



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

May 30, 2017

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating a 7.50 Foot Wide Public Drainage Easement on Misty Harbor Place, Embassy Arms Court(s), Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-085, vacating a 7.50 foot wide public drainage easement on Misty Harbor Place, Embassy Arms Court(s), Merritt Island, as petitioned by Joseph Harp. Said Resolution was adopted and approved by the Board of County Commissioners in regular session on May 9, 2017.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encls. (2)



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May 30, 2017

Joseph W. Harp
2004 Misty Harbor Place
Merritt Island, FL 32952

Dear Mr. Harp:

R3: Resolution Vacating a 7.50 Foot Wide Public Drainage Easement on Misty Harbor Place, Embassy Arms Court(s), Merritt Island

The Board of County Commissioners, in regular session on May 9, 2017, adopted Resolution No. 17-085, vacating a 7.50 foot wide public drainage easement on Misty Harbor Place, Embassy Arms Court(s), Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 7895, Pages 2786 through 2790. 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
Tammy Rowe, Deputy Clerk

Encl. (1)

cc: Marc Cazessus, Public Works

PARTIAL VACATING OF A 7.50 FT. WIDE PUBLIC DRAINAGE EASEMENT IN "EMBASSY ARMS COURT(S)", MERRITT ISLAND, FLORIDA, LYING IN SECTION 07, TOWNSHIP 25 SOUTH, RANGE 37 EAST

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JOSEPH W. HARP** with the Board of County Commissioners to vacate a portion of a 7.50 ft. wide public drainage 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 the partial vacating of the public drainage easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said 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 09th day of May, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


CURT SMITH, CHAIRMAN

As approved by the Board on:
May 09, 2017

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 07, TOWNSHIP 25 SOUTH, RANGE 37 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID# 25-37-07-75-5-6

PURPOSE OF SURVEY: VACATE A PORTION OF PLATTED 7.5' EASEMENT

LEGAL DESCRIPTION TO BE VACATED:

A PORTION OF LAND LYING IN SECTION 7, TOWNSHIP 25 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WESTERLY 2.50 FEET OF THE PLATTED 7.50 FOOT PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE EAST 7.50 FEET OF LDT 6, BLOCK 5, EMBASSY ARMS COURT(S), AS RECORDED IN PLAT BOOK 13, PAGE 116, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
CONTAINING 204.17 SQUARE FEET OF LAND.

SURVEYOR'S NOTES:

1. NOT A BOUNDARY SURVEY.
2. IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY LAND AND SEA SURVEYING CONCEPTS, INC. JOB NO. 2017-012, DATED 03/06/2017.
3. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
5. BEARINGS ARE BASED UPON THE EAST R/W LINE OF MISTY HARBOR PLACE, SHOWN TO BEAR N01°54'08"W, AS RECORDED IN PLAT BOOK 13, PAGE 116, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
6. THIS PROPERTY IS WITHIN FLOOD ZONE "X", DETERMINED 3-17-14 BY FLOOD INSURANCE RATE MAP, PANEL NUMBER 1250920435G.
7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND

ID	IDENTIFICATION	WPP	WOOD POWER POLE
[T]	TELEPHONE RISER	O/H	OVERHEAD POWER AND OR TELEPHONE LINES
[TV]	TELEVISION RISER	CONC	CONCRETE
[P]	CONC POWER POLE	A/C	AIR CONDITIONER
EASE	EASEMENT	CC	COVERED CONC
CBS	CONCRETE BLOCK STRUCTURE	IRC	IRON ROD & CAP
WF	WOOD FENCE	CLA	CHAIN LINK FENCE
[W]	WATER METER	[E]	ELECTRIC METER

PREPARED FOR:
JOSEPH W. HARP


TIM CARLILE, PLS, FLORIDA PLS NO. 5170
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: LAND AND SEA SURVEYING CONCEPTS, INC.
ADDRESS: 1605 CHASE HAMMOCK ROAD, MERRITT ISLAND, FL 32953
PHONE: 321-454-6310 "CERTIFICATE OF AUTHORIZATION LB NO.6447"

