

Meeting Date
August 08, 2017



AGENDA	
Section	PUBLIC HEARING
Item No.	IV A.

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate: Part of 20.0 ft. wide Public Drainage Easement – Woodlawn Estates Section II – Melbourne Beach – Laura N. Farrara – District 3 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider the partial vacating of a 20.0 ft. wide public utility easement at Lot 26, Woodlawn Estates Section II. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioner as owner of Lot 26 is requesting the partial vacating of the 20.0 ft. wide public drainage easement to allow for the permitting and construction of a pool, deck and enclosure. Total area of easements to be vacated is 0.04 acres/192 square feet, more or less.

July 14, 2017, 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 and at this time, no objections have been received. Within this plat the Board has previously vacated two portions of this easement. The subject parcel is located in Melbourne Beach as follows: Begin at the intersection of the north bank of the Sabastian Inlet and State Road A-1-A; thence 5.6 miles northwesterly along S.R. A-1-A to the lot located at the southwest corner of S. R. A-1-A and Camino Place.

Fiscal Impact: The petitioners are charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265-3699000, revenue account for vacatings. This action is in keeping with the County's efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year's budget.

Name: Marc.Cazessus@brevardfl.gov Phone: Ext. 57315

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

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

Contract / Agreement (If attached):		Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager Frank Abbate	Assistant County Manager		Interim Department Director / Extension					
	Interim Assistant County Manager John P. Denninghoff		Andrew J. Homes / Ext. 57202					



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

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

August 21, 2017

M E M O R A N D U M

TO: Andrew Holmes, Interim Public Works Director Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating Part of a 20.00 Foot Wide Public Drainage Easement at Lot 26, Woodlawn Estates Section II, in Section 25, Township 29 South, Range 38 East, Melbourne Beach

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-137, vacating part of a 20.00 foot wide public drainage easement at Lot 26, Woodlawn Estates Section II, in Section 25, Township 29 South, Range 38 East, Melbourne Beach, as petitioned by Laura N. Farrara. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on August 8, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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

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

August 21, 2017

Laura N. Farrara
203 Camino Place
Melbourne Beach, FL 32951

Dear Ms. Farrara:

Re: Resolution Vacating Part of a 20.00 Foot Wide Public Drainage Easement at Lot 26, Woodlawn Estates Section II, Section 25, Township 29 South, Range 38 East, Melbourne Beach

The Board of County Commissioners, in regular session on August 8, 2017, adopted Resolution No. 17-137, vacating part of a 20.00 foot wide public drainage easement at Lot 26, Woodlawn Estates Section II, Section 25, Township 29 South, Range 38 East, Melbourne Beach, as petitioned by you. Said Resolution has been recorded in ORBK 7964, Pages 236 through 240. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

-HC

**VACATING PART OF A 20.0 WIDE PUBLIC DRAINAGE EASEMENT, WOODLAWN
ESTATES SECTION II, SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST,
MELBOURNE BEACH, FLORIDA**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **LAURA N. FARRARA** with the Board of County Commissioners to vacate a portion of a 20.0 ft. wide public drainage easement in Melbourne Beach, Florida, Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH AND 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 the partial vacating of the drainage easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said portion of the 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 8th day of August, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



CURT SMITH, CHAIRMAN

As approved by the Board on:
August 8, 2017

LEGAL DESCRIPTION

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PURPOSE: PORTION OF EASEMENT VACATION
PARENT PARCEL ID: 29-38-25-26-*--26

LEGAL DESCRIPTION:

THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 20.00 FEET OF LOT 26, WOODLAND ESTATES SECTION II, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 41 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 26; THENCE N12°00'16"W, ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 20.57 FEET TO THE NORTH LINE OF THE SAID 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT; THENCE LEAVING SAID WEST LINE, S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 24.33 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN; THENCE CONTINUE S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 31.26 FEET; THENCE LEAVING SAID NORTH LINE, S65°38'14"W, A DISTANCE OF 28.13 FEET; THENCE N24°21'46"W, A DISTANCE OF 13.64 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 192 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

- 1.) BEARINGS BASED ON THE ASSUMPTION THAT THE WEST RIGHT OF WAY LINE OF STATE ROAD A-1-A BEARS S26°10'25"E PER PLAT OF WOODLAND ESTATES SECTION II.
- 2.) LOT DIMENSIONS ARE AS PLATTED(P) AND SURVEYED(S) UNLESS OTHER WISE NOTED.
- 3.) PROPERTY LIES WITHIN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST.
- 4.) PU & DE DENOTES PUBLIC UTILITIES AND DRAINAGE EASEMENT.
- 5.) NO ID DENOTES NO IDENTIFICATION.
- 6.) THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY WILLIAM J. SUITER LAND SURVEYING, INC.. JOB NO. 15-20.



