



AGENDA REPORT
July 9, 2019

**Petition to Vacate Public Utility Easement-Cocoa-Matthew S. and Roxanne
R. Milholland (District 1)**

SUBJECT:

Petition to Vacate, Re: Public Utility and Drainage Easement – 6900 Caliph Avenue – “Port St. John Unit Eight” Plat Book 23, Pages 70-83 – Cocoa – Matthew S. and Roxanne R. Milholland – District 1

FISCAL IMPACT:

\$640.00 Vacating Application Fee Paid by Petitioner

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility and drainage easement at the rear line of Lot 7, Block 316, “Port St. John Unit Eight” in Section 14, Township 23 South, Range 35 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

SUMMARY EXPLANATION and BACKGROUND:

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

The petitioners own Lot 7 and are requesting the vacating a portion of the 20.00 ft. wide public utility and drainage easement at the rear of Lot 7 to allow for the construction of a pool. Easement to be vacated contains 600 square feet, more or less.

June 24, 2019, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. The property is located in Cocoa as follows: Begin at the intersection of Port St. John Pkwy. and Grissom Pkwy.; thence 1.60 miles north along Grissom Pkwy.; thence 0.6 miles east along Curtis Blvd.; thence 0.1 miles south on Caliph to the residence on the west (right).

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

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

CLERK TO THE BOARD INSTRUCTIONS:

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

ATTACHMENTS:

- Description**
- **Exhibits**



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

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

August 7, 2019

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating a Part of a Public Utility and Drainage Easement in Port St. John Unit Eight, Subdivision, Cocoa

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-105, vacating a part of a public utility easement in Port St. John Unit Eight, Subdivision, Cocoa, as petitioned by Matthew S. and Roxanne R. Milholland. Said Resolution was adopted by the Board of County Commissioners, in regular session on July 9, 2019.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/kp

Encls. (2)



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

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

August 7, 2019

Matthew S. and Roxanne R. Milholland
6900 Caliph Avenue
Cocoa, FL 32927

Dear Mr. and Ms. Milholland:

Re: Resolution Vacating a Part of a Public Utility and Drainage Easement in Port St. John Unit Eight Subdivision, Cocoa

The Board of County Commissioners, in regular session on July 9, 2019, adopted Resolution No. 19-105, vacating a part of a public utility and drainage easement in Port St. John Unit Eight Subdivision, Cocoa, as petitioned by you. Said Resolution has been recorded in ORBK 8506, Pages 1 through 5. 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

Resolution 2019 - 105

**Vacating a part of a public utility and drainage easement in "Port St. John Unit Eight" Subdivision,
Cocoa, Florida, lying in Section 14, Township 23 South, Range 35 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **MATTHEW S. AND ROXANNE R. MILHOLLAND** 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 09TH day of July, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:
July 09, 2019

PURPOSE OF SKETCH AND DESCRIPTION: EASEMENT VACATING

SECTION 14, T.23S., R.35E.
PETITIONER'S PARCEL ID NO.
23-35-14-JZ-316-7

PREPARED FOR:
MATTHEW S. MILHOLLAND
ROXANNE R. MILHOLLAND

LEGAL DESCRIPTION OF AREA OF EASEMENT TO BE VACATED:

THAT PART OF THE 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE
EASEMENT LYING EAST OF THE WEST LINE OF LOT 7, BLOCK 316,
PORT ST. JOHN UNIT EIGHT, AS RECORDED IN PLAT BOOK 23, PAGES 70
THROUGH 83, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING
DESCRIBED AS FOLLOWS:

THE EAST 10.00 FEET OF THE WEST 20.00 FEET OF LOT 7, BLOCK 316,
PORT ST. JOHN UNIT EIGHT, AS RECORDED IN PLAT BOOK 23, PAGES 70
THROUGH 83, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS
AND EXCEPT THE SOUTH AND NORTH 6.00 FEET THEREOF.

CONTAINING 600 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



JOHN T. HOLLEY, P.S.M. # 5050 10/30/18
("NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.")



HOLLEY & ASSOCIATES INC.

