

Meeting Date
April 28, 2015



AGENDA	
Section	PUBLIC HEARING
Item No.	IV. B.

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Public Utility Easement – St. Lucia Court – The Moorings Unit No. 2 Brockwell and Amy Ballard – District 4
	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of public utility easement at Lot 22, The Moorings Unit No. 2 in Section 22, Township 26 South, Range 37 East. 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 petitioners as owners of said Lot 22 are requesting the vacating of the 7.50 ft. wide public utility easement which encumbers the southwesterly 7.50 ft. of said Lot 22 to allow for the construction and installation of a buried, propane fuel tank within the vacated easement area to service the spa and pool heater and the home emergency generator.

April 09, 2015, 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 Satellite Beach: begin at the intersection of State Road No. 404 (aka: Pineda Causeway) and State Road A-1-A; thence 0.64 miles south along State Road A-1-A; thence 0.60 miles west along Sea Park Boulevard; thence 0.21 miles north along South Patrick Drive; thence 0.03 mile west along St. George Court; thence 0.14 miles north along Jolly Rover Drive; thence 0.31 miles west along St. Lucia Court to the residence on the north (right). Resolution 14-093 vacated the northerly 7.50 ft. wide public utility easement on said Lot 22. Additionally there have been 27 previous easement vacatings, one right-of-way and one park parcel vacating within less than a mile of Lot 22.

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@brevardcounty.us Phone: Ext. 57315

Clerk to the Board instruction: Advertise Final Legal Notice and Record Vacating Resolution Documents(which in sequence, includes the initial notice of public hearing ad, the approved resolution, and the final legal notice ad).

Exhibits Attached: Resolution, Maps & Comment Summary

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



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

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

May 4, 2014

MEMORANDUM

TO: Recording

RE: Item IV.B., Resolution Vacating Public Utility Easement on St. Lucia Court in The Moorings Unit No. 2, as Petitioned by Brockwell and Amy Ballard

The Board of County Commissioners, in regular session on April 28, 2015, adopted Resolution to vacate a portion of the 7.50 foot wide public utility easement along the southwesterly line of Lot 22, of the Plat of The Moorings Unit No. 2 in Section 22, Township 26 South, Range 37 East in Satellite Beach. Enclosed are the proof of publication setting the public hearing, Resolution No. 15-049, with attached Exhibits, and proof of publication advertising the vacation.

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

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

Encls. (3)



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

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

May 5, 2015

Brock and Amy Ballard
473 St. Lucia Court
Satellite Beach, FL 32937

Dear Mr. & Mrs. Ballard:

RE: Item IV.B., Resolution Vacating Public Utility Easement - St. Lucia Court, The Moorings
Unit No. 2

The Board of County Commissioners, in regular session on April 28, 2015, adopted Resolution No. 15-049, vacating a portion of the 7.50 foot wide public utility easement along the southwesterly line of Lot 22, of the Plat of The Moorings Unit No. 2 in Section 22, Township 26 South, Range 37 East in Satellite Beach, as petitioned by you. Said Resolution has been recorded in ORBK 7359, PG's 14-18. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

/kg

Encl. (1)

cc: Marc Cazessus



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

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

May 5, 2015

MEMORANDUM

TO: John Denninghoff, Public Works Director

Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating Public Utility Easement – St. Lucia Court, The Moorings Unit No. 2 – Brockwell and Amy Ballard

Enclosed for your necessary action are copies of the advertising bills and receipt of recordation, for Resolution No. 15-049, vacating a public utility easement as petition by Brockwell and Amy Ballard. Said Resolution was adopted by the Board of County Commissioners, in regular session on April 28, 2015.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

/kg

Encls. (4)

Mailed to:

BREVARD COUNTY PUBLIC WORKS DEPARTMENT
2725 JUDGE FRAN JAMIESON WAY
BLDG A-220
VIERA FL 32940

A daily publication by:



CFN 2015089046, OR BK 7359 PAGE 14.
Recorded 05/05/2015 at 09:15 AM, Scott Ellis, Clerk of Courts,
Brevard County
Pgs:5



STATE OF FLORIDA
COUNTY OF BREVARD

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

LEGAL NOTICE

Ad # (351945) \$ 174.26 The matter of:
Acct. # (6BR327)
BREVARD COUNTY PUBLIC WORKS
DEPARTMENT
the Court WILL HOLD A PUBLIC HEARING TO DETERMINE....
APRIL 28, 2015

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

April 9, 2015

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County,
Florida, and that the said newspaper has heretofore been continuously published in said
Brevard County, Florida, regularly as stated above, and has been entered as periodicals
matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one
year next preceding the first publication of the attached copy of advertisement; and affiant
further says that she has neither paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of securing this advertisement for
publication in said newspaper.

AD#351945.04/09/2015
LEGAL NOTICE
NOTICE TO VACATE A PORTION OF THE 7.50 FT. WIDE PUBLIC UTILITY EASEMENT ALONG THE SOUTHWESTERLY LINE OF LOT 22, OF THE PLAT OF THE MOORINGS UNIT NO. 2 IN SECTION 22, TOWNSHIP 26 SOUTH, RANGE 37 EAST, SATELLITE BEACH, FL
NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by BROCK AND AMY BALLARD 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 right of way at 9:00 a.m. on April 28, 2015 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"
DESCRIPTION OF PORTION OF PLATTED 7.5 FOOT SIDE PUBLIC UTILITY EASEMENT TO BE VACATED:
THE SOUTHWESTERLY 7.5 FOOT SIDE PUBLIC UTILITY EASEMENT LESS THE SOUTHEASTERLY 10 FEET, SAID SOUTHEASTERLY 10 FEET, CURRENTLY PLATTED AS A 10 FOOT FRONT UTILITY EASEMENT, LOT 22, THE MOORINGS UNIT NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 46, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
CONTAINING 954.5 SQUARE FEET, (0.02 ACRES) MORE OR LESS.
PREPARED BY: JAMES R. YORIO, PSM

