

Meeting Date
April 11, 2017



AGENDA	
Section	PUBLIC HEARING
Item No.	TV/C

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: 12.0 ft. Public Utility Easement – North Marlin Circle– “Barefoot Bay Unit One” – Barefoot Bay – Joseph R. and Allyson M. Nichols – District 3 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
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DEPT/OFFICE	Public Works Department – Surveying Section
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Requested Action:
 It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider the vacating of a 12.0 ft. wide public utility easement at Lots 2 and 3, Block 1, “Barefoot Bay Unit One” in Section 15, Township 30 South, Range 38 East. If approved, it is requested that the Board authorizes the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioners own Lots 2 and 3 and are requesting the vacating of the 12.0 ft. wide public utility easement centered along the common lot line to allow for permitting and construction of a new attached garage and storage room which will cross the easement area. Total area of easement to be vacated is 1,008 square feet, more or less.

March 24, 2017, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. The property is located in Barefoot Bay as follows: Begin at the intersection of U.S. Highway No. 1 and Micco Road; thence 0.60 miles west along Micco Road; thence 0.03 miles south on East Drive; thence 0.03 miles east on North Marlin Circle to the residence 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 Phone: Ext. 57315

Exhibits Attached: Resolution, Appraisers detail sheet, vicinity map, aerial map, plat (if applicable), petitioner’s deed, boundary survey (if available), boundary survey (right-of-way vacating) or sketch and description (easement vacating), comment summary sheet and legal notice of public hearing advertisement.

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

Contract / Agreement (If attached):	Reviewed by County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/>	PR <input type="checkbox"/>
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County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten	Assistant County Manager Venetta Valdengo	John Denninghoff / Ext. 57202



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

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

May 1, 2017

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating A 12.0 Ft. Wide Public Utility Easement in Barefoot Bay Unit One, Barefoot Bay

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-062, vacating a 12.0 Ft. Wide Public Utility Easement in Barefoot Bay Unit One, Barefoot Bay, as petitioned by Joseph and Allyson Nichols. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on April 11, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

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

May 1, 2017

Joseph and Allyson Nichols
496 Marlin Circle
Barefoot Bay, FL 32976

Dear Mr. and Mrs. Nichols:

Re: Resolution Vacating A 12.0 Ft. Wide Public Utility Easement on North Marlin Circle, in Barefoot Bay

The Board of County Commissioners, in regular session on April 11, 2017, adopted Resolution No. 17-062, vacating a 12.0 foot wide public utility easement on North Marlin Circle, in Barefoot Bay Unit One, Barefoot Bay, as petitioned by you. Said Resolution has been recorded in ORBK 7874, Pages 1031 through 1035. 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: Marc Cazessus, Public Works

RESOLUTION 2017 - 062

**VACATING 12.0 FT. WIDE PUBLIC UTILITY EASEMENT IN "BAREFOOT BAY UNIT ONE",
BAREFOOT BAY, FLORIDA, LYING IN SECTION, 15, TOWNSHIP 30 SOUTH, RANGE 38
EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JOSEPH R. AND ALLYSON M. NICHOLS** with the Board of County Commissioners to vacate 12.0 ft. wide public utility 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 the public utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 11th day of April, 2017 A.D.

ATTEST:


SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


CURT SMITH, CHAIRMAN

As approved by the Board on:
April 11, 2017

LEGAL DESCRIPTION

SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PARCEL ID NUMBER: 30-38-15-01-00001.0-0002.00

PARCEL ID NUMBER: 30-38-15-01-00001.0-0003.00

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

PURPOSE OF SKETCH AND DESCRIPTION

TO VACATE TWO, 6.00 FOOT WIDE PUBLIC UTILITY EASEMENTS LYING ON BOTH SIDES OF THE COMMON LINE BETWEEN LOTS 2 AND 3, BLOCK 1.

LEGAL DESCRIPTION:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 2 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 3, BLOCK 1, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 6.00 FEET AND SOUTHERLY 10.00 FEET OF SAID EASEMENTS. CONTAINING 1,008 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE BASED ON THE CENTERLINE OF NORTH MARLIN CIRCLE AS S 89°32'20" W AS PER RECORD PLAT.
2. NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
3. THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND FOUNDATIONS, ENCROACHMENTS OR ANY IMPROVEMENTS EXCEPT AS SHOWN.
4. THIS SKETCH IS NOT A BOUNDARY SURVEY.
5. THE LOCATION OF THE IMPROVEMENTS AS SHOWN HEREON IS BASED ON A SURVEY PREPARED BY THOMAS R. CERCLE, PLS NO. 4896, DATED DECEMBER 11, 2015, PROJECT NO. 15-311.