WSUITER@ATT.NET WJSUITER.COM


 PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE
 WILLIAM J. SUITER FLORIDA CERTIFICATE NO. 4210
 CERTIFICATE OF AUTHORIZATION #LB 5419

PREPARED FOR: RAY FARRARA

5-31-17

DATE OF SIGNATURE

NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: WILLIAM J. SUITER LAND SURVEYING, INC.
 ADDRESS: 1849 CANOVA STREET SE, PALM BAY, FLORIDA 32909
 PHONE: (321) 728-0553 LICENSED BUSINESS NO. 5419

DATE: 5-11-17

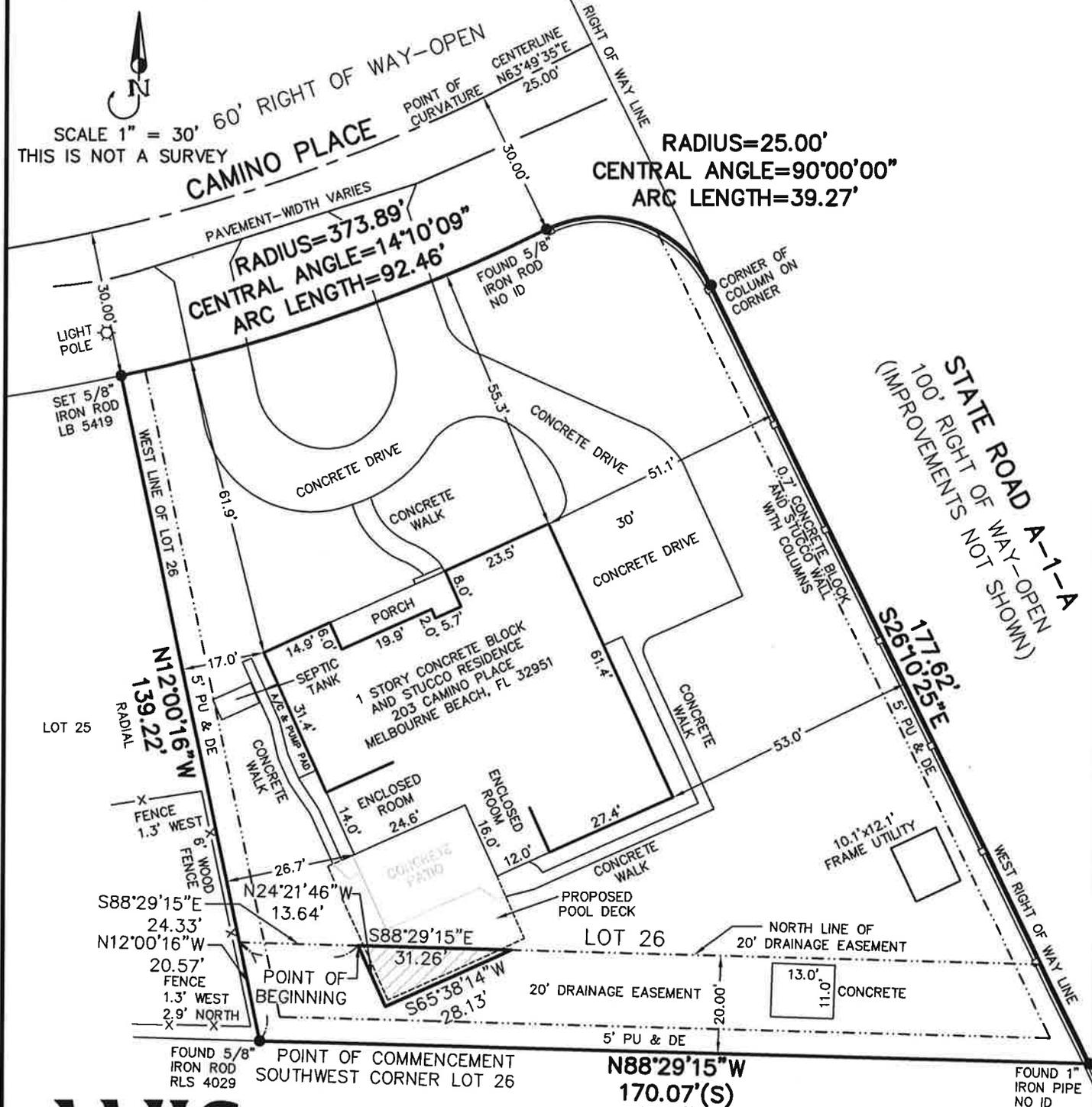
SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST

