



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.1.

5/20/2025

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### Subject:

Petition to Vacate, Re: A portion of three Public Utility Easements - Plat of "Diana Shores Unit No. 7" Plat Book 24, Page 24 - Merritt Island - Richard S. and Kimberly A. Edwards - District 2

### Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

### Dept/Office:

Public Works Department - Surveying & Mapping

### Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating a portion of three public utility easements, per Plat "Diana Shores Unit No. 7", Plat Book 24, Page 24, in Section 23, Township 24 South, Range 36 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

### Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lot 96, Block L, and are requesting the vacating of a portion of three public utility easements to allow for two walls built into the easement to be removed as an encroachment and for the permit to be finalized. The property is located in Merritt Island East of N. Courtenay Pkwy and South of Highway 528.

On May 5, 2025, 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.

Name: Amber.Holley@brevardfl.gov Phone: 321-350-8346

### Clerk to the Board Instructions:

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



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

June 12, 2025

Richard S. and Kimberly A. Edwards  
1340 Taurus Court  
Merritt Island, FL 32953

Dear Sir/Madam:

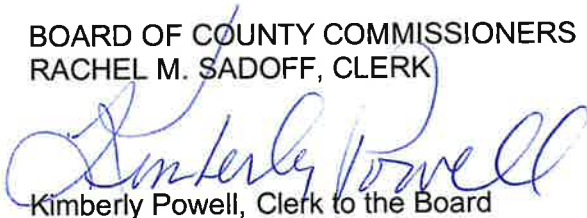
Re: Resolution Vacating a Portion of Three Public Utility Easements, Plat of "Diana Shores Unit No. 7", Merritt Island, Florida, Lying in Section 23, Township 24 South, Range 36 East

The Board of County Commissioners, in regular session on May 20, 2025, adopted Resolution No. 2025-046, vacating a portion of three public utility easements, Plat of "Diana Shores Unit No. 7", Merritt Island, Florida, lying in Section 23, Township 24 South, Range 36 East. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/kl

Encl. (1)

cc: Amber Holley, Public Works



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

June 12, 2025

**M E M O R A N D U M**

**TO:** Marc Bernath, Public Works Director    Attn: Amber Holley

**RE:** Advertising Bills for Resolution Vacating a Portion of Three Public Utility Easements, Plat of "Diana Shores Unit No. 7", Merritt Island, Florida, Lying in Section 23, Township 24 South, Range 36 East – Richard S. and Kimberly A. Edwards

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 2025-046, vacating a portion of three utility easements, Plat of "Diana Shores Unit No. 7", Merritt Island, Florida, lying in Section 23, Township 24 South, Range 36 East, as petitioned by Richard S. and Kimberly A. Edwards. Said Resolution was adopted by the Board of County Commissioners, in regular session on May 20, 2025.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/kl

Encls. (2)

## Brevard County Property Appraiser Detail Sheet

Account 2418470

Owners EDWARDS, RICHARD S; EDWARDS, KIMBERLY A

Mailing Address 1340 TAURUS CT MERRITT ISLAND FL 32953

Site Address 1340 TAURUS CT MERRITT ISLAND FL 32953

Parcel ID 24-36-23-78-L-96

Taxing District 2200 - UNINCORP DISTRICT 2

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Property Use 0110 - SINGLE FAMILY RESIDENCE

Total Acres 0.27

Site Code 0130 - CANAL FRONT

Plat Book/Page 0024/0024

Subdivision DIANA SHORES UNIT NO 7

Land Description DIANA SHORES UNIT NO 7 LOT 96 BLK L

### VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$771,550	\$769,620	\$735,790
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$578,050	\$561,220	\$544,880
Assessed Value School	\$578,050	\$561,220	\$544,880
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$528,050	\$511,220	\$494,880
Taxable Value School	\$553,050	\$536,220	\$519,880

### SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/21/2016	\$280,000	WD	--	7785/2969
08/01/1975	\$52,500	WD	--	1548/0744

