

Meeting Date
March 17, 2015



AGENDA	
Section	Public Hearing
Item No.	IV.B

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Public Utility & Drainage Easement – Surfside Estate Unit No. 3 – Tarpon Street - Christopher Allen Leaf – District 2
	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility and drainage easement located along the common lot line between Lot 3 and Lot 4, Block 4, Surfside Estates Unit No. 3 in Section 19, Township 24 South, Range 37 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioner as owner of the South 25.00 ft. of Lot 3 and all of Lot 4, is requesting the vacating of the 10.0 ft. wide public utility and drainage easement centered along the common lot line of said lots, less and except the West 10.0 ft. for a public utility easement and the East 5.00 ft. for a public utility and drainage easement, to remove the existing home structure as an encroachment to said easement. From 1984 to the present, the Board has approved six previous easement vacatings within the Surfside development.

February 26, 2015, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. The property is located at 1560 Tarpon Street, Merritt Island, FL, 32952: begin at the intersection of State Road 528 (the Beeline) and North Banana River Drive; thence south 1.66 miles along North Banana River Drive; thence west 0.33 miles along South Harbor Drive; thence north 0.10 miles along Tarpon Street to house on the east (right).

Fiscal Impact: The petitioners are charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265-3699000, revenue account for vacatings. This action is in keeping with the County's efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year's budget.

Name: Marc.Cazessus@brevardcounty.us
 Phone: Ext. 57315

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

Exhibits Attached: Resolution, Maps & Comment Summary

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



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

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

April 13, 2015

MEMORANDUM

TO: Recording

RE: Item IV.B., Resolution Vacating Public Utility and Drainage Easement – Surfside Estates Unit No. 3, Tarpon Street, as petition by Christopher Allen Leaf

The Board of County Commissioners, in regular session on March 17, 2015, adopted Resolution to vacate a public utility and drainage easement on Surfside Estates, Unit No. 3, Tarpon Street. Enclosed are the proof of publication setting the public hearing, Resolution No. 15-030, with attached Exhibits, and proof of publication advertising the vacation.

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

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

/kg

Encls. (3)



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

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

April 13, 2015

Christopher A. Leaf
1560 Tarpon Street
Merritt Island, FL 32952

Dear Mr. Leaf:

RE: Item IV.B., Resolution Vacating Public Utility and Drainage Easement – Surfside Estates, Unit No. 3, Tarpon Street

The Board of County Commissioners, in regular session on March 17, 2015, adopted Resolution No. 15-030, vacating a public utility and drainage easement on Surfside Estates, Unit 3, Tarpon Street as petitioned by you. Said Resolution has been recorded in ORBK 7342, PG 701. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

/kg

Encl. (1)

cc: Marc Cazzessus



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

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

April 13, 2015

MEMORANDUM

TO: John Denninghoff, Public Works Director

Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating Public Utility and Drainage Easement – Surfside Estates, Unit No. 3, Tarpon – Christopher Allen Leaf

Enclosed for your necessary action are copies of the advertising bills for Resolution 15-030, vacating public utility and drainage easement as petitioned by Christopher Allen Leaf. Said Resolution was adopted by the Board of County Commissioners, in regular session on March 17, 2015.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

/kg

Encls. (2)

Mailed to:

A daily publication by:

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



STATE OF FLORIDA
COUNTY OF BREVARD

Kathy Cicala

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

LEGAL NOTICE

Ad # (351687)	\$	116.84	The matter of:
Acct. # (6BR427			
BREVARD COUNTY BOCC			
the	Court	RESOLUTION VACATING A PORTION OF A PUBLIC....	

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

April 2, 2015

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

Kathy Cicala
(Signature of Affiant)

Sworn to and subscribed before this:

2nd day of April 2015



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

Ruby Royer
(Signature of Notary Public)

Ruby Royer

(Name of Notary Typed, Printed or Stamped)

AD#351687,04/02/2015

LEGAL NOTICE
RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY & DRAINAGE EASEMENT IN SURFSIDE ESTATES UNIT NO. 3 IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the 17 day of March, 2015, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating Public Utility & Drainage Easement - Surfside Estates Unit No. 3 - Tarpon Street, as petitioned by Christopher Allen Leaf to wit:

EXHIBIT "A"

LEGAL DESCRIPTION OF PORTION OF EASEMENT TO BE VACATED:
LEGAL DESCRIPTION:
THAT CERTAIN 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING 5.00 FEET ON EACH/BOTH SIDES OF THE COMMON LINE BETWEEN LOTS 3 AND 4, BLOCK 4, OF THE PLAT OF 'SURFSIDE ESTATES UNIT NO. 3 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 108, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM THE EAST 5 AND THE WEST 10 FEET OF SAID LOTS 3 AND 4, BLOCK 4, CONTAINING 850 SQUARE FEET MORE OR LESS.