DRAWING NO. 15-20SL

SKETCH OF DESCRIPTION

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST
 PARENT PARCEL ID: 29-38-25-26-*--26

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2



SCALE 1" = 30'
 THIS IS NOT A SURVEY



RADIUS=25.00'
 CENTRAL ANGLE=90°00'00"
 ARC LENGTH=39.27'

RADIUS=373.89'
 CENTRAL ANGLE=14°10'09"
 ARC LENGTH=92.46'

STATE ROAD A-1-A
 100' RIGHT OF WAY-OPEN
 (IMPROVEMENTS NOT SHOWN)

177.62'
 177.62'
 S26°10'25"E

N88°29'15"W
 170.07'(S)
 170.00'(P)

= EASEMENT AREA TO BE VACATED

WJS WILLIAM J. SUITER
 LAND SURVEYING, INC.

WSUITER@ATT.NET WJSUITER.COM

PROJECT NO.: 15-20SL

PREPARED BY: WILLIAM J. SUITER
 LAND SURVEYING, INC.



BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

AD# 2268933

7/14/2017

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 20.0 FT. WIDE PUBLIC DRAINAGE EASEMENT, PLAT OF "WOODLAWN ESTATES SECTION II" IN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, MELBOURNE BEACH, 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 LAURA N. FARRARA 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 easement at 5:00P.M. on August 08, 2017 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"

THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT WHICH ENCOMPASSES THE SOUTH 20.00 FEET OF LOT 26, WOODLAND ESTATES SECTION II, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 41 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 26; THENCE N12°00'16"W, ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 20.57 FEET TO THE NORTH LINE OF THE SAID 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT; THENCE LEAVING SAID WEST LINE, S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 24.33 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN; THENCE CONTINUE S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 31.26 FEET; THENCE LEAVING SAID NORTH LINE, S65°38'14"W, A DISTANCE OF 28.13 FEET; THENCE N24°21'46"W, A DISTANCE OF 13.64 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 192 SQUARE FEET OR 0.04 ACRES MORE OR LESS. PREPARED BY WILLIAM J. SUITER, PSM

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared
Becky Holland, 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:

07/14/17

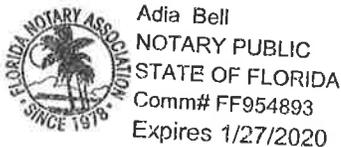
Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, 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 14th of July 2017, by Becky Holland who is personally known to me

Handwritten signature of Adia Bell

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

Publication Cost: \$282.36
Ad No: 0002268933
Customer No: BRE-6BR327



A Daily Publication By:



BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared
Becky Holland, who on oath says that he or she is a
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, 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:

08/12/17

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
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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 14th of August
2017, by Becky Holland who is personally known to me

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

Publication Cost: \$200.86
Ad No: 0002338721
Customer No: BRE-6BR327



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

AD #2338721 08/12/2017
LEGAL NOTICE

RESOLUTION VACATING PART OF A
20.00 FOOT WIDE PUBLIC DRAINAGE
EASEMENT AT LOT 26, WOODLAWN ES-
TATES SECTION II, SECTION 25,
TOWNSHIP 29 SOUTH, RANGE 38 EAST,
MELBOURNE BEACH - LAURA N.
FARRARA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
8th day of August, 2017, the Board of
County Commissioners of Brevard Coun-
ty, Florida, adopted a Resolution
vacating part of a 20.00 foot wide public
drainage easement at Lot 26, Woodlawn
Estates Section II, Section 25, Township
29 South, Range 38 East, Melbourne
Beach, as petitioned by Laura N. Farrara.

