



AGENDA REPORT  
July 10, 2018

**Petition to Vacate Public Utility Easements-Cocoa-Herbert Kranz-(District 1)**

---

---

**SUBJECT:**

Petition to Vacate, Re: Public Utility and Drainage Easement – Flint Road –  
“Port St. John Unit - Four” – Cocoa – Herbert Kranz – District 1

**FISCAL IMPACT:**

\$640.00 Vacating Application Fee Paid by Petitioner

**DEPT/OFFICE:**

Public Works

**REQUESTED ACTION:**

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating three public utility and drainage easements along the rear and common line between Lots 10 and 11, Block 115, “Port St. John Unit - Four” in Section 22, Township 23 South, Range 35 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

**SUMMARY EXPLANATION and BACKGROUND:**

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

The petitioner owns Lots 10 and 11, Block 115 and is requesting the vacating of the two 6.00 ft. wide public utility and drainage easements centered along the common line between the lots and rear 10.00 ft. to remove the existing pool, pool deck and garage as encroachments into said easement and secure a permit for the constructions of a screen enclosure. Easement to be vacated contains 2,800 square feet, more or less.

June 25, 2018, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. The property is located in Cocoa as follows: Begin at the intersection of Grissom Pkwy and Fay Blvd; thence 0.5 mile west along Fay Blvd; thence 318 ft. north along Gillette Ave; thence 0.2 northeast on Flint to the residence on the east (right).

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

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

**CLERK TO THE BOARD INSTRUCTIONS:**

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

**ATTACHMENTS:**

- Description**
- **Exhibits**



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

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

July 19, 2018

MEMORANDUM

TO: Andrew Holmes, Public Works Director Attn: Amber Holley

RE: Advertising Bills for Resolution Vacating Three Public Utility and Drainage Easements in Port St. John, Unit Four, on Flint Road, Cocoa

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 18-094, vacating three public utility and drainage easements in Port St. John, Unit Four, on Flint Road, Cocoa, as petitioned by Herbert Jay Kranz. Said Resolution was adopted by the Board of County Commissioners, in regular session on July 10, 2018.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

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

July 19, 2018

Herbert Jay Kranz  
5425 Flint Road  
Cocoa, FL 32927

Dear Mr. Kranz:

Re: Resolution Vacating Three Public Utility and Drainage Easements in Port St. John, Unit Four, on Flint Road, Cocoa

The Board of County Commissioners, in regular session on July 10, 2018, adopted Resolution No. 18-094, vacating three public utility and drainage easements in Port St. John, Unit Four, on Flint Road, Cocoa, as petitioned by you. Said Resolution has been recorded in ORBK 8216, Pages 273 through 277. 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: Amber Holley, Public Works

RESOLUTION 2018 - 9 4

**VACATING THREE PUBLIC UTILITY AND DRAINAGE EASEMENTS IN "PORT ST. JOHN UNIT - FOUR", COCOA, FLORIDA, LYING IN SECTION, 22, TOWNSHIP 23 SOUTH, RANGE 35 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **HERBERT JAY KRANZ** with the Board of County Commissioners to vacate three public utility and drainage easements in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH & DESCRIPTION**

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating three public drainage and utility easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portions of the public utility and drainage easements 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 10<sup>th</sup> day of July, 2018 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA



RITA PRITCHETT, CHAIR

As approved by the Board on:  
July 10, 2018

# LEGAL DESCRIPTION

SHEET 1 OF 2

SITUATED IN SECTION 22, TOWNSHIP 23 SOUTH, RANGE 35 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID# 23-35-22-01-115-10

PURPOSE OF SURVEY: VACATING A PORTION OF A 6.0 AND 10.0 FOOT WIDE UTILITY & DRAINAGE EASEMENT

## LEGAL DESCRIPTION:

THAT PORTION OF A 6.00 AND 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE NORTH 6.00 FEET OF LOT 10, BLOCK 115, AND THE SOUTH 6.00 FEET OF LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE WEST 5.00 FEET AND THE EAST 10.00 FEET THEREOF; ALSO THE EAST 10.00 FEET OF SAID LOTS 10 AND LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET THEREOF, ACCORDING TO THE PLAT PORT ST. JOHN UNIT FOUR AS RECORDED IN PLAT BOOK 22, PAGE(S) 36 THROUGH 45, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2,800.00 SQ.FT.+-, 0.064 ACRES +-,

## SURVEYOR'S NOTES:

1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIPTION IS THE EAST RIGHT OF WAY LINE OF FLINT ROAD, BEING N 01°00'58" E, AS PER PLAT OF PORT ST. JOHN UNIT FOUR.
2. THE SKETCH ON SHEET 2 OF 2 IS NOT A BOUNDARY SURVEY, IT IS A SKETCH ONLY TO ACCOMPANY LEGAL DESCRIPTION.
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY ERIC NIELSEN LAND SURVEYING, INC. DATED 03-27-2018

## ABBREVIATION & SYMBOL LEGEND

C/L = CENTERLINE	I.R.C. = IRON ROD & CAP
R/W = RIGHT-OF-WAY	P.U.D.E.= PUBLIC UTILITY & DRAINAGE EASEMENT
FND = FOUND	A/C = AIR CONDITIONER
LB = LICENSED BUSINESS	CONC = CONCRETE
P = PLAT	WUP = WOOD UTILITY POLE
M = MEASURED	W/M = WATER METER
I.R. = IRON ROD	E.M. = ELECTRIC METER
L = LINE	W.F.S. = WOOD FRAME STRUCTURE
N&D = NAIL & DISC	