The Board further renounced and disclaimed any right of the County in and to said public utility and drainage easement. All persons govern yourselves accordingly.

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

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

VACATING A PORTION OF A PUBLIC UTILITY & DRAINAGE EASEMENT IN SURFSIDE ESTATES UNIT NO. 3 IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 37 EAST

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Christopher Allen Leaf** with the Board of County Commissioners to vacate a part of a public utility and 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 vacating a part of the public utility and drainage easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that the said portion of the public utility and 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 17th day of March A.D., 2015.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



ROBIN FISHER, CHAIRMAN

As approved by the Board on:
March 17, 2015

LEGAL DESCRIPTION

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 37 EAST
PARCEL ID# 24-37-19-25-00004.0-0004.00

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

PURPOSE OF SURVEY:
VACATION OF PORTION OF SIDE PUBLIC UTILITY AND
DRAINAGE EASEMENTS ON THE COMMON LINE
BETWEEN LOTS 3 AND 4, BLOCK 4, SHOWN HEREON.

LEGAL DESCRIPTION:

DESCRIPTION OF A PORTION OF EASEMENT TO BE VACATED:
THAT CERTAIN 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING 5.00
FEET ON EACH/BOTH SIDES OF THE COMMON LINE BETWEEN LOTS 3 AND 4, BLOCK 4,
OF THE PLAT OF "SURFSIDE ESTATES UNIT NO. 3" ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 17, PAGE 108, OF THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM THE EAST 5 FEET AND THE WEST 10
FEET OF SAID LOTS 3 AND 4, BLOCK 4.
CONTAINING 850 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE ASSUMPTION THAT THE EAST R/W OF TARPON STREET BEARS N 00°00'35" E, SAID BEARING BEING IDENTICAL TO THE BEARING SHOWN ON PLAT.
2. THIS SKETCH AND DESCRIPTION WAS PREPARED FOR THE EXCLUSIVE USE OF THOSE NAMED HEREON AND CAN NOT BE RELIED UPON BY ANY OTHER PERSON OR ENTITY.
3. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. ADDITIONS OR DELETIONS TO SKETCH AND DESCRIPTION BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. THIS IS NOT A SURVEY.

PREPARED FOR:
CHRISTOPHER LEAF


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

PREPARED BY: SPACE COAST SURVEYING INC.
ADDRESS: 1600 WEST EAU CALLIE BLVD. SUITE 201E, MELBOURNE, FL. 32935
PHONE: (321)253-5509 CERTIFICATE OF AUTHORIZATION NUMBER LB-0006815