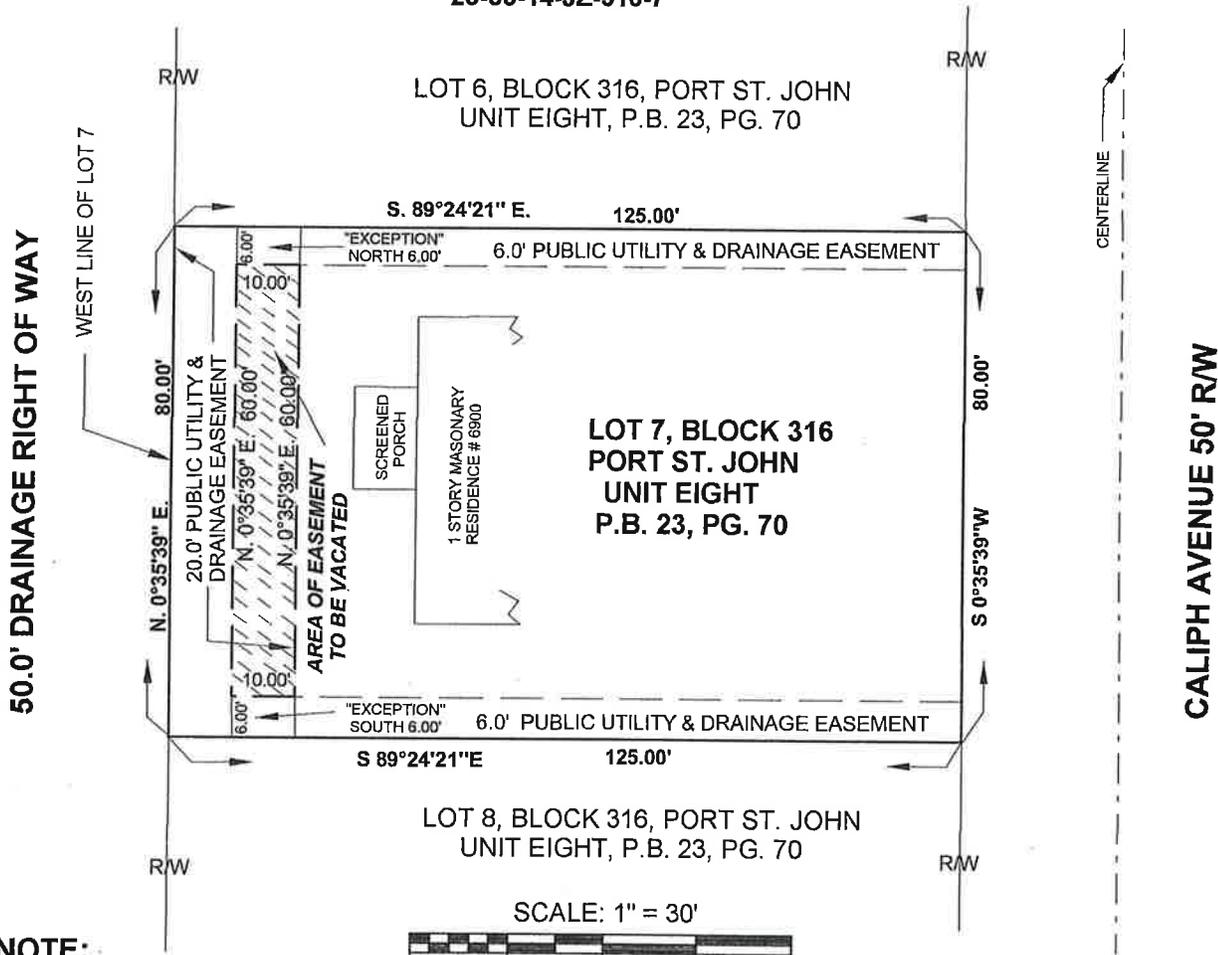
REGISTERED LAND SURVEYORS L.B.#4595
1846 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-6113

PREPARED FOR:
 MATTHEW S. MILHOLLAND
 ROXANNE R. MILHOLLAND

SKETCH OF DESCRIPTION:

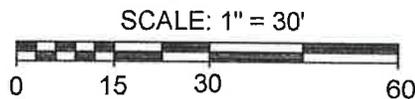
SHEET 2 OF 2 NOT VALID
 WITHOUT SHEET 1

SECTION 14, T. 23S., R. 35E.
 PETITIONER'S PARCEL ID NO.
 23-35-14-JZ-316-7



NOTE:

BEARINGS SHOWN ARE FROM
 PLAT BOOK 23, PAGES 70 - 83
 AND ARE NOT BASED ON FIELD
 MEASUREMENTS AS THIS IS
 NOT A SURVEY.



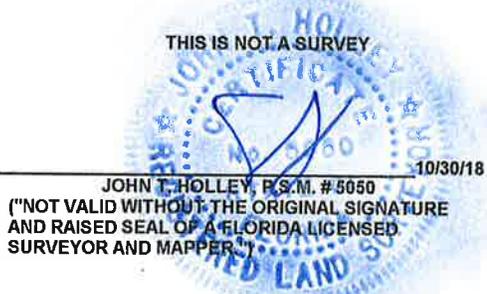
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LEGEND:

- N = NORTH
- S = SOUTH
- E = EAST
- W = WEST
- T. = TOWNSHIP
- R. = RANGE
- R/W = RIGHT OF WAY
- P.B. = PLAT BOOK
- PG. = PAGE



THIS IS NOT A SURVEY



JOHN T. HOLLEY, P.S.M. # 5050
 ("NOT VALID WITHOUT THE ORIGINAL SIGNATURE
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 321-267-6113



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

AD#3642128, 6/24/2019
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF
THE 20.0 FT. WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENT, PLAT OF "PORT
ST. JOHN UNIT EIGHT" IN SECTION 14,
TOWNSHIP 23 SOUTH, RANGE 35 EAST,
COCOA, FL