 = EXCLUDED FROM BEING VACATED



*Eric Nielsen*  
 SURVEYOR & MAPPER, PSM NO. 5386  
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: HERBERT JAY KRANZ		PREPARED BY: ERIC NIELSEN LAND SURVEYING, INC. L.B. 6946, 12 STONE STREET, SUITE 4 COCO, FL. 32922	
DRAWN BY: <u>E.N.</u>	CHECKED BY: <u>EN</u>	DRAWING NO. <u>18-139-03</u>	SECTION <u>22</u>
DATE: <u>05-08-2018</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS _____	TOWNSHIP <u>23</u> SOUTH RANGE <u>35</u> EAST

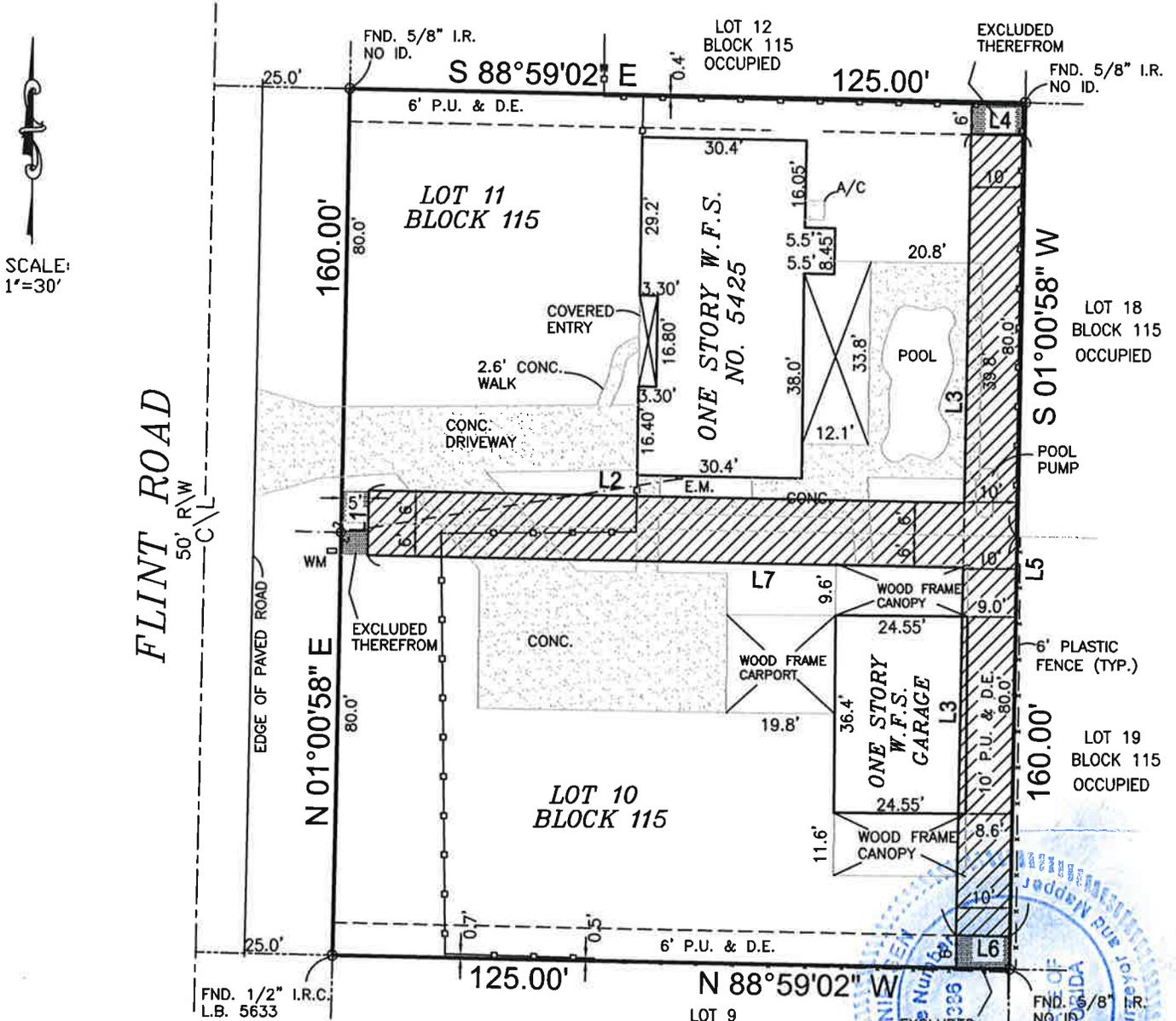
# SKETCH OF DESCRIPTION

SHEET 2 OF 2

SITUATED IN SECTION 22, TOWNSHIP 23 SOUTH,  
RANGE 35 EAST  
PARCEL ID# 23-35-22-01-115-10

NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2

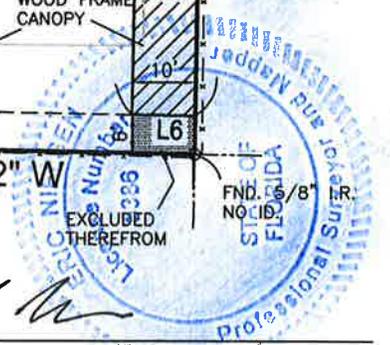
"THIS IS A SKETCH ONLY, NOT A BOUNDARY SURVEY"



SCALE:  
1"=30'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 01° 00' 58" E	12.00'
L2	S 88° 59' 02" E	110.00'
L3	N 01° 00' 58" E	68.00'
L4	S 88° 59' 02" E	10.00'