PREPARED FOR:

JOSEPH R. NICHOLS and ALLYSON M. NICHOLS

 3-22-2017
THOMAS R. CERCLE, PLS 4896
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: CECRLE LAND SURVEYING, INC. CERTIFICATION OF AUTHORIZATION L.B. NO: 6637

ADDRESS: 10749 HIGHWAY US1, SUITE A, SEBASTIAN, FL 32958

PHONE: PHONE 772-388-0520 FAX 772-388-2012 EMAIL tcecrle@bellsouth.net

DRAWN BY T.R.C.

CHECKED BY T.R.C.

DRAWN NO. 15-311-L1

SECTION 15

DATE: 2-14-2017

SHEET 1 OF 2

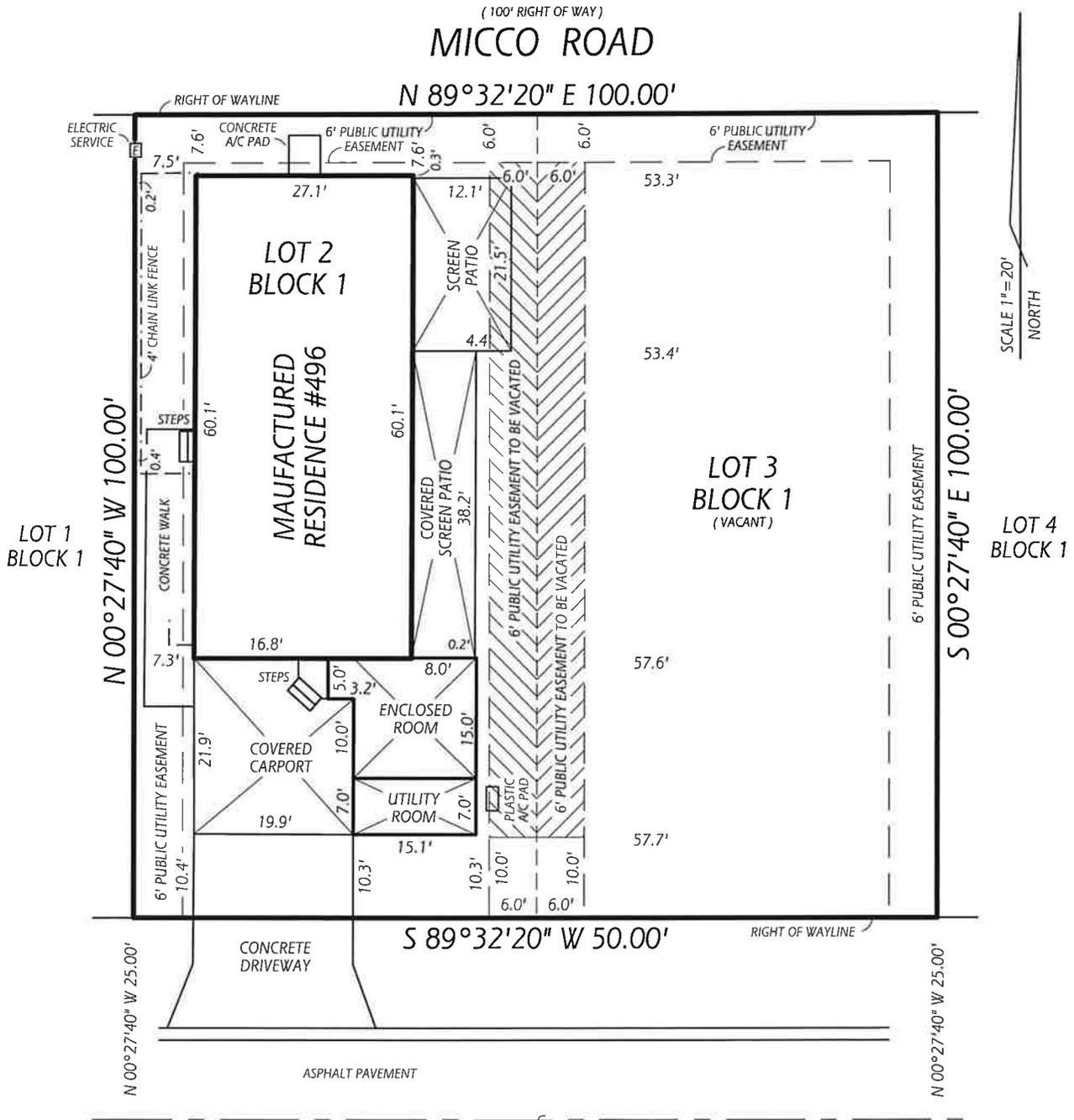
REVISIONS: 03/22/2017 LESS SOUTH 10.0 FT.