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

NOTICE IS HEREBY GIVEN that pursuant
to Chapter 336.09, Florida Statutes, and
Chapter 86, Article II, Section 86-36, Bre-
vard County Code, a petition has been
filed by MATTHEW S. AND ROXANNE R.
MILHOLLAND with the Board of County
Commissioners of Brevard County, Flori-
da, to request vacating the following de-
scribed property, to wit:

Notice Public Hearing

THAT PART OF THE 20.00 FOOT WIDE
PUBLIC UTILITY AND DRAINAGE EASE-
MENT LYING EAST OF THE WEST LINE OF
LOT 7, BLOCK 316, PORT ST. JOHN UNIT
EIGHT, AS RECORDED IN PLAT BOOK 23,
PAGES 70 THROUGH 83, PUBLIC RE-
CORDS OF BREVARD COUNTY, FLORIDA,
BEING DESCRIBED AS FOLLOWS:

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

THE EAST 10.00 FEET OF THE WEST 20.00
FEET OF LOT 7, BLOCK 316, PORT ST.
JOHN UNIT EIGHT, AS RECORDED IN
PLAT BOOK 23, PAGES 70 THROUGH 83,
PUBLIC RECORDS OF BREVARD COUNTY,
FLORIDA, LESS AND EXCEPT THE SOUTH
AND NORTH 6.00 FEET THEREOF, CON-
TAINING 600 SQUARE FEET MORE OR
LESS, PREPARED BY: JOHN T. HOLLEY,
P.S.M.

06/24/19

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

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 July 09, 2019 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.

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

Pursuant to Section 288.0105, 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.

Signature of Diana Figueroa
Affiant

Signature of Kathleen A Gibson
Notary Kathleen A Gibson



Publication Cost: \$220.42
Ad No: 0003642128
Customer No: BRE-6BR327



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

AD#3686227, 07/18/2019
LEGAL NOTICE

RESOLUTION VACATING A PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN PORT ST. JOHN UNIT EIGHT SUBDIVISION, LYING IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA - MATTHEW S. AND ROXANNE R. MILHOLLAND

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 9th day of July 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of a public utility and drainage easement in Port St. John unit eight Subdivision, lying in Section 14, Township 23 South, Range 35 East, Cocoa, as petitioned by Matthew S. and Roxanne R. Milholland,

THAT PART OF THE 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING EAST OF THE WESTLINE OF LOT 7, BLOCK 316, PORT ST. JOHN UNIT EIGHT, AS RECORDED IN PLAT BOOK 23, PAGES 70 THROUGH 83, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THE EAST 10.00 FEET OF THE WEST 20.00 FEET OF LOT 7, BLOCK 316, PORT ST. JOHN UNIT EIGHT, AS RECORDED IN PLAT BOOK 23, PAGES 70 THROUGH 83, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LESS AND EXCEPT THE SOUTH AND NORTH 6.00 FEET THEREOF CONTAINING 600 SQUARE FEET MORE OR LESS, PREPARED BY: JOHN T. HOLLEY, P.S.M.

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

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

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

Legal Notices

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

07/18/19

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

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

Signature of Shelly Hora
Affiant

Signature of Notary
Notary State of Wisconsin County of Brown

9-19-21

My commission expires
Publication Cost: \$130.38
Ad No: 0003686227
Customer No: BRE-6BR327



Appraiser's Detail Sheet



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 284-8700

<https://www.bcpao.us>

PROPERTY DETAILS

| | |
|------------------|---|
| Account | 2303671 |
| Owners | Milholland, Matthew S; Milholland, Roxanne R |
| Mailing Address | 6900 Caliph Ave Cocoa FL 32927 |
| Site Address | 6900 Caliph Ave Cocoa FL 32927 |
| Parcel ID | 23-35-14-JZ-316-7 |
| Property Use | 0110 - Single Family Residence |
| Exemptions | HEX1 - Homestead First HEX2 - Homestead Additional |
| Taxing District | 1900 - Unincorp District 1 |
| Total Acres | 0.23 |
| Subdivision | Port St John Unit 8 |
| Site Code | 0001 - No Other Code Appl. |
| Plat Book/Page | 0023/0070 |
| Land Description | Port St John Unit 8 Lot 7 Blk 316 |



VALUE SUMMARY

| Category | 2018 | 2017 | 2016 |
|---------------------------|-----------|-----------|-----------|
| Market Value | \$165,990 | \$154,010 | \$133,200 |
| Agricultural Land Value | \$0 | \$0 | \$0 |
| Assessed Value Non-School | \$90,300 | \$88,450 | \$86,640 |
| Assessed Value School | \$90,300 | \$88,450 | \$86,640 |
| Homestead Exemption | \$25,000 | \$25,000 | \$25,000 |
| Additional Homestead | \$25,000 | \$25,000 | \$25,000 |
| Other Exemptions | \$0 | \$0 | \$0 |
| Taxable Value Non-School | \$40,300 | \$38,450 | \$36,640 |
| Taxable Value School | \$65,300 | \$63,450 | \$61,640 |

