

Meeting Date
March 07, 2017



AGENDA	
Section	PUBLIC HEARING
Item No.	IV A.

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Public Utility-Drainage Easements and a Public Maintenance-Utility Easement – Poi Court – “Catalina Isle Estate Units Six”– Merritt Island – Charles & Susan Frazier – District 2 (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 conduct a public hearing to consider the vacating of three 5.0 ft. wide Public Utility-Drainage Easements and one 15.0 ft. wide Public Maintenance-Utility Easement at Lot 115, Block 16, “Catalina Isle Estates Unit Six” in Section 25, Township 24 South, Range 36 East. If approved, it is requested that the Board authorizes 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 (BOCC) to vacate and abandon unused rights-of-way and easements.

The petitioners own Lot 115 and are requesting the vacating of the three 5.0 ft. wide Public Utility-Drainage Easements (PU & DE) and one 15.0 ft. wide Public Maintenance-Utility Easement (PM & UE) for the permitting/construction of a wooden walkway, retaining wall, seawall repair and retention area to filter drainage runoff prior to releasing into the Sykes Creek. All of the planned improvements are allowed without vacating; however the petitioners request the vacating to assure the permanency of these expensive improvements. Total area of the easements to be vacated is 0.055 acres, more or less.

February 20, 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. At this time, no objections have been received. Within the Catalina Isle development, the 15.0 ft. PM & UE and 5.0 ft. PU & DE have previously been vacated in whole or part. The property is located in Merritt Island as follows: Begin at the intersection of S. R. 3 (N. Courtenay Pkwy.) and Richland Ave.; thence 0.47 miles east along Richland Ave.; thence 0.08 miles north along Richland Ave.; thence 0.08 east along Bali Dr.; thence 0.38 miles north along New Hampton Way; thence 0.07 miles east along Poi Court to residence on the northeast.

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		Assistant County Manager	Department Director / Extension		
Stockton Whitten		Assistant County Manager Venetta Valdengo	John Denninghoff / 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

March 22, 2017

MEMORANDUM

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

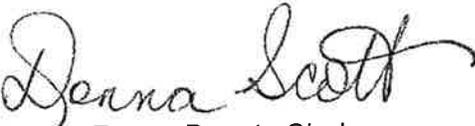
RE: Advertising Bills for Resolution Vacating one, 15.0 Ft. Wide Public Maintenance and Utility Easement and three, 5.0 Ft. Wide Public Utility and Drainage Easements in Catalina Isle Estates Unit Six, Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-043, vacating one, 15.0 Ft. Wide Public Maintenance and Utility Easement and three, 5.0 Ft. Wide Public Utility and Drainage Easements in Catalina Isle Estates Unit Six, Merritt Island, as petitioned by Charles and Susan Frazier. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on March 7, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for: 
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

March 22, 2017

Charles and Susan Frazier
440 Poi Court
Merritt Island, FL 32953

Dear Mr. and Mrs. Frazier:

Re: Resolution Vacating one, 15.0 Ft. Wide Public Maintenance and Utility Easement and three, 5.0 Ft. Wide Public Utility and Drainage Easements in Catalina Isle Estates Unit Six, Merritt Island

The Board of County Commissioners, in regular session on March 7, 2017, adopted Resolution No. 17-043, vacating one, 15.0 foot wide public maintenance and utility easement and three, 5.0 foot wide public utility and drainage easements in Catalina Isle Estates Unit Six, Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 7845, Pages 347 through 351. 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

for: 
Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

RESOLUTION 2017 - 043

VACATING ONE, 15.0 FT. WIDE PUBLIC MAINTENANCE & UTILITY EASEMENT AND THREE, 5.0 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS IN "CATALINA ISLE ESTATES UNIT SIX", MERRITT ISLAND, FLORIDA, LYING IN SECTION, 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **CHARLES AND SUSAN FRAZIER** with the Board of County Commissioners to vacate three, 5.0 ft. wide public utility and drainage easements and one, 15.0 ft. wide public maintenance and utility 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 the public utility & drainage easements and public maintenance & utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public maintenance & utility easement and said public utility & drainage easements are hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. 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 07th day of March, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



CURT SMITH, CHAIRMAN

As approved by the Board on:
March 07, 2017

LEGAL DESCRIPTION

SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PARCEL ID #: 24-36-25-26-16-115