## Vicinity Map

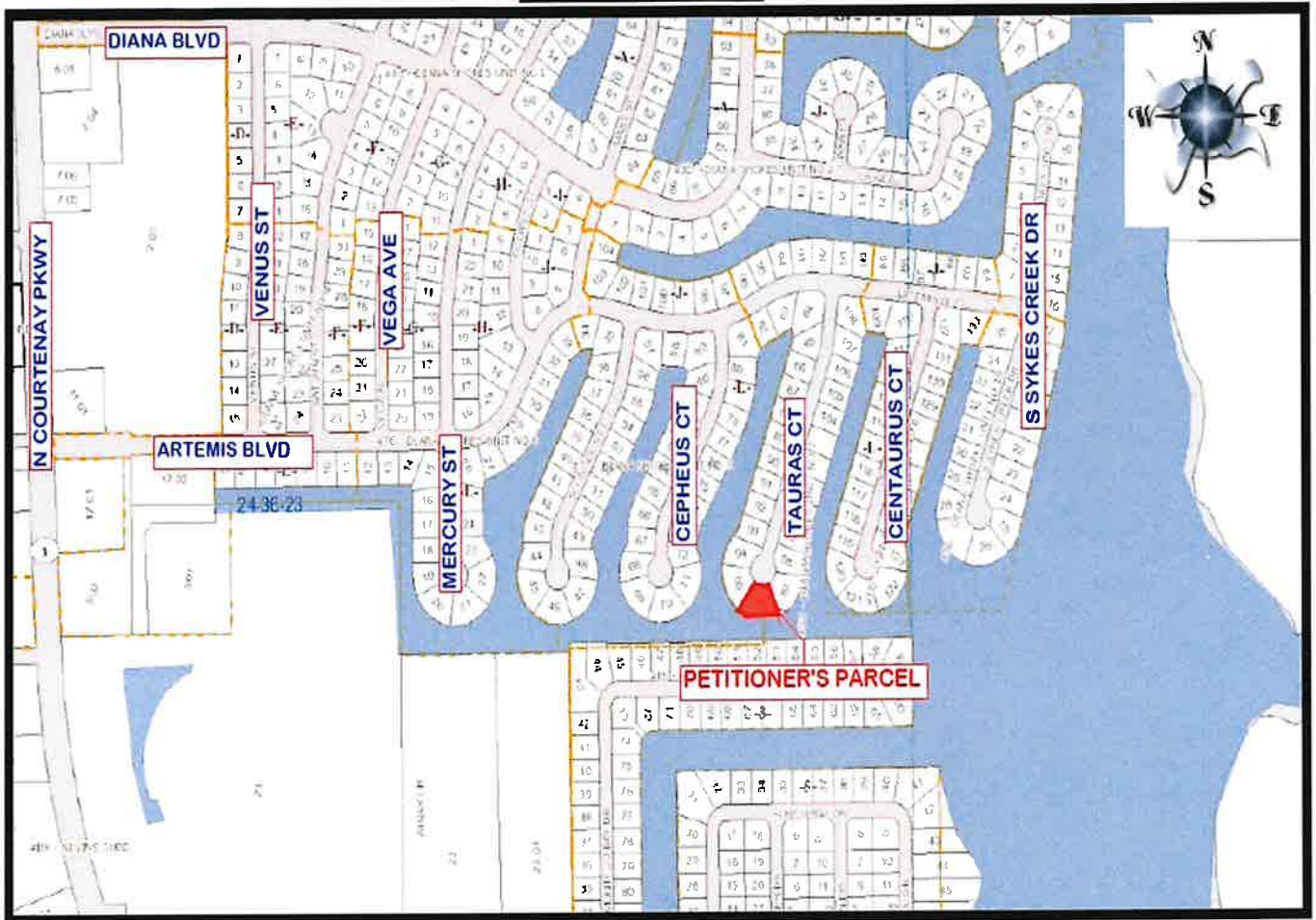


Figure 1: Map of Lot 96, Block L, Diana Shores Unit No. 7, 1340 Taurus Ct, Merritt Island, Florida, 32953.

