

Meeting Date  
August 22, 2017



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.A.

**AGENDA REPORT**  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate Re: Part of a 30.0 ft. wide, unopened Public Right-of-Way - Blocks 24 & 25, "A Re-plat of Section 17 of Indian River Park" Section 17 Twp. 20G S., Rge. 35 E. – Mims – Pamela Childers – District 1 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
DEPT/OFFICE	Public Works Department – Surveying Section

**Requested Action:**  
It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider the partial vacating of a 30 ft. wide, unopened public right-of-way between Blocks 24 & 25, "A Re-plat of Section 17 of Indian River Park", in Section 17 Township 20G South, Range 35 East in Mims, Florida. If approved, it is requested that the Board accepts the conveyance of the two easements described in the agenda report package, instructs staff to record said easements and 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 to vacate and abandon unused rights-of-way and easements.  
  
The petitioner as owner of parcels containing 0.91 acres and 1.62 acres located at the northwest and northeast corners, respectively of the intersection of Maebert Road and the right-of-way to be vacated is requesting the vacating to allow for the combining of the two parcels and their subsequent re-division so the westerly parcel will conform with the one acre minimum area required per the parcels' rezoning at the August 03, 2017 Commissioner's meeting to an RR-1 zoning. The right-of-way to be vacated contains 8,026.21 square feet or 0.18 acres, more or less.  
  
August 07, 2017, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.  
  
All pertinent County agencies and public utility companies have been notified and at this time, no objections have been received. Additionally the Board has wholly or partially previously vacated four rights-of-way within the limits of this plat and approximately thirty more right-of-way vacatings within a 2.5 mile radius of this petition. Further the petitioner has agreed to convey a replacement drainage/utility easement over all of the vacated right-of-way and a second public utility/drainage easement across the southerly 15 ft. of her current parcels for an existing ditch. A deed which references the date and item number of this public hearing that conveys these two easements has been approved by the Land Acquisition Section for recording. The vacating parcel is located in Mims as follows: Begin at the intersection of U.S. No. 1 and Maebert Road; thence 0.28 miles east along Maebert Road to the right-of-way on the north (left).  
  
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](mailto:Marc.Cazessus@brevardfl.gov) Phone: Ext. 57315

**Exhibits Attached:** Resolution, vicinity map, aerial map, Appraisers detail sheet, 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.

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

September 7, 2017

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating Part of a 30.00 Foot Wide Unopened Public Right-of-Way between Blocks 24 & 25, "A Re-Plat of Section 17 of Indian River Park" in Section 17, Township 20G South, Range 35 East, Mims

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-144, vacating part of a 30.00 foot wide unopened public right-of-way between Blocks 24 & 25, "A Re-Plat of Section 17 of Indian River Park" in Section 17, Township 20G, Range 35 East, Mims, as petitioned by Pamela Childers. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on August 22, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*for*   
Donna Scott  
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

September 7, 2017

Pamela Childers  
2959 Dairy Road  
Titusville, FL 32796

Dear Ms. Childers:

Re: Resolution Vacating Part of a 30.00 Foot Wide Unopened Public Right-of-Way between Blocks 24 & 25, "A Re-Plat of Section 17 of Indian River Park" in Section 17, Township 20G South, Range 35 East, Mims

The Board of County Commissioners, in regular session on August 22, 2017, adopted Resolution No. 17-44, vacating part of a 30.00 foot wide unopened public right-of-way between Blocks 24 & 25, "A Re-Plat of Section 17 of Indian River Park" in Section 17, Township 20G South, Range 35 East, Mims, as petitioned by you. Said Resolution has been recorded in ORBK 7972, Pages 540 through 544. 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*   
Donna Scott  
Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

**PARTIAL VACATING OF A 30.0 FT. WIDE UNOPENED PUBLIC RIGHT-OF-WAY BETWEEN  
BLOCKS 24 & 25, "A RE-PLAT OF SECTION 17 OF INDIAN RIVER PARK" SECTION 17  
TOWNSHIP 20G SOUTH, RANGE 35 EAST MIMS, FLORIDA**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **PAMELA CHILDERS** with the Board of County Commissioners to partially vacate a 30.0 ft. wide, unopened public right-of-way in Mims, Brevard County, Florida, described as follows:

**SEE ATTACHED - PETITIONER'S BOUNDARY SURVEY: "EXHIBIT A" – SHEETS 1 AND 2 OF 2**

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

WHEREAS, the Board finds that the partial vacating the public right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public right-of-way is hereby vacated; and Brevard County renounces and disclaims any rights in and to said right-of-way. 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 22<sup>nd</sup> day of August, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA



CURT SMITH, CHAIRMAN

As approved by the Board on:  
August 22, 2017

# EXHIBIT A: 1 OF 2

## LEGAL DESCRIPTION

SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SURVEY ON SHEET 2 OF 2

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
PETITIONER'S ADJOINING PARCEL: 20G-35-17-AL-25-19

PURPOSE OF DESCRIPTION: VACATE RIGHT OF WAY

## LEGAL DESCRIPTION:

THAT PART OF THE UNNAMED AND UNOPENED 30.00 FOOT WIDE PUBLIC RIGHT OF WAY LYING WESTERLY OF BLOCK 24, SOUTHERLY OF THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF THE SOUTH 267.54 FEET OF BLOCK 24 AS MEASURED ALONG THE WEST LINE OF SAID BLOCK 24 AND LYING NORTHERLY OF THE 30.0 FOOT WIDE PLATTED AND UNNAMED PUBLIC ROAD RIGHT-OF-WAY NOW KNOWN AS MAEBERT ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; ALL BEING PART OF THE "REPLAT OF SECTION 17 OF INDIAN RIVER PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF SAID PUBLIC RECORDS. CONTAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

## SURVEYOR'S NOTES:

- Bearing shown hereon are based on the WEST LINE OF TRACT 5, BLOCK 24 as being S 05°12'10" E*
- This survey is prepared and certified for the exclusive use of the client named hereon.*
- Unless this sketch of survey bears the signature and raised seal of John W. Cooper PLS 5093 it is for information purposes only and is not a valid survey.*
- Additions or deletions to this sketch of survey by other than the signing party is prohibited without written consent of the signing party.*
- Underground improvements if any, were not located at time of survey.*

I hereby certify that this survey meets the Minimum Technical Standards as set forth by the Florida Department of Agriculture and Consumer Services in Chapter 5J-15.051 Florida Administrative Code, Pursuant to section 472.027, Florida Statutes.