SALES/TRANSFERS

| Date | Price | Type | Parcel | Deed |
|------------|-----------|------|----------|-----------|
| 05/02/2008 | \$149,900 | WD | Improved | 5864/6686 |
| 04/17/2008 | - | TD | Improved | 5858/5959 |
| 11/13/2006 | \$247,000 | WD | Improved | 5725/5232 |
| 01/05/2006 | \$206,400 | WD | Improved | 5589/4386 |
| 01/25/2004 | \$162,500 | WD | Vacant | 5418/8664 |
| 07/13/1989 | - | QC | - | 3007/1585 |
| 11/21/1980 | - | PT | - | 2271/0836 |
| 08/01/1980 | \$7,800 | PT | - | 2249/0251 |

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - Single Family Residence

| Materials | Details | |
|-----------------|----------------|---------------------|
| Exterior Wall: | Stucco | Year Built 2005 |
| 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) | 1,655 | No Data Found |

Fig. 1: Copy of Brevard County Property Appraiser's detail sheet for Lot 7, Block 316, Port St. John Unit Eight, Matthew S. & Roxanne R. Milholland, 6900 Caliph Av, Cocoa, Section 14, Township 23 South, Range 35 East, District 1

Vicinity Map



Fig. 2: Map of Lot 7, Block 316, Port St. John Unit Eight, 6900 Caliph Avenue

Matthew S. & Roxanne R. Milholland – Lot 7, Block 316 “Port St. John Unit Eight” (Plat Book 23, Page 70) – 6900 Caliph Ave – Section 14, Township 23 South, Range 35 East – District 1 – Proposed Vacating of portion of a 20.0 ft. Wide Public Utility and Drainage Easement