LAND SEA SURVEYING

DRAWN BY: SK

CHECKED BY: TC

DRAWING NO. 2017-012

SECTION 07
TOWNSHIP 25 SOUTH
RANGE 37 EAST

DATE: 3-21-17

SHEET 1 OF 2

REVISIONS _____

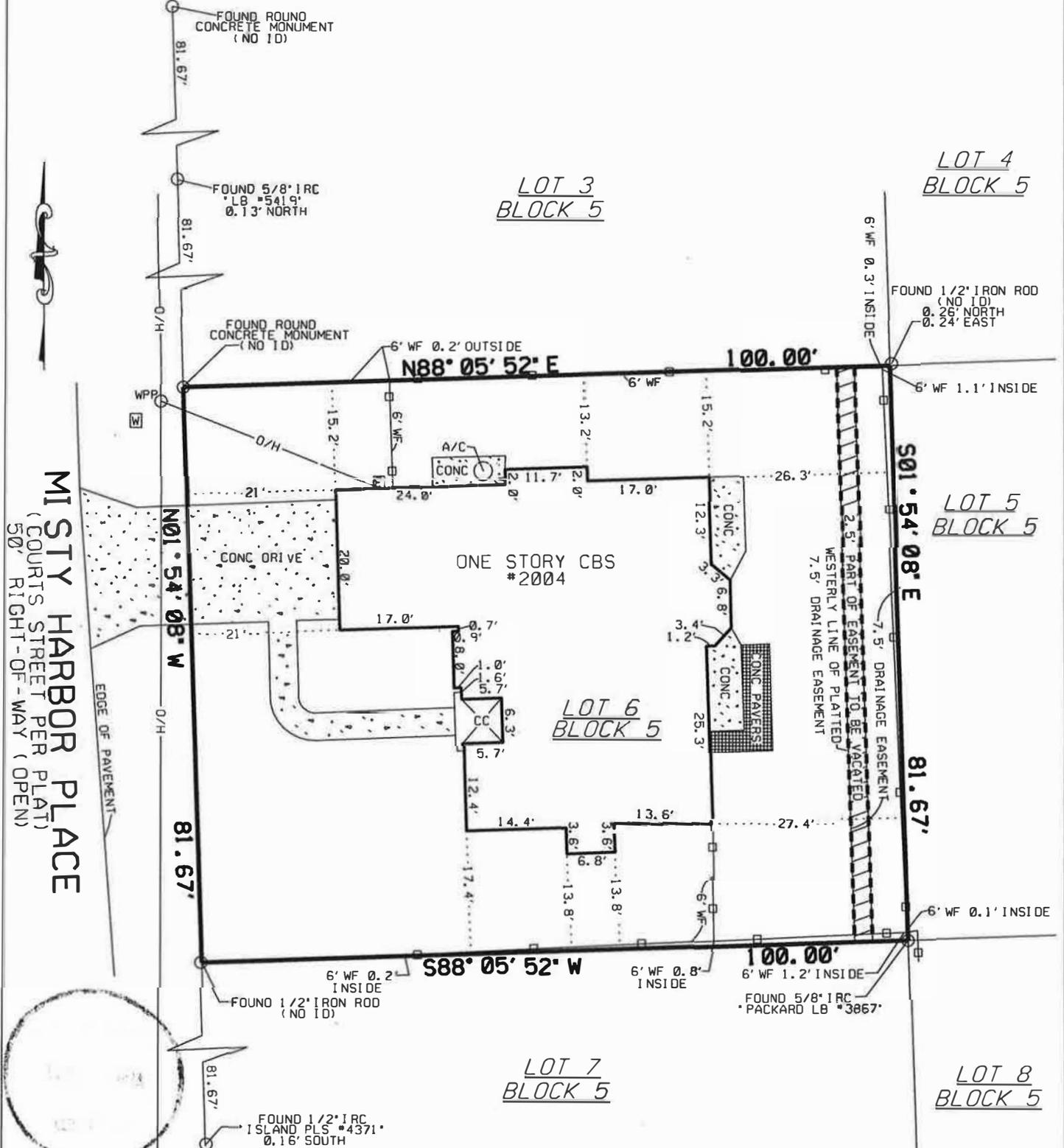
SKETCH OF DESCRIPTION

SECTION 07, TOWNSHIP 25 SOUTH, RANGE 37 EAST

PARCEL ID# 25-37-07-75-5-6

SCALE: 1" = 20'

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



SECTION 07, TOWNSHIP 25 SOUTH, RANGE 37 EAST

PROJECT NO: 2017-012

PREPARED BY: SK



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

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared Kim Curro, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Legal Notices

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

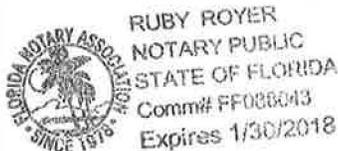
04/24/17

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 24th of April 2017, by Kim Curro who is personally known to me