  
JOHN W. COOPER  
Professional Land Surveyor No. 5093  
State of Florida

NOT VALID UNLESS SIGNED & SEALED

PREPARED FOR: PAMELA S. CHILDERS

PREPARED BY: JOHN W. COOPER LAND SURVEYING, INC.  
ADDRESS: 2326 S. HOPKINS AVENUE, TITUSVILLE, FLORIDA 32780  
PHONE: 321-268-5646 L.B. NO. 6544

DRAWN BY: GPL

CHECKED BY: JWC

DRAWING NO. 17-04-40

SECTION 17

TOWNSHIP 20 SOUTH

RANGE 35 EAST

DATE: 6/9/17

SHEET 1 OF 2

REVISIONS \_\_\_\_\_

# EXHIBIT A: 2 OF 2

## BOUNDARY SURVEY

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PETITIONER'S ADJOINING PARCEL: 20G-35-17-AL-25-19

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2



SCALE: 1" = 60'

TRACT 1  
BLOCK 25

N.E. CORNER OF  
TRACT 19, BLK 25

ORB 6011, PAGE 0842

UNNAMED ROAD PER PLAT  
30' R/W (NOT OPEN)

ORB 5825, PAGE 0309

SET 5/8" I.R. "COOPER LB 6544" 30.06' N 88°26'14" E  
FD. 5/8" I.R. "COOPER LB 6544"

NORTHERLY LINE OF THE SOUTH  
267.54 FEET OF LOT 5 OF BLOCK 24

N 05°12'10" W  
WESTERLY PROJECTION LINE OF THE NORTHERLY  
267.54 FEET OF LOT 5 OF BLOCK 24

S 05°12'10" E  
WEST LINE OF TRACT 5, BLOCK 24

PART OF TRACT 5, BLOCK 24:  
EAST PARCEL OF ORB 7868, PAGE 1610

WEST 200' OF TRACT 19  
EAST LINE OF TRACT 19

PART OF OF TRACT 19, BLOCK 25:  
WEST PARCEL OF ORB 7868, PAGE 1610

EAST LINE OF TRACT 19, BLOCK 25

267.54'  
DITCH

FD. 5/8" I.R. "COOPER LB 6544" (15.00' OFFSET) T.O.B. 30.06'  
FD. 5/8" I.R. "COOPER LB 6544" (15.00' OFFSET)

**LEGEND OF ABBREVIATIONS**

⊕	CENTERLINE
I.R.	IRON ROD
L.B.	LICENSED BUSINESS
ORB	OFFICIAL RECORDS BOOK
R/W	RIGHT OF WAY
T.O.B.	TOP OF BANK

T.O.B. 30.06'  
S 88°26'21" W

NORTH R/W PER DEED BOOK 161, PAGE 137

⊕ MAEBERT ROAD  
30' R/W

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PROJECT NO. 17-04-40-A LEG  
PREPARED BY: JOHN W. COOPER



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

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

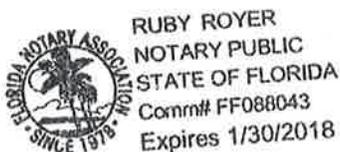
08/07/17

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 7th of August
2017, by Becky Holland who is personaily known to me

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

Publication Cost: \$243.24
Ad No: 0002325244
Customer No: BRE-6BR327



AD# 2325244

8/7/2017

LEGAL NOTICE

NOTICE OF PARTIAL VACATING OF A 30.0 FT. WIDE UNNAMED & UNOPENED PUBLIC
RIGHT-OF-WAY BETWEEN BLOCKS 24 & 25, "A RE-PLAT OF SECTION 17 OF INDIANA
RIVER PARK", SECTION 17, TOWNSHIP 20G SOUTH, RANGE 35 EAST, MIMS, FL
NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chap-
ter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by PA-
MELA CHILDERS 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 advi-
sability of such vacating of the above-described right-of-way at 9:00 A.M. on August
22, 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 deci-
sion 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 ar-
rangements 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"

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NOW KNOWN AS MAEBERT ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137
OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; ALL BEING PART OF
THE "REPLAT OF SECTION 17 OF INDIAN RIVER PARK", ACCORDING TO THE PLAT
THEREOF RECORDED IN PLAT BOOK 2, PAGE 75, OF SAID PUBLIC RECORDS, CON-
TAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS. PREPARED BY:
JOHN W. COOPER, PLS

AD# 2325244

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TAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS. PREPARED BY:
JOHN W. COOPER, PLS



A Daily Publication By:



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

AD#2361807 8/25/2017

LEGAL NOTICE

RESOLUTION VACATING PART OF A 30.0 FOOT WIDE UNOPENED PUBLIC RIGHT-OF-WAY BETWEEN BLOCKS 24 & 25, "A RE-PLAT OF SECTION 17 OF INDIAN RIVER PARK" IN SECTION 17, TOWNSHIP 20G SOUTH, RANGE 35 EAST, MIMS - PAMELA CHILDERS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 22nd day of August, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of a 30.0 foot wide unopened public right-of-way between Blocks 24 & 25, "A re-plat of Section 17 of Indian River Park" in Section 17, Township 20G South, Range 35 East, Mims, as petitioned by Pamela Childers.

SEE ATTACHED EXHIBIT "A"

The Board further renounced and disclaimed any right of the County in and to said public right-of-way.

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

EXHIBIT "A"

THAT PART OF THE UNNAMED AND UNOPENED 30.00 FOOT WIDE PUBLIC RIGHT OF WAY LYING WESTERLY OF BLOCK 24, SOUTHERLY OF THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF THE SOUTH 267.54 FEET OF BLOCK 24 AS MEASURED ALONG THE WEST LINE OF SAID BLOCK 24 AND LYING NORTHERLY OF THE 30.0 FOOT WIDE PLATTED AND UNNAMED PUBLIC ROAD RIGHT-OF-WAY NOW KNOWN AS MAEBERT ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; ALL BEING PART OF THE "REPLAT OF SECTION 17 OF INDIAN RIVER PARK"; ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF SA PUBLIC RECORDS, CONTAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

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:

08/25/17

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 25th of August 2017, by Becky Holland who is personally known to me

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

AD#2361807 8/25/2017

LEGAL NOTICE

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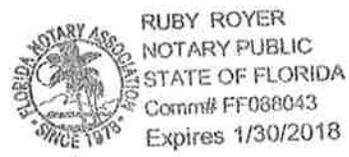
The Board further renounced and disclaimed any right of the County in and to said public right-of-way.