PURPOSE OF SKETCH: TO VACATE THE PLATTED EASEMENTS LYING WITHIN LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES, UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

LEGAL DESCRIPTIONS OF EASEMENTS TO BE VACATED:

THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENT LYING WITHIN AND ADJACENT TO THE WEST LINE OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA;
LESS AND EXCEPT THE SOUTH 10.00 FEET THEREOF;

AND

THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS LYING WITHIN AND ADJACENT TO THE NORTH AND SOUTHERLY LINES OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

AND

THE 15.00 FOOT WIDE MAINTENANCE & PUBLIC UTILITY EASEMENT LYING WITHIN AND ADJACENT TO THE EASTERLY LINE LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA;

COMBINED AREA OF EASEMENTS TO BE VACATED = 2,421 SQUARE FEET OR 0.055 ACRES.

SURVEYOR'S NOTES:

BEARING STRUCTURE - BASED ON SUBDIVISION RECORD PLAT OF "CATALINA ISLE ESTATES, UNIT SIX" (PLAT BOOK 20, PAGE 119). SPECIFICALLY, THE NORTH LINE OF SAID SUBDIVISION = N89°28'41"E.

FLOOD ZONE - THE LANDS DESCRIBED WERE DETERMINED TO LIE WITHIN FLOOD ZONES 'AE' & 'X' AS REFERENCED TO F.I.R.M. #12009C0340 G, MAP DATED MARCH 17, 2014.

PROPERTY ADDRESS - 440 POI COURT, MERRITT ISLAND, FLORIDA 32953

RESERVATION - THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE POLICY AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, LIMITATIONS, RESTRICTIONS AND / OR RIGHTS OF WAY OF RECORD.

BOUNDARY REFERENCE - IMPROVEMENT SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY R.M. PACKARD & ASSOC., INC. DATED 6/6/02.


ROBERT M. PACKARD, PSM / FLORIDA PSM #3867
(NOT VALID UNLESS SIGNED AND SEALED)



PREPARED FOR: **CHARLES H. & SUSAN M. FRAZIER**

PREPARED BY: **r.m. packard** & assoc., inc.
ADDRESS: 197 BOUGAINVILLEA DRIVE
ROCKLEDGE, FLORIDA 32955
PHONE: (321) 632-6335
CERTIFICATE: LB #6649