LINE TABLE		
LINE	BEARING	DISTANCE
L5	S 01° 00' 58" W	148.00'
L6	N 88° 59' 02" W	10.00'
L7	N 88° 59' 02" W	110.00'



SURVEYOR & MAPPER, PSM NO. 5386  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR:  
HERBERT JAY KRANZ

PREPARED BY:  
ERIC NIELSEN LAND SURVEYING, INC.  
L.B. 6946, 12 STONE STREET, SUITE 4  
COCOA, FL. 32922

DRAWN BY: E.N.  
DATE: 05-08-2018

CHECKED BY: EN  
SHEET 2 OF 2

DRAWING NO. 18-139-03  
REVISIONS \_\_\_\_\_

SECTION 22  
TOWNSHIP 23 SOUTH  
RANGE 35 EAST

A Daily Publication By:



Attr: Amber Holley  
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 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

**Notice Public Hearing**

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

06/25/18

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 25th of June 2018, by Becky Holland who is personally known to me

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

Publication Cost: \$217.16  
Ad No. 0002993416  
Customer No: BRE-6BR327



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

AD#2993416, 6/25/2018  
LEGAL NOTICE  
NOTICE FOR THE VACATING OF THE THREE EASEMENTS, PLAT OF "PORT ST. JOHN UNIT - FOUR" IN SECTION 22, TOWNSHIP 23 SOUTH, RANGE 35-EAST, COCOA, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by HERBERT JAY KRANZ, with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF A 6.00 AND 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE NORTH 6.00 FEET OF LOT 10, BLOCK 115, AND THE SOUTH 6.00 FEET OF LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE WEST 5.00 FEET AND THE EAST 10.00 FEET THEREOF; ALSO THE EAST 10.00 FEET OF SAID LOTS 10 AND LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET THEREOF, ACCORDING TO THE PLAT PORT ST. JOHN UNIT FOUR AS RECORDED IN PLAT BOOK 22, PAGE(S) 36 THROUGH 45, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2,800.00 SQ.FT. +/-, 0.064 ACRES +/-, PREPARED BY: ERIC NIELSEN, PSM

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easements at 5:00 P.M. on July 10, 2018 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.

A Daily Publication By:



Attn: Amber Holley  
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 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:

07/15/13

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 July 2018, by Becky Holland who is personally known to me



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

Publication Cost: \$194.15  
Ad No: 0003031039  
Customer No: BRE-5BR327

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

AD#3031039 July 15, 2018  
LEGAL NOTICE

RESOLUTION VACATING THREE PUBLIC UTILITY AND DRAINAGE EASEMENTS IN PORT ST. JOHN, UNIT FOUR, ON FLINT ROAD, COCOA - HERBERT KRANZ

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 10th day of July 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating three public utility and easements in Port St. John, Unit Four, on Flint Road, Cocoa, as petitioned by Herbert Kranz.

THAT PORTION OF A 6.00 AND 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE NORTH 6.00 FEET OF LOT 10, BLOCK 115, AND THE SOUTH 6.00 FEET OF LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE WEST 5.00 FEET AND THE EAST 10.00 FEET THEREOF; ALSO THE EAST 10.00 FEET OF SAID LOTS 10 AND LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET THEREOF, ACCORDING TO THE PLAT PORT ST. JOHN UNIT FOUR AS RECORDED IN PLAT BOOK 22, PAGE(S) 36 THROUGH 45, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2,800.00 SQ.FT.+, 0.064 ACRES +-.

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



LEGAL NOTICE

RESOLUTION VACATING THREE PUBLIC UTILITY AND DRAINAGE EASEMENTS IN  
PORT ST. JOHN, UNIT FOUR, ON FLINT ROAD, COCOA – HERBERT KRANZ

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 10<sup>th</sup> day of July 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating three public utility and easements in Port St. John, Unit Four, on Flint Road, Cocoa, as petitioned by Herbert Kranz.

**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 July 15, 2018, issue of the Florida TODAY.

**Bill the Board of County Commissioners Account Number 6BR327 and forward bill and proof of publication to:**

**Amber Holley, Public Works Department  
2725 Judge Fran Jamieson Way, Bldg. A-220  
Viera, FL 32940**

LEGAL DESCRIPTION:

**EXHIBIT "A"**

THAT PORTION OF A 6.00 AND 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE NORTH 6.00 FEET OF LOT 10, BLOCK 115, AND THE SOUTH 6.00 FEET OF LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE WEST 5.00 FEET AND THE EAST 10.00 FEET THEREOF; ALSO THE EAST 10.00 FEET OF SAID LOTS 10 AND LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET THEREOF, ACCORDING TO THE PLAT PORT ST. JOHN UNIT FOUR AS RECORDED IN PLAT BOOK 22, PAGE(S) 36 THROUGH 45, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2,800.00 SQ.FT.+-. 0.064 ACRES +-. .