TOWNSHIP 30 SOUTH
RANGE 38 EAST

SKETCH OF DESCRIPTION

SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST
 PARCEL ID NUMBER: 30-38-15-01-00001.0-0002.00
 PARCEL ID NUMBER: 30-38-15-01-00001.0-0003.00

SHEET 2 OF 2
 NOT VALID WITHOUT THE
 SKETCH ON SHEET 2 OF 2



SCALE 1" = 20'
 NORTH

NORTH MARLIN CIRCLE

(50' RIGHT OF WAY)

ABBREVIATIONS: CENTERLINE
 SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PROJECT NO : 15-311-L2
 PREPARED BY : T.R.C.



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

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

Legal Notices

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

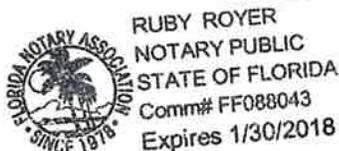
03/24/17

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 March 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: \$197.60
Ad No: 0002004220
Customer No: BRE-6BR327



AD# 2004220 3/24/2017
LEGAL NOTICE
NOTICE FOR THE VACATING OF THE 12.0 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE" IN SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, 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 R. AND ALLYSON M. NICHOLS** 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 April 11, 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.

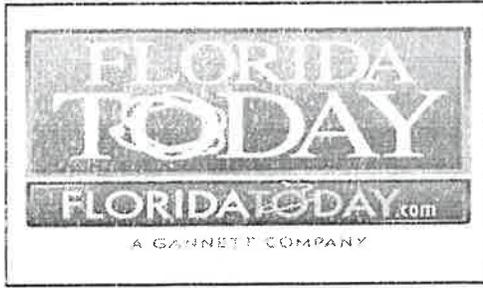
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AD# 2004220 3/24/2017
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BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

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:

04/20/17

Affiant further says that the said FLORIDA TODAY is a
newspaper in said Brevard County, Florida and that the
said newspaper has heretofore been continuously
published in said Brevard County, Florida each day and
has been entered as periodicals matter at the post office
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period of one year next preceding the first publication of
the attached copy of advertisement; and affiant further
says that he or she has never paid nor promised any
person, firm or coporation any discount, rebate,
commission or refund for the purpose of securing this
advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 20th of 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: \$133.00
Ad No: 0002079889
Customer No: BRE-6BR327



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

AD 2079889 4/20/2017

LEGAL NOTICE

RESOLUTION VACATING A 12.0 FT. WIDE
PUBLIC UTILITY EASEMENT ON NORTH
MARLIN CIRCLE, IN BAREFOOT BAY UNIT
ONE, BAREFOOT BAY - JOSEPH R. AND
ALLYSON M. NICHOLS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
11th day of April, 2017, the Board of
County Commissioners of Brevard Coun-
ty, Florida, adopted a Resolution
vacating a 12.0 ft wide public utility
easement on North Marlin Circle, in
Barefoot Bay Unit One, Barefoot Bay, as
petitioned by Joseph R. and Allyson M.
Nichols.

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 DESCRIPTION:

EXHIBIT "A"

THE 6.00 FOOT PUBLIC UTILITY EASE-
MENT LYING ALONG THE EASTERLY 6.00
FEET OF LOT 2 AND THE 6.00 FOOT PUBLIC
UTILITY EASEMENT LYING ALONG THE
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BLOCK 1, BAREFOOT BAY MOBILE
HOME SUBDIVISION, UNIT ONE, AC-
CORDING TO THE PLAT THEREOF AS RE-
CORDED IN PLAT BOOK 22, PAGES 100
THRU 104, PUBLIC RECORDS OF BRE-
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CEPT THE NORTHERLY 6.00 FEET AND
SOUTHERLY 10.00 FEET OF SAID EASE-
MENTS, CONTAINING 1,008 SQUARE
FEET MORE OR LESS, PREPARED BY THO-
MAS R. CECRLE, PSM