DRAWN BY: RMP

DATE: 12/9/16

CHECKED BY: RMP

SHEET 1 OF 2

JOB #: 01-175-7

REV.: 1/13/17

REV.: 2/10/17

SECTION 25

TOWNSHIP 24 SOUTH

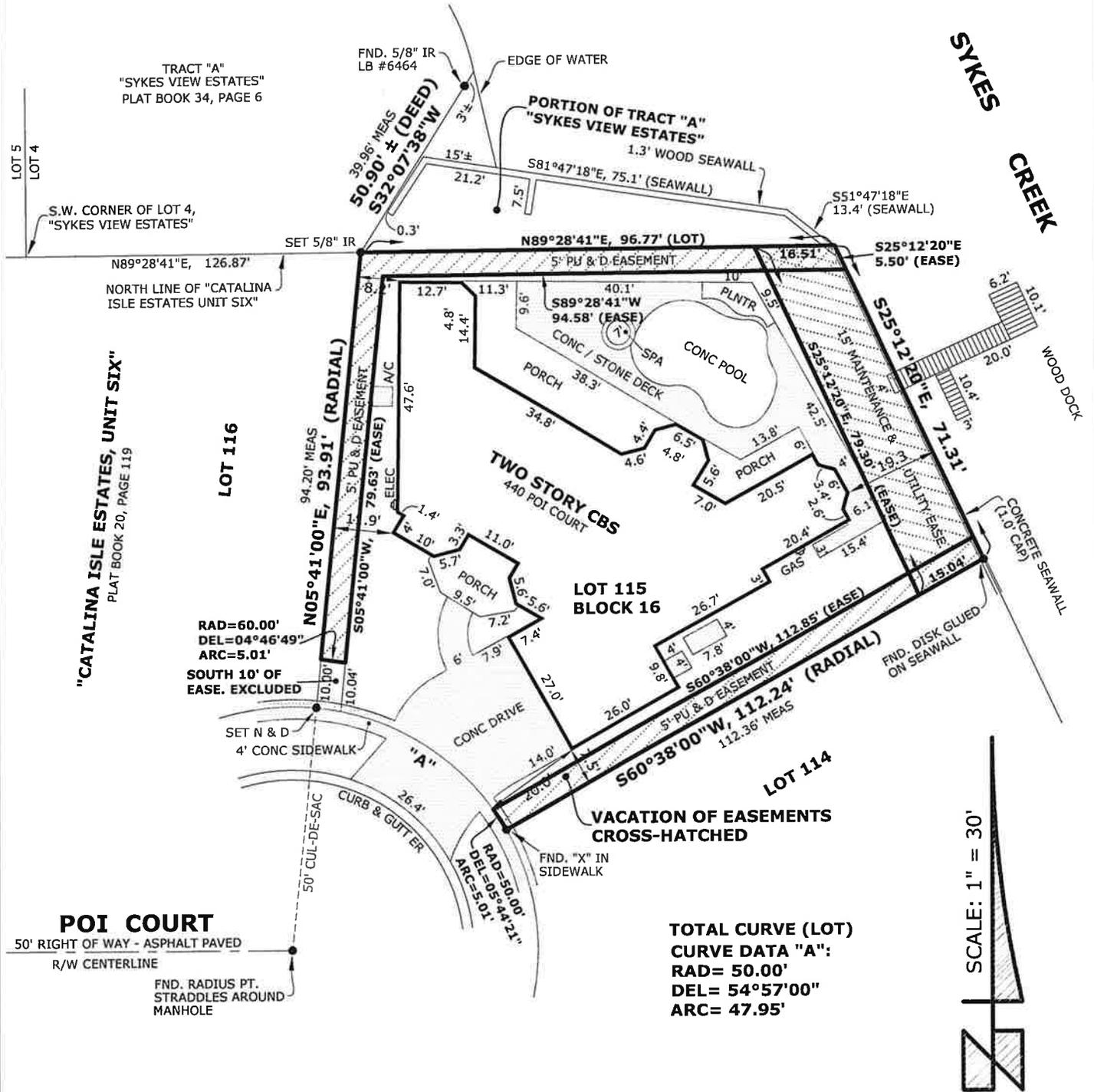
RANGE 36 EAST

SKETCH OF DESCRIPTION

SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST
 PARCEL ID #: 24-36-25-26-16-115

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2



PROJECT #: 01-175-7

PREPARED BY: **r.m. packard**
 & assoc., inc.



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

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared Kim Curro, 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 Public Hearing

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

02/20/17

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 20th of February 2017, by Kim Curro who is personally known to me

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

Publication Cost: \$275.84
Ad No: 0001940617
Customer No: BRE-6BR327

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

AD# 1940617

2/20/2017

LEGAL NOTICE
NOTICE FOR THE VACATING OF THE 5.0 FT. WIDE PUBLIC UTILITY-DRAINAGE EASEMENTS & 15.0 FT. WIDE PUBLIC MAINTENANCE-UTILITY EASEMENT, PLAT OF "CATALINA ISLE ESTATES UNIT-SIX" IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, 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 CHARLES AND SUSAN FRAZIER 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 6:00 p.m. on March 07, 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"
THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENT LYING WITHIN AND ADJACENT TO THE WEST LINE OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; LESS AND EXCEPT THE SOUTH 10.00 FEET THEREOF; AND THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS LYING WITHIN AND ADJACENT TO THE NORTH AND SOUTHERLY LINES OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE 15.00 FOOT WIDE MAINTENANCE & PUBLIC UTILITY EASEMENT LYING WITHIN AND ADJACENT TO THE EASTERLY LINE LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; COMBINED AREA OF EASEMENTS TO BE VACATED = 2,421 SQUARE FEET OR 0.055 ACRES, PREPARED BY ROBERT M. PACKARD, PSM1940617

AD# 1940617

2/20/2017

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230-MPC-20170227





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
Kim Curro, 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:

03/16/17

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 16th of March
2017, by Kim Curro 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: \$161.82
Ad No: 0001995357
Customer No: BRE-6BR327



Adia Bell
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF954893
Expires 1/27/2020

AD#1995357 3/16/2017

LEGAL NOTICE
RESOLUTION VACATING ONE, 15.0 FT.
WIDE PUBLIC MAINTENANCE AND UTILI-
TY EASEMENT AND THREE, 5.0 FT. WIDE
PUBLIC UTILITY AND DRAINAGE EASE-
MENTS IN CATALINA ISLE ESTATES UNIT
SIX, MERRITT ISLAND - POI COURT -
CHARLES AND SUSAN FRAZIER