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

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Publication Cost: \$236.72
Ad No: 0002361807
Customer No: BRE-6BR327





**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.:** 0002361807  
**Pymt Method:** Invoice  
**Net Amt:** \$236.72

**Run Times:** 1

**No. of Affidavits:** 1

**Run Dates:** 08/25/17

**Text of Ad:**

AD#2361807 8/25/2017

LEGAL NOTICE

RESOLUTION VACATING PART OF A 30.0 FOOT WIDE UNOPENED PUBLIC RIGHT-OF-WAY BETWEEN BLOCKS 24 & 25, "A RE-PLAT OF SECTION 17 OF INDIAN RIVER PARK" IN SECTION 17, TOWNSHIP 20G SOUTH, RANGE 35 EAST, MIMS - PAMELA CHILDERS

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TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 22<sup>nd</sup> day of August, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of a 30.0 foot wide unopened public right-of-way between Blocks 24 & 25, "A re-plat of Section 17 of Indian River Park" in Section 17, Township 20G South, Range 35 East, Mims, as petitioned by Pamela Childers.

**SEE ATTACHED EXHIBIT "A"**

The Board further renounced and disclaimed any right of the County in and to said public right-of-way.

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

***Florida TODAY:*** Please advertise in the August 25, 2017, issue of the *Florida TODAY*.

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

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

LEGAL DESCRIPTION:

**EXHIBIT "A"**

THAT PART OF THE UNNAMED AND UNOPENED 30.00 FOOT WIDE PUBLIC RIGHT OF WAY LYING WESTERLY OF BLOCK 24, SOUTHERLY OF THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF THE SOUTH 267.54 FEET OF BLOCK 24 AS MEASURED ALONG THE WEST LINE OF SAID BLOCK 24 AND LYING NORTHERLY OF THE 30.0 FOOT WIDE PLATTED AND UNNAMED PUBLIC ROAD RIGHT-OF-WAY NOW KNOWN AS MAEBERT ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; ALL BEING PART OF THE "REPLAT OF SECTION 17 OF INDIAN RIVER PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF SAID PUBLIC RECORDS. CONTAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

THAT PART OF THE UNNAMED AND UNOPENED 30.00 FOOT WIDE PUBLIC RIGHT OF WAY LYING WESTERLY OF BLOCK 24, SOUTHERLY OF THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF THE SOUTH 267.54 FEET OF BLOCK 24 AS MEASURED ALONG THE WEST LINE OF SAID BLOCK 24 AND LYING NORTHERLY OF THE 30.0 FOOT WIDE PLATTED AND UNNAMED PUBLIC ROAD RIGHT-OF-WAY NOW KNOWN AS MAEBERT ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; ALL BEING PART OF THE "REPLAT OF SECTION 17 OF INDIAN RIVER PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF SAID PUBLIC RECORDS. CONTAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

## Donna Scott

---

**From:** LEGALS, BRE <BRELEGALS@gannett.com>  
**Sent:** Tuesday, August 22, 2017 1:29 PM  
**To:** Donna Scott  
**Subject:** Brevard Classified Legal Auto Reply

**\*This is an Automatic Reply Message to let you know your email has been received. Below is general information that applies to both our invoiced customers with accounts as well as private citizens.**

Thank you for e-mailing the Brevard Classified Legal Advertising Department. Ads placed by private individuals will be accepted on a payment-in advance basis only.



### AD SUBMISSION GUIDELINES

If you e-mail or fax Legal Ad(s) to us, please provide the following information:

- Account name and number
- Billing telephone number
- Contact person
- Preferred publishing dates
- Number of affidavits needed
- Address affidavit should be sent to, if different from billing.
- P.O. number (applicable to government accounts and agency advertisers)

Your notice will be published on the next available publication date unless otherwise requested.

Date of Publication:	Deadline:
Monday	Friday, 12noon
Tuesday	Friday, 4pm
Wednesday	Monday, 4pm
Thursday	Tuesday, 4pm
Friday	Wednesday, 4pm
Saturday	Thursday, 4pm
Sunday	Thursday, 4pm

We appreciate your business. If you have any questions please contact us @ 888-516-9220. Office hours Mon-Fri 8am-5pm.

**\*IF THIS SUBMISSION IS FOR A LEGAL DISPLAY PLEASE CONTACT US IMMEDIATELY AT 888-516-9220 SO WE CAN ACCURATELY PROCESS YOUR ORDER.**





## A E R I A L M A P

Pamela Childers – Tax Parcel 19 of Section 17, Township 20G South, Range 35 East – District 1 - Proposed Vacating of Unopened, Unnamed 30.0 ft. Wide Public Right-of-Way between Blocks 24 and 25, plat of “A Re-plat of Section 17 of Indian River Park”



## Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

### PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account	2004617
Owners	Ford, Jeffrey; Ford, Maryann J
Mailing Address	1864 Bayhill Dr Melbourne FL 32940
Site Address	Brevard County Fl
Parcel ID	20G-35-17-AL-25-19
Property Use	0010 - Vacant Residential Land (Single Family, Platted)
Exemptions	None
Taxing District	1300 - Unincorp District 1
Total Acres	2.53
Subdivision	Indian River Park Replat Sec 17
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0002/0075
Land Description	Indian River Park Replat Sec 17 Pt Of Lot 19 Blk 25 & Part Of Lot 5 Blk 24 As Desc IN Orb 5363 Pg 3078

**NOW OWNED BY PAMELA  
CHILDERS PER ORB  
7868, PG. 1610**

### VALUE SUMMARY

Category	2016	2015	2014
Total Market Value	\$35,210	\$35,210	\$40,030
Agricultural Market Value	\$0	\$0	\$3,040
Assessed Value Non-School	\$35,210	\$35,210	\$3,040
Assessed Value School	\$35,210	\$35,210	\$3,040
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$35,210	\$35,210	\$3,040
Taxable Value School	\$35,210	\$35,210	\$3,040

### SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
10/31/2007	-	QC	Vacant	5825/0309
09/16/2004	\$63,000	WD	Vacant	5363/3078
02/17/2004	\$150,000	WD	Vacant	5207/0912
03/01/1997	-	PT	Vacant	3661/0221
08/09/1978	-	QC	-	1947/0367
02/28/1973	\$1,000	-	-	1328/0214

### BUILDINGS

No Data Found

**PROPERTY APPRAISER'S**  
**LAND DETAILS SHEET**



Prepared by:  
Rosemary C. Goodrich  
The Title Station, Inc.  
3880 S. Washington Ave. Ste 104  
Titusville, FL 32780  
File Number: 17-1166  
**\$68,900.00**

### General Warranty Deed

Made this April 18, 2017 A.D. By **Jeffrey L. Ford and Maryann J. Ford, husband and wife**, whose address is: 1864 Bayhill Drive, Viera, FL 32940, hereinafter called the grantor, to **Pamela Childers**, an unmarried woman, whose post office address is: 2959 Dairy Road, Titusville, Florida 32796, 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:

A PART OF TRACT 5, BLOCK 24, LYING NORTH OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, A REPLAT OF SECTION 17 OF INDIAN RIVER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTH LINE OF THE ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WITH THE WEST LINE OF TRACT 5, BLOCK 24, OF SECTION 17, INDIAN RIVER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. 05°12'10" W., ALONG THE WEST LINE OF SAID TRACT 5, BLOCK 24, A DISTANCE OF 267.54 FEET; THENCE N. 88°26'21" E., PARALLEL WITH THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A DISTANCE OF 263.85 FEET; THENCE S. 05°24'45" E., A DISTANCE OF 267.60 FEET TO A POINT LYING ON THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S. 88°26'21" W., ALONG THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A DISTANCE OF 264.83 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF TRACT 19, BLOCK 25, A REPLAT OF SECTION 17 OF INDIAN RIVER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S. 05°12'10" E., ALONG THE EAST LINE OF SAID TRACT 19, BLOCK 25, A DISTANCE OF 315.00 FEET TO A POINT LYING ON THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S. 88°26'21" W., ALONG THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A DISTANCE OF 126.41 FEET TO A POINT LYING ON THE EAST LINE OF THE WEST 200 FEET OF SAID TRACT 19, BLOCK 25; THENCE N. 05°12'10" E., ALONG THE EAST LINE OF THE WEST 200 FEET OF SAID TRACT 19, BLOCK 25, A DISTANCE OF 315.00 FEET TO A POINT LYING ON THE NORTH LINE OF TRACT 19, BLOCK 25; THENCE N. 88°26'14" E., ALONG SAID NORTH LINE, A DISTANCE OF 126.41 FEET TO THE POINT OF BEGINNING.

Parcel ID Number: 20G-35-17-AL-25-19

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2016.

# **PETITIONER'S DEED:**

# **SHEET 1 OF 2**

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:

Bobby Muter  
witness #1 signature

Bobby Muter  
witness #1 printed name

R C G  
witness #2 signature

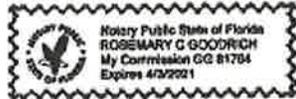
Rosemary C. Goodrich  
witness #2 printed name

Jeffrey L Ford (Seal)  
Jeffrey L. Ford  
Address: 1864 Bayhill Dr.

Maryann J. Ford (Seal)  
Maryann J. Ford  
Address: 1864 Bayhill Dr.

State of Florida  
County of Brevard

The foregoing instrument was acknowledged before me this April 18, 2017, by Jeffrey Ford and Maryann J. Ford, who is/are personally known to me or who has produced Drivers License as identification.



R C G  
Notary Public  
Rosemary C. Goodrich  
My Commission Expires: \_\_\_\_\_

**PETITIONER'S DEED:**

**SHEET 2 OF 2**

EXHIBIT A: 1 OF 2

LEGAL DESCRIPTION

SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SURVEY ON SHEET 2 OF 2

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PETITIONER'S ADJOINING PARCEL: 200-35-17-AL-25-19

PURPOSE OF DESCRIPTION: VACATE RIGHT OF WAY

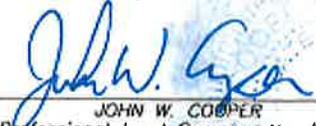
LEGAL DESCRIPTION:

THAT PART OF THE UNNAMED AND UNOPENED 30.00 FOOT WIDE PUBLIC RIGHT OF WAY LYING WESTERLY OF BLOCK 24, SOUTHERLY OF THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF THE SOUTH 267.54 FEET OF BLOCK 24 AS MEASURED ALONG THE WEST LINE OF SAID BLOCK 24 AND LYING NORTHERLY OF THE 30.0 FOOT WIDE PLATTED AND UNNAMED PUBLIC ROAD RIGHT-OF-WAY NOW KNOWN AS MAEBERT ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; ALL BEING PART OF THE "REPLAT OF SECTION 17 OF INDIAN RIVER PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF SAID PUBLIC RECORDS. CONTAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. Bearing shown hereon are based on the WEST LINE OF TRACT 5, BLOCK 24 as being S 05°12'10" E
2. This survey is prepared and certified for the exclusive use of the client named hereon.
3. Unless this sketch of survey bears the signature and raised seal of John W. Cooper PLS 5093 it is for information purposes only and is not a valid survey.
4. Additions or deletions to this sketch of survey by other than the signing party is prohibited without written consent of the signing party.
5. Underground improvements if any, were not located at time of survey.

I hereby certify that this survey meets the Minimum Technical Standards as set forth by the Florida Department of Agriculture and Consumer Services in Chapter 6J-15.051 Florida Administrative Code, Pursuant to section 472.027, Florida Statutes

  
 JOHN W. COOPER  
 Professional Land Surveyor, No. 5093  
 State of Florida  
 NOT VALID UNLESS SIGNED & SEALED



PREPARED FOR: PAMELA S. CHILDERS

PREPARED BY: JOHN W. COOPER LAND SURVEYING, INC.

ADDRESS: 2326 S. HOPKINS AVENUE, TITUSVILLE, FLORIDA 32780

PHONE: 321-268-5646 L.B. NO. 6544

DRAWN BY: GPI

CHECKED BY: JWC

DRAWING NO. 17-04-10

SECTION 17

DATE: 6/9/17

SHEET 1 OF 2

REVISIONS \_\_\_\_\_

TOWNSHIP 20 SOUTH

RANGE 35 EAST

**PETITIONER'S BOUNDARY SURVEY:**

**"EXHIBIT A" - SHEET 1 OF 2**

# BOUNDARY SURVEY

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
PETITIONER'S ADJOINING PARCEL: 20G-35-17-AL-25-19