AD 2079889 4/20/2017

LEGAL NOTICE

RESOLUTION VACATING A 12.0 FT. WIDE
PUBLIC UTILITY EASEMENT ON NORTH
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ALLYSON M. NICHOLS

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SEE ATTACHED EXHIBIT "A"

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

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SCOTT ELLIS, CLERK
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MAS R. CECRLE, PSM



LEGAL NOTICE

RESOLUTION VACATING A 12.0 FT. WIDE PUBLIC UTILITY EASEMENT ON NORTH MARLIN CIRCLE, IN BAREFOOT BAY UNIT ONE, BAREFOOT BAY – JOSEPH R. AND ALLYSON M. NICHOLS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of April, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 12.0 ft. wide public utility easement on North Marlin Circle, in Barefoot Bay Unit One, Barefoot Bay, as petitioned by Joseph R. and Allyson M. Nichols.

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 April 20, 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"

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Property Information

Account #: 3006716

Owners Joseph Nichols
 Allyson Nichols
 Site Address 496 Marlin Cir Barefoot Bay Fl 32978
 Mailing Address 3522 Pebble Stone Ct Orange Park Fl 32065
 Parcel ID 30 3815-01-1-2
 Property Use 0213 - Manufactured Housing - Double Wide
 Exemptions None
 Taxing District 3400 - Unincorp District 3
 Subdivision Barefoot Bay Unit 1

Value Summary Information

	2015	2014	2013
Value Category			
Total Market Value	\$68,850	\$58,490	\$54,020
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$55,260	\$54,830	\$54,020
Assessed Value School	\$55,260	\$54,830	\$54,020
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$5,260	\$4,830	\$4,020
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$25,000	\$25,000	\$25,000
Taxable Value School	\$30,260	\$29,830	\$29,020

Sales History Information

Sale Date	Sale Price	Deed Type	Vacant/Improved	Book/Page
01/08/2016	\$85,000	WD	False	7527/2224
08/11/2009	\$100	OC	False	6045/1804
08/08/2009	\$100	OC	False	6045/1802
07/28/2009	\$100	OC	False	6045/1801
06/05/2008	\$117,000	WD	False	5870/9192
08/12/2003	\$100	WD	False	4950/3006
05/27/2003	\$100	WD	False	4932/3785
08/13/2000	\$100	WD	False	4177/1213
06/01/1997	\$21,000	04	False	3891/0616
01/20/1989	\$58,000	WD		2977/0469
05/01/1988	\$9,000	WD		2894/1855
12/27/1985	\$8,000	WD		2863/1100