TO WHOM IT MAY CONCERN:

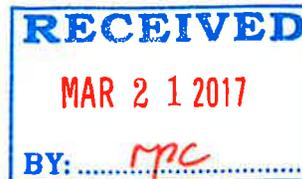
NOTICE IS HEREBY GIVEN that on the
7th day of March, 2017, the Board of
County Commissioners of Brevard County,
Florida, adopted a Resolution
vacating one, 15.0 ft. wide public main-
tenance and utility easement and three,
5.0 ft. wide public utility and drainage
easements in Catalina Isle Estates Unit
Six, Merritt Island - Poi Court, as peti-
tioned by Charles and Susan Frazier.
SEE ATTACHED EXHIBIT "A"

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

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

LEGAL DESCRIPTION:
EXHIBIT "A"
EASEMENTS TO BE VACATED:

THE 5.00 FOOT WIDE PUBLIC UTILITY &
DRAINAGE EASEMENT LYING WITHIN
AND ADJACENT TO THE WEST LINE OF
LOT 115, BLOCK 16 OF "CATALINA ISLES
ESTATES UNIT SIX", RECORDED IN PLAT
BOOK 20, PAGE 119 OF THE PUBLIC RE-
CORDS OF BREVARD COUNTY, FLORIDA;
LESS AND EXCEPT THE SOUTH 10.00
FEET THEREOF; AND THE 5.00 FOOT
WIDE PUBLIC UTILITY & DRAINAGE
EASEMENTS LYING WITHIN AND ADJA-
CENT TO THE NORTH AND SOUTHERLY
LINES OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE 15.00 FOOT WIDE MAINTENANCE & PUBLIC UTILITY EASEMENT LYING WITHIN AND ADJACENT TO THE EASTERLY LINE LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; COMBINED AREA OF EASEMENTS TO BE VACATED = 2,421 SQUARE FEET OR 0.055 ACRES.
PREPARED BY
ROBERT M. PACKARD, PSM





Brevard County Property Appraiser

Government Complex - North

400 South Street • Titusville, FL 32796

Phone: (321) 254-6700

<https://www.bcpao.us>

Account #: 2418777

Property Information

Owners: Frazier, Charles Haynes
Frazier, Susan M
Site Address: 440 Pol Ct Merritt Island Fl 32953
Mailing Address: 440 Pol Ct Merritt Island Fl 32953
Parcel ID: 24-36-25-25-16-115
Property Use: 0110 - Single Family Residence
Exemptions: HEX1 - Homestead First \$25,000
HEX2 - Homestead Additional \$25,000
Taxing District: 2200 - Unincorp District 2
Subdivision: Catalina Isle Estates Unit 6

Value Summary Information

Value Category	2016	2015	2014
Total Market Value	\$513,630	\$476,920	\$439,140
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$350,370	\$347,940	\$345,180
Assessed Value School	\$350,370	\$347,940	\$345,180
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	\$300,370	\$297,940	\$295,180
Taxable Value School	\$325,370	\$322,940	\$320,180

Sales History Information

Sale Date	Sale Price	Deed Type	Vacant/Improved	Book/Page
06/30/1998	\$124,000	WD	False	3856/2116
05/01/1990	\$110,000	PR		3050/4721
08/01/1971	\$29,800			1191/0825

Building Information

Property Data Card #1
Building Use: 0110 - Single Family Residence
Year Built: 2002

Building Materials

Building Materials	Building Sub-areas	
EXTERIOR WALL	BALCONY	200
FRAME	BASE AREA (1st)	3190
ROOF	BONUS ROOM	468
ROOF STRUCTURE	GARAGE	706
	OPEN PORCH	135
	OPEN PORCH	163
	OPEN PORCH	434

