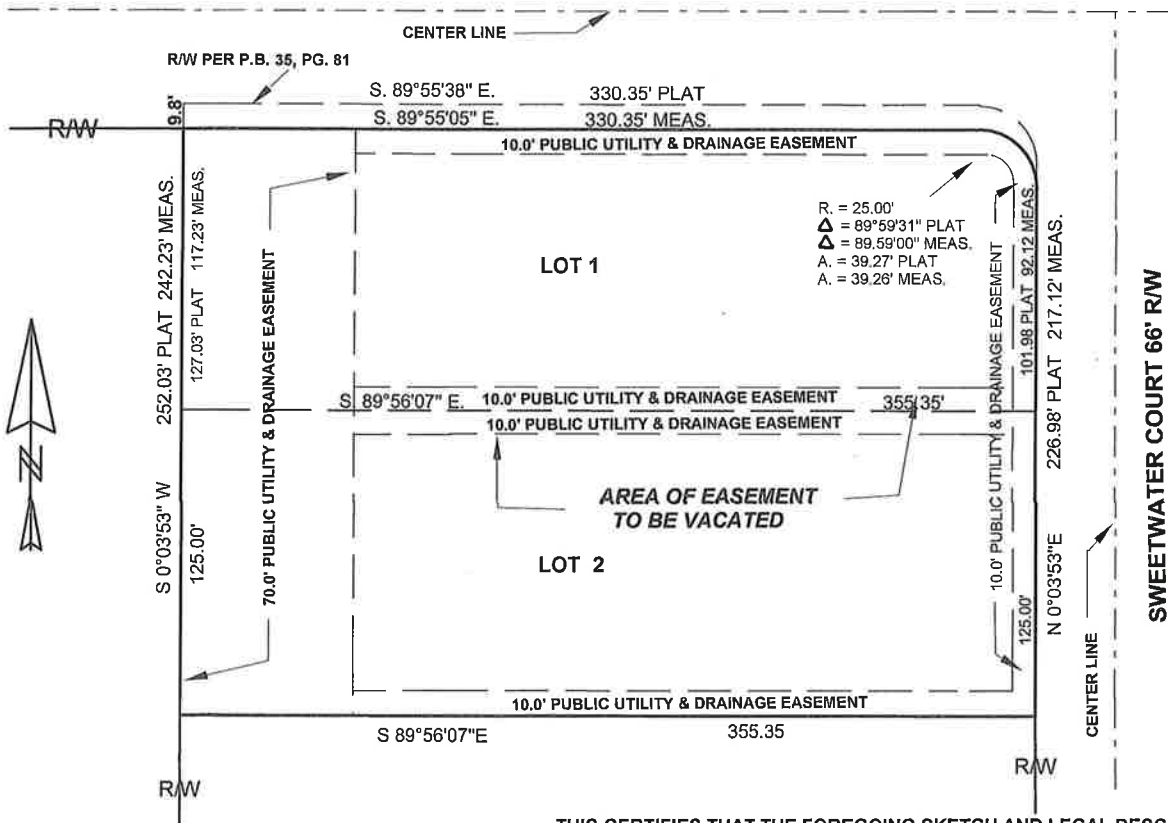
HOLLEY & ASSOCIATES INC.
REGISTERED LAND SURVEYORS L.B.#4595
1846 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-6113

SKETCH AND DESCRIPTION: (FOR VACATING OF EASEMENT)SHEET 2 OF 2 NOT VALID
WITHOUT SHEET 1SECTION 16, T.21S., R.34E.
PETITIONER'S PARCEL ID NO. 21-34-16-50-* -1

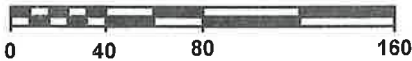
PREPARED FOR: FRANCIS J. SIDOTI

(75' R/W PER PLAT BOOK 35, PAGE 81)

STATE ROAD No. 46 100' R/W. (PER D.O.T.)