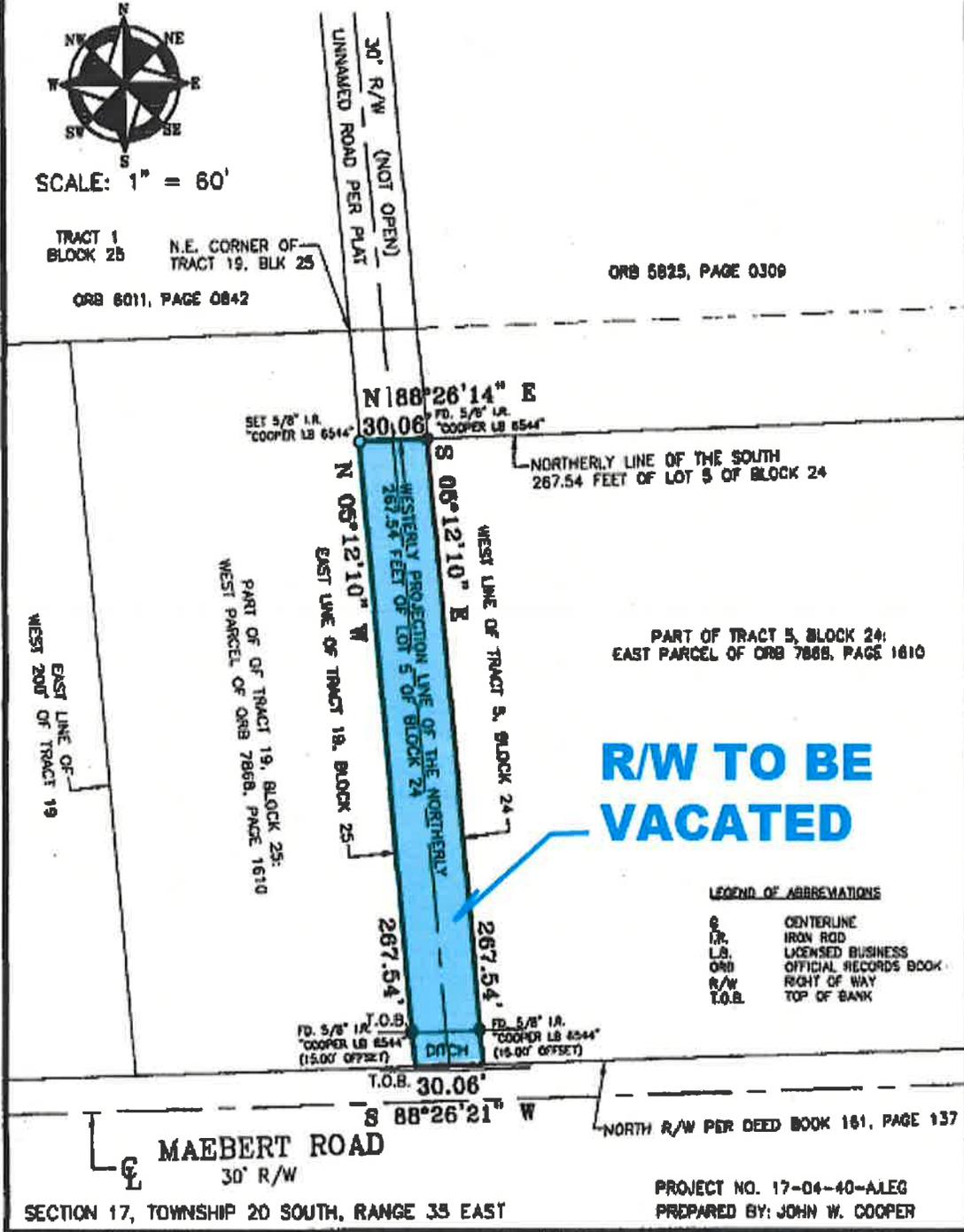
SHEET 2 OF 2  
NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2



SCALE: 1" = 60'

TRACT 1  
BLOCK 25  
N.E. CORNER OF  
TRACT 19, BLK 25  
ORB 6011, PAGE 08+2

ORB 5825, PAGE 0309



**RW TO BE  
VACATED**

### LEGEND OF ABBREVIATIONS

- C CENTERLINE
- I.R. IRON ROD
- L.S. LICENSED BUSINESS
- ORB OFFICIAL RECORDS BOOK
- R/W RIGHT OF WAY
- T.O.B. TOP OF BANK

**PETITIONER'S BOUNDARY SURVEY:**  
**"EXHIBIT A" - SHEET 2 OF 2**

**INGRESS-EGRESS, DRAINAGE AND UTILITY EASEMENT**

THIS INDENTURE, made this \_\_\_ day of \_\_\_\_\_ 2017, between \_\_\_\_\_ as the first party, and **BREVARD COUNTY, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida 32940** as the second party, for the use and benefit of BREVARD COUNTY, Florida.

**WITNESSETH:** That the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grant unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of public drainage, and utilities, and other allied uses pertaining thereto including the County's right of all necessary ingress and egress, which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement. It is also agreed that other than a fence(s) constructed in compliance a building permit issued by Brevard County, no other improvements will be constructed by the First Party, their heirs, assigns or successors in title within the limits of "Exhibit A" and that no improvements are to be constructed within "Exhibit B" and if requested by Brevard County, the removal and/or reinstallation of said fence(s) will be at the sole expense of the First Party, their heirs, assigns or successors in title.

The land affected by the granting of the easements is located in Section 17, Township 20 South, Range 35 East, County of Brevard, State of Florida, and being more particularly described as follows:

**SEE SKETCH & DESCRIPTIONS ATTACHED AS "EXHIBIT A" & "EXHIBIT B"**

**TO HAVE AND TO HOLD** said easement unto the County of Brevard and to its successors and/or assigns. The first party does hereby covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

**IN WITNESS WHEREOF**, the first party having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

[Signature]  
Witness  
Print Name: Marcey Sperr

[Signature]  
Witness  
Print Name: Michael Sperr

[Signature]  
Property Owner  
Pamela S. Childers

Property Owner

**STATE OF FLORIDA**  
**COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 3<sup>RD</sup> day of August, 2017, by Pamela S. Childers, who is not personally known to me or who have produced \_\_\_\_\_ as identification and who did/did not take an oath.

WITNESS my hand and official seal at \_\_\_\_\_, Florida, the County of Brevard, State of Florida, this 3<sup>RD</sup> day of August, 2017.

Notary Public [Signature]  
Commission No. 66 072197  
Board Date \_\_\_\_\_

Print Name Anthony Vitale  
My Commission Expires: April 1, 2021  
Agenda Item \_\_\_\_\_



**REPLACEMENT DRAINAGE & UTILITY**  
**EASEMENTS: SHEET 1 OF 6**

EXHIBIT A: 1 OF 2

LEGAL DESCRIPTION

SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SURVEY ON SHEET 2 OF 2

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PETITIONER'S ADJOINING PARCEL: 200-35-17-AL-25-19

PURPOSE OF DESCRIPTION: VACATE RIGHT OF WAY

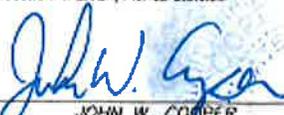
LEGAL DESCRIPTION:

THAT PART OF THE UNNAMED AND UNOPENED 30.00 FOOT WIDE PUBLIC RIGHT OF WAY LYING WESTERLY OF BLOCK 24, SOUTHERLY OF THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF THE SOUTH 267.54 FEET OF BLOCK 24 AS MEASURED ALONG THE WEST LINE OF SAID BLOCK 24 AND LYING NORTHERLY OF THE 30.0 FOOT WIDE PLATTED AND UNNAMED PUBLIC ROAD RIGHT-OF-WAY NOW KNOWN AS MAEBERT ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; ALL BEING PART OF THE "REPLAT OF SECTION 17 OF INDIAN RIVER PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF SAID PUBLIC RECORDS. CONTAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. Bearing shown hereon are based on the WEST LINE OF TRACT 5, BLOCK 24 as being S 05°12'10" E
2. This survey is prepared and certified for the exclusive use of the client named hereon.
3. Unless this sketch of survey bears the signature and raised seal of John W. Cooper PLS 5093 it is for information purposes only and is not a valid survey.
4. Additions or deletions to this sketch of survey by other than the signing party is prohibited without written consent of the signing party.
5. Underground improvements if any, were not located at time of survey.