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

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

Account	2307582
Owners	Kranz, Herbert Jay
Mailing Address	5425 Flint Rd Cocoa FL 32927
Site Address	5425 Flint Rd Cocoa FL 32927
Parcel ID	23-35-22-01-115-10
Property Use	0110 - Single Family Residence
Exemptions	HEX1 - Homestead First HEX2 - Homestead Additional
Taxing District	1900 - Unincorp District 1
Total Acres	0.46
Subdivision	Port St John Unit 4
Site Code	0802 - Two Lots
Plat Book/Page	0022/0036
Land Description	Port St John Unit 4 Lots 10,11 Blk 115



**VALUE SUMMARY**

Category	2017	2016	2015
Total Market Value	\$172,350	\$148,830	\$136,300
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$107,260	\$105,060	\$104,330
Assessed Value School	\$107,260	\$105,060	\$104,330
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	\$57,260	\$55,060	\$54,330
Taxable Value School	\$82,260	\$80,060	\$79,330

**SALES/TRANSFERS**

Date	Price	Type	Parcel	Deed
07/17/2003	-	QC	Improved	4989/2425
12/30/1995	\$95,000	WD	Improved	3531/1960
03/30/1992	-	WD	Improved	3185/0759
10/06/1983	\$79,000	WD	-	2460/0097
07/21/1981	\$6,000	WD	-	2315/0492
07/06/1981	-	QC	-	2311/2133

**BUILDINGS**

**PROPERTY DATA CARD #1**

Building Use	Year Built	Story Height	Floors	Residential Units	Commercial Units
0110 - Single Family Residence	1983	8	1	1	0

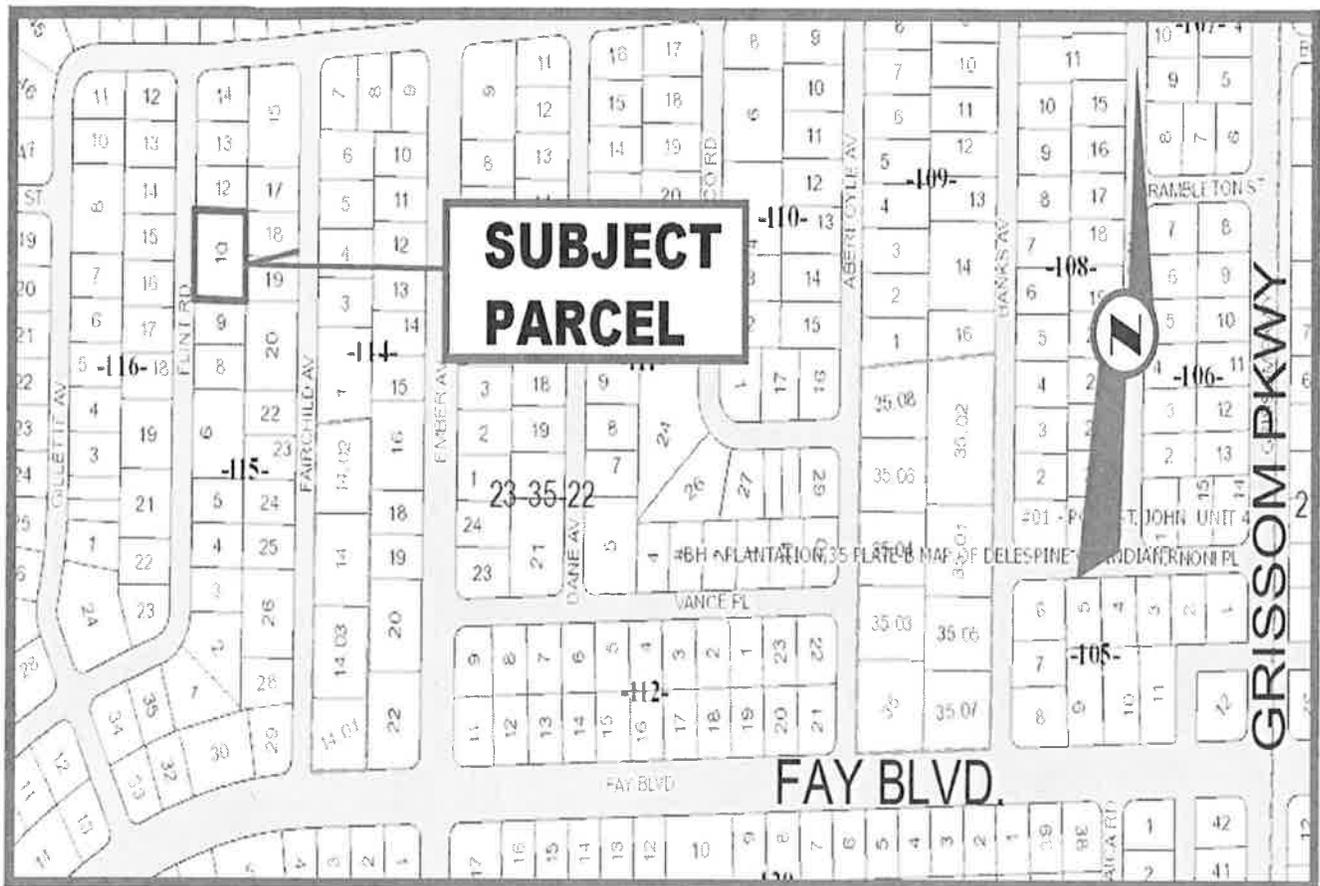
  

Materials	Sub Areas
Exterior Wall: Plywd/T111	Base Area (1st) 1529
Frame: Wood Frame	Garage 320
Roof: Asph/Asb Shngl	Total Base Area 1529
Roof Structure: Hip/Gable	Total Sub Area 1849