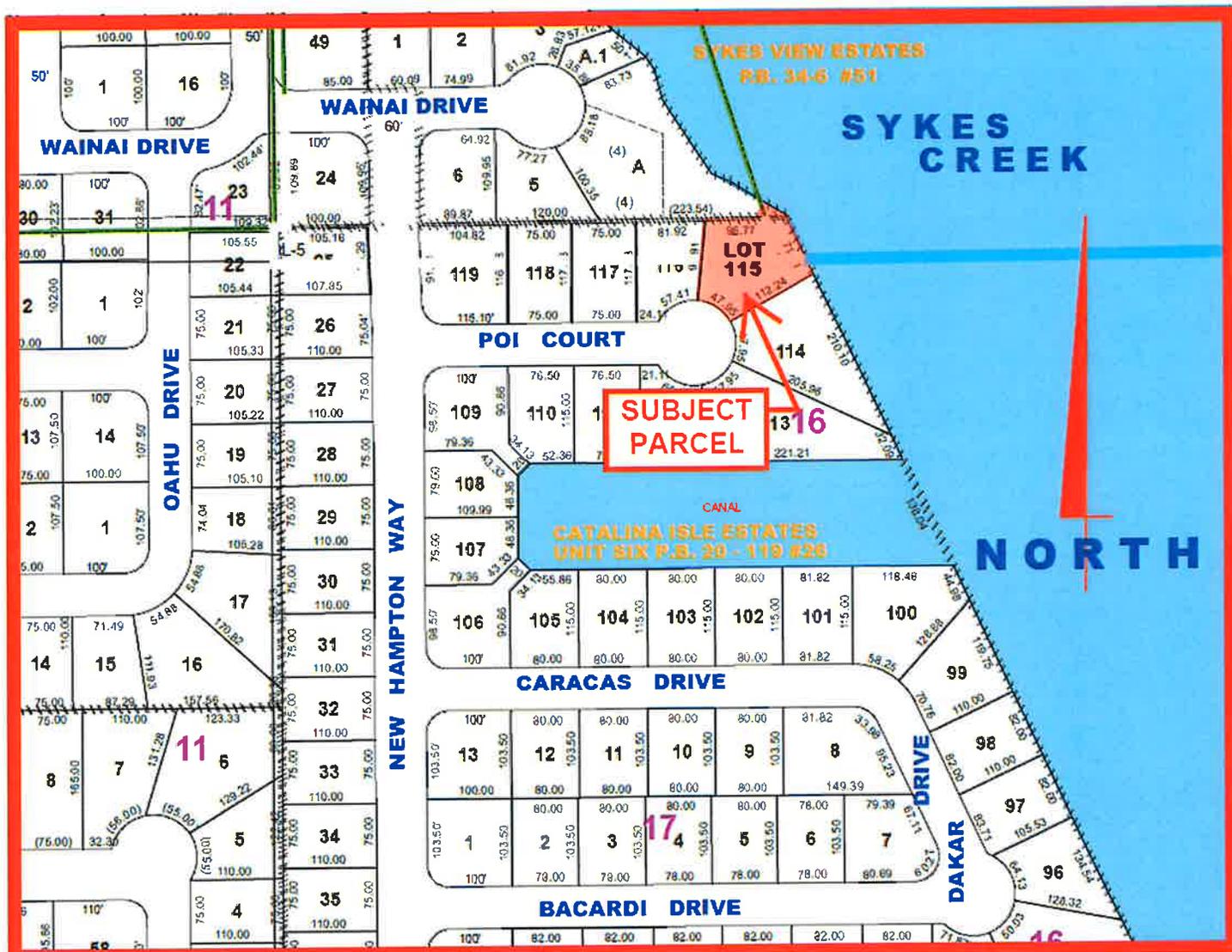
Extra/Special Features

POOL DECK	923
SPA: RESIDENTIAL, ATTACHED	1
DOCK: LIGHT PILINGS	220
FIREPLACE	1
POOL: RESIDENTIAL	1
ALL SCREEN: 1 STORY	1550