Aerial Map

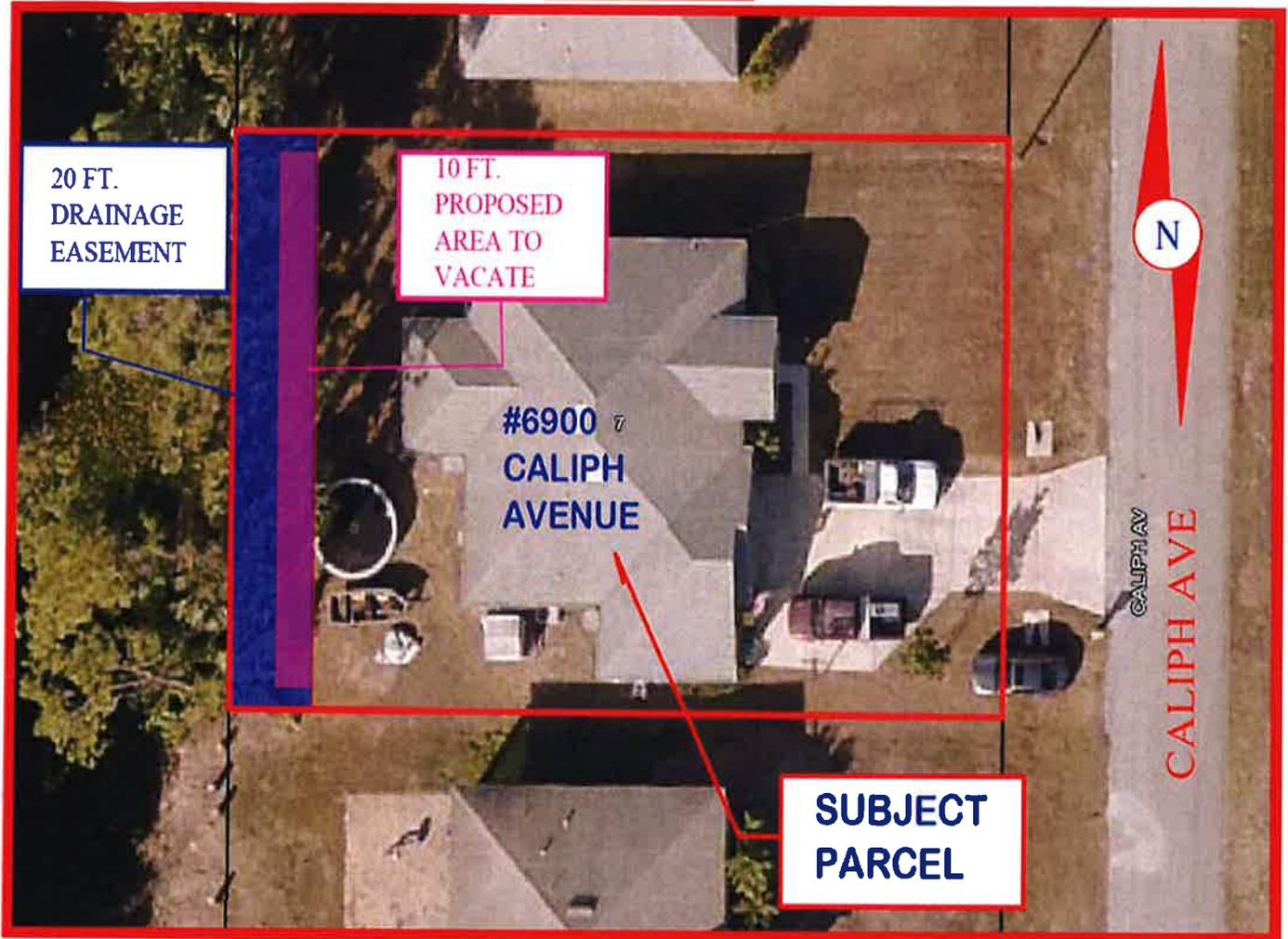


Fig. 3: Map of aerial view of Lot 7, Block 316, Port St. John Unit Eight, 6900 Caliph Avenue, Cocoa

Matthew S. & Roxanne R. Milholland – Lot 7, Block 316 “Port St. John Unit Eight” (Plat Book 23, Page 70) – 6900 Caliph Ave – Section 14, Township 23 South, Range 35 East – District 1 – Proposed Vacating of portion of a 20.0 ft. Wide Public Utility and Drainage Easement

Plat Reference

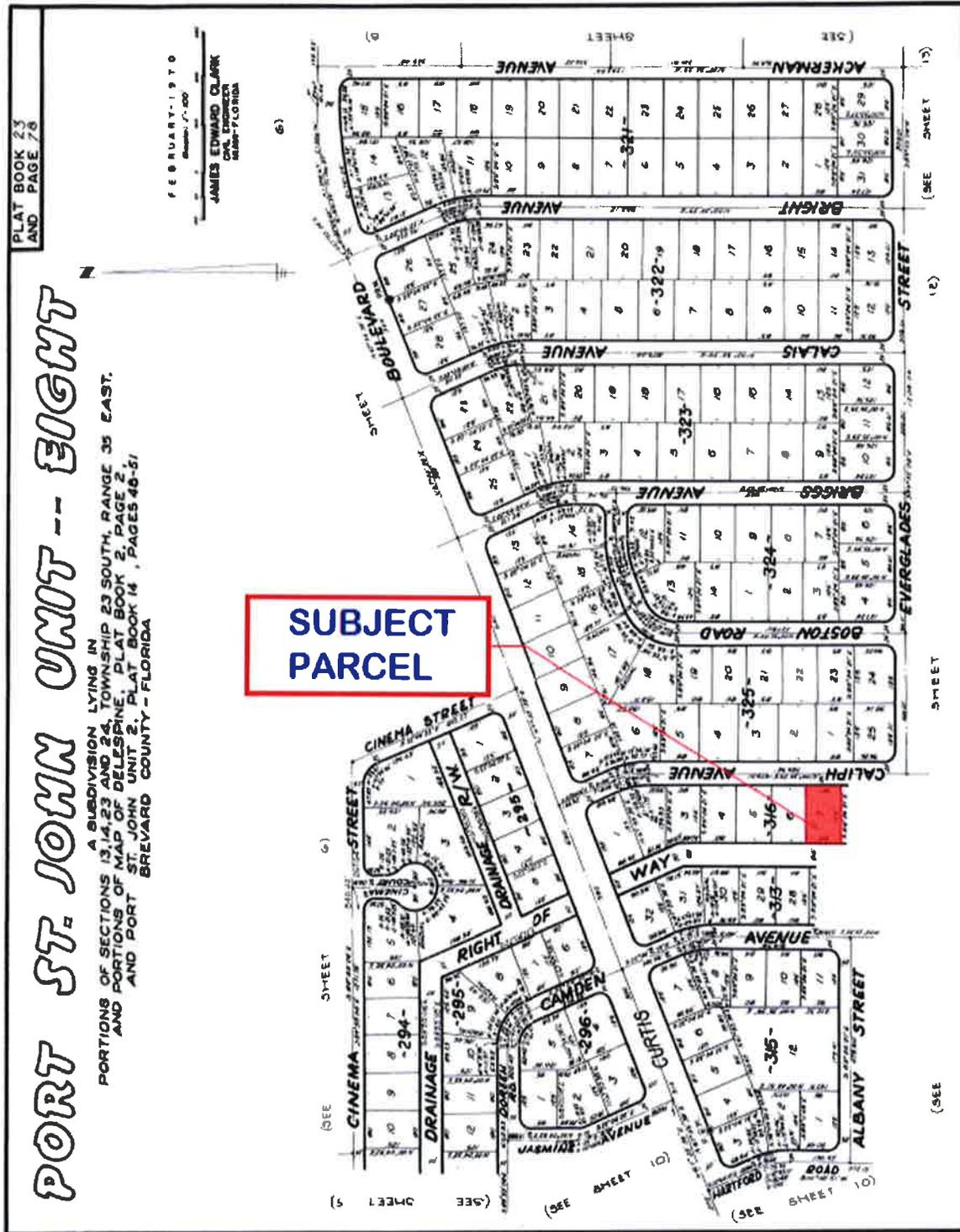


Fig. 4: Copy of plat map "Port St. John Unit Eight" dedicated to Brevard County May 6, 1976