SCALE: 1" = 80'



THIS CERTIFIES THAT THE FOREGOING SKETCH AND LEGAL DESCRIPTION MEET THE APPLICABLE MINIMUM STANDARDS ESTABLISHED PURSUANT TO FLORIDA STATUTES 472.027 AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY, BUT ARE BASED ON INFORMATION FROM PUBLIC RECORDS WHICH MAY DIFFER.

THIS IS NOT A SURVEY.

LEGAL DESCRIPTION REVISED AS PER BREVARD COUNTY --- 05/28/22
DRAWING REVISED --- 05/31/22

LEGEND:

A. = ARC DISTANCE
Δ = CENTRAL ANGLE
E = EAST
MEAS. = MEASURED
N = NORTH
PG. = PAGE
P.B. = PLAT BOOK
R. = RADIUS
R. = RANGE
R/W = RIGHT OF WAY
S = SOUTH
T. = TOWNSHIP
W = WEST

NOTE:

BEARINGS SHOWN ARE FROM PLAT BOOK 35, PAGE 81 AND ARE NOT BASED ON FIELD MEASUREMENTS AS THIS IS NOT A SURVEY.

JOHN T. HOLLEY, P.S.M. # 5050
("NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.")

04/17/22

HOLLEY & ASSOCIATES INC.

REGISTERED LAND SURVEYORS L.B.#4595
1846 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-6113

SHEET 2 OF 2 NOT VALID
WITHOUT SHEET 1



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

STATE OF WISCONSIN COUNTY OF BROWN:
Before the undersigned authority personally appeared said legal clerk, 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) dated:
or by publication on the newspaper's website, if authorized,
on

07/18/2022

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 18th of July 2022,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$181.30

Ad No: 0005327829

Customer No: BRE-6BR327

This is not an invoice

of Affidavits 1

Ad#5327829 7/18/2022

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SWEETWATER DOWNS" IN SECTION 16, TOWNSHIP 21 SOUTH, RANGE 34 EAST, MIMS, 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 FRANCIS J. SIDOTI with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF, CONTAINING 5507 SQUARE FEET MORE OR LESS. PREPARED BY: JOHN T. HOLLEY, 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 August 2, 2022 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.

VICKY FELTY
Notary Public
State of Wisconsin

A Daily Publication By:



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

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, 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) dated: or by publication on the newspaper's website, if authorized, on

08/11/2022

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 11th of August 2022, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$114.66

Ad No: 0005369862

Customer No: BRE-6BR327

This is not an invoice

of Affidavits 1

AD#5369862 08/11/2022
LEGAL NOTICE

RESOLUTION VACATING A PORTION OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS IN PLAT "SWEETWATER DOWNS" SUBDIVISION, MIMS, LYING IN SECTION 16, TOWNSHIP 21 SOUTH, RANGE 34 EAST - FRANCIS J. SIDOTI

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 2ND day of August, 2022, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public utility and drainage easements in plat "Sweetwater Downs" Subdivision, Mims, lying in Section 16, Township 21 South, Range 34 East as petitioned by Francis J. Sidoti.

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

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA
RACHEL M. SADOFF, CLERK
BY: Kimberly Powell, Clerk to the Board

VICKY FELTY
Notary Public
State of Wisconsin

Sidoti

THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF. CONTAINING 5507 SQUARE FEET MORE OR LESS. PREPARED BY: JOHN T. HOLLEY, PSM.

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PREPARED BY: JOHN T. HOLLEY, PSM.**

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

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA
RACHEL M. SADOFF, CLERK
BY: Kimberly Powell, Clerk to the Board

Florida TODAY:

Please advertise in the August 11, 2022, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**

Brevard County Property Appraiser Detail Sheet

Account 2100790
 Owners SIDOTI, FRANCIS J
 Mailing Address 6480 GREENWOOD AVE COCOA FL 32927
 Site Address 2490 SWEETWATER CT MIMS FL 32754
 Parcel ID 21-34-16-50-* -1
 Property Use 0010 - VACANT RESIDENTIAL LAND (SINGLE
 FAMILY, PLATTED)
 Exemptions NONE
 Taxing District 1300 - UNINCORP DISTRICT 1
 Total Acres 2.05
 Subdivision SWEETWATER DOWNS
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0035/0081
 Land Description SWEETWATER DOWNS LOTS 1 & 2