Land Information

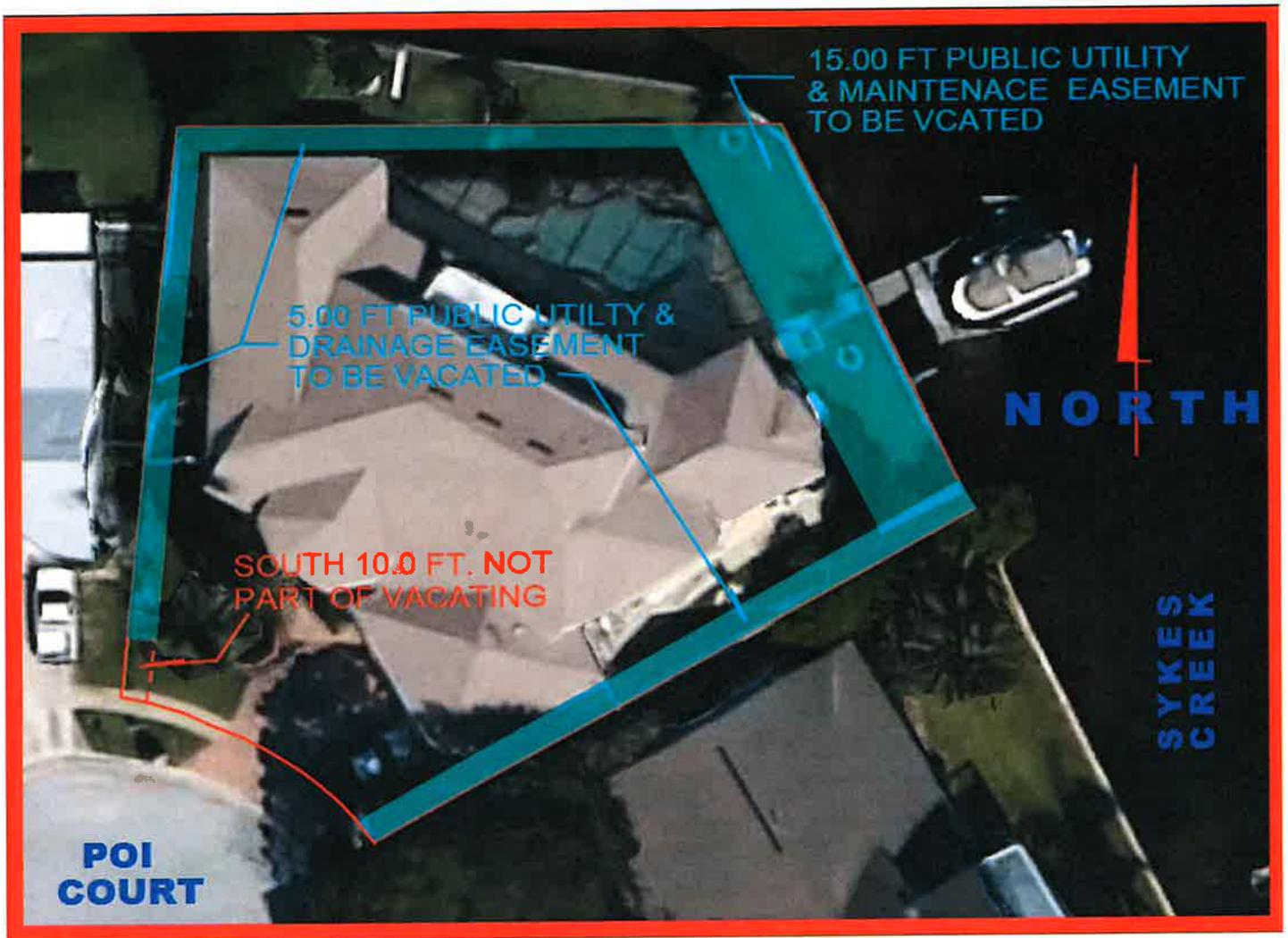
Total Acres: 0.22
Site Code: 0110 - River Front
Plat Book/Page: 0020/0119
Description: Catalina Isle Estates Unit 6 Lot 115 Blk 16

APPRAISER'S DETAIL SHEET



VICINITY MAP

Charles and Susan Frazier – 440 Poi Court –
 Merritt Island – Lot 115, Block 16, “Catalina Isle
 Estates Unit Six” - (Plat Book 20, Page 119) –
 Section 25, Township 24 South, Range 36 East –
 District 2 – Proposed Vacating of the 5.00 ft. wide
 Public Utility & Drainage Easements @ West,
 North & South Lines and the 15.00 ft. wide Public
 Maintenance & Utility Easement @ East Line



AERIAL MAP

Charles and Susan Frazier – 440 Poi Court –
Merritt Island – Lot 115, Block 16, “Catalina Isle
Estates Unit Six” - (Plat Book 20, Page 119) –
Section 25, Township 24 South, Range 36 East –
District 2 – Proposed Vacating of the 5.00 ft. wide
Public Utility & Drainage Easements @ West,
North & South Lines and the 15.00 ft. wide Public
Maintenance & Utility Easement @ East Line

CFN 98115132 05-16-98 02:48 pm
OR Book/Page: 3856 / 2116

THIS INSTRUMENT PREPARED BY AND RETURN TO:
JEANNI BROWN
GLOW TITLE & ESCROW CORP
100 S COURTENAY PARKWAY
MERRITT ISLAND FL 32952

We certify this to be a true and correct
original document.
BY GLOW TITLE & ESCROW CORP.