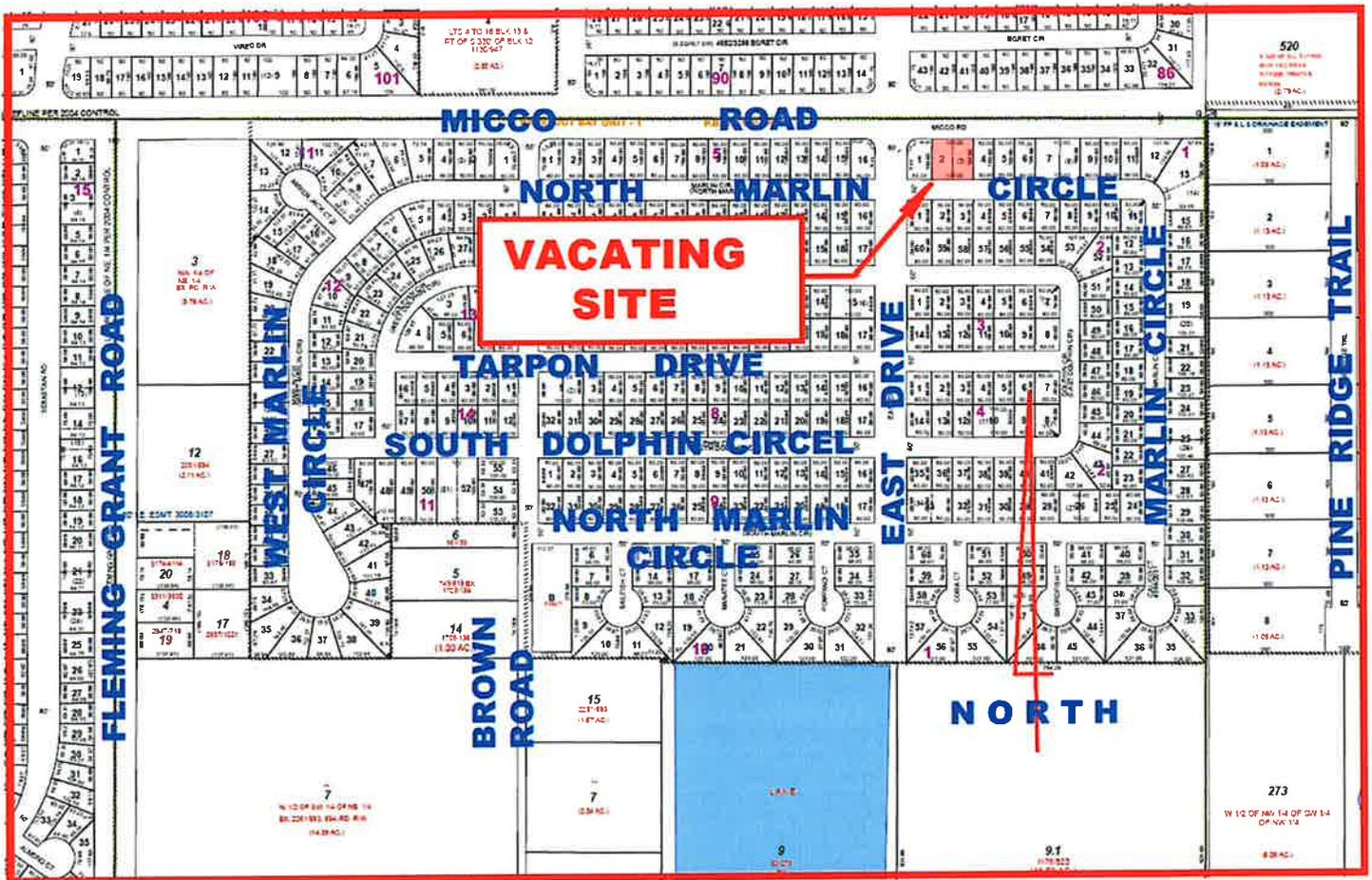
Building Information

Property Data Card #1			
Building Use:	0213 - Manufactured Housing - Double Wide		
Year Built:	1988		
Building Materials		Building Sub-areas	
EXTERIOR WALL	VINYL/ALUMINUM		
FRAME	WOOD FRAME	BASE AREA (1st)	1620
ROOF	SHEET METAL		
ROOF STRUCTURE	HIP/GABLE		
Extra/Special Features			
CARPORIT: AVERAGE		425	
ALL SCREEN: 1 STORY		231	
SKIRTING: SIMULATED STONE/BRICK		174	
ENCLOSED ROOM: AVERAGE		240	
PATIO: CONCRETE		231	
UTILITY ROOM AVERAGE		105	
SCREEN ENCLOSURE: LOW		304	

Land Information

Total Acres	0.22
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0022/0100
Description	Barefoot Bay Unit 1 Lots 2, 83, Blk 1

APPRAISER'S DETAIL SHEET



VICINTY MAP

Joseph & Allyson Nichols – 496 North Marlin Circle, Barefoot Bay, FL, 32976 – Lots 2 & 3, Block 1, “Barefoot Bay Unit One” – (Plat Book 22, Page 100) – Section 15, Township 30 South, Range 38 East – District 3 – Proposed Vacating of a 12.0 ft. Wide Public Utility Easement centered along the common lot line