DRAWN BY: J.R.Y.
DATE: 2-5-2015

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

DRAWING NO. 28634A
REVISIONS _____

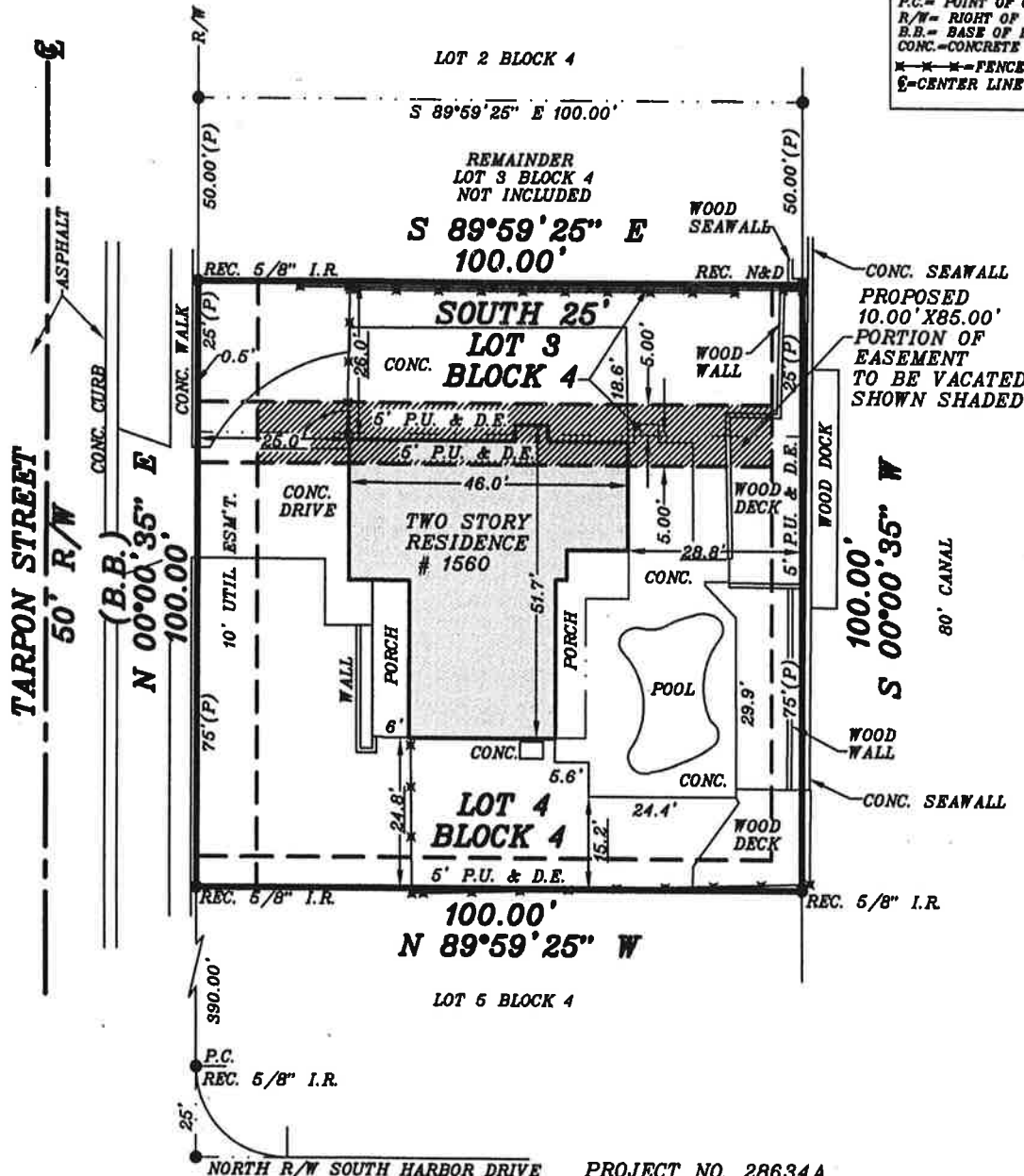
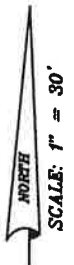
SECTION 19
TOWNSHIP 24 SOUTH
RANGE 37 EAST

SKETCH OF DESCRIPTION

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 37 EAST
 PARCEL ID# 24-37-19-25-00004.0-0004.00

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

LEGEND:
 P= PLAT
 REC= RECOVERED
 I.R.= IRON ROD
 N&D= NAIL & DISK
 P.U. & D.E.= PUBLIC UTILITY & DRAINAGE EASEMENT
 ESM'T.= EASEMENT
 UTIL.= UTILITY
 P.C.= POINT OF CURVE
 R/W= RIGHT OF WAY
 B.B.= BASE OF BEARING
 CONC.= CONCRETE
 --- FENCE LINE
 ⊕= CENTER LINE OF R/W



SECTION 19, TOWNSHIP 24
 SOUTH, RANGE 37 EAST

PROJECT NO. 28634A
 PREPARED BY: SPACE COAST SURVEYING INC.
 1600 WEST EAU GALLIE BLVD. SUITE 201E
 MELBOURNE, FL. 32935 (321)253-5509

Mailed to:

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

A daily publication by:



CFN 2015071702 OR BK 7342 PAGE 701.
Recorded 04/13/2015 at 11:53 AM, Scott Ellis, Clerk of Courts,
Brevard County
Pgs:5

STATE OF FLORIDA
COUNTY OF BREVARD

Kathy Cicala

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

LEGAL NOTICE

Ad # (349236)	\$	174.26	the matter of:
Acct. # (6BR427			
BREVARD COUNTY BOCC			
the	Court	NOTICE TO VACATE A 10.0 FT WIDE PUBLIC UTILITY....	