Property Appraisers Parcel Identification (Pa#) Numbers:
Grantee SS #: [REDACTED]

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 12th day of June, A.D. 1998 by **WILLIAM L. BUNCH, III** and **CORRINA RAE BUNCH, HUSBAND AND WIFE**, herein called the grantors, to **CHARLES HAYNES FRAZIER** and **SUSAN MARIE FRAZIER, HUSBAND AND WIFE** whose post office address is 395 WAINAI DRIVE, MERRITT ISLAND, FLORIDA 32953, hereinafter called the Grantees:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to the 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 115, Block 16, CATALINA ISLE ESTATES, UNIT 50X, according to the Plat thereof, as recorded in Plat Book 20, Page 119, Public Records of Brevard County, Florida.

Subject to easements, restrictions and reservations of record and to taxes for the year 1998 and thereafter.

Sandy Crawford
Clerk Of Courts, Brevard County
#Pgs: 1 #Names: 4
Trust: 1.00 Rec: 5.00 Serv: 0.00
Deed: 888.00 Excise: 0.00
Mfg: 0.00 Int Tax: 0.00

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 whatsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1997.

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
Witness #1 Signature: *[Signature]*
Witness #1 Printed Name: *[Name]*
Witness #2 Signature: *[Signature]*
Witness #2 Printed Name: *[Name]*

[Signature] **WILLIAM L. BUNCH, III** I.S.
616A WATERSEEDGE, NEWPORT NEWS, VA 23606
[Signature] **CORRINA RAE BUNCH** I.S.
616A WATERSEEDGE, NEWPORT NEWS, VA 23606

STATE OF Virginia
COUNTY OF *Newport News*
City

The foregoing instrument was acknowledged before me this *12th* day of *June*, 19*98* by **WILLIAM L. BUNCH, III** and **CORRINA RAE BUNCH** who are personally known to me or have produced *Florida Dr Lic* as identification.



[Signature]
Notary Signature
[Signature]
Printed Notary Signature

PETITIONER'S DEED

AD# 1940617 2/20/2017 LEGAL NOTICE NOTICE FOR THE VACATING OF THE 5.0 FT. WIDE PUBLIC UTILITY-DRAINAGE EASEMENTS & 15.0 FT. WIDE PUBLIC MAINTENANCE-UTILITY EASEMENT, PLAT OF "CATALINA ISLE ESTATES UNIT-SIX" IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, 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 CHARLES AND SUSAN FRAZIER 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 6:00 p.m. on March 07, 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" THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENT LYING WITHIN AND ADJACENT TO THE WEST LINE OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; LESS AND EXCEPT THE SOUTH 10.00 FEET THEREOF; AND THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS LYING WITHIN AND ADJACENT TO THE NORTH AND SOUTHERLY LINES OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE 15.00 FOOT WIDE MAINTENANCE & PUBLIC UTILITY EASEMENT LYING WITHIN AND ADJACENT TO THE EASTERLY LINE LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; COMBINED AREA OF EASEMENTS TO BE VACATED = 2,421 SQUARE FEET OR 0.055 ACRES. PREPARED BY ROBERT M. PACKARD, PSM1940617

PUBLIC HEARING LEGAL

ADVERTISEMENT

EASEMENTS TO BE VACATED:

THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENT LYING WITHIN AND ADJACENT TO THE WEST LINE OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; LESS AND EXCEPT THE SOUTH 10.00 FEET THEREOF; AND THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS LYING WITHIN AND ADJACENT TO THE NORTH AND SOUTHERLY LINES OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE 15.00 FOOT WIDE MAINTENANCE & PUBLIC UTILITY EASEMENT LYING WITHIN AND ADJACENT TO THE EASTERLY LINE LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; COMBINED AREA OF EASEMENTS TO BE VACATED = 2,421 SQUARE FEET OR 0.055 ACRES. PREPARED BY ROBERT M. PACKARD, PSM



Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: BREVARD CTY PUBLIC WORKS DEPT
Address: 2725 JUDGE FRAN JAMIESON WAY
VIERA FL 32940
USA