Kathy Cicala
(Signature of Affiant)

Sworn to and subscribed before this:



9th day of April 2015

Carolyn R. Roper
(Signature of Notary Public)
Carolyn Roper

(Name of Notary Typed, Printed or Stamped)

Personally Known X or Produced Identification _____
Type Identification Produced: _____

RECEIVED
APR 14 2015

Board of County Commissioners

**VACATING A PORTION OF A PUBLIC UTILITY EASEMENT IN THE MOORINGS UNIT NO. 2
IN SECTION 22, TOWNSHIP 26 SOUTH, RANGE 37 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed **Brockwell and Amy Ballard** with the Board of County Commissioners to vacate a public 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 easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that the public utility 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 28th day of April A.D., 2015.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



ROBIN FISHER, CHAIRMAN

As approved by the Board on:
April 28, 2015

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 22, TOWNSHIP 26 SOUTH, RANGE 37 EAST
PARCEL ID# 26-37-22-76-00000.0-0022.00

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PURPOSE OF SURVEY:
VACATION OF PORTION OF SIDE UTILITY
EASEMENT ON LOT 22 SHOWN HEREON.

LEGAL DESCRIPTION:


DESCRIPTION OF PARENT TRACT: LOT 22, THE MOORINGS UNIT NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 46, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1735 PAGE 646 OF THE PUBLIC RECORD OF BREVARD COUNTY, FLORIDA.

DESCRIPTION OF PORTION OF PLATTED 7.5 FOOT SIDE PUBLIC UTILITY EASEMENT TO BE VACATED: THE SOUTHWESTERLY 7.5 FOOT SIDE PUBLIC UTILITY EASEMENT LESS THE SOUTHEASTERLY 10 FEET, SAID SOUTHEASTERLY 10 FEET, CURRENTLY PLATTED AS A 10 FOOT FRONT UTILITY EASEMENT, LOT 22, THE MOORINGS UNIT NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 46, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 954.5 SQUARE FEET, (0.02 ACRES) MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE ASSUMPTION THAT THE EAST LINE OF 22 BEARS S 10°46'03" E, SAID BEARING BEING IDENTICAL TO THE BEARING SHOWN ON PLAT.
2. NO UNDERGROUND IMPROVEMENTS OF ANY KIND HAVE BEEN LOCATED ON THIS SKETCH AND DESCRIPTION.
3. THIS SKETCH AND DESCRIPTION WAS PREPARED FROM TITLE INFORMATION PROVIDED TO THE SURVEYOR, THERE MAY BE ADDITIONAL RESTRICTIONS OR EASEMENTS THAT AFFECT THIS PROPERTY.
4. THIS SKETCH AND DESCRIPTION WAS PREPARED FOR THE EXCLUSIVE USE OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER PERSON OR ENTITY.
5. THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
6. A COMPARISON BETWEEN RECORDED DIRECTIONS AND DISTANCES WITH FIELD MEASURED DIRECTIONS AND DISTANCES ARE SHOWN ONLY IF THEY VARY.
7. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
8. THE SKETCH SHOWN HEREON IS NOT A BOUNDARY SURVEY AND IS ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION ATTACHED HERETO.

PREPARED FOR:
BROCKWELL BALLARD & AMY BALLARD


JAMES R. YORRIO, P.S.M. NO. 5693
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: SPACE COAST SURVEYING INC.
ADDRESS: 1600 WEST EAU GALLIE BLVD. SUITE 201E, MELBOURNE, FL. 32935
PHONE: (321)253-5509 CERTIFICATE OF AUTHORIZATION NO. LB-0006815