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

February 26, 2015

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

(Signature of Affiant)

Sworn to and subscribed before this:



RUBY ROYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088043
Expires 1/30/2016

26th day of February 2015

(Signature of Notary Public)

Ruby Royer

(Name of Notary Typed, Printed or Stamped)

AD#349236,02/26/2015

LEGAL NOTICE
NOTICE TO VACATE A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT CENTERED ALONG THE COMMON LOT LINE BETWEEN LOTS 3 & 4, BLOCK 4, SURFSIDE ESTATES UNIT NO. 3, MERRITT ISLAND, FL IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 37 EAST

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 Christopher Allen Leaf with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

EXHIBIT "A"
DESCRIPTION OF A PORTION OF EASEMENT TO BE VACATED:
THAT CERTAIN 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING 5.00 FEET ON EACH/BOTH SIDES OF THE COMMON LINE BETWEEN LOTS 3 AND 4, BLOCK 4, OF THE PLAT OF SURFSIDE ESTATES UNIT NO. 3 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 108, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM THE EAST 5 FEET AND THE WEST 10 FEET OF SAID LOTS 3 AND 4, BLOCK 4, CONTAINING 850 SQUARE FEET MORE OR LESS.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 a.m. on March 17, 2015 at the Brevard County Government Center Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

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

RECEIVED

MAR 02 2015

Board of County Commissioners

BrevardClerk.US

Scott Ellis, Clerk of Court

700 South Park Avenue, Bldg. B

P.O. Box 2767

Titusville, FL 32781-2767

(321) 637-2006

DBLIVE Transaction

#: 1497699

Receipt #: 61468630

Cashier Date: 4/13/2015

11:53:06 AM




Print Date:


4/13/2015 11:53:08 AM

Customer Information	Transaction Information	Payment Summary
(3175) SURVEY SECTION BREVARD CO BCGC BLDG A ZIP 81 VIERA, FL 32904 Beginning Escrow Balance: -\$1578.50	DateReceived: 04/13/2015 Source Code: Titusville - Six Story Q Code: Titusville - Six Story Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$44.00 Total Payments \$44.00

1 Payments

 ESCROW	\$44.00
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1 Recorded Items

 (RSL) RESOLUTION	BK/PG: 7342/701 CFN: 2015071702 Date: 4/13/2015 11:53:05 AM From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	5	\$44.00
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00

0 Search Items**1 Miscellaneous Items**

 (AGTR) AGENT TRANSMITTAL
--



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

General Parcel Information

Parcel ID:	24-37-19-25-00004.0-0004.00	Millage Code:	2200	Exemption:		Use Code:	110
Site Address:	1560 TARPON ST , MERRITT ISLAND 32952					Tax ID:	2432036

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

Owner Information

Owner Name:	LEAF, CHRISTOPHER ALLEN
Second Name:	
Mailing Address:	1560 TARPON STREET
City, State, Zipcode:	MERRITT ISLAND, FL 32952

Abbreviated Description

Plat Book/Page:	0017/0108	Sub Name:	SURFSIDE ESTATES UNIT 3	LOT 4 & S 25 FT OF LOT 3 BLK 4
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Value Summary

Roll Year:	2012	2013	2014
Market Value Total: ¹	\$159,240	\$186,390	\$209,170
Agricultural Market Value:	\$0	\$0	\$0
Assessed Value Non-School:	\$159,240	\$186,390	\$205,020
Assessed Value School:	\$159,240	\$186,390	\$209,170
Homestead Exemption: ²	\$0	\$0	\$0
Additional Homestead: ²	\$0	\$0	\$0
Other Exemptions: ²	\$0	\$0	\$0
Taxable Value Non-School: ³	\$159,240	\$186,390	\$205,020
Taxable Value School: ³	\$159,240	\$186,390	\$209,170

Land Information

Acres:	0.23
Site Code:	130

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

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

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

Sale Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	Sale Screening Code	Sale Screening Source	Physical Change Code	Vacant/Improved
2627/2343	8/1/1985	\$79,000	WD				
1178/0472	6/1/1971	\$35,000					

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

Building Information

PDC #	Use Code	Year Built	Story Height	Frame Code	Exterior Code	Interior Code	Roof Type	Roof Material	Floors Code	Ceiling Code
1	110	1967	8	03	03, 05	03	02	04	03	03

Building Area Information

PDC #	Base Area	Garage Area	Open Porches	Car Port	Screened Porches	Utility Rooms	Enclosed Porch	Basements	Attics	Bonus Rooms	RV Carport	RV Garage	Total Base Area
1	2,000	506	342	0	0	0	0	0	0	0	0	0	2,000

Extra Feature Information

Extra Feature Description	Units
POOL DECK	756
POOL	1
OUTBUILDING	48

LAND INFORMATION SHEET

Surfside Estates

UNIT NO 3

A Subdivision in Section 19, T.24 S., R.37 E., Brevard County, Florida.