Ad No.: 0001995357
Pymt Method Invoice
Net Amt: \$161.82

Run Times: 1
Run Dates: 03/16/17

No. of Affidavits: 1

Text of Ad:

AD#1995357 3/16/2017
LEGAL NOTICE
RESOLUTION VACATING ONE, 15.0 FT.
WIDE PUBLIC MAINTENANCE AND UTILI-
TY EASEMENT AND THREE, 5.0 FT WIDE
PUBLIC UTILITY AND DRAINAGE EASE-
MENTS IN CATALINA ISLE ESTATES UNIT
SIX, MERRITT ISLAND POI COURT
CHARLES AND SUSAN FRAZIER

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
7th day of March, 2017, the Board of
County Commissioners of Brevard Coun-
ty, Florida, adopted a Resolution
vacating one, 15.0 ft. wide public main-
tenance and utility easement and three,
5.0 ft. wide public utility and drainage
easements in Catalina Isle Estates Unit
Six, Merritt Island - Poi Court, as peti-
tioned by Charles and Susan Frazier.
SEE ATTACHED EXHIBIT "A"

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

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

LEGAL DESCRIPTION:
EXHIBIT "A"

EASEMENTS TO BE VACATED:
THE 5.00 FOOT WIDE PUBLIC UTILITY &
DRAINAGE EASEMENT LYING WITHIN
AND ADJACENT TO THE WEST LINE OF
LOT 115, BLOCK 16 OF "CATALINA ISLES
ESTATES UNIT SIX", RECORDED IN PLAT
BOOK 20, PAGE 119 OF THE PUBLIC RE-
CORDS OF BREVARD COUNTY, FLORIDA;
LESS AND EXCEPT THE SOUTH 10.00
FEET THEREOF; AND THE 5.00 FOOT
WIDE PUBLIC UTILITY & DRAINAGE
EASEMENTS LYING WITHIN AND ADJA-
CENT TO THE NORTH AND SOUTHERLY
LINES OF LOT 115, BLOCK 16 OF "CATA-
LINA ISLES ESTATES UNIT SIX", RECOR-
DED IN PLAT BOOK 20, PAGE 119 OF THE
PUBLIC RECORDS OF BREVARD COUN-
TY, FLORIDA AND THE 15.00 FOOT
WIDE MAINTENANCE & PUBLIC UTILITY
EASEMENT LYING WITHIN AND ADJA-
CENT TO THE EASTERLY LINE LOT 115,
BLOCK 16 OF "CATALINA ISLES ES-
TATES UNIT SIX", RECORDED IN PLAT
BOOK 20, PAGE 119 OF THE PUBLIC
RECORDS OF BREVARD COUNTY, FLORI-
DA; COMBINED AREA OF EASEMENTS
TO BE VACATED = 2.4215 SQUARE
FEET OR 0.055 ACRES.
PREPARED BY
ROBERT M. PACKARD, PSM

LEGAL NOTICE

RESOLUTION VACATING ONE, 15.0 FT. WIDE PUBLIC MAINTENANCE AND UTILITY EASEMENT AND THREE, 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS IN CATALINA ISLE ESTATES UNIT SIX, MERRITT ISLAND – POI COURT – CHARLES AND SUSAN FRAZIER

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 7th day of March, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating one, 15.0 ft. wide public maintenance and utility easement and three, 5.0 ft. wide public utility and drainage easements in Catalina Isle Estates Unit Six, Merritt Island – Poi Court, as petitioned by Charles and Susan Frazier.

SEE ATTACHED EXHIBIT “A”

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
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk

Florida TODAY: Please advertise in the March 16, 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"

EASEMENTS TO BE VACATED:

THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENT LYING WITHIN AND ADJACENT TO THE WEST LINE OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; LESS AND EXCEPT THE SOUTH 10.00 FEET THEREOF; AND THE 5.00 FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS LYING WITHIN AND ADJACENT TO THE NORTH AND SOUTHERLY LINES OF LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE 15.00 FOOT WIDE MAINTENANCE & PUBLIC UTILITY EASEMENT LYING WITHIN AND ADJACENT TO THE EASTERLY LINE LOT 115, BLOCK 16 OF "CATALINA ISLES ESTATES UNIT SIX", RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; COMBINED AREA OF EASEMENTS TO BE VACATED = 2,421 SQUARE FEET OR 0.055 ACRES.
PREPARED BY ROBERT M. PACKARD, PSM