I hereby certify that this survey meets the Minimum Technical Standards as set forth by the Florida Department of Agriculture and Consumer Services in Chapter 6J-15.051 Florida Administrative Code, Pursuant to section 472.027, Florida Statutes.

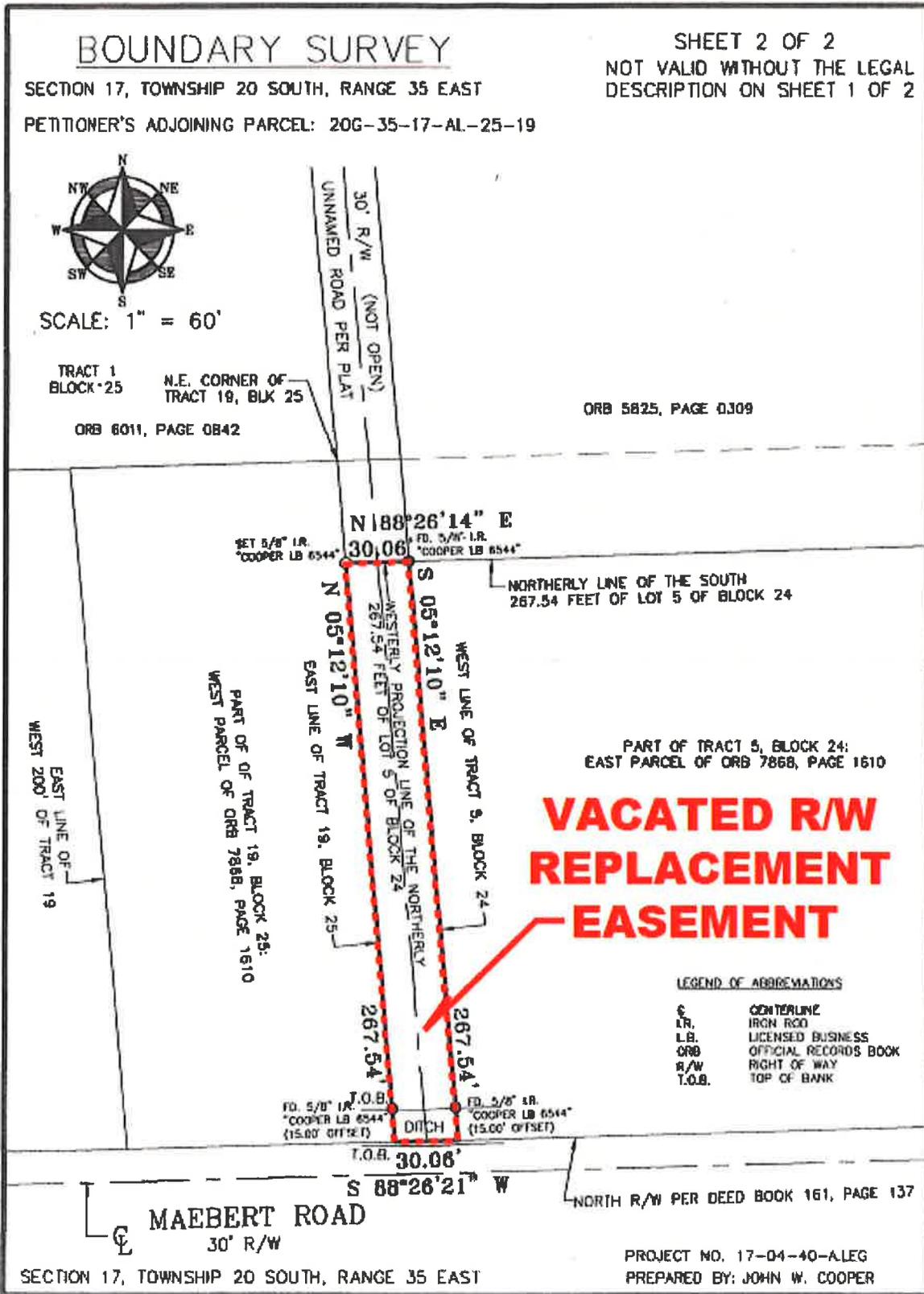
  
 JOHN W. COOPER  
 Professional Land Surveyor No. 5093  
 State of Florida  
 NOT VALID UNLESS SIGNED & SEALED



PREPARED FOR: PAMELA S. CHILDERS			
PREPARED BY: JOHN W. COOPER LAND SURVEYING, INC.			
ADDRESS: 2326 S. HOPKINS AVENUE, TITUSVILLE, FLORIDA 32780			
PHONE: 321-268-5646 L.B. NO. 6544			
DRAWN BY: <u>GPL</u>	CHECKED BY: <u>JWC</u>	DRAWING NO. <u>17-04-40</u>	SECTION <u>17</u>
DATE: <u>6/9/17</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS _____	TOWNSHIP <u>20 SOUTH</u>
			RANGE <u>35 EAST</u>

**REPLACEMENT DRAINAGE & UTILITY**  
**EASEMENTS: SHEET 2 OF 6**

EXHIBIT A: 2 OF 2



**REPLACEMENT DRAINAGE & UTILITY  
EASEMENTS: SHEET 3 OF 6**

EXHIBIT B: 1 OF 3

LEGAL DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PETITIONER'S ADJOINING PARCEL: 20G-35-17-A1-25-19

PURPOSE OF DESCRIPTION: PROVIDE EASEMENT

SHEET 1 OF 3  
NOT VALID WITHOUT THE  
DESCRIPTION ON SHEET 2 OF  
3 & THE SKETCH ON SHEET  
3 OF 3

LEGAL DESCRIPTION

A 15.00 FT. WIDE STRIP OF LAND LYING OVER AND ACROSS THE SOUTH 15.00 FT. OF THE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 7868, PAGE 1610 OF THE PUBLIC RECORDS OF BREVARD COUNTY, SAID PARENT PARCELS. PARCELS BEING MORE FULLY DESCRIBED AS FOLLOWS:

A PART OF TRACT 5, BLOCK 24, LYING NORTH OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, A REPLAT OF SECTION 17 OF INDIAN RIVER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTH LINE OF THE ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WITH THE WEST LINE OF TRACT 6, BLOCK 24, OF SECTION 17, INDIAN RIVER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N. 05°12'10" W., ALONG THE WEST LINE OF SAID TRACT 5, BLOCK 24, A DISTANCE OF 287.54 FEET; THENCE N. 88°26'21" E., PARALLEL WITH THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A DISTANCE OF 263.05 FEET; THENCE S. 05°24'45" E., A DISTANCE OF 287.60 FEET TO A POINT LYING ON THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S. 88°26'21" W., ALONG THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A DISTANCE OF 264.83 FEET TO THE POINT OF BEGINNING.