DRAWN BY: J.R.Y.
DATE: 1-21-2015

CHECKED BY: J.R.Y.
SHEET 1 OF 2

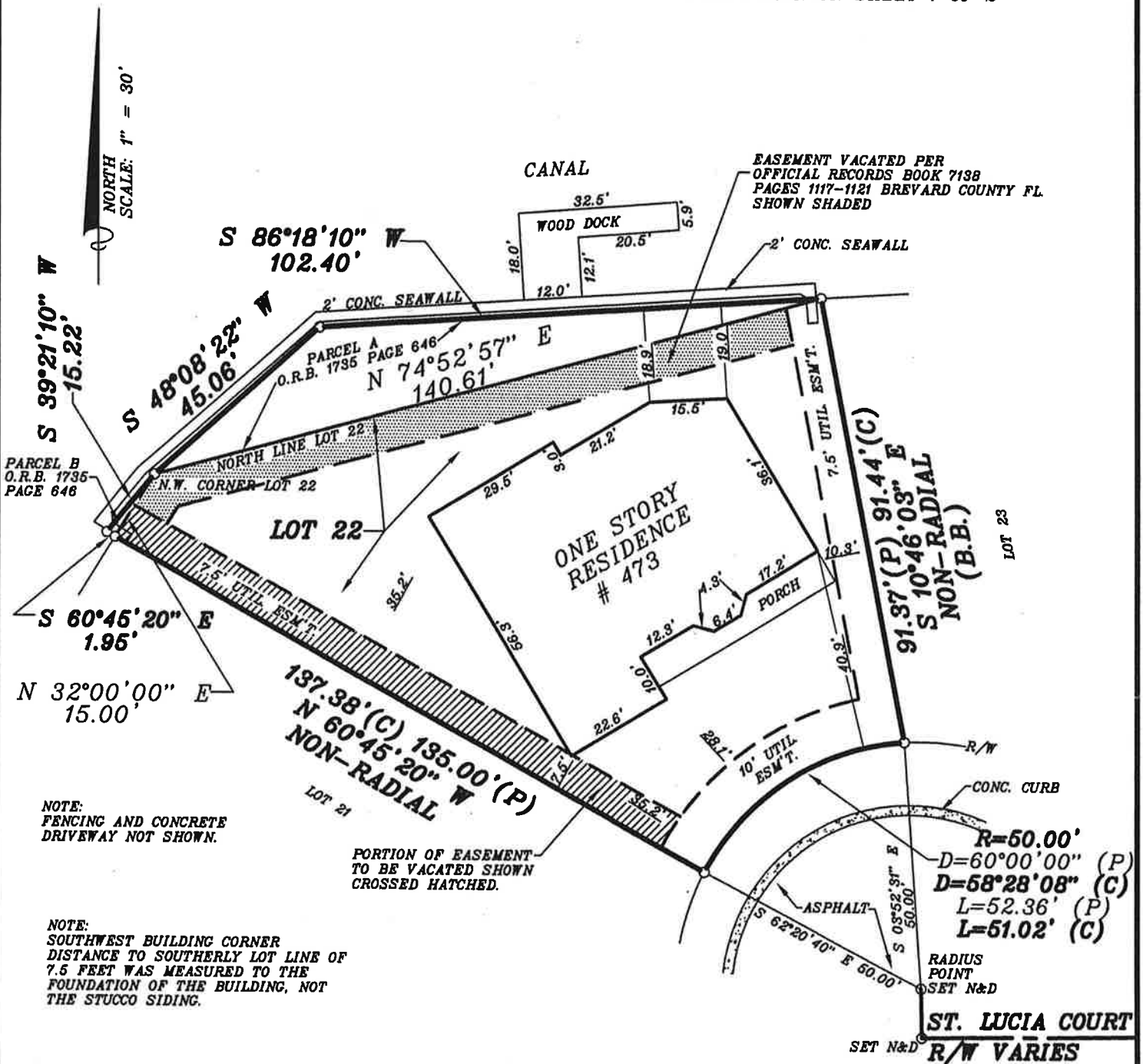
DRAWING NO. 28615
REVISIONS COUNTY REVIEW
3-26-2015

SECTION 22
TOWNSHIP 26 SOUTH
RANGE 37 EAST

SKETCH OF DESCRIPTION

SECTION 22, TOWNSHIP 26 SOUTH, RANGE 37 EAST
 PARCEL ID# 26-37-22-76-00000.0-0022.00

SHEET 2 OF 2
 NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2



NOTE:
 FENCING AND CONCRETE
 DRIVEWAY NOT SHOWN.

PORTION OF EASEMENT
 TO BE VACATED SHOWN
 CROSSED HATCHED.

NOTE:
 SOUTHWEST BUILDING CORNER
 DISTANCE TO SOUTHERLY LOT LINE OF
 7.5 FEET WAS MEASURED TO THE
 FOUNDATION OF THE BUILDING, NOT
 THE STUCCO SIDING.

LEGEND:
 P= FLAT
 C= CALCULATED
 SET N&D= NAIL & DISK SCS1 LB8816
 ESM'T.= EASEMENT
 UTIL.= UTILITY
 R= RADIUS
 L= ARC LENGTH
 CH= CHORD
 D= DELTA ANGLE
 R/W= RIGHT OF WAY
 B.B.= BASE OF BEARING
 CONC.=CONCRETE
 O.R.B.= OFFICIAL RECORDS BOOK

SECTION 22
 TOWNSHIP 26 SOUTH
 RANGE 37 EAST

PROJECT NO. 28615
 PREPARED BY: SPACE COAST SURVEYING INC.
 1600 WEST EAU GALLIE BLVD. SUITE 201E
 MELBOURNE, FL. 32935
 PHONE: (321)253-5509

Mailed to:

A daily publication by:

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



STATE OF FLORIDA
COUNTY OF BREVARD

Kathy Cicala

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

LEGAL NOTICE

Ad # (353314 # \$	116.84	The matter of:
Acct. # (6BR427		
			BREVARD COUNTY BOCC
the	Court		RESOLUTION VACATING A PORTION OF THE 7.50 FT WIDE.

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

April 30, 2015

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida, and that the said newspaper has heretofore been continuously published in said Brevard County, Florida, regularly as stated above, and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Kathy Cicala
(Signature of Affiant)

Sworn to and subscribed before this:



30th day of April 2015

Carolyn R. Roper
(Signature of Notary Public)

Carolyn Roper

(Name of Notary Typed, Printed or Stamped)

AD#353314,04/30/2015

LEGAL NOTICE
RESOLUTION VACATING A PORTION OF THE 7.50 FT. WIDE PUBLIC UTILITY EASEMENT ALONG SOUTHWESTERLY LINE OF LOT 22, OF THE PLAT OF THE MOORINGS UNIT NO. 2 IN SECTION 22, TOWNSHIP 26 SOUTH, RANGE 37 EAST TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the 28th day of April, 2015, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating public utility easement, St. Lucia Court, The Moorings Unit No. 2, petitioned by Brockwell and Amy Ballard to wit:

EXHIBIT "A"
DESCRIPTION OF PORTION OF PLATTED 7.5 FOOT SIDE PUBLIC UTILITY EASEMENT TO BE VACATED:
THE SOUTHWESTERLY 7.5 FOOT SIDE PUBLIC UTILITY EASEMENT LESS THE SOUTHEASTERLY 10 FEET, SAID SOUTHEASTERLY 10 FEET, CURRENTLY PLATTED AS A 10 FOOT FRONT UTILITY EASEMENT, LOT 22, THE MOORINGS UNIT NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 46, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 954.5 SQUARE FEET, (0.02 ACRES) MORE OR LESS.