A E R I A L M A P

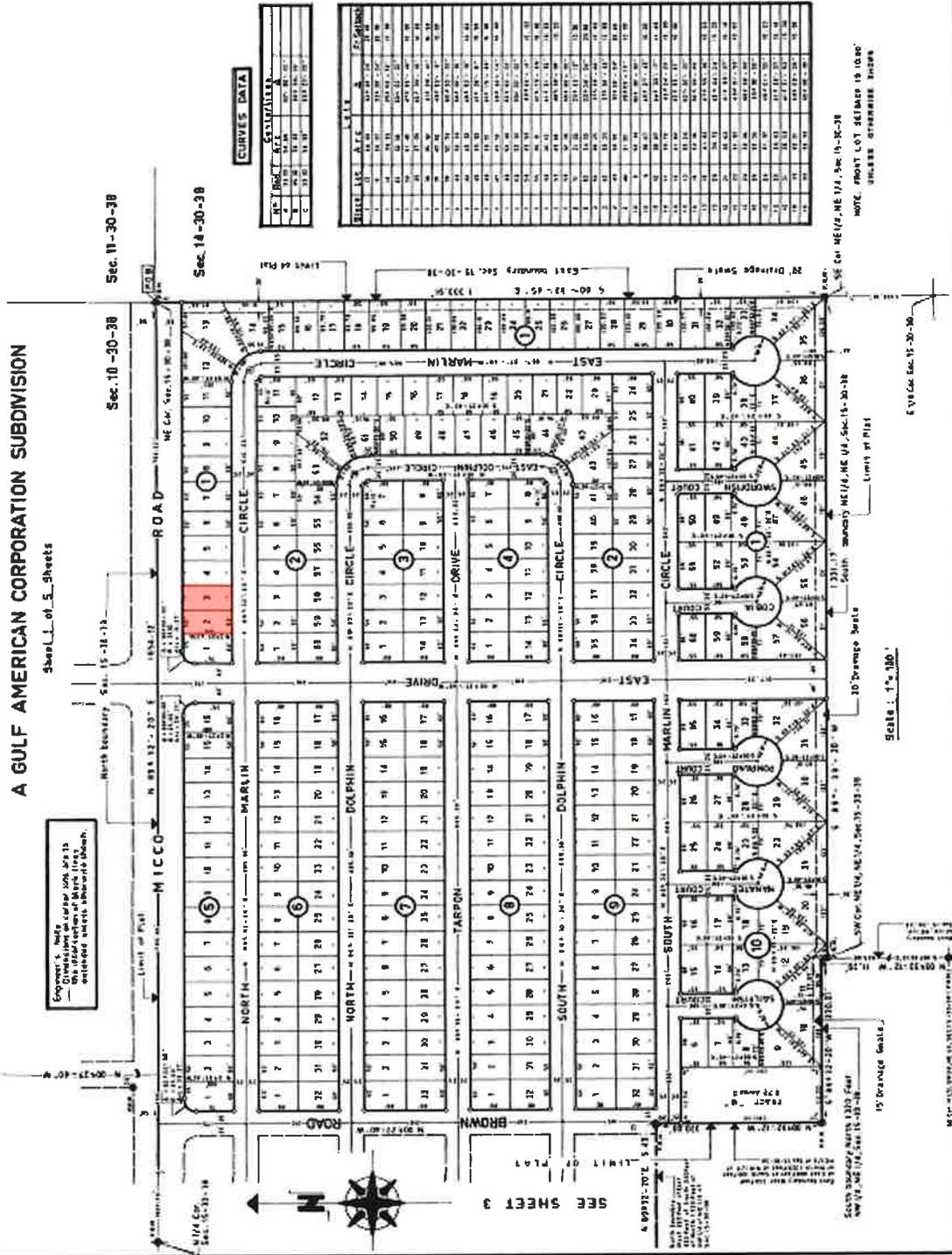
Joseph & Allyson Nichols – 496 North Marlin Circle, Barefoot Bay, FL, 32976 – Lots 2 & 3, Block 1, “Barefoot Bay Unit One” – (Plat Book 22, Page 100) – Section 15, Township 30 South, Range 38 East – District 3 – Proposed Vacating of a 12.0 ft. Wide Public Utility Easement centered along the common lot line

Barefoot Bay

MOBILE HOME SUBDIVISION, MICCO, FLORIDA

UNIT ONE A GULF AMERICAN CORPORATION SUBDIVISION

Sheet 1 of 5 sheets



PLAT REFERENCE
SHEET 2 OF 2

This Instrument Prepared by and Return to:
Heidi Taylor
Alliance Title of the Treasure Coast, LLC
705-L Sebastian Blvd
Sebastian, FL 32958
as a necessary incident to the fulfillment of conditions contained in a life insurance commitment issued by it.