Petitioner's Deed

CFN 2008095093, OR BK 5864 Page 6686, Recorded 05/19/2008 at 11:43 AM, Scott Ellis, Clerk of Courts, Brevard County Doc. D: \$1049.30

THIS INSTRUMENT PREPARED BY AND RETURN TO:
JILL A. BROTHERTON
SOUTH FLORIDA TITLE SERVICES, INC.
215 EAST OCEAN BOULEVARD
STUART, FLORIDA 34994
Property Appraisers Parcel Identification (Folio) Numbers:
Grantees SS #s: and

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 2nd day of May, 2008 by **PROVINCIAL REAL ESTATE ADMINISTRATIVE SERVICES, INC.**, A FLORIDA CORPORATION, AS TRUSTEE UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED THE 17TH DAY OF APRIL, 2008, KNOWN AS THE 6900 CALIPH AVENUE FAMILY LAND TRUST, herein called the grantors, to **MATTHEW S. MILHOLLAND** and **ROXANNE R. MILHOLLAND**, HIS WIFE whose post office address is 6900 CALIPH AVE, COCOA, FL. 32927, hereinafter called the Grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in BREVARD County, State of Florida, viz:

LOT 7, BLOCK 316, PORT ST. JOHN UNIT EIGHT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 70, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SUBJECT TO RESTRICTIONS AND EASEMENTS OF RECORD, IF ANY; TAXES FOR THE YEAR 2008 AND SUBSEQUENT YEARS, AND TO ALL VALID ZONING ORDINANCES.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantors hereby covenant with said grantees that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant 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, 2007.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

PROVINCIAL REAL ESTATE ADMINISTRATIVE SERVICES, INC., A FLORIDA CORP., AS TRUSTEE

[Signature]
BY: G.W. HOWARD, PRESIDENT
2023 N Atlantic Ave # 202
Cocoa Beach, FL 32931

[Signature]
Witness #1 Signature
London B Harris
Witness #1 Printed Name
[Signature]
Witness #2 Signature
DONNA W. JAYSON
Witness #2 Printed Name

**STATE OF FLORIDA
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 2nd day of May, 2008 by *G.W. Howard* PRESIDENT of PROVINCIAL REAL ESTATE ADMINISTRATIVE SERVICES, INC. on behalf of the corporation. He/She is personally known to me or has produced a *FL Driver's License* as identification.

SEAL

[Signature]
Notary Signature
[Signature]
Printed Notary Signature

My Commission Expires: *March 28, 2011*

NOTARY PUBLIC-STATE OF FLORIDA
Donna W. Jayson
Commission # DD656871
Expires: MAR. 28, 2011
BANKERS TRUST ATLANTIC BONDING CO., INC.

Fig. 5: Copy of deed of sale for lot 7, block 316, Port St. John Unit Eight, 6900 Caliph Avenue, Cocoa, FL to Matthew S. and Roxanne R. Milholland on May 02, 2008.