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

Personally Known or Produced Identification _____
Type Identification Produced: _____

BrevardClerk.US

Scott Ellis, Clerk of Court

700 South Park Avenue, Bldg. B
 P.O. Box 2767
 Titusville, FL 32781-2767
 (321) 637-2006

DBLIVE Transaction
 #: 1510554
 Receipt #: 61481350
 Cashier Date: 5/5/2015
 9:15:28 AM



Print Date:
 5/5/2015 9:15:30 AM

Customer Information	Transaction Information	Payment Summary
(3175) SURVEY SECTION BREVARD CO BCGC BLDG A ZIP 81 VIERA, FL 32904 Beginning Escrow Balance: -\$1721.50	DateReceived: 05/05/2015 Source Code: Titusville - Six Story Q Code: Titusville - Six Story Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$44.00 Total Payments \$44.00

1 Payments

ESCROW	\$44.00
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1 Recorded Items

(RSL) RESOLUTION	<i>BK/PG: 7359/14 CFN: 2015089046 Date: 5/5/2015</i> 9:15:27 AM From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	5	\$44.00
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00

0 Search Items

1 Miscellaneous Items

(AGTR) AGENT TRANSMITTAL

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF THE 7.50 FT. WIDE PUBLIC UTILITY EASEMENT ALONG SOUTHWESTERLY LINE OF LOT 22, OF THE PLAT OF THE MOORINGS UNIT NO. 2 IN SECTION 22, TOWNSHIP 26 SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 28th day of April, 2015, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating public utility easement, St. Lucia Court, The Moorings Unit No. 2, petitioned by Brockwell and Amy Ballard to wit:

SEE ATTACHED EXHIBIT "A"

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

All persons govern yourselves accordingly.

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

FLORIDA TODAY:

Please advertise in the April 30, 2015 issue of Florida TODAY.

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

DESCRIPTION OF PORTION OF PLATTED 7.5 FOOT SIDE PUBLIC UTILITY EASEMENT TO BE VACATED:

THE SOUTHWESTERLY 7.5 FOOT SIDE PUBLIC UTILITY EASEMENT LESS THE SOUTHEASTERLY 10 FEET, SAID SOUTHEASTERLY 10 FEET, CURRENTLY PLATTED AS A 10 FOOT FRONT UTILITY EASEMENT, LOT 22, THE MOORINGS UNIT NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 46, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

CONTAINING 954.5 SQUARE FEET, (0.02 ACRES) MORE OR LESS.

PREPARED BY: JAMES R. YORIO, PSM

Kelly Fulton

From: Cicala, Kathy <kcicala@floridatoday.com>
Sent: Wednesday, April 29, 2015 2:13 PM
To: Kelly Fulton; Tammy Etheridge
Cc: Ashley Folsom
Subject: RE: I need all of these in word documents FW: Legal Ads for Vacating

BALLARD

#353314
\$116.84
4/30

AD#353314,04/30/2015 û

¥

<BF>LEGAL NOTICE<NM> û

RESOLUTION VACATING A PORTION OF
THE 7.50 FT. WIDE PUBLIC UTILITY
EASEMENT ALONG SOUTHWESTERLY
LINE OF LOT 22, OF THE PLAT OF THE
MOORINGS UNIT NO. 2 IN SECTION 22,
TOWNSHIP 26 SOUTH, RANGE 37 EAST
TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 28th
day of A p r il, 201 5 , the Board of County
Commissioners of Brevard County, Florida,
adopted a Resolution vacating public utility
easement, St. Lucia Court, The Moorings
Unit No. 2, petitioned by Brockwell and
A my Ballard to wit:

<BF>EXHIBIT ÔÔAÔÔ û

<IT.6>DESCRIPTION OF PORTION OF PLA'
TIED 7.5 FOOT SIDE PUBLIC UTILITY
EASEMENT TO BE VACATED:
THE SOUTHWESTERLY 7.5 FOOT SIDE
PUBLIC UTILITY EASEMENT LESS
THE SOUTHEASTERLY 10 FEET, SAID
SOUTHEASTERLY 10 FEET, CUR'
RENTLY PLATIED AS A 10 FOOT
FRONT UTILITY EASEMENT, LOT 22,
THE MOORINGS UNIT NO. 2, ACCORD'
ING TO THE PLAT THEREOF, AS RE'
CORDED IN PLAT BOOK 24, PAGE 46,
PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA. CONTAINING 954.5
SQUARE FEET, (0.02 ACRES) MORE OR
LESS.

PREPARED BY: JAMES R. YORIO, PSM<XI>
The Board further renounced and dis-
claimed any right of the County in and to
said public utility and drainage easement.
All persons govern yourselves accordingly .
BY ORDER OF THE BOARD OF COUNTY
COMMISSIONERS OF BREVARD COUN-
TY, FLORIDA
SCOTT ELLIS, CLERK
BY: Tammy Etheridge, Deputy Clerk

Kathy Cicala
LEGAL ADVERTISING SPECIALIST
FLORIDA TODAY, THE EAGLE, THE REPORTER
FLORIDATODAY
P.O. Box 419000, Melbourne, FL 32941-9000
321 242-3832
legals@floridatoday.com
thereporter@gannett.com
theeagle@gannett.com
kcicala@floridatoday.com

Please visit us online at www.floridatoday.com

THIS EMAIL IS NOT A BILL.

From: Kelly Fulton [<mailto:Kelly.Fulton@brevardclerk.us>]
Sent: Wednesday, April 29, 2015 1:46 PM
To: Cicala, Kathy; Tammy Etheridge
Cc: Ashley Folsom
Subject: RE: I need all of these in word documents FW: Legal Ads for Vacating
Importance: High

Kathy,

Attached are the five (5) Legal Ads in Word.