LEGAL DESCRIPTION
EXHIBIT "A"

THAT PORTION OF THE 20.00 FOOT
WIDE PUBLIC DRAINAGE EASEMENT
WHICH ENCUMBERS THE SOUTH 20.00
FEET OF LOT 26, WOODLAWN ESTATES
SECTION II, ACCORDING TO THE PLAT
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27, PAGE 41 OF THE PUBLIC RECORDS OF
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N24°21'46"W, A DISTANCE OF 13.64
FEET TO THE POINT OF BEGINNING SAID
PARCEL CONTAINS 192 SQUARE FEET OR
0.04 ACRES MORE OR LESS. PREPARED
BY WILLIAM J. SUITER, PSM

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

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

AD #2338721 08/12/2017
LEGAL NOTICE

RESOLUTION VACATING PART OF A
20.00 FOOT WIDE PUBLIC DRAINAGE
EASEMENT AT LOT 26, WOODLAWN ES-
TATES SECTION II, SECTION 25,
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MELBOURNE BEACH - LAURA N.
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BY WILLIAM J. SUITER, PSM

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claimed any right of the County in and
to said public easement.

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





Please contact us with changes or cancellations as soon as possible, otherwise no further action needed.

Table with 4 columns: PUBLICATION, TOLL-FREE, Local #, Email. Rows include Florida Today, Eagle, and Reporter.

Customer: BREVARD CTY PUBLIC WORKS DEPT

Ad No.: 0002338721

Address: 2725 JUDGE FRAN JAMIESON WAY
VIERA FL 32940
USA

Pymt Method Invoice

Net Amt: \$200.86

Run Times: 1

No. of Affidavits: 1

Run Dates: 08/12/17

Text of Ad:

AD #2338721 08/12/2017
LEGAL NOTICE

RESOLUTION VACATING PART OF A 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT AT LOT 26, WOODLAWN ESTATES SECTION II, SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, MELBOURNE BEACH - LAURA N. FARRARA

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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
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk

LEGAL NOTICE

RESOLUTION VACATING PART OF A 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT AT LOT 26, WOODLAWN ESTATES SECTION II, SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, MELBOURNE BEACH – LAURA N. FARRARA

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SEE ATTACHED EXHIBIT "A"

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
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk

Florida TODAY: Please advertise in the August 12, 2017, issue of the *Florida TODAY*.

BILL THE PUBLIC WORKS DEPARTMENT OF BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ACCOUNT NO. 6BR327 AND PURCHASE ORDER NO. 4500092228-10, AND FORWARD INVOICE AND PROOF OF PUBLICATION TO:

**Marc Cazessüs, PLS
Public Works Department
Surveying and Mapping Program
2725 Judge Fran Jamieson Way, Bldg. A-220
Viera, FL 32940**

LEGAL DESCRIPTION:

EXHIBIT "A"

THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 20.00 FEET OF LOT 26, WOODLAND ESTATES SECTION II, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 41 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 26; THENCE N12°00'16"W, ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 20.57 FEET TO THE NORTH LINE OF THE SAID 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT; THENCE LEAVING SAID WEST LINE, S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 24.33 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN; THENCE CONTINUE S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 31.26 FEET; THENCE LEAVING SAID NORTH LINE, S65°38'14"W, A DISTANCE OF 28.13 FEET; THENCE N24°21'46"W, A DISTANCE OF 13.64 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 192 SQUARE FEET OR 0.04 ACRES MORE OR LESS. PREPARED BY WILLIAM J. SUITER, PSM



VICINITY MAP

Laura N. Farrara – 203 Camino Place,
Melbourne Beach, FL, 32951 – Lot 26 –
“Woodland Estates Section II” – (Plat
Book 24, Page 41) – Section 25,
Township 29 South, Range 38 East –
District 3 – Proposed Partial Vacating of
20.0 ft. Drainage Easement