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$44,000	\$40,000	\$40,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$44,000	\$19,160	\$17,420
Assessed Value School	\$44,000	\$40,000	\$40,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$44,000	\$19,160	\$17,420
Taxable Value School	\$44,000	\$40,000	\$40,000

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/08/2020	\$51,000	WD	Vacant	8714/1989
05/03/2004	--	QC	--	5278/1352
09/24/2002	--	QC	--	4692/2342

Vicinity Map

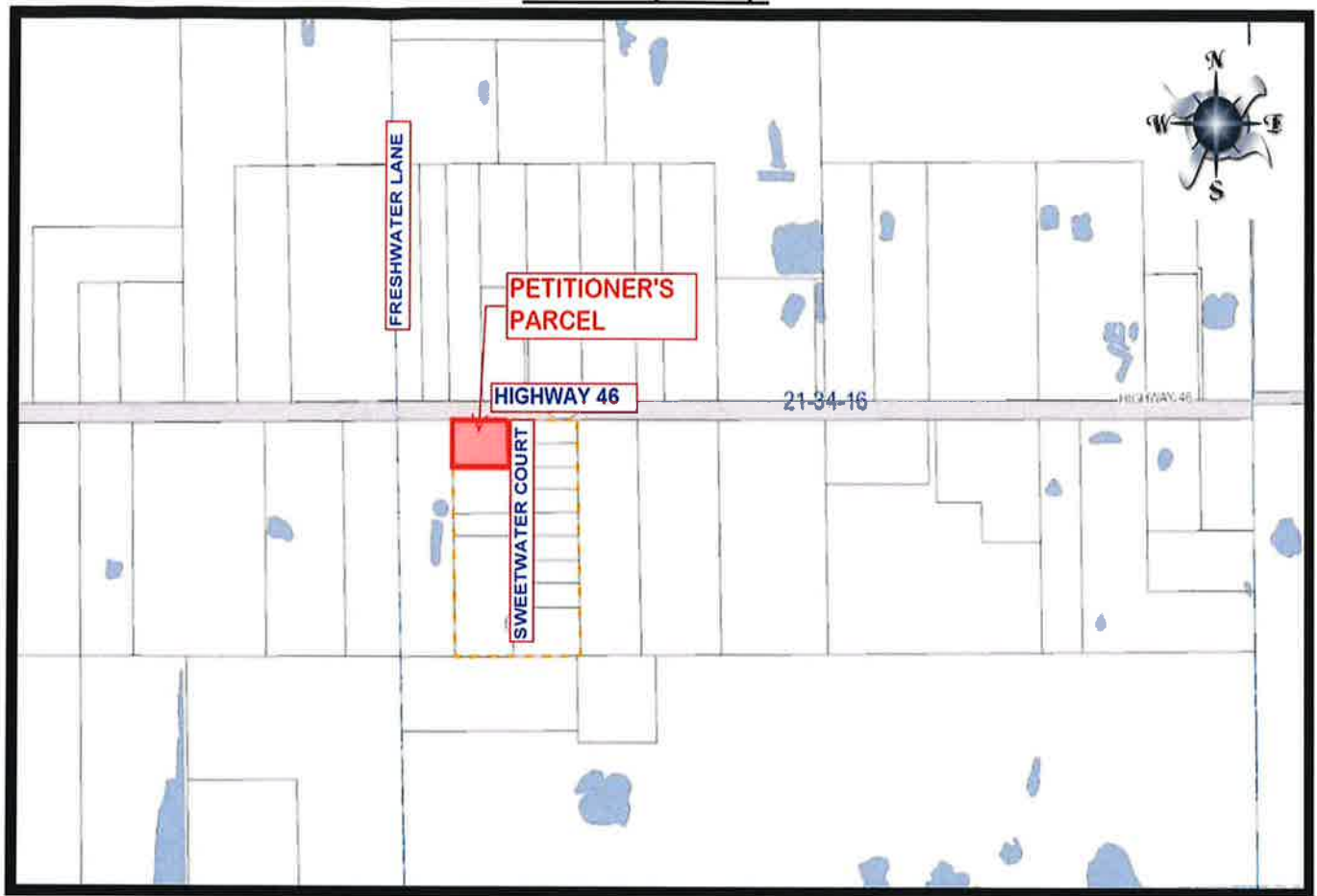


Figure 1: Map of Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Francis J. Sidoti – 2490 Sweetwater Court –
Mims, FL, 32754 – Lots 1 & 2, plat of
“Sweetwater Downs” – Plat Book 35, Page 81
– Section 16, Township 21 South, Range 34
East – District 1 – Proposed Vacating of a
portion of two 10.0 ft. Wide Public Utility &
Drainage Easements

Aerial Map



Figure 2: Aerial Map of Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Francis J. Sidoti – 2490 Sweetwater Court –
Mims, FL, 32754 – Lots 1 & 2, plat of
“Sweetwater Downs” – Plat Book 35, Page 81
– Section 16, Township 21 South, Range 34
East – District 1 – Proposed Vacating of a
portion of two 10.0 ft. Wide Public Utility &
Drainage Easements