Thank you.

Kelly Greene Fulton
Clerk to the Board/VAB Clerk
321-637-2001
kelly.fulton@brevardclerk.us

From: Cicala, Kathy [<mailto:kcicala@floridatoday.com>]
Sent: Wednesday, April 29, 2015 1:32 PM
To: Kelly Fulton; Tammy Etheridge
Subject: I need all of these in word documents FW: Legal Ads for Vacating
Importance: High



New Search
Online Homestead
TRIM Notice
Map
Map + Sales
Classic Map
Bird's Eye View
Taxes
Photos
Building Drawings
Plat
Comments
Permits
Land Info
Building Info
Help

General Parcel Information

Parcel ID:	26-37-22-76-00000.0-0022.00	Millage Code:	4100	Exemption:	1	Use Code:	110
Site Address:	473 ST LUCIA CT , SATELLITE BEACH 32937					Tax ID:	2606723

Site Address is assigned by Brevard County Address Assignment for E-911 purposes and may not reflect the postal community name.

Owner Information

Owner Name:	BALLARD, BROCKWELL J
Second Name:	BALLARD, AMY N H/W
Mailing Address:	473 ST LUCIA CT
City, State, Zipcode:	SATELLITE BCH, FL 32937

Abbreviated Description

Plat Book/Page:	0024/0046	Sub Name:	LOT 22 & PART OF MOORINGS VACATED CANAL AS DES IN ORB 1735 PG 646
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Value Summary

Roll Year:	2012	2013	2014
Market Value Total: ¹	\$281,980	\$303,800	\$337,300
Agricultural Market Value:	\$0	\$0	\$0
Assessed Value Non-School:	\$279,710	\$284,460	\$295,710
Assessed Value School:	\$279,710	\$284,460	\$295,710
Homestead Exemption: ²	\$25,000	\$25,000	\$25,000
Additional Homestead: ²	\$25,000	\$25,000	\$25,000
Other Exemptions: ²	\$0	\$0	\$0
Taxable Value Non-School: ³	\$229,710	\$234,460	\$245,710
Taxable Value School: ³	\$254,710	\$259,460	\$270,710

Land Information

Acres:	0.24
Site Code:	130

¹: Market value is established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

²: Exemptions are applicable for the year shown and may or may not be applicable if an owner change has occurred.

³: The Additional Homestead exemption does not apply when calculating taxable value for school districts pursuant to Amendment 1.

Sale Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	Sale Screening Code	Sale Screening Source	Physical Change Code	Vacant/Improved
6128/2745	3/11/2010	\$355,000	WD	01			I
3122/1236	4/1/1991	\$100	QC				I
1425/0932	2/28/1974	\$12,000					

Sale screening and sale screening source codes are for assessment purposes only and have no bearing on potential marketability of the property.

Building Information

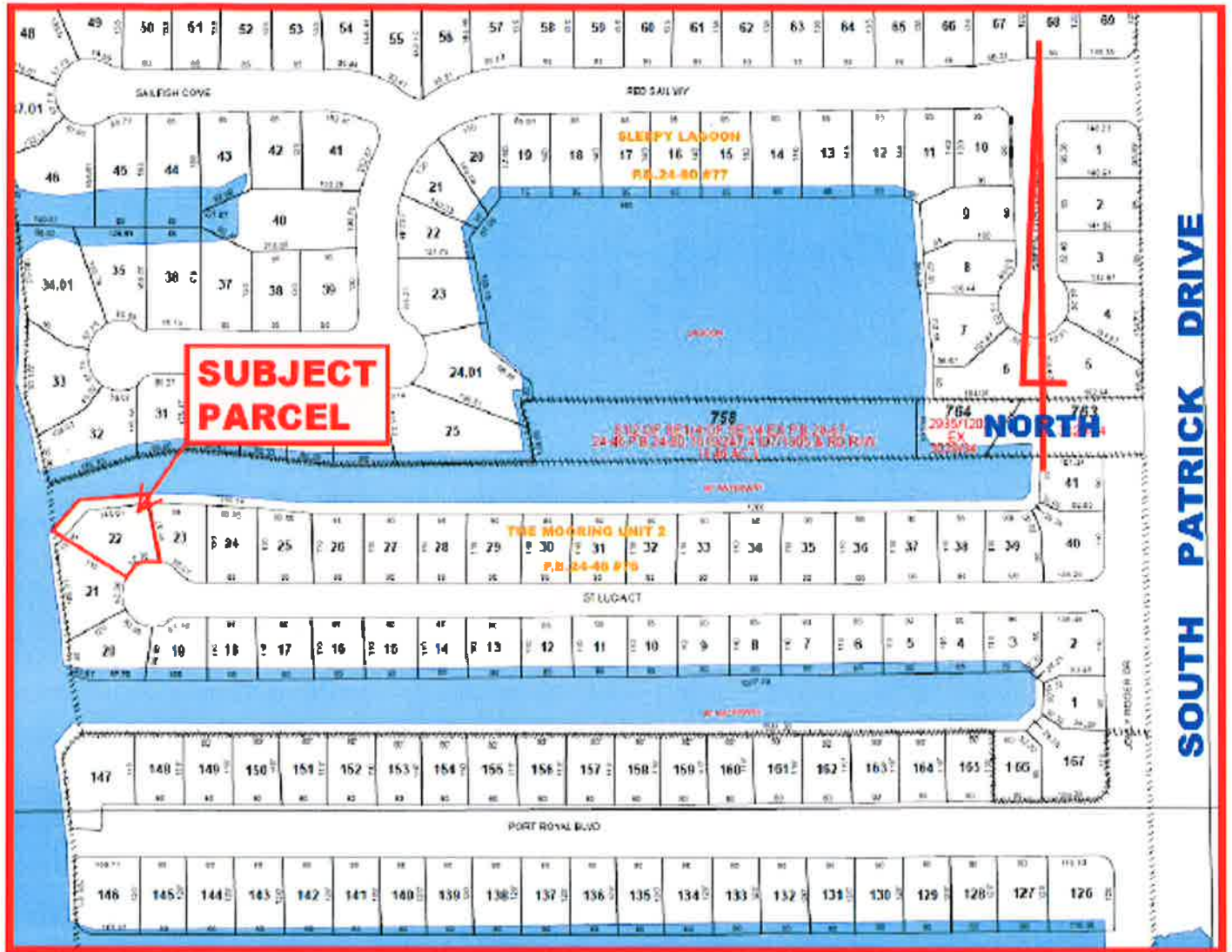
PDC #	Use Code	Year Built	Story Height	Frame Code	Exterior Code	Interior Code	Roof Type	Roof Material	Floors Code	Ceiling Code
1	110	1977	8	03	03	03	02	04	03	03