Petitioner's Boundary Survey

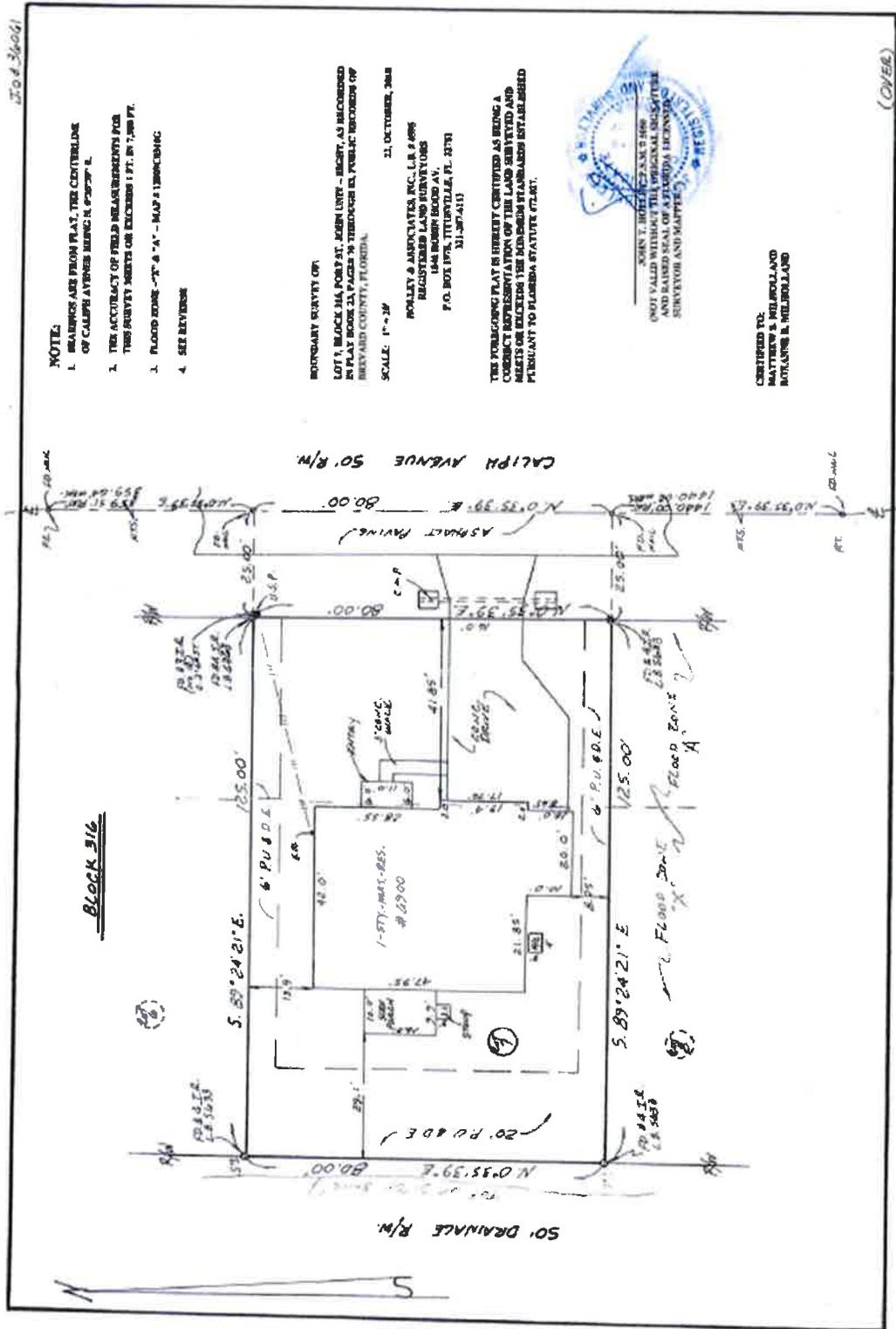


Fig. 6: Copy of the boundary survey of lot 7, block 316, Port St. John Unit Eight.

Petitioner's Sketch & Description Sheet 1 of 2

J.O.# 36081-1

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

PURPOSE OF SKETCH AND DESCRIPTION: EASEMENT VACATING

SECTION 14, T.23S., R.35E.
PETITIONER'S PARCEL ID NO.
23-35-14-JZ-316-7

PREPARED FOR:
MATTHEW S. MILHOLLAND
ROXANNE R. MILHOLLAND

LEGAL DESCRIPTION OF AREA OF EASEMENT TO BE VACATED:

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JOHN T. HOLLEY, P.S.M. # 8050
("NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.")


HOLLEY & ASSOCIATES INC.

REGISTERED LAND SURVEYORS L.B.#4585
1848 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-8113

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

Fig. 7: Copy of legal description sheet 1 of 2 for lot 7, block 316, Port St. John Unit Eight.