Richard S. and Kimberly A. Edwards – Lot 96,  
Block L, Diana Shores Unit No. 7 –1340 Taurus  
Court, Merritt Island, FL, 32953 – lying in  
Section 23, Township 24 South, Range 36 East  
– District 2 – Proposed Vacating of a portion  
of three Public Utility Easements



## Aerial Map

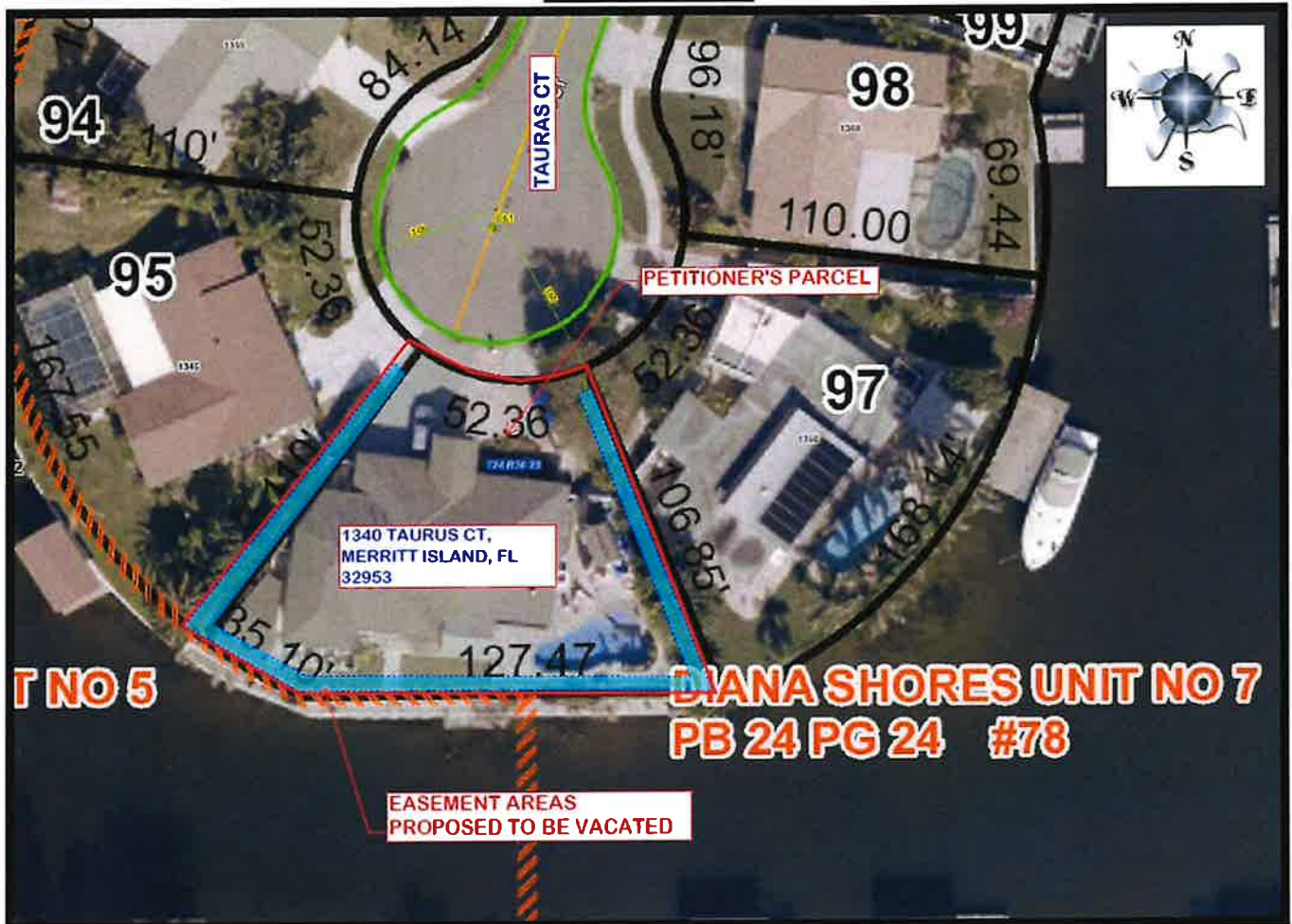


Figure 2: Aerial Map of Lot 96, Block L, Diana Shores Unit No. 7, 1340 Taurus Ct, Merritt Island, Florida, 32953.