Building Area Information

PDC #	Base Area	Garage Area	Open Porches	Car Port	Screened Porches	Utility Rooms	Enclosed Porch	Basements	Attics	Bonus Rooms	RV Carport	RV Garage	Total Base Area
1	2,230	506	267	0	0	0	322	0	0	0	0	0	2,230

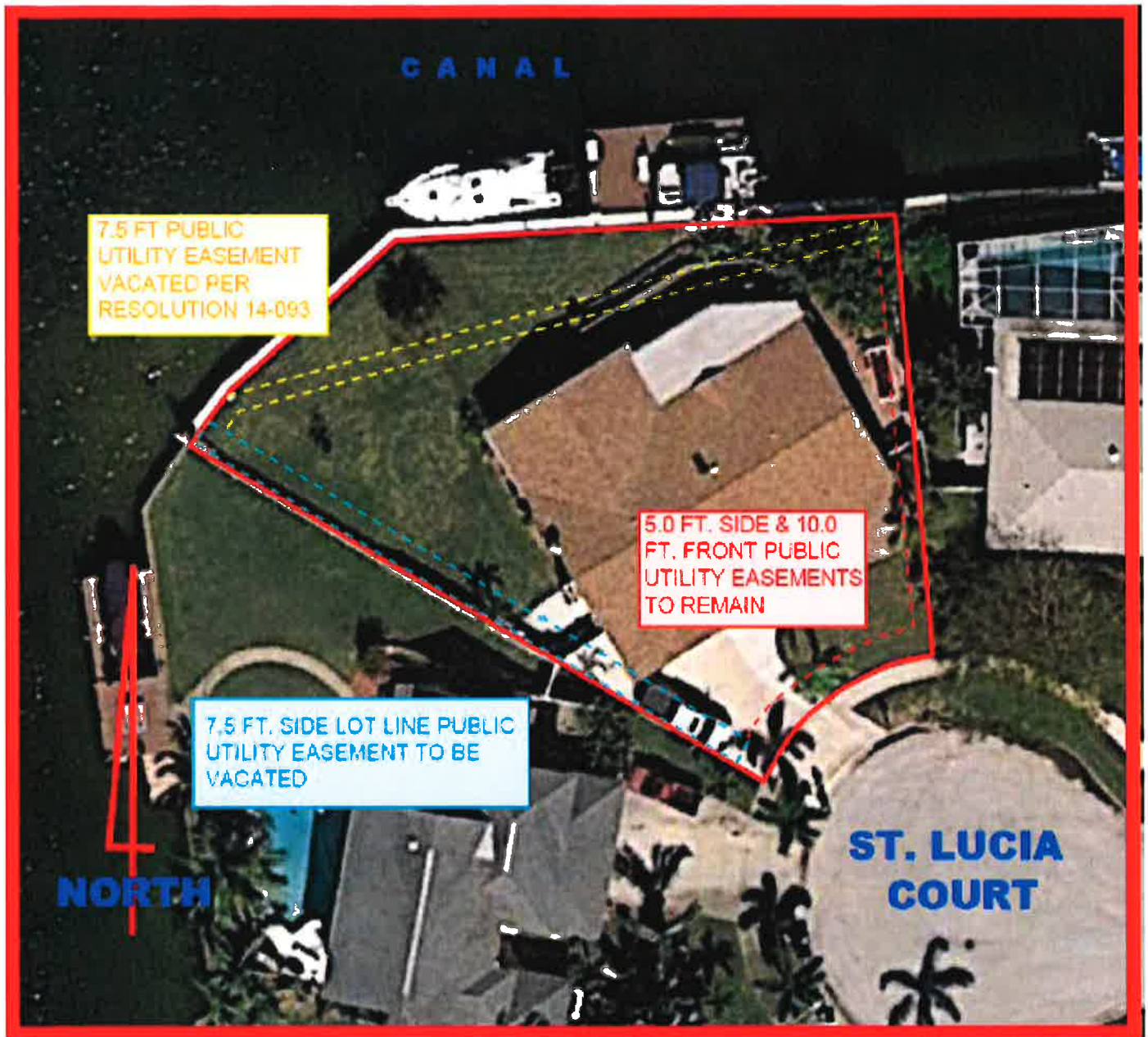
Extra Feature Information

Extra Feature Description	Units
DOCK	336
WOOD DECK	492



VICINITY MAP

Brockwell & Amy Ballard – Lot 22, The Moorings, Unit No. 2 Plat Book 24, Page 46 – 473 St. Lucia Court, Satellite Beach, Florida, 32937 – Section 22, Township 26 South, Range 37 East – District 4 – Vacating of 7.50 ft. Wide Public Utility Easement