Property Appraiser's Parcel I.D. (Folio) Number(s):
3006716
File No.: 1512611

WARRANTY DEED

This Warranty Deed, Made the 8th day of January, 2016, by **Stuart C. Miller, an unmarried man**, whose marital status is unmarried, whose post office address is: **421 Mango Ave, Sebastian, FL 32958**, hereinafter called the "Grantor", to **Joseph Roscoe Nichols and Allyson Nichols, husband and wife** whose post office address is: **3522 Pebble Stone Ct., Orange Park, FL 32065-4227**, hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of **Eighty Five Thousand Dollars and No Cents (\$85,000.00)** 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**, to wit:

Lots 2 and 3, Block 1, Barefoot Bay, Unit 1, according to map or plat thereof as recorded in Plat Book 22, Page 100, of the Public Records of Brevard County, Florida.
Together with a 1986 MERI Doublewide Manufactured Home under Identification Numbers DM26421382A and DM26421382B

The property is the homestead of the Grantor(s).
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 2016, reservations, restrictions and easements of record, if any.
(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: [Signature] [Signature]
Printed Name: Heidi Taylor Stuart C. Miller

Witness Signature: [Signature]
Printed Name: A. Kimmel

State of Florida
County of Indian River

The foregoing instrument was acknowledged before me this 8th day of January, 2016 by Stuart C. Miller, an unmarried man, who is/are personally known to me or has/have produced driver license(s) as identification.

[Signature] My Commission Expires: _____
Notary Public Signature (SEAL)
Printed Name: Heidi Taylor



PETITIONER'S DEED

COMMENT SUMMARY

APPLICANT: Joseph R. & Allyson Nichols

UNPDATED BY/DATE: Marc Cazessus, PLS/20170316 @ 09:32 hrs.

COMPANIES	NOTIFIED	COMMENTS		STIPULATIONS/REMARKS
		RECEIVED	APPROVED	
UTILITIES				
Florida City Gas	20170302	20170302	YES	NO OBJECTIONS
Florida Power & Light	20170302	20170316	YES	NO OBJECTIONS
A T & T	20170302	20170302	YES	NO OBJECTIONS
Bright House Networks	20170302	20170307	YES	NO OBJECTIONS
COUNTY STAFF				
Road and Bridge	20170302	20170315	YES	NO OBJECTIONS - BUSTER CLARK
Land Planning	20170302	20170315	YES	NO OBJECTIONS - REBECCA RAGAIN
Utility Services	20170302	20170303	YES	NO OBJECTIONS - TAMMY HURLEY
NRMD / Storm Water	20170302	20170307	YES	NO OBJECTIONS - HARVEY WHEELER
Zoning	20170302	20170306	YES	NO OBJECTIONS - PAUL BODY

COMMENT SHEET

AD# 2004220 3/24/2017 LEGAL NOTICE NOTICE FOR THE VACATING OF THE 12.0 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE" IN SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, 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 R. AND ALLYSON M. NICHOLS 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 April 11, 2017 at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance. EXHIBIT "A" THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 2 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 3, BLOCK 1, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 6.00 FEET OF SAID EASEMENTS. CONTAINING 1,128.00 SQUARE FEET MORE OR LESS. PREPARED BY THOMAS R. CECRLE, PLS

PUBLIC HEARING LEGAL
ADVERTISEMENT

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 2 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 3, BLOCK 1, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 6.00 FEET AND SOUTHERLY 10.00 FEET OF SAID EASEMENTS. CONTAINING 1,008 SQUARE FEET MORE OR LESS. PREPARED BY THOMAS R. CECRLE, PSM



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

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

Ad No.: 0002079889
Pymt Method: Invoice
Net Amt: \$133.00

Run Times: 1

No. of Affidavits: 1

Run Dates: 04/20/17

Text of Ad:

AD 2079889 4/20/2017

LEGAL NOTICE

RESOLUTION VACATING A 12.0 FT. WIDE PUBLIC UTILITY EASEMENT ON NORTH MARLIN CIRCLE, IN BAREFOOT BAY UNIT ONE, BAREFOOT BAY - JOSEPH R. AND ALLYSON M. NICHOLS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of April, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 12.0 ft. wide public utility easement on North Marlin Circle, in Barefoot Bay Unit One, Barefoot Bay, as petitioned by Joseph R. and Allyson M. Nichols.

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

LEGAL DESCRIPTION:

EXHIBIT "A"

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 2 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 3, BLOCK 1, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 6.00 FEET AND SOUTHERLY 10.00 FEET OF SAID EASEMENTS, CONTAINING 1,008 SQUARE FEET MORE OR LESS, PREPARED BY THOMAS R. CECRLE, PSM