PLAT BOOK 17 AND PAGE 104 347361

DEED FILED
 SHOW AS: 1967-10-15
 BY: [Signature]
 COUNTY: BREVARD
 BOOK: 17 PAGE: 104

FOR MORTGAGE DECLARATION
 SEE OR B PAGE

STATE OF FLORIDA
 COUNTY OF BREVARD
 I, [Signature], Clerk of the Court, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the public records of this county.

WITNES MY HAND AND SEAL OF OFFICE AT TALLAHASSEE, FLORIDA, THIS 15th DAY OF OCTOBER, 1967.

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS
 I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS THE SAME APPEARS IN THE PUBLIC RECORDS OF THIS COUNTY.

CERTIFICATE OF APPROVAL BY MUNICIPALITY
 I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS THE SAME APPEARS IN THE PUBLIC RECORDS OF THIS COUNTY.

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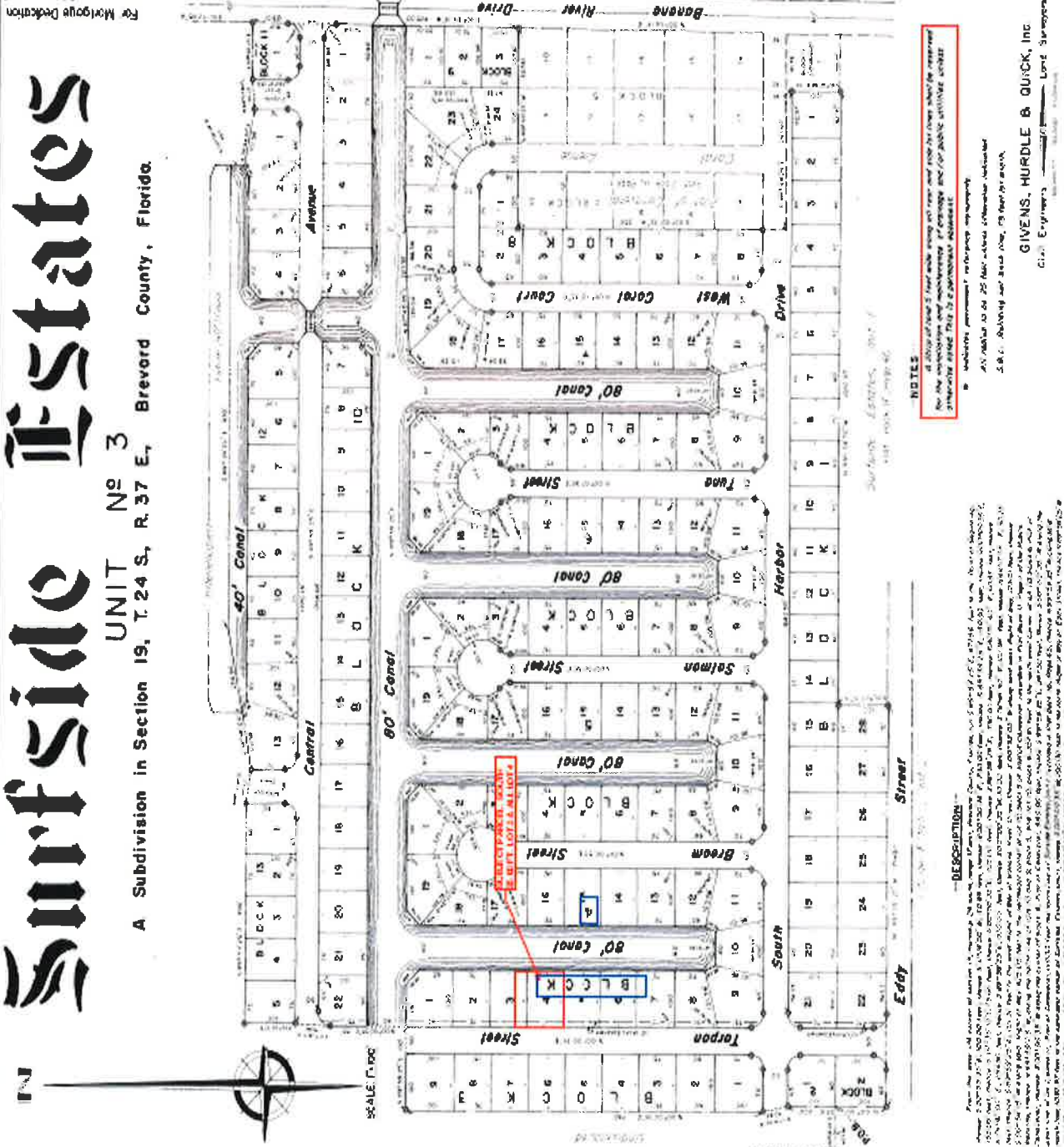
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 I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS THE SAME APPEARS IN THE PUBLIC RECORDS OF THIS COUNTY.