AERIAL MAP

Brockwell & Amy Ballard – Lot 22, The Moorings, Unit No. 2 Plat Book 24, Page 46 – 473 St. Lucia Court, Satellite Beach, Florida, 32937 – Section 22, Township 26 South, Range 37 East – District 4 – Vacating of 7.50 ft. Wide Public Utility Easement

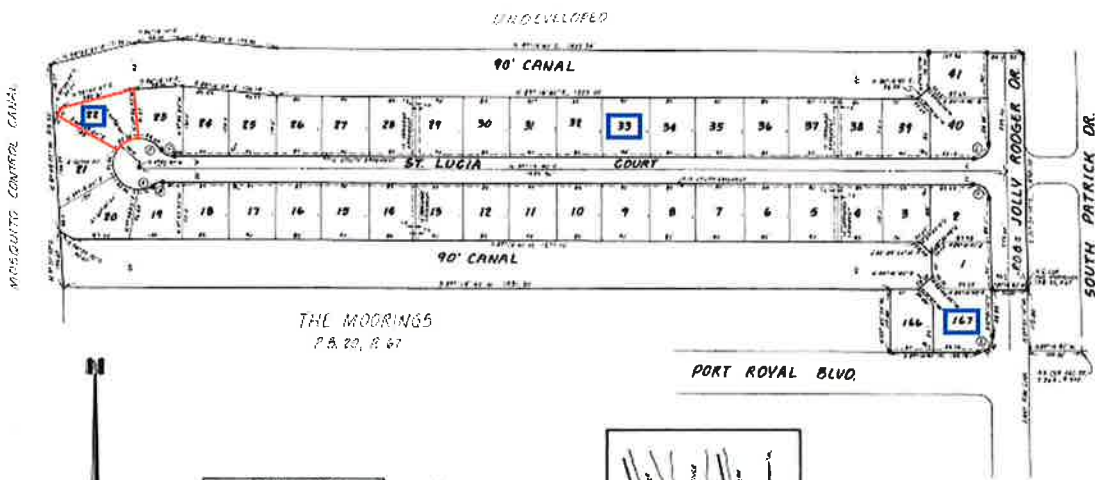
THE MOORINGS

UNIT NO. 2

A SUBDIVISION IN SECTION 22, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND A REPLAT OF LOTS 166 AND 167 OF THE MOORINGS AS RECORDED IN PLAT BOOK 20, AT PAGE 67, PUBLIC RECORDS OF BREVARD COUNTY FLORIDA.

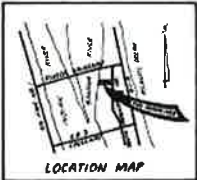
DESCRIPTION: COMMENCE AT THE SOUTHEAST CORNER OF SECTION 22, TOWNSHIP 26 SOUTH, RANGE 37 EAST AND RUN S 81°14'40"W, 100.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF JOLLY RODGER DRIVE, THENCE RUN N 10°01'10"W, 115.00 FEET TO THE NORTHEAST CORNER OF THE FORESAID "THE MOORINGS" THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE RUN S 81°14'40"W, 70.00 FEET TO THE NORTHEAST CORNER OF LOT 147; THENCE RUN S 20°10'10"E, 84.88 FEET TO THE POINT OF A CURVE TO THE RIGHT; THENCE RUN SOUTHWESTERLY 88.58 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE; THRU A CENTRAL ANGLE OF 80°16'50" TO THE POINT OF TANGENCY; THENCE RUN S 81°14'40"W, 144.78 FEET; THENCE RUN N 00°45'30"W, 100.00 FEET; THENCE RUN S 81°14'40"W, 150.30 FEET; THENCE RUN N 3°21'52"E, 106.47 FEET; THENCE RUN N 8°03'02"W, 518.50 FEET; THENCE RUN N 7°52'57"E, 177.34 FEET; THENCE RUN N 6°19'10"E, 18.00 FEET; THENCE RUN S 84°12'45"E, 175.80 FEET; THENCE RUN N 87°14'40"E, 1492.84 FEET; THENCE RUN S 81°00'10"E, 460.50 FEET TO THE POINT OF BEGINNING; CONTAINING 19.30 ACRES, MORE OR LESS.

"□" = PREVIOUSLY EASEMENT VACATINGS



THE MOORINGS
P.A. 20, P. 67

NO.	DATE	BY	REMARKS
1	12/15/77
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NOTES:
 1. DENOTES PERMANENT REFERENCE MONUMENT
 2. DENOTES PERMANENT CORNER POINT
 3. CURVE TO THE RIGHT
 4. CURVE TO THE LEFT
 5. ROAD TO BE OPENED TO ALL VEHICLES SHALL BE PERMANENT FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES. ADDITIONAL EASEMENTS MAY BE SHOWN ON THIS PLAT THESE EASEMENTS SHALL BE PERMANENT

PREPARED BY
G.H.Q., INC. CIVIL ENGINEERS - LAND SURVEYORS
 MIAMI BEACH, FLORIDA

FOUNDERS IN DEDICATION
 ORD. 4113 PAGE 413
 1813 470

PLAT BOOK 24
 AND PAGE 46

DEDICATION
 KNOW ALL MEN BY THESE PRESENTS, That the Corporation named below, being the owner in fee simple of the lands described in THE MOORINGS, UNIT NO. 2 hereby dedicates said lands and plat for the use and purpose therein expressed and defines the streets, alleys, thoroughfares, public ways and drainage easements shown herein to the perpetual use of the public, and
 IN WITNESS WHEREOF, has caused these presents to be signed and attested by the officers named below and to be attested by its official books on MARCH 6, 1978