A E R I A L M A P

Laura N. Farrara – 203 Camino Place,
Melbourne Beach, FL, 32951 – Lot 26 –
“Woodland Estates Section II” – (Plat
Book 24, Page 41) – Section 25,
Township 29 South, Range 38 East –
District 3 – Proposed Partial Vacating of
20.0 ft. Drainage Easement



Brevard County Property Appraiser
 Titusville • Merritt Island • Viera • Melbourne • Palm Bay
 PROPERTY DETAILS

Phone: (321) 264-6700
<https://www.bcpao.us>

Account	2956364
Owners	Farrara, Laura N
Mailing Address	203 Camino Place Melbourne Bch FL 32951
Site Address	203 Camino Pl Melbourne Beach FL 32951
Parcel ID	29-38-25-26*-26
Property Use	0110 - Single Family Residence
Exemptions	HEX1 - Homestead First \$25,000 HEX2 - Homestead Additional \$25,000
Taxing District	3400 - Unincorp District 3
Total Acres	0.43
Subdivision	Woodland Estates Sec II
Site Code	0340 - A1A
Plat Book/Page	0027/0041
Land Description	Woodland Estates Sec II Lot 26

VALUE SUMMARY

Category	2016	2015	2014
Total Market Value	\$261,140	\$245,220	\$216,700
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$210,570	\$209,110	\$196,620
Assessed Value School	\$210,570	\$209,110	\$196,620
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	\$160,570	\$159,110	\$146,620
Taxable Value School	\$185,570	\$184,110	\$171,620

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/12/2011	\$224,000	WD	Improved	6371/1319
06/14/2005	--	WD	Improved	5488/6204
05/24/2005	--	WD	Improved	5475/2819
12/14/2001	--	TD	Improved	4494/2850
11/01/1982	\$94,000	WD	--	2396/1837
12/05/1980	\$175,000	PT	--	2271/1608

BUILDINGS

PROPERTY DATA CARD #1					
Building Use	Year Built	Story Height	Floors	Residential Units	Commerical Units
0110 - Single Family Residence	1981	8	1	1	0

Materials	Sub Areas	
Exterior Wall	Stucco	Base Area (1st) 2083
Frame	Masnryconc	Enclosed Por 360
Roof	Asph/Asb Shngl	Garage 574
Roof Structure	Hip/Gable	Open Porch 165
		Screen Porch 347
		Total Base Area 2083
		Total Sub Area 3529

Extra Features

Additional Extra Features

APPRAISER'S
DETAIL SHEET

This Instrument Prepared by:
Alliance Title Insurance Agency, Inc.
730 E. Strawbridge Ave, Ste 100
Melbourne, FL 32901
File No. 110030084

WARRANTY DEED

This Warranty Deed made this 12th day of April, 2011, by **ONTKO BEACH PROPERTIES, LLC**, a dissolved Florida Limited Liability Company, (hereinafter called the "Grantor"). Whose post office address is: 1704 Down Lake Drive, Windermere, FL 34786 to **LAURA N. FARRARA**, a married woman, Whose post office address is: 203 Camino Real, Deltona, FL 32731 (hereinafter called the "Grantee").
(Whoever 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 said Grantor, for and in consideration of the sum of \$224,000.00 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, Florida, viz:

Lot 26, WOODLANDS ESTATES SECTION II, according to the plat thereof, as recorded in Plat Book 27, Pages 41 and 42, of the Public Records of Brevard County, Florida.

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 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, 2010, reservations, restrictions and easements of record, if any.
(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN OUR PRESENCE:

ONTKO BEACH PROPERTIES, LLC
a dissolved Florida Limited
Liability Company.

Leila Keating
Witness Signature

By: *[Signature]*
DAVID A. ONTKO
Managing Member

Leila Keating
Witness Printed Name:

[Signature]
Witness Signature

Gary Wahlquist
Witness Printed Name:

STATE OF ~~FLORIDA~~ *California*
COUNTY OF *Orange*

The foregoing instrument was acknowledged before me this 12th day of April, 2011 by **DAVID A. ONTKO** Managing Member of **ONTKO BEACH PROPERTIES, LLC**, a dissolved Florida Limited Liability Company on behalf of said limited liability company, who is personally known to me.