(SEE CONTINUATION ON SHEET 2 OF 3).

SURVEYOR'S NOTES:

- 1. Bearing shown hereon are based on the WEST LINE OF TRACT 5, BLOCK 24 as being S 05°12'10" E
- 2. This sketch and description is prepared and certified for the exclusive use of the client named hereon.
- 3. Unless this sketch and description bears the signature and raised seal of John W. Cooper PLS 5093 it is for information purposes only.
- 4. Additions or deletions to this sketch and description by other than the signing party is prohibited without written consent of the signing party.
- 5. Underground improvements if any, were not located at time of survey.
- 6. This is not a boundary survey.
- 7. The sketch shown on sheet 3 of 3 is based on the boundary survey prepared by John Cooper Land Surveying, Inc., Project # 17-04-40. Survey date of 05/04/17, sheet 1 and 2 of 2.

I hereby certify that this Legal Description meets the Minimum Technical Standards as set forth by the Florida Department of Agriculture and Consumer Services in Chapter 5J-15.051 Florida Administrative Code, Pursuant to section 471.027, Florida Statutes.

*John W. Cooper*  
JOHN W. COOPER  
Professional Land Surveyor No. 5093  
State of Florida  
NOT VALID UNLESS SIGNED & SEALED

PREPARED FOR: PAMELA S. CHILDERS

PREPARED BY: JOHN W. COOPER LAND SURVEYING, INC.  
ADDRESS: 2326 S. HOPKINS AVENUE, TITUSVILLE, FLORIDA 32780  
PHONE: 321-268-5646 L.B. NO. 6514

DRAWN BY: <u>GPL</u>	CHECKED BY: <u>JWC</u>	DRAWING NO. <u>17-04-40</u>	SECTION <u>17</u>
DATE: <u>8/2/17</u>	SHEET <u>1</u> OF <u>3</u>	REVISIONS _____	TOWNSHIP <u>20 SOUTH</u>
			RANGE <u>35 EAST</u>

**REPLACEMENT DRAINAGE & UTILITY**  
**EASEMENTS: SHEET 4 OF 6**

EXHIBIT B: 2 OF 3

LEGAL DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PETITIONER'S ADJOINING PARCEL: 20G-35-17-AL-25-19

PURPOSE OF DESCRIPTION: PROVIDE EASEMENT

SHEET 2 OF 3  
NOT VALID WITHOUT THE  
DESCRIPTION ON SHEET 1 OF  
3 & THE SKETCH ON SHEET  
3 OF 3

LEGAL DESCRIPTION (CONTINUED)

TOGETHER WITH:

FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF TRACT 19, BLOCK 25, A REPLAT OF SECTION 17 OF INDIAN RIVER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S. 05°12'10" E., ALONG THE EAST LINE OF SAID TRACT 19, BLOCK 25, A DISTANCE OF 315.00 FEET TO A POINT LYING ON THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S. 88°26'21" W., ALONG THE NORTH LINE OF THE ROAD DESCRIBED IN DEED BOOK 161, PAGE 137, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A DISTANCE OF 126.41 FEET TO A POINT LYING ON THE EAST LINE OF THE WEST 200 FEET OF SAID TRACT 19, BLOCK 25; THENCE N. 05°12'10" W., ALONG THE EAST LINE OF THE WEST 200 FEET OF SAID TRACT 19, BLOCK 25, A DISTANCE OF 316.00 FEET TO A POINT LYING ON THE NORTH LINE OF TRACT 19, BLOCK 25; THENCE N. 88°26'14" E., ALONG SAID NORTH LINE, A DISTANCE OF 126.41 FEET TO THE POINT OF BEGINNING.

PREPARED FOR: PAMELA S. CHILDERS

PREPARED BY: JOHN W. COOPER LAND SURVEYING, INC.