NOTES
 1. All lots of this plat shall remain undivided until they have been fully developed.
 2. No lot shall be subdivided into smaller lots without the approval of the Board of County Commissioners.
 3. All lots shall be developed in accordance with the approved subdivision plan.
 4. All lots shall be developed in accordance with the approved subdivision plan.

DESCRIPTION
 This plat is a subdivision of land in Section 19, T.24 S., R.37 E., Brevard County, Florida, containing 100 acres, more or less, as shown on the plat. The land is divided into 100 lots, more or less, as shown on the plat. The lots are numbered 1 through 100, as shown on the plat. The streets are named as shown on the plat. The canals are named as shown on the plat. The plat is subject to the provisions of the Florida Subdivision Law, Chapter 218, Florida Statutes.

GIVENS, HURDLE & QUICK, Inc.
 Civil Engineers

REFERENCE PLAT

WARRANTY DEED
INDIVID TO INDIVID

FD-300 FORM 81

This Warranty Deed Made the 20 day of August A. D. 19 85 by

JUANITA G. HOFFMAN, a single woman

hereinafter called the grantor, to

LORIN L. LEAF, JR., an unmarried man

whose postoffice address is 1560 Tarpon Street, Merritt Island, Florida 32952
hereinafter called the grantee.

(Wherever used herein the words "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 \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliena, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz.

The South 25 feet of Lot 3, and All of Lot 4, Block 4, SUNNYSIDE ESTATES, Unit #3, according to the Plat thereof, as recorded in Plat Book 17, Page 108, of the Public Records of Brevard County, Florida.

Subject to Taxes and Solid Waste Fees for 1985 and subsequent years, Subdivision Easements and Restrictions, and applicable zoning regulations.

PREPARED BY AND RETURN TO:
Barbara D. Ruziciclo
GLOW TITLE & ESCROW CORP.
150 Fortenberry Road, Villa B
Merritt Island, Florida 32952

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any wise 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 whatsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 19 84.

REC FEE	\$ 5.00	REC'D PAYMENT AS
DOC ST	\$ 29.500	INDICATED LHM CLASS
INT TAX	\$	ORIGINAL & DOC
SLR CHG	\$	STAMP TAXES SIGNED
REFUND	\$	

2025 Brevard County Clerk's Office, Florida

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:

Shirley Ingram
Erna D. S. Ruziciclo

Juanita G. Hoffman
JUANITA G. HOFFMAN

STATE OF Florida
COUNTY OF Brevard

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Juanita G. Hoffman, a single woman

to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 20 day of August, A. D. 19 85.

Shirley Ingram
Notary Public, State of Florida at Large

This instrument prepared by: My Commission Expires:

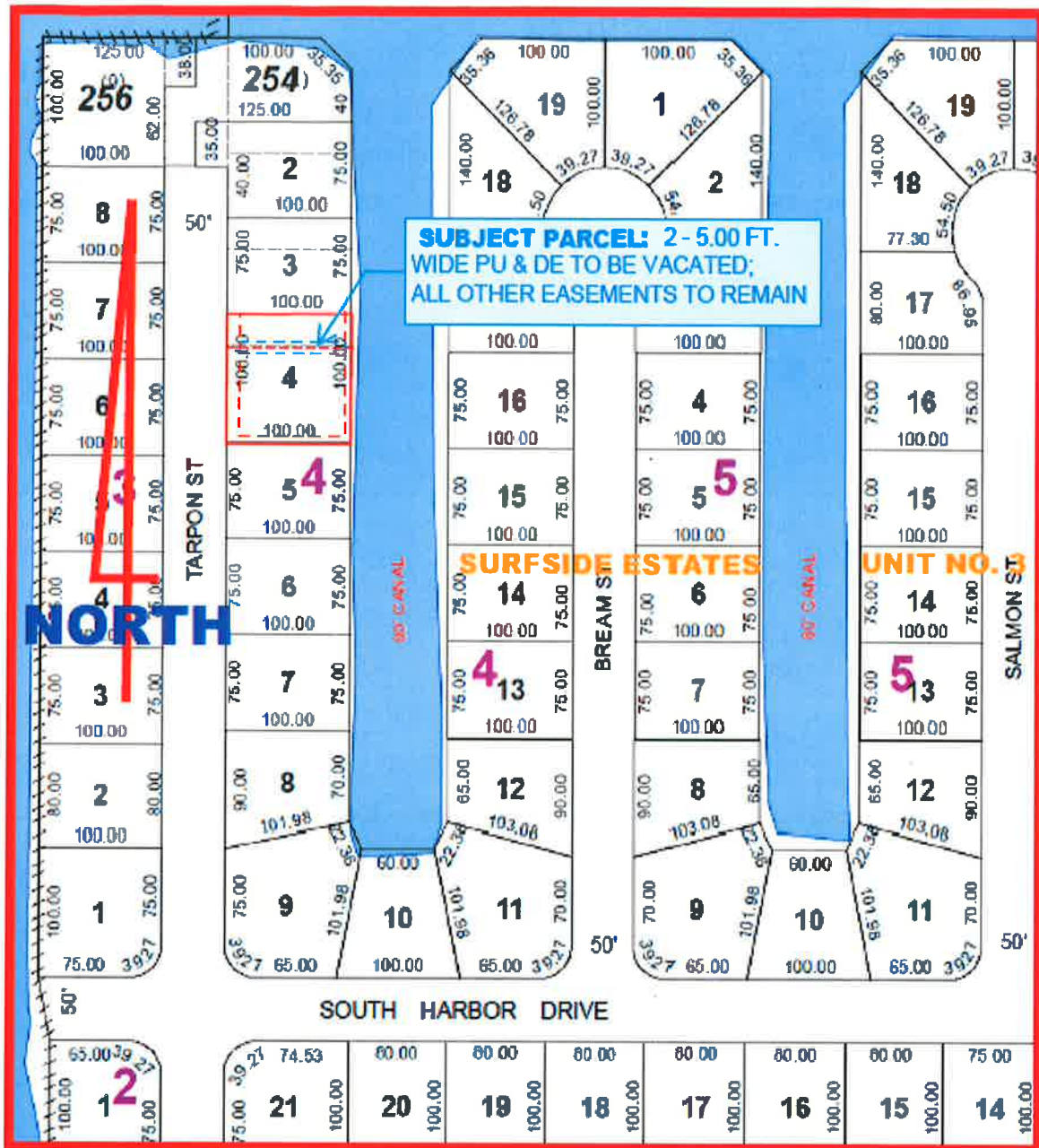
Address 2627
My Commission Expires August 25, 1986

(PAGE)

2343

074000
1985 AUG 27 PM 2:48

PETITIONER'S DEED



VICINITY MAP

Christopher Allen Leaf - South 25.00 ft. of Lot 3 &
 Lot 4 - Block 4 - Surfside Estates Unit No. 3 - (Plat
 Book 17, Page 108) - 1560 Tarpon Street, Merritt
 Island, FL, 32953 - Section 19, Twp. 24 S., Rge. 37 E.
 District 2 - Vacate 2 - 5.00 ft. Wide Public Utility &
 Drainage Easements at Common Lot Line



AERIAL MAP

Christopher Allen Leaf - South 25.00 ft. of Lot 3 & Lot 4 - Block 4 - Surfside Estates Unit No. 3 - (Plat Book 17, Page 108) - 1560 Tarpon Street, Merritt Island, FL, 32953 - Section 19, Twp. 24 S., Rge. 37 E. District 2 - Vacate 2 - 5.00 ft. Wide Public Utility & Drainage Easements at the Common Lot Line

John Lynch

From: Cicala, Kathy <kcicala@floridatoday.com>
Sent: Wednesday, April 01, 2015 3:08 PM
To: John Lynch
Subject: RE:

AD#351687
\$116.84
4/2

AD#351687,04/02/2015 û

¥

<BF>LEGAL NOTICE û

RESOLUTION VACATING A PORTION OF A û
PUBLIC UTILITY & DRAINAGE EASEMENT û
IN SURFSIDE ESTATES UNIT NO. 3 IN û
SECTION 19, TOWNSHIP 24 SOUTH, û
RANGE 37 EAST<NM> û

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 17
day of March, 2015, the Board of County
Commissioners of Brevard County, Florida,
adopted a Resolution vacating Public Utili'
ty& Drainage Easement - Surfside Estates
Unit No. 3 - Tarpon Street, as petitioned by
Christopher Allen Leaf to wit:

<BF>EXHIBIT ÔÔAÔÔ û

LEGAL DESCRIPTION OF PORTION OF
EASEMENT TO BE VACATED:

LEGAL DESCRIPTION:<NM>

<IT.6>THAT CERTAIN 10.00 FOOT WIDE PUB'
LIC UTILITY AND DRAINAGE EASE'
MENT, LYING 5.00 FEET ON EACH/
BOTH SIDES OF THE COMMON LINE
BETWEEN LOTS 3 AND 4, BLOCK 4, OF
THE PLAT OF ÔSURFSIDE ESTATES
UNIT NO. 3" ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT
BOOK 17, PAGE 108, OF THE PUBLIC
RECORDS OF BREVARD COUNTY,
FLORIDA, LESS AND EXCEPT
THEREFROM THE EAST 5 AND THE
WEST 10 FEET OF SAID LOTS 3 AND 4,
BLOCK 4. CONTAINING 850 SQUARE
FEET MORE OR LESS.<XI>

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

All persons govern yourselves accordingly.
BY ORDER OF THE BOARD OF COUNTY
COMMISSIONERS OF BREVARD COUNTY,
FLORIDA
SCOTT ELLIS, CLERK
BY: Tammy Etheridge, Deputy Clerk

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

Please visit us online at www.floridatoday.com

THIS EMAIL IS NOT A BILL.

From: John Lynch [<mailto:John.Lynch@brevardclerk.us>]
Sent: Wednesday, April 01, 2015 12:14 PM
To: Cicala, Kathy
Subject:

Good afternoon,

Please see the attached advertisement.

Thank you

John Lynch
Clerk to the Board
Brevard County Clerk of the Circuit Court
Scott Ellis, Clerk
Phone (321) 637-2001
john.lynch@brevardclerk.us

Under Florida law, all correspondence sent to the Clerk's Office, which is not exempt or confidential pursuant to Chapter 119 of the Florida Statutes, is public record. If you do not want the public record contents of your e-mail or your e-mail address to be provided to the public in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY & DRAINAGE
EASEMENT IN SURFSIDE ESTATES UNIT NO. 3 IN SECTION 19, TOWNSHIP 24
SOUTH, RANGE 37 EAST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 17 day of March, 2015, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating Public Utility & Drainage Easement – Surfside Estates Unit No. 3 – Tarpon Street, as petitioned by Christopher Allen Leaf to wit:

SEE ATTACHED EXHIBIT "A"

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

All persons govern yourselves accordingly.

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

FLORIDA TODAY:

Please advertise in the April 2, 2015 issue of Florida TODAY.

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

EXHIBIT "A"

LEGAL DESCRIPTION OF PORTION OF EASEMENT TO BE VACATED:

LEGAL DESCRIPTION:

THAT CERTAIN 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING 5.00 FEET ON EACH/BOTH SIDES OF THE COMMON LINE BETWEEN LOTS 3 AND 4, BLOCK 4, OF THE PLAT OF 'SURFSIDE ESTATES UNIT NO. 3" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 108, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM THE EAST 5 AND THE WEST 10 FEET OF SAID LOTS 3 AND 4, BLOCK 4.

CONTAINING 850 SQUARE FEET MORE OR LESS.

John Lynch

From: Cazessus, Marc <marc.cazessus@brevardcounty.us>
Sent: Wednesday, March 18, 2015 7:37 AM
To: John Lynch
Cc: Tammy Etheridge; Donna Scott; Sweeney, Michael; Vitale, Anthony
Subject: Burt: Agenda Item 03-17-15 IV. A. & Leaf: Agenda Item 03-17-15 IV. B.
Attachments: 20150213_WORD DOC LEGAL-BURT.docx; 20150219_WORD DOC LEGAL_LEAF.docx

Mr. Lynch:

On March 17, 2015 the Board of County Commissioners approved the following two resolutions to vacate easements. This letter is your authorization to publish said resolutions using their attached legal descriptions. I have likewise listed their contact information for your future use when mailing copies of the recorded resolutions to each petitioner.

- Agenda Item 03-17-15 IV. A.: ~~Thomas E. Burt~~, 6615 Duncan Avenue, Cocoa, FL, 32927
- Agenda Item 03-17-15 IV. B.: Christopher A. Leaf % Ms. Cheryl M. Lange, 3490 North U. S. Highway No. 1, Cocoa, FL, 32926

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

Respectfully,

Marc

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

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