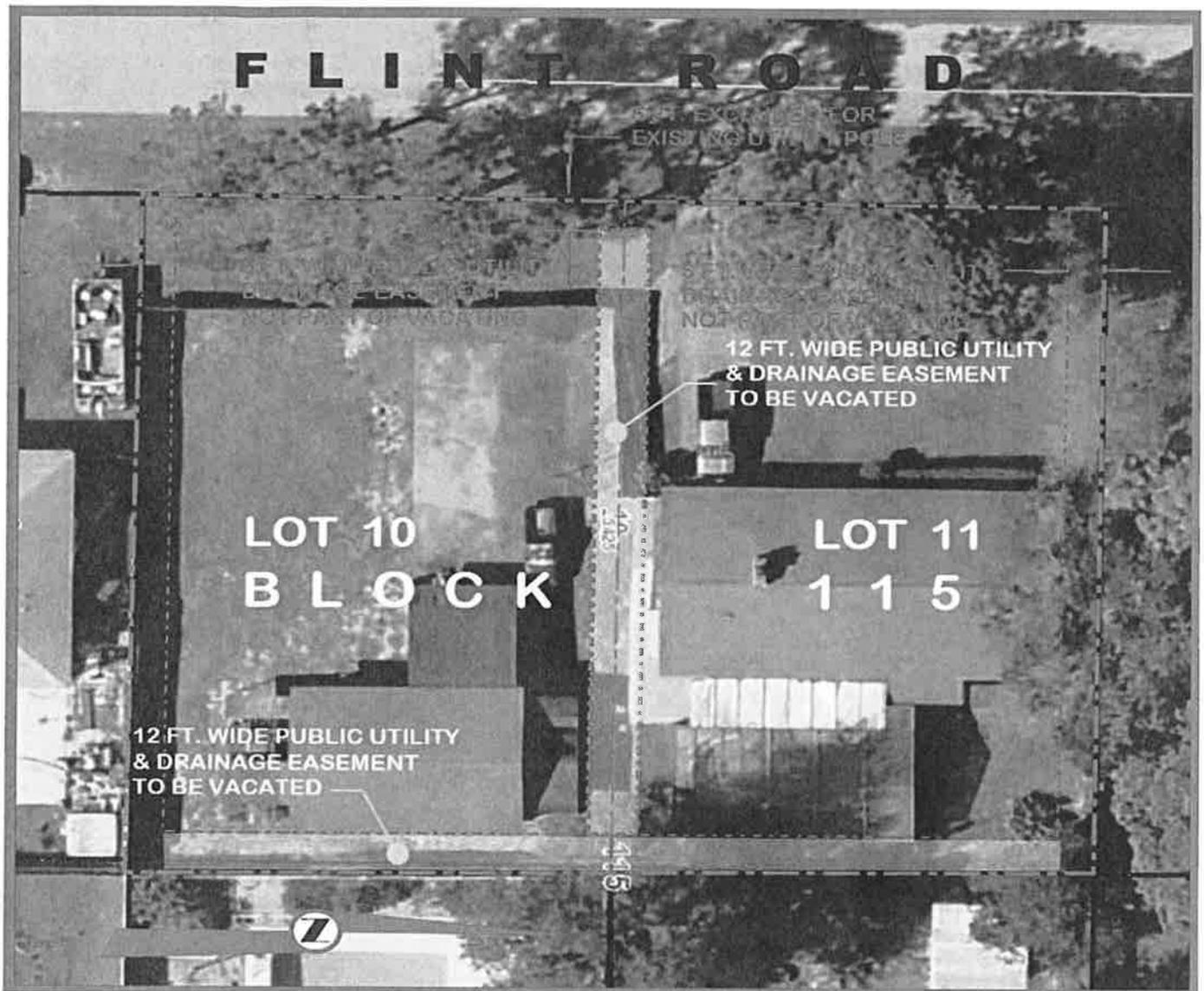
Extra Features	Additional Extra Features
Fireplace 1	No Data Found
Covered Patio 342	
Covered Patio 508	

**APPRAISER'S DETAIL SHEET**



## VICINITY MAP

Herbert Jay Kranz – 5425 Flint Road,  
 Cocoa, FL – Lots 10 & 11, Block 115,  
 “Port St. John Unit – Four” – (Plat Book  
 22 @ Page 36) – Section 22, Township  
 23 South, Range 35 East – District 1 –  
 Proposed Vacating of 6 ft. and 10 ft. Wide  
 Public Utility & Drainage Easements at  
 Common and Rear Lot Lines



## AERIAL MAP

Herbert Jay Kranz – 5425 Flint Road, Cocoa, FL – Lots 10 & 11, Block 115, “Port St. John Unit – Four” – (Plat Book 22 @ Page 36) – Section 22, Township 23 South, Range 35 East – District 1 – Proposed Vacating of 6 ft. and 10 ft. Wide Public Utility & Drainage Easements at Common and Rear Lot Lines







CFN 2003222638 07/23/2003 01:40 pm  
 OR Book/Page 4989 / 2425

Prepared by, Record and Returns to:  
 S. Self  
 Federal Title Insurance Associates, Inc.  
 1193 South US 1, Rockledge, Florida 32955  
 Parcel ID No: 23-35-22-01-115-10

**Scott Ellis**  
 Clerk Of Courts, Brevard County  
 #Pgs: 1 #Names: 3  
 TruA: 1.00 Rec: 5.00 Ser: 0.00  
 Deed: 0.70 Excise: 0.00  
 Mig: 0.00 Int Tax: 0.00

## Quit Claim Deed

Made this July 17, 2003 A.D by **Herbert Jay Kranz**, a married man, hereinafter called the grantor, to **Herbert Jay Kranz, and Pamela Kranz** husband and wife whose post office address is: **5425 Flint Road, Cocoa, Florida 32927** hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to the instrument and their 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 AND NO/100 DOLLARS (\$10.00)** and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Brevard County, Florida, viz:

Lots 10 and 11, Block 115, PORT ST. JOHN, UNIT FOUR, according to the plat thereof as recorded in Plat Book 21, pages 36 through 45 inclusive, of the Public Records of Brevard County, Florida