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

Publication Cost: \$213.90
Ad No: 0902088173
Customer No: BRE-6BR327



AD#2088173 4/24/17
LEGAL NOTICE
NOTICE FOR THE VACATING OF A PUBLIC DRAINAGE EASEMENT, PLAT OF "EMBASSY ARMS COURT(S)" IN SECTION 07 TOWNSHIP 25 SOUTH, RANGE 37 EAST, MERRITT ISLAND, FL

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

SEE EXHIBIT "A"

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 6:00 p.m. on May 09, 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"

A PORTION OF LAND LYING IN SECTION 7, TOWNSHIP 25 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WESTERLY 2.50 FEET OF THE PLATTED 7.50 FOOT PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE EAST 7.50 FEET OF LOT 6, BLOCK 5, EMBASSY ARMS COURT (S), AS RECORDED IN PLAT BOOK 13, PAGE 116 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 204.17 SQUARE FEET OF LAND. PREPARED BY: TIM CARLILE, PLS

AD#2088173 4/24/17
LEGAL NOTICE
NOTICE FOR THE VACATING OF A PUBLIC DRAINAGE EASEMENT, PLAT OF "EMBASSY ARMS COURT(S)" IN SECTION 07, TOWNSHIP 25 SOUTH, RANGE 37 EAST, MERRITT ISLAND, FL

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

AD# 2144220 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF
A 7.50 FT. WIDE PUBLIC DRAINAGE
EASEMENT ON MISTY HARBOR PLACE,
IN EMBASSY ARMS COURT(S), MERRITT
ISLAND - JOSEPH W. HARP

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
9th day of May, 2017, the Board of
County Commissioners of Brevard County,
Florida, adopted a Resolution of partial
vacating of a 7.50 ft. wide public
drainage easement on Misty Harbor
Place in Embassy Arms Court(s), Merritt
Island, as petitioned by Joseph W. Harp.
SEE ATTACHED EXHIBIT "A"

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

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

AD# 2144220 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF
A 7.50 FT. WIDE PUBLIC DRAINAGE
EASEMENT ON MISTY HARBOR PLACE,
IN EMBASSY ARMS COURT(S), MERRITT
ISLAND - JOSEPH W. HARP

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drainage easement on Misty Harbor
Place, in Embassy Arms Court(s), Merritt
Island, as petitioned by Joseph W. Harp.
SEE ATTACHED EXHIBIT "A"

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

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

STATE OF FLORIDA COUNTY OF BREVARD:

Before the undersigned authority personally appeared
Kim Curro, who on oath says that he or she is a Legal
Advertising Representative of the FLORIDA TODAY, a
daily newspaper published in Brevard County, Florida
that the attached copy of advertisement, being a Legal
Ad in the matter of

Legal Notices

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

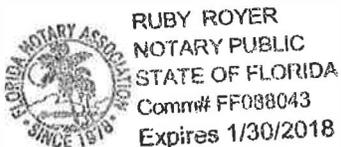
05/18/17

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 18th of May
2017, by Kim Curro who is personally known to me

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

Publication Cost: \$75.36
Ad No: 0002144220
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.: 0002144220
Pymt Method: Invoice
Net Amt: \$75.36

Run Times: 1

No. of Affidavits: 1

Run Dates: 05/18/17

Text of Ad:

AD# 2144220 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF
A 7.50 FT. WIDE PUBLIC DRAINAGE
EASEMENT ON MISTY HARBOR PLACE,
IN EMBASSY ARMS COURT(S), MERRITT
ISLAND - JOSEPH W. HARP

TO WHOM IT MAY CONCERN:

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drainage easement on Misty Harbor
Place, in Embassy Arms Court(s), Merritt
Island, as petitioned by Joseph W. Harp.
SEE ATTACHED EXHIBIT "A"

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

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

LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF A 7.50 FT. WIDE PUBLIC DRAINAGE
EASEMENT ON MISTY HARBOR PLACE, IN EMBASSY ARMS COURT(S), MERRITT
ISLAND – JOSEPH W. HARP

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 9th day of May, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution of partial vacating of a 7.50 ft. wide public drainage easement on Misty Harbor Place, in Embassy Arms Court(s), Merritt Island, as petitioned by Joseph W. Harp.

SEE ATTACHED EXHIBIT "A"

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

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

Florida TODAY: Please advertise in the May 18, 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"

A PORTION OF LAND LYING IN SECTION 7, TOWNSHIP 25 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WESTERLY 2.50 FEET OF THE PLATTED 7.50 FOOT PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE EAST 7.50 FEET OF LOT 6, BLOCK 5, EMBASSY ARMS COURT(S), AS RECORDED IN PLAT BOOK 13, PAGE 116, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 204.17 SQUARE FEET OF LAND. PREPARED BY: TIM CARLILE, PLS