ADDRESS: 2326 S. HOPKINS AVENUE, TITUSVILLE, FLORIDA 32780

PHONE: 321-288-5646 L.B. NO. 6544

DRAWN BY: GPL

CHECKED BY: JWC

DRAWING NO. 17-04-40

SECTION 17  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

DATE: 8/2/17

SHEET 2 OF 3

REVISIONS \_\_\_\_\_

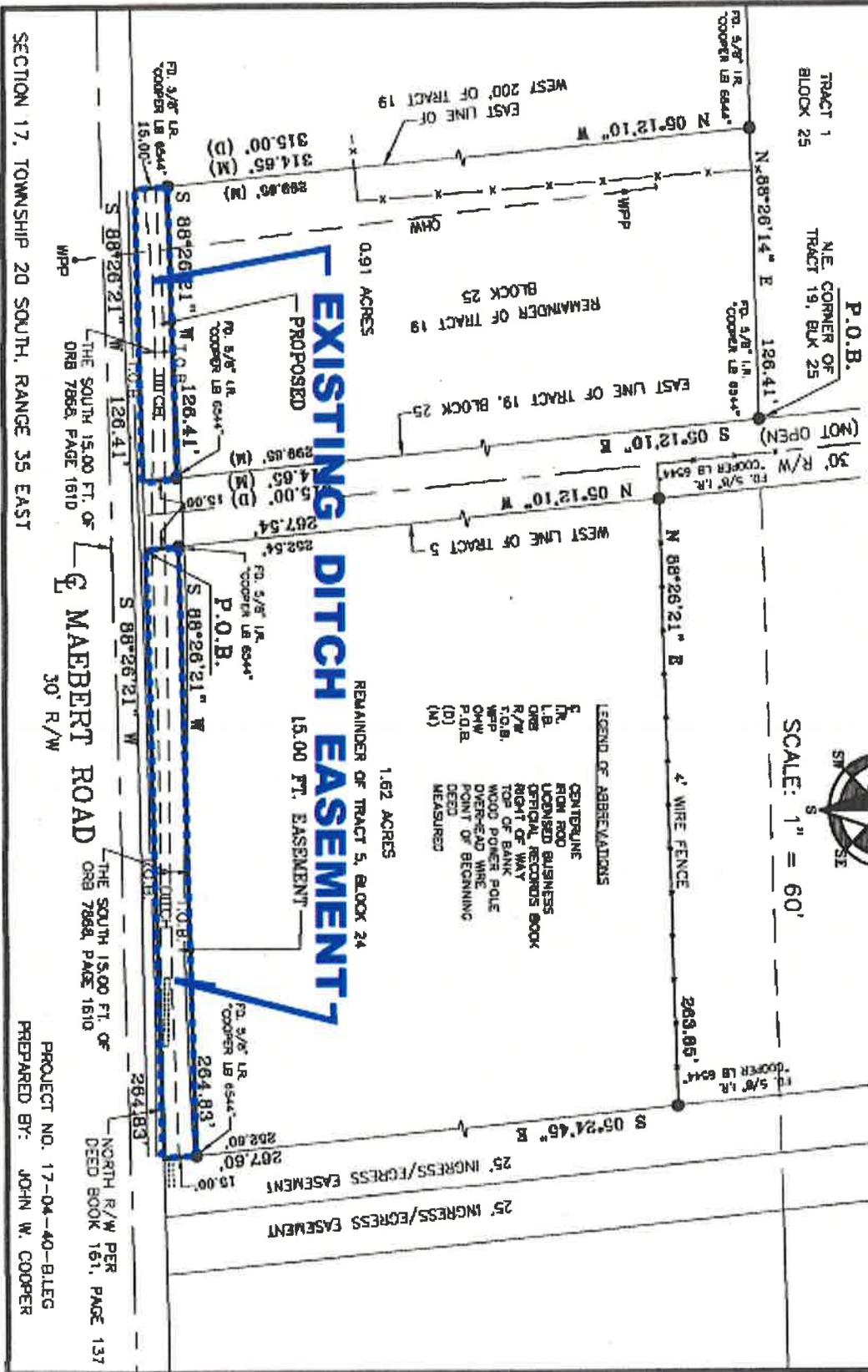
**REPLACEMENT DRAINAGE & UTILITY**  
**EASEMENTS: SHEET 5 OF 6**

EXHIBIT B: 3 OF 3

SKETCH OF LEGAL DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
 PETITIONER'S ADJOINING PARCEL: 20G-35-17-AL-25-19

SHEET 3 OF 3  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 & 2 OF 3



- LEGEND OF ABBREVIATIONS
- R. CENTERLINE
  - R.F. FROM ROAD
  - L.B. LOCATED BUSINESS
  - O.B. OFFICIAL RECORDS BOOK
  - R/W RIGHT OF WAY
  - T.O.B. TOP OF BANK
  - W.P. WOOD POWER POLE
  - O.H.W. OVER-HEAD WIRE
  - P.O.B. POINT OF BEGINNING
  - (D) DEED
  - (M) MEASURED



SCALE: 1" = 60'

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PROJECT NO. 17-04-40-BLEG  
 PREPARED BY: JOHN W. COOPER

**REPLACEMENT DRAINAGE & UTILITY  
 EASEMENTS: SHEET 6 OF 6**

**COMMENT SUMMARY**

APPLICANT: PAMELA CHILDERS

UPDATED BY/DATE: MARC CAZESSUS, PLS/2017084 @ 15:56 HOURS

COMPANIES	NOTIFIED	COMMENTS		STIPULATIONS/REMARKS
		RECEIVED	APPROVED	
<b>UTILITIES</b>				
CITY OF TITUSVILLE	20170616	20170623	YES	NO OBJECTIONS
FLORIDA CITY GAS	20170616	20170616	YES	NO OBJECTIONS
FLORIDA POWER & LIGHT	20170616	N/A	N/A	NO RESPONSE
FLORIDA GAS TRANSMISSION	20170616	20170616	YES	NO OBJECTIONS
BRIGHT HOUSE NETWORKS	20170616	20170620	YES	NO OBJECTIONS
A T & T	20170616	20170616	YES	NO OBJECTIONS
<b>COUNTY STAFF</b>				
ROAD & BRIDGE	20170616	20170707	YES	NO OBJECTIONS - PETITIONER TO CONVEY DRAINAGE & UTILITY EASEMENTS - SUSAN JACKSON
TRAFFIC ENGINEERING	20170616	20170616	YES	NO OBJECTIONS - DEVIN SWANSON
NRMD-STORM WATER	20170616	20170629	YES	NO OBJECTIONS - HARVEY WHEELER
LAND PLANNING	20170616	20170619	YES	NO OBJECTIONS - REBECCA RAGAIN
UTILITY SERVICES	20170616	20170616	YES	NO OBJECTIONS - TAMMY HURLEY
ZONING	20170616	20170616	YES	NO OBJECTIONS - PAUL BODY
LAND ACQUISITION	20170616	20170705	YES	NO OBJECTIONS - DAN JONES
FIRE AND RESCUE	20170616	20170616	YES	NO OBJECTIONS - DOUG CARTER

**COMMENT SHEET**

AD# 2325244 8/7/2017 LEGAL NOTICE NOTICE OF PARTIAL VACATING OF A 30.0 FT. WIDE UNNAMED & UNOPENED PUBLIC RIGHT-OF-WAY BETWEEN BLOCKS 24 & 25, "A RE-PLAT OF SECTION 17 OF INDIANA RIVER PARK", SECTION 17, TOWNSHIP 20G SOUTH, RANGE 35 EAST, MIMS, 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 PAMELA CHILDERS 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 August 22, 2017 at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance. EXHIBIT "A" THAT PART OF THE UNNAMED AND UNOPENED 30.00 FOOT WIDE PUBLIC RIGHT OF WAY LYING WESTERLY OF BLOCK 24, SOUTHERLY OF THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF THE SOUTH 267.54 FEET OF BLOCK 24 AS MEASURED ALONG THE WEST LINE OF SAID BLOCK 24 AND LYING NORTHERLY OF THE 30.0 FOOT WIDE PLATTED AND UNNAMED PUBLIC ROAD RIGHT-OF-WAY NOW KNOWN AS MAEBERT ROAD AS DESCRIBED IN DEED BOOK 161, PAGE 137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; ALL BEING PART OF THE "REPLAT OF SECTION 17 OF INDIAN RIVER PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 75, OF SAID PUBLIC RECORDS. CONTAINING 8,026.21 SQUARE FEET OR 0.18 ACRES, MORE OR LESS. PREPARED BY: JOHN W. COOPER, PLS

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