\* This Deed is being given to create an estate by the entireties

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

**To Have and to Hold**, (the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever

**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:*

*Sharon Q. Self* *Herbert Jay Kranz* (Seal)  
 Witness Printed Name: Sharon Q. Self Herbert Jay Kranz  
 Address: 5425 Flint Road, Cocoa, FL 32927  
*Carolyn C. Gallagher*  
 Witness Printed Name: Carolyn C. Gallagher

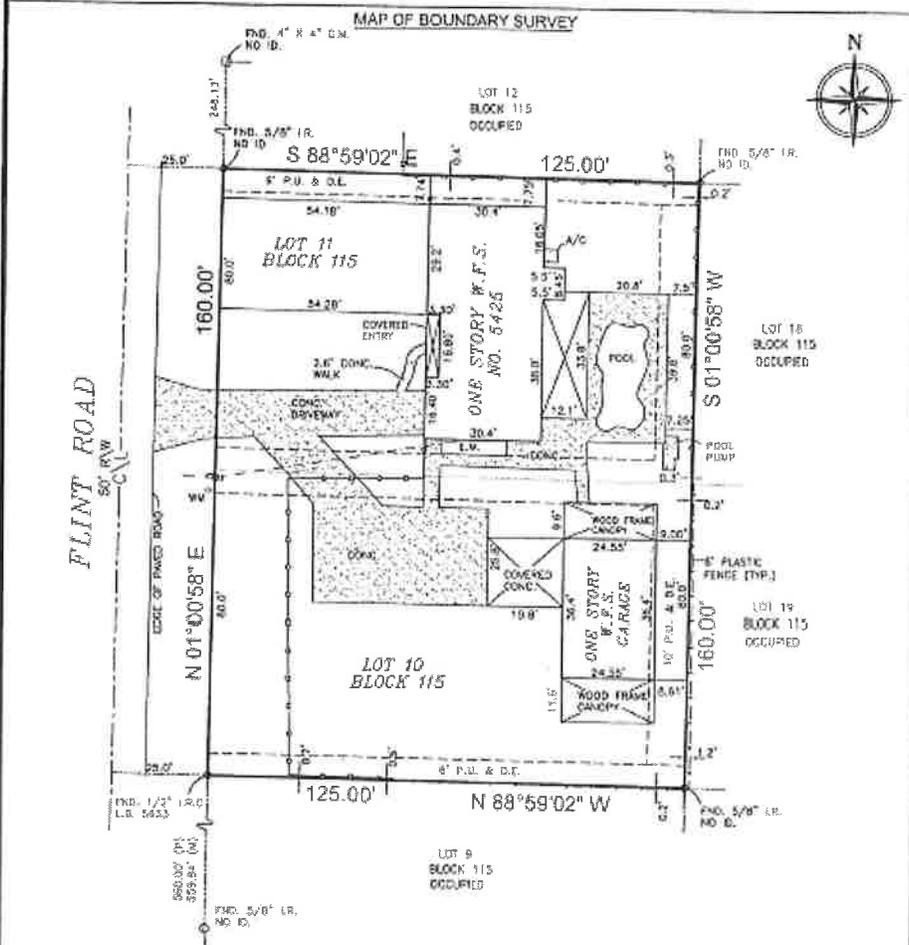
State of Florida  
 County of Brevard

The foregoing instrument was acknowledged before me this July 17, 2003, by Herbert Jay Kranz, who is personally known to me or who has produced Driver's License as identification

*Sharon Q. Self*  
 Notary Public  
 Print Name: Sharon Q. Self  
 My Commission Expires: \_\_\_\_\_

# PETITIONER'S DEED

**DESCRIPTION:**  
**LOTS 10 AND 11, BLOCK 115**  
**PORT ST. JOHN UNIT FOUR**  
 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGE(S) 36 THROUGH 45  
 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.



- SURVEYOR'S NOTES:**
- This property is located in Flood Zone(s) X, the Residence is King in Flood Zone(s) K, Map No. 1200900310G, Parcel No. 510, Suffix 2, Community No. 125092, Effective Date, March 17, 2014.
  - The bearings shown are based on or Assumed North Meridian, Being N 01° 00' 58" E along the East R/W Line of Flint Road.
  - This is Real Property being situated in Section 27, Township 23S, Range 36E.
  - The Surveyor has not abstracted the property. Only plotted or furnished encumbrances or easements that may affect the property are shown.
  - Underground improvements are not located unless requested.