Richard S. and Kimberly A. Edwards – Lot 96,  
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## Map Reference

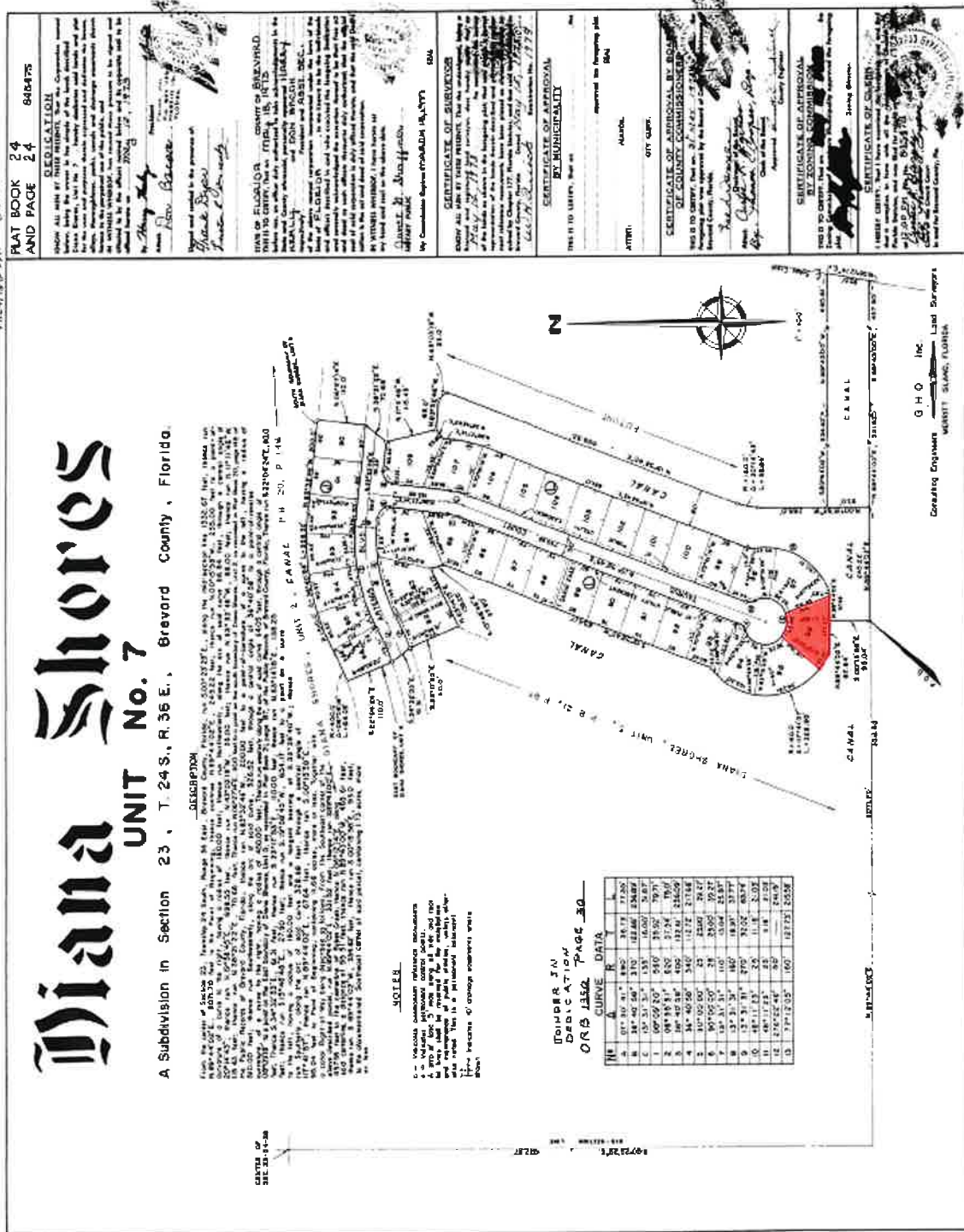


Figure 3: Copy of Plat of Diana Shores Unit No. 7, dedicated to Brevard County in May 1973.

# Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION		SHEET 1 OF 2																													
SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST PARENT PARCEL ID NUMBER: 24-36-23-78-L-96 PURPOSE OF SURVEY: VACATING THE WEST, EAST AND SOUTH 5 FOOT WIDE PUBLIC UTILITY EASEMENTS <b>LEGAL DESCRIPTION:</b> THAT PORTION OF THREE 5.00 FOOT WIDE UTILITY EASEMENTS DESCRIBED AS FOLLOWS: THE WEST 5 FEET, THE EAST 5 FEET, AND THE SOUTH 5 FEET LESS AND EXCEPT THE NORTH 10 FEET OF LOT 96, BLOCK L, DIANA SHORES UNIT NO. 7, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE(S) 24, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 1,726.92 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.		NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2																													
<b>ABBREVIATIONS:</b> A/C= AIR CONDITIONER AP= ALUMINUM/ PLEXIGLASS FENCE CL= CENTERLINE CLF= CHAIN LINK FENCE CONC= CONCRETE CC= COVERED CONCRETE EOP= EDGE OF PAVEMENT E.= EAST EQUIP= EQUIPMENT FND= FOUND FPL= FLORIDA POWER AND LIGHT N.= NORTH O/H= OVERHEAD POWER & LIGHT (P)= PLAT P.U.= PUBLIC UTILITY RW= RIGHT OF WAY SW= SIDEWALK S.= SOUTH W.= WEST	<b>LEGEND</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>—</td><td>CENTER LINE</td></tr> <tr><td>⊙</td><td>CENTER OF 8" WOOD PILE</td></tr> <tr><td>▨</td><td>CONC PAVERS</td></tr> <tr><td>⊞</td><td>ELECTRIC METER</td></tr> <tr><td>—X—</td><td>FENCE</td></tr> <tr><td>⊕</td><td>FPL TRANSFORMER</td></tr> <tr><td>—X—</td><td>GATE</td></tr> <tr><td>⊞</td><td>IRRIGATION CONTROL VALVE</td></tr> <tr><td>⊞</td><td>POWER LIGHT POLE</td></tr> <tr><td>⊞</td><td>PVC CLEANOUT</td></tr> <tr><td>⊞</td><td>SEWER HANDHOLE</td></tr> <tr><td>⊞</td><td>SPIGOT</td></tr> <tr><td>⊞</td><td>TELEPHONE RISER</td></tr> <tr><td>⊞</td><td>TURF</td></tr> <tr><td>⊞</td><td>WATER METER</td></tr> </table>	—	CENTER LINE	⊙	CENTER OF 8" WOOD PILE	▨	CONC PAVERS	⊞	ELECTRIC METER	—X—	FENCE	⊕	FPL TRANSFORMER	—X—	GATE	⊞	IRRIGATION CONTROL VALVE	⊞	POWER LIGHT POLE	⊞	PVC CLEANOUT	⊞	SEWER HANDHOLE	⊞	SPIGOT	⊞	TELEPHONE RISER	⊞	TURF	⊞	WATER METER
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<b>SURVEYOR'S NOTES:</b> 1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE 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. 2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES. 3. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TIMOTHY R. CARLILE, PLS 5170, ON THE DATE INDICATED. PRINTED COPIES ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED LAND SURVEYOR AND MAPPER. 4. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF TITLE COMMITMENT. 5. BEARINGS ARE BASED UPON THE WEST PROPERTY LINE OF LOT 96, SHOWN TO BEAR S37°18'49"W, AS PER PLAT BOOK 24, PAGE 24, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. 6. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD, THIS TRACT OF LAND CONTAINS 1,726.92 SQUARE FEET OR 0.04 ACRES OF LAND MORE OR LESS.																															
PREPARED FOR: RICHARD EDWARDS AND KIMBERLY EDWARDS		 SURVEYOR & MAPPER, 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																															
DRAWN BY: MC CHECKED BY: TC DATE: 03-06-25		DRAWING NO. 2025-004 REVISIONS LEGAL SECTION 23 TOWNSHIP 24 SOUTH RANGE 36 EAST																													

Figure 4: Legal Description. Sheet 1 of 2. Section 23, Township 24 South, Range 36 East. Parcel ID number: 24-36-23-78-L-96.



## Petitioner's Sketch & Description Sheet 2 of 2