My Commission Expires:
Serial Number:

Kathleen M. Bridgham
Notary Public
Printed Name:



PETITIONER'S
DEED

LEGAL DESCRIPTION

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PURPOSE: PORTION OF EASEMENT VACATION
PARENT PARCEL ID: 29-38-25-26-*--26



LEGAL DESCRIPTION:

THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 20.00 FEET OF LOT 26, WOODLAND ESTATES SECTION II, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 41 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 26; THENCE N12°00'16"W, ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 20.57 FEET TO THE NORTH LINE OF THE SAID 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT; THENCE LEAVING SAID WEST LINE, S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 24.33 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN; THENCE CONTINUE S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 31.26 FEET; THENCE LEAVING SAID NORTH LINE, S65°38'14"W, A DISTANCE OF 28.13 FEET; THENCE N24°21'46"W, A DISTANCE OF 13.64 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 192 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

- 1.) BEARINGS BASED ON THE ASSUMPTION THAT THE WEST RIGHT OF WAY LINE OF STATE ROAD A-1-A BEARS S26°10'25"E PER PLAT OF WOODLAND ESTATES SECTION II.
- 2.) LOT DIMENSIONS ARE AS PLATTED(P) AND SURVEYED(S) UNLESS OTHER WISE NOTED.
- 3.) PROPERTY LIES WITHIN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST.
- 4.) PU & DE DENOTES PUBLIC UTILITIES AND DRAINAGE EASEMENT.
- 5.) NO ID DENOTES NO IDENTIFICATION.
- 6.) THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY WILLIAM J. SUITER LAND SURVEYING, INC.. JOB NO. 15-20.



WSUITER@ATT.NET WJSUITER.COM

PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE
WILLIAM J. SUITER FLORIDA CERTIFICATE NO. 4210
CERTIFICATE OF AUTHORIZATION #LB 5419

DATE OF SIGNATURE

NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: RAY FARRARA

PREPARED BY: WILLIAM J. SUITER LAND SURVEYING, INC.
ADDRESS: 1849 CANOVA STREET SE, PALM BAY, FLORIDA 32909
PHONE: (321) 728-0553 LICENSED BUSINESS NO. 5419

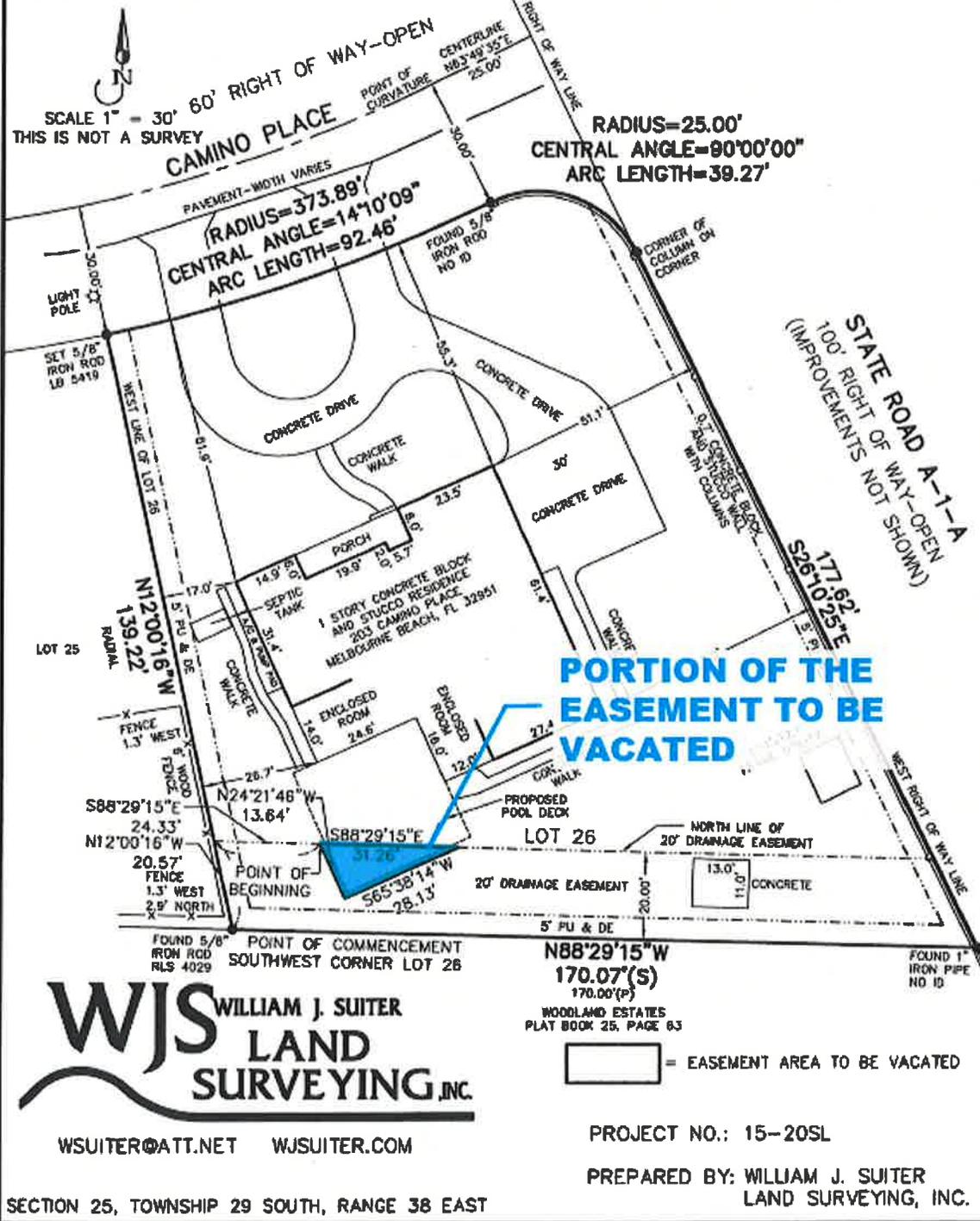
DATE: 5-11-17 SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST DRAWING NO. 15-20SL