<p><b>LEGEND &amp; ABBREVIATIONS:</b></p> <ul style="list-style-type: none"> <li>○ = Set 3/8" iron rod with plastic top</li> <li>△ = Set nail with metal disc</li> <li>□ = Set concrete monument with disc</li> <li>— = 4" C.L.F.</li> <li>— = 6" W.F.</li> <li>— = D.F.P.</li> <li>XXX = Existing Elevations</li> <li>XXX = Proposed Elevations</li> </ul> <p>(B.M.)=Benchmark, (CONC)=Concrete, (C.C.)=Centerline, (C.B.S.)=Concrete Block Structure        (C.B.S.)=Concrete Block Structure, (C.A.S.)=Cement and Screed,        (C.V.)=Concrete Veneer, (C.M.P.)=Cast-in-place Concrete, (C.L.P.)=Chain Link Fence        (C.D.)=Deck, (E.M.)=Electric Meter, (F.F.E.)=Finished Floor Elevation, (F.S.)=Found,        (F.P.R.)=Fixed Point of Reference, (R.C.)=Reinforced Concrete, (C.P.)=Cement Pipe        (D.M.)=Gas Meter, (L.B.)=Licensed Business, (L.S.)=Licensed Surveyor, (M.)=Measured        (M.E.S.)=Mitered End Section, (H.A.D.)=Hot &amp; Daz, (O.R.B.)=Official Records Book,        (O.H.P.)=Over head Power Line, (C.C.P.)=Permanent Control Point, (P.)=Plot        (P.O.B.)=Point of Beginning, (P.O.C.)=Point of Commencement        (P.M.)=Permanent Reference Monument, (U.S.)=United States, (U.S.)=United States &amp; Drainage Easement        (R.C.)=Reinforced Concrete, (R.C.P.)=Reinforced Concrete Pipe, (R.W.)=Right of Way, (S.C.)=Section        (T.M.)=Township, (W.P.)=Wood Utility Pole, (A.C.)=Wood frame Canopy, (W.M.)=Water Meter</p>	<p><b>CERTIFIED TO:</b> HERBERT JAY RIVAZZ</p> <p>Certified By: _____        Signature Date: _____</p> <p><b>Eric Nielson Land Surveying, Inc.</b>        12 Stone Street, Cocoa, FL 32922        Ph (321) 631-5654 Fax (321) 631-5874</p> <p>SCALE: 1" = 30'    DATE: 03-27-2018    JOB NO. 18-139-05</p>
--	--

UNLESS IT BEARS THE SEAL & SIGNATURE OF A FLORIDA LICENSED SURVEYOR THIS SURVEY IS FOR INFORMATIONAL PURPOSES ONLY.

# PETITIONER'S BOUNDARY SURVEY

**LEGAL DESCRIPTION**

SHEET 1 OF 2

SITUATED IN SECTION 22, TOWNSHIP 23 SOUTH, RANGE 35 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID# 23-35-22-01-115-10

PURPOSE OF SURVEY: VACATING A PORTION OF A 6.0 AND 10.0 FOOT WIDE UTILITY & DRAINAGE EASEMENT

**LEGAL DESCRIPTION:**

THAT PORTION OF A 6.00 AND 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE NORTH 6.00 FEET OF LOT 10, BLOCK 115, AND THE SOUTH 6.00 FEET OF LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE WEST 5.00 FEET AND THE EAST 10.00 FEET THEREOF; ALSO THE EAST 10.00 FEET OF SAID LOTS 10 AND LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET THEREOF, ACCORDING TO THE PLAT PORT ST. JOHN UNIT FOUR AS RECORDED IN PLAT BOOK 22, PAGE(S) 36 THROUGH 45, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2,800.00 SQ.FT.+-, 0.064 ACRES +-.

**SURVEYOR'S NOTES:**

1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIPTION IS THE EAST RIGHT OF WAY LINE OF FLINT ROAD, BEING N 01°00'53" E, AS PER PLAT OF PORT ST. JOHN UNIT FOUR.
2. THE SKETCH ON SHEET 2 OF 2 IS NOT A BOUNDARY SURVEY, IT IS A SKETCH ONLY TO ACCOMPANY LEGAL DESCRIPTION.
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY ERIC NIELSEN LAND SURVEYING, INC. DATED 03-27-2018

**ABBREVIATION & SYMBOL LEGEND**

- C/L = CENTERLINE
- R/W = RIGHT-OF-WAY
- FND = FOUND
- LB = LICENSED BUSINESS
- P = PLAT
- M = MEASURED
- I.R. = IRON ROD
- L = LINE
- N&D = NAIL & DISC
- I.R.C. = IRON ROD & CAP
- P.U.D.E = PUBLIC UTILITY & DRAINAGE EASEMENT
- A/C = AIR CONDITIONER
- CONC = CONCRETE
- WUP = WOOD UTILITY POLE
- W/M = WATER METER
- E.M. = ELECTRIC METER
- W.F.S. = WOOD FRAME STRUCTURE
-  = EXCLUDED FROM BEING VACATED

SURVEYOR & MAPPER, PSM NO. 5396  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: HERBERT JAY KRANZ		PREPARED BY: ERIC NIELSEN LAND SURVEYING, INC. L.B. 6046, 12 STONE STREET, SUITE 4 CDDCA, FL. 32922	
DRAWN BY: <u>E.N.</u>	CHECKED BY: <u>EN</u>	DRAWING NO. <u>18-139-03</u>	SECTION <u>22</u>
DATE: <u>05-08-2018</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS _____	TOWNSHIP <u>23</u> SOUTH RANGE <u>35</u> EAST