Petitioner's Sketch & Description Sheet 2 of 2

J.O.# 36081-2

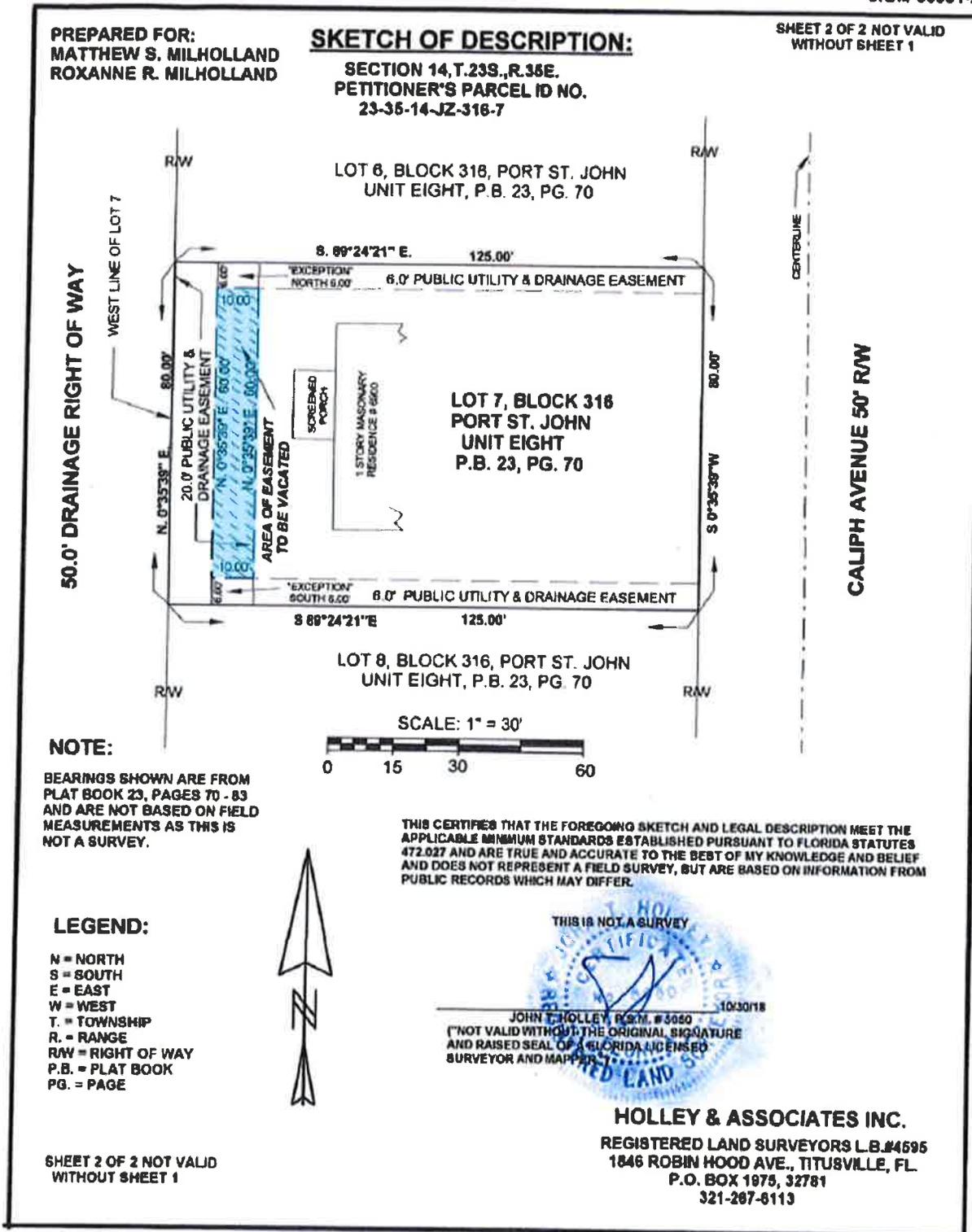


Fig. 8: Copy of sketch sheet 2 of 2 of lot 7, block 316, Port St. John Unit Eight.

Comment Sheet

COMMENT SUMMARY

APPLICANT: Matthew S. and Roxanne R. Milholland

UPDATED / BY: Amber Holley 20190503 @ 12:30 hours

| COMPANIES | NOTIFIED | COMMENTS | | STIPULATIONS/REMARKS |
|---------------------------|----------|----------|----------|--------------------------------|
| | | RECEIVED | APPROVED | |
| UTILITIES | | | | |
| Florida City Gas Co. | 20190410 | 20190418 | YES | NO OBJECTIONS |
| Florida Power & Light Co. | 20190410 | 20190503 | YES | NO OBJECTIONS |
| AT & T | 20190410 | 20190418 | YES | NO OBJECTIONS |
| Charter Communications | 20190410 | 20190412 | YES | NO OBJECTIONS |
| City of Cocoa | 20190410 | 20190411 | YES | NO OBJECTIONS |
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| COUNTY STAFF | | | | |
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| Road & Bridge | 20190410 | 20190507 | YES | NO OBJECTIONS-SUSAN JACKSON |
| Land Planning | 20190410 | 20190425 | YES | NO OBJECTIONS- REBECCA RAGAIN |
| Utility Services | 20190410 | 20190411 | YES | NO OBJECTIONS - TAMMY HURLEY |
| NRMD / Storm Water | 20190410 | 20190411 | YES | NO OBJECTIONS - HARVEY WHEELER |
| Zoning | 20190410 | 20190411 | YES | NO OBJECTIONS - PAUL BODY |
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Fig. 9: Copy of comment sheet for utility review.

Public Hearing Legal Advertisement

Florida Today | Notice Public Hearing

AD#3642128, 6/24/2019 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF THE 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "PORT ST. JOHN UNIT EIGHT" IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, 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 MATTHEW S. AND ROXANNE R. MILHOLLAND with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THAT PART OF THE 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING EAST OF THE WEST LINE OF LOT 7, BLOCK 316, PORT ST. JOHN UNIT EIGHT, AS RECORDED IN PLAT BOOK 23, PAGES 70 THROUGH 83, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS: THE EAST 10.00 FEET OF THE WEST 20.00 FEET OF LOT 7, BLOCK 316, PORT ST. JOHN UNIT EIGHT, AS RECORDED IN PLAT BOOK 23, PAGES 70 THROUGH 83, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE SOUTH AND NORTH 6.00 FEET THEREOF. CONTAINING 600 SQUARE FEET MORE OR LESS. PREPARED BY: JOHN T. HOLLEY, P.S.M. 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 July 09, 2019 at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Fig. 10: Copy of public hearing advertisement as published on June 24, 2019 see next page for full text.

Legal Notice Text

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

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

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

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF THE 20.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "PORT ST. JOHN UNIT EIGHT" IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FL

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