Plat Reference

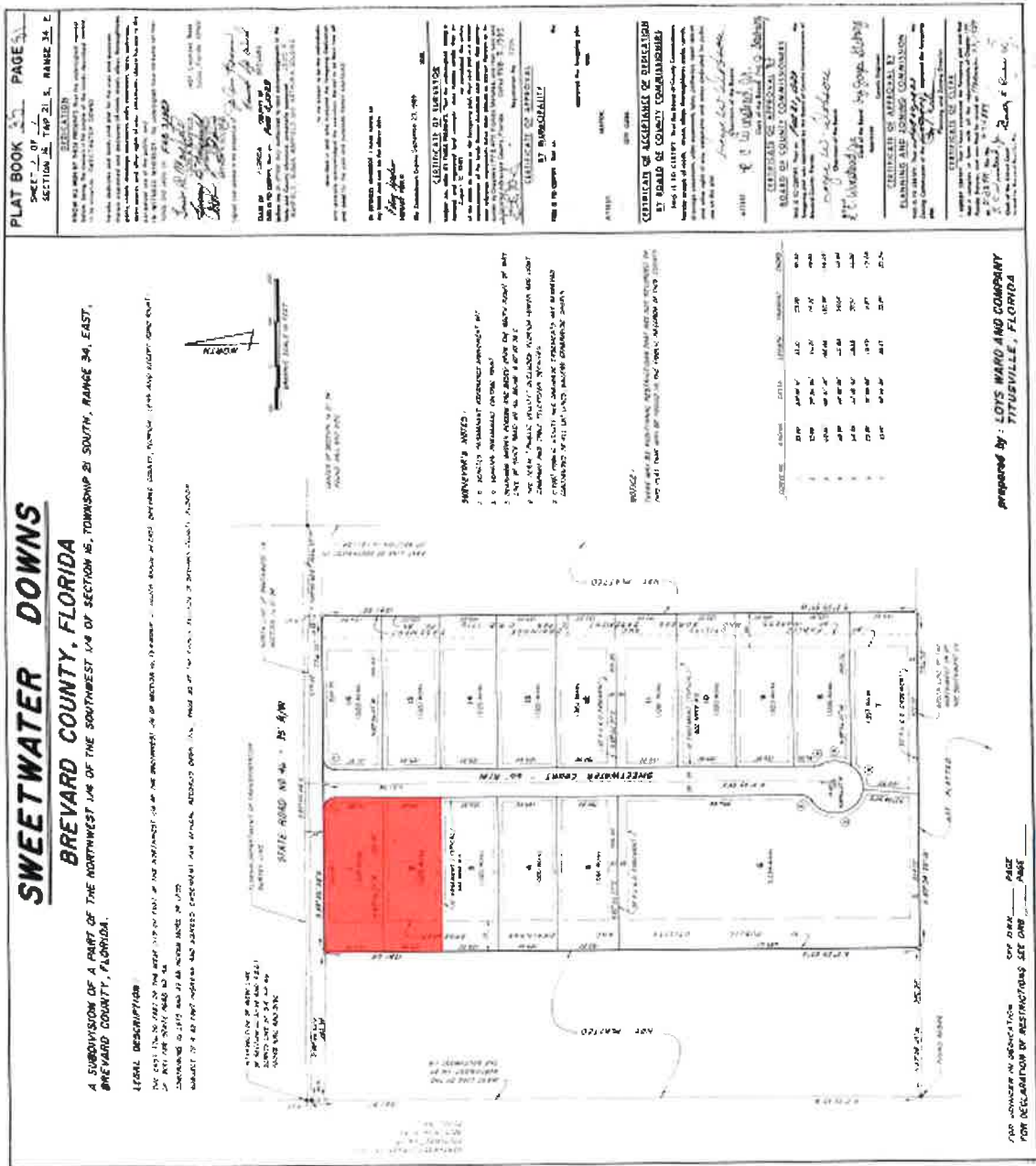


Figure 3: Copy of plat map "Sweetwater Downs" dedicated to Brevard County February 21, 1989.

Petitioner's Sketch & Description Sheet 1 of 2

J.O.# 37007-1

SKETCH AND DESCRIPTION: (FOR VACATING OF EASEMENT)

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

SECTION 16, T.21S., R.34E.
PETITIONER'S PARCEL ID NO. 21-34-16-50-*1
PREPARED FOR: FRANCIS J. SIDOTI

LEGAL DESCRIPTION:

THE 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF.

CONTAINING 5507 SQUARE FEET MORE OR LESS

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THIS IS NOT A SURVEY

LEGAL DESCRIPTION REVISED AS PER BREVARD COUNTY --- 05/28/22
DRAWING REVISED --- 06/31/22

JOHN T. HOLLEY, P.S.M. # 5050
("NOT VALID WITHOUT THE ORIGINAL SIGNATURE
AND RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER")

04/17/22



SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

HOLLEY & ASSOCIATES INC.
REGISTERED LAND SURVEYORS L.B.#4585
1846 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-6113

Figure 4: Legal Description. Sheet 1 of 2. Section 16, Township 21 South, Range 34 East. Parcel ID number: 21-34-16-50-*1.