**PETITIONER'S SKETCH & DESCRIPTION**

**SHEET 1 OF 2**

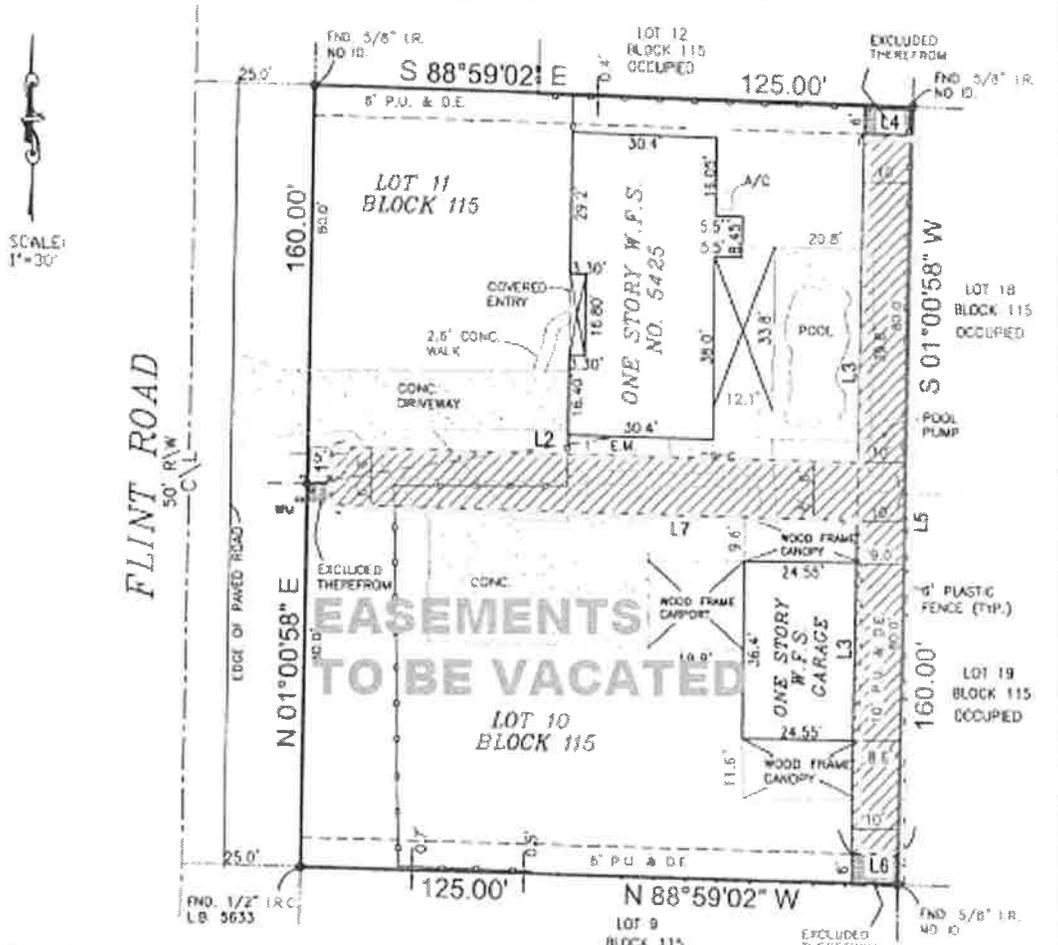
**SKETCH OF DESCRIPTION**

SHEET 2 OF 2

SITUATED IN SECTION 22, TOWNSHIP 23 SOUTH,  
RANGE 35 EAST  
PARCEL ID# 23-35-22-01-115-10

NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2

"THIS IS A SKETCH ONLY, NOT A BOUNDARY SURVEY"



LINE	BEARING	DISTANCE
L1	N 01° 00' 58" E	12.00'
L2	S 88° 59' 02" E	110.00'
L3	N 01° 00' 58" E	88.00'
L4	S 88° 59' 02" E	10.00'

LINE	BEARING	DISTANCE
L5	S 01° 00' 58" W	148.00'
L6	N 88° 59' 02" W	10.00'
L7	N 88° 59' 02" W	110.00'

SURVEYOR & MAPPER, PSM NO. 5386  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: HERBERT JAY KRANZ		PREPARED BY: ERIC NIELSEN LAND SURVEYING, INC. L.B. 6946, 12 STONE STREET, SUITE 4 COCOA, FL. 32922	
DRAWN BY: <u>E.N.</u>	CHECKED BY: <u>EN</u>	DRAWING NO. <u>18-139-03</u>	SECTION <u>22</u>
DATE: <u>05-08-2018</u>	SHEET <u>2</u> OF <u>2</u>	REVISIONS _____	TOWNSHIP <u>23</u> SOUTH RANGE <u>35</u> EAST

**PETITIONER'S SKETCH & DESCRIPTION**

**SHEET 2 OF 2**



AD#2993416, 6/25/2018 LEGAL NOTICE NOTICE FOR THE VACATING OF THE THREE EASEMENTS, PLAT OF "PORT ST. JOHN UNIT - FOUR" IN SECTION 22, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FL NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by HERBERT JAY KRANZ with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THAT PORTION OF A 6.00 AND 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS: THE NORTH 6.00 FEET OF LOT 10, BLOCK 115, AND THE SOUTH 6.00 FEET OF LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE WEST 5.00 FEET AND THE EAST 10.00 FEET THEREOF; ALSO THE EAST 10.00 FEET OF SAID LOTS 10 AND LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET THEREOF, ACCORDING TO THE PLAT PORT ST. JOHN UNIT FOUR AS RECORDED IN PLAT BOOK 22, PAGE(S) 36 THROUGH 45, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2,800.00 SQ.FT. +/-, 0.064 ACRES +/- . PREPARED BY: ERIC NIELSEN, PSM The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easements at 5:00 P.M. on July 10, 2018 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.

**PUBLIC HEARING LEGAL**  
**ADVERTISEMENT**

THAT PORTION OF A 6.00 AND 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE NORTH 6.00 FEET OF LOT 10, BLOCK 115, AND THE SOUTH 6.00 FEET OF LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE WEST 5.00 FEET AND THE EAST 10.00 FEET THEREOF; ALSO THE EAST 10.00 FEET OF SAID LOTS 10 AND LOT 11, BLOCK 115, INCLUSIVE, LESS AND EXCEPT THE NORTH AND SOUTH 6.00 FEET THEREOF, ACCORDING TO THE PLAT PORT ST. JOHN UNIT FOUR AS RECORDED IN PLAT BOOK 22, PAGE(S) 36 THROUGH 45, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2,800.00 SQ.FT.+-. , 0.064 ACRES +-. .