PETITIONER'S SKETCH &
DESCRIPTION: SHEET 1 OF 2

SKETCH OF DESCRIPTION

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST
PARENT PARCEL ID: 29-38-25-26-*--26

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2



PETITIONER'S SKETCH &

DESCRIPTION: SHEET 2 OF 2

AD# 2268933 7/14/2017 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF A 20.0 FT. WIDE PUBLIC DRAINAGE EASEMENT, PLAT OF "WOODLAWN ESTATES SECTION II" IN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, MELBOURNE BEACH, 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 **LAURA N. FARRARA** 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 easement at 5:00P.M. on August 08, 2017 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" THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 20.00 FEET OF LOT 26, WOODLAND ESTATES SECTION II, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 41 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 26; THENCE N12°00'16"W, ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 20.57 FEET TO THE NORTH LINE OF THE SAID 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT; THENCE LEAVING SAID WEST LINE, S88° 29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 24.33 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN; THENCE CONTINUE S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 31.26 FEET; THENCE LEAVING SAID NORTH LINE, S65°38'14"W, A DISTANCE OF 28.13 FEET; THENCE N24° 21'46"W, A DISTANCE OF 13.64 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 192 SQUARE FEET OR 0.04 ACRES MORE OR LESS. PREPARED BY WILLIAM J. SUITER, PSM

PUBLIC HEARING

LEGAL

ADVERTISEMENT

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THAT PORTION OF THE 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 20.00 FEET OF LOT 26, WOODLAND ESTATES SECTION II, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 41 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 26; THENCE N12°00'16"W, ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 20.57 FEET TO THE NORTH LINE OF THE SAID 20.00 FOOT WIDE PUBLIC DRAINAGE EASEMENT; THENCE LEAVING SAID WEST LINE, S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 24.33 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN; THENCE CONTINUE S88°29'15"E, ALONG SAID NORTH LINE A DISTANCE OF 31.26 FEET; THENCE LEAVING SAID NORTH LINE, S65°38'14"W, A DISTANCE OF 28.13 FEET; THENCE N24°21'46"W, A DISTANCE OF 13.64 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 192 SQUARE FEET OR 0.04 ACRES MORE OR LESS. PREPARED BY WILLIAM J. SUITER, PSM