Petitioner's Sketch & Description Sheet 2 of 2

J.O.# 37007-2

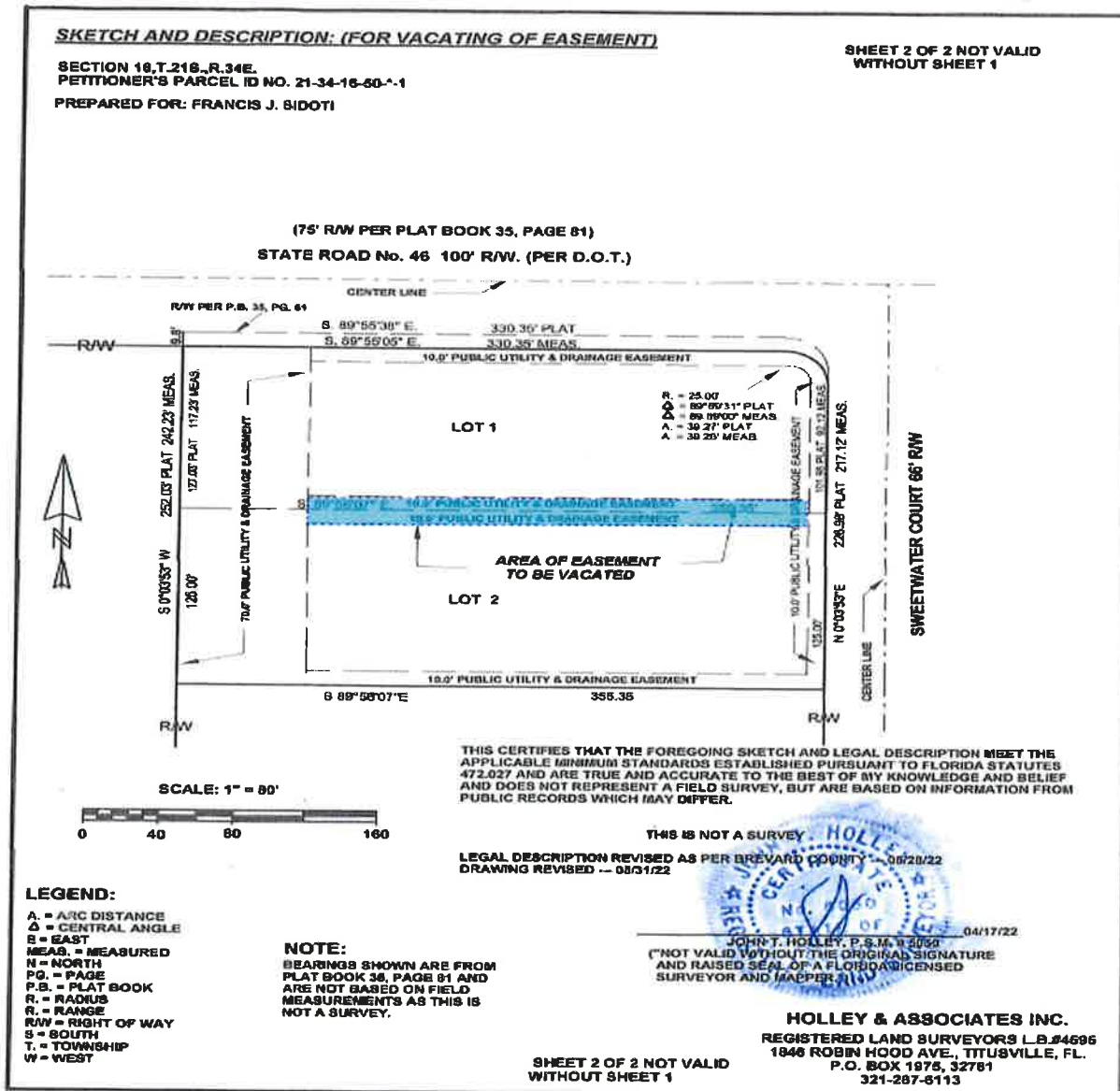


Figure 5: Sketch of description. Section 16, Township 21 South, Range 34 East. Parcel ID Number: 21-34-16-50-*1.

Sketch illustrates a portion of two 10.00-foot wide public utility & drainage easements on Lots 1 & 2, Sweetwater Downs, Mims, Florida. The coordinate of the North line depicted is as follows. North boundary – South 89°55’05” East 330.35’; East boundary – North 00°03’53” East 217.12’; South boundary – South 89°56’07” East 355.35.00’; West boundary – South 00°03’53” West 242.23’. Prepared by: John T. Holley, Holley & Associates, Inc., LS 5050, Job NO: 37007-2.

J.O.#36444-27556



Survey illustrates the existing vacant lots and proposed single family home all lying within Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Comment Sheet

Applicant: Sidoti

Updated by: Amber Holley 20220628 at 15:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20220608	20220608	Yes	No objections
FL Power & Light	20220608	20220628	Yes	No objections
At&t	20220608	20220628	Yes	No comment
Charter/Spectrum	20220608	20220609	Yes	No objections
City of Titusville	20220608	20220620	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20220608	20220620	Yes	No Objections
Land Planning	20220608	20220621	Yes	No objections
Utility Services	20220608	20220608	Yes	No objections
Storm Water	20220608	20220624	Yes	No Objections
Zoning	20220608	20220621	Yes	No objections

Public Hearing Legal Advertisement

Ad#5327829

7/18/2022

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SWEETWATER DOWNS" IN SECTION 16, TOWNSHIP 21 SOUTH, RANGE 34 EAST, MIMS, FL

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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 August 2, 2022 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.

Figure 7: Copy of public hearing advertisement as published on July 18, 2022. See next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SWEETWATER DOWNS" IN SECTION 16, TOWNSHIP 21 SOUTH, RANGE 34 EAST, MIMS, 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 **FRANCIS J. SIDOTI** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF. CONTAINING 5507 SQUARE FEET MORE OR LESS. PREPARED BY: JOHN T. HOLLEY, 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 August 2, 2022** 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.