By: Jack J. Kelley
 Attest: Barbara A. Austin

Signed and sealed in the presence of
Barbara A. Austin
Barbara A. Austin

STATE OF Florida COUNTY OF Brevard
 THIS IS TO CERTIFY, That on MARCH 6, 1978
 before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared
Jack J. Kelley and Barbara A. Austin
 respectively President and SECRETARY
 of the above named corporation incorporated under the laws of the State of Florida, to the intent to be the individuals and officers described in and who assumed the foregoing Dedication and severally acknowledged the execution thereof to be their free act and deed as such officers themselves duly authorized; that the official seal of said corporation is duly affixed thereto; and that the said Dedication is the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the above date
George J. Law
 NOTARY PUBLIC
 My Commission Expires July 1, 1978

CERTIFICATE OF SURVEYOR
 KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being a licensed and registered professional surveyor, duly qualified under the laws of the State of Florida, has surveyed the lands shown on the foregoing plat; that said plat is a correct representation of the lands therein described and platted; that no and no other reference monuments have been placed on said Survey; that he is a member of the Florida Board of Surveyors, and that said land is located in Brevard County, Florida, and that said Survey is dated MARCH 7, 1978 by Lee A. M. ... Registered Professional Surveyor No. 19,230

CERTIFICATE OF APPROVAL BY MUNICIPALITY
 THIS IS TO CERTIFY, That on _____
 I have approved the foregoing plat
 MAYOR
 ATTEST: _____
 CITY CLERK

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS
 THIS IS TO CERTIFY, That on DECEMBER 20, 1977
 the foregoing plat was approved by the Board of County Commissioners of Brevard County, Florida.
Lee Williams
 Chairman of the Board
Barbara A. Austin
 Clerk of the Board
 Approved George J. Law
 County Engineer

CERTIFICATE OF APPROVAL BY ZONING COMMISSION
 THIS IS TO CERTIFY, That on MAY 24, 1978
 the Zoning Commission of the County of Brevard County, Florida, approved the foregoing plat.
George J. Law Zoning Director

CERTIFICATE OF CLERK
 I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for recording on MARCH 6, 1978 at 11:21 A.M.
George J. Law
 Clerk of the Circuit Court
 in and for Brevard County, Fla.

PLAT REFERENCE

Prepared by:
Michelle D. Sisco
Title Security and Escrow of Central Florida, Inc.
1640 Highway A1A, Suite E
Satellite Beach, Florida 32937

File Number: EG3756

General Warranty Deed

Made this March 11, 2010 A.D. By **THOMAS F. GUIDERA AND DORIS E. GUIDERA, AS CO-TRUSTEES OF THE GUIDERA FAMILY TRUST U/D/T DATED APRIL 23, 1991 P/B/O THOMAS F. GUIDERA AND DORIS E. GUIDERA AND THOMAS F. GUIDERA AND DORIS E. GUIDERA, as husband and wife**, whose address is: Sterling House, 7200 Greenboro Drive, Apt. 118, West Melbourne, FL 32904, hereinafter called the grantor, to **BROCKWELL J. BALLARD AND AMY N. BALLARD**, husband and wife whose post office address is: 473 St. Lucia Court, Satellite Beach, Florida 32937, hereinafter called the grantee

(Whoever used herein the term "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 grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) 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 22, THE MOORINGS UNIT NO. 2, according to the plat thereof, as recorded in Plat Book 24, Page 46, of the Public Records of Brevard County, Florida.

Parcel ID Number: 26-37-22-76-00000.0-0022.00

RETURN TO:
Title Security and Escrow
of Central Florida, Inc.
1640 Highway A1A
Satellite Beach, FL 32937

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 law fully 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, 2009.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Printed Name Linda J. Martin


Witness Printed Name Michelle D. Sisco


 (Seal)
THOMAS F. GUIDERA, Trustee

Address: Sterling House, 7200 Greenboro Drive, Apt. 118, West Melbourne, FL 32904

 (Seal)
THOMAS F. GUIDERA, Individually

 (Seal)
DORIS E. GUIDERA, Trustee

Address: Sterling House, 7200 Greenboro Drive, Apt. 118, West Melbourne, FL 32904

 (Seal)
DORIS E. GUIDERA, Individually

State of Florida
County of Brevard

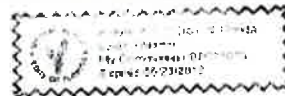
The foregoing instrument was acknowledged before me this March 11, 2010, by **THOMAS F. GUIDERA AND DORIS E. GUIDERA**, who is/are personally known to me or who has produced FL DL V - F D State as identification.

Seal

Notary Public
Print Name: Linda J. Martin

My Commission Expires:

DUE TO Individual Warranty



PETITIONERS' DEED

Kelly Fulton

From: Tammy Etheridge
Sent: Wednesday, April 29, 2015 8:24 AM
To: Kelly Fulton
Subject: FW: Ballard: Lot 22, The Moorings - Easement Vacating
Attachments: 20150327_DESCRIPTION FOR LEGAL ADS_BALLARD.docx

From: Cazessus, Marc [<mailto:marc.cazessus@brevardcounty.us>]
Sent: Wednesday, April 29, 2015 7:38 AM
To: Tammy Etheridge
Cc: Donna Scott; Sweeney, Michael; Vitale, Anthony
Subject: Ballard: Lot 22, The Moorings - Easement Vacating

Ms. Etheridge:

On April 28, 2015 the Board of County Commissioners approved the resolution to vacate an easement located on lands owned by Brock and Amy Ballard. This letter is your authorization to publish said resolution using the attached legal description. I have likewise listed the petitioners' contact information for your future use when mailing a copy of the recorded resolutions to the petitioners.

- Agenda Item 04-28-15 IV. B.: Brock and Amy Ballard, 473 St. Lucia Court, Satellite Beach, FL, 32937.

Thank you for your time and continued cooperation; please contact me if you have any questions.

Respectfully,

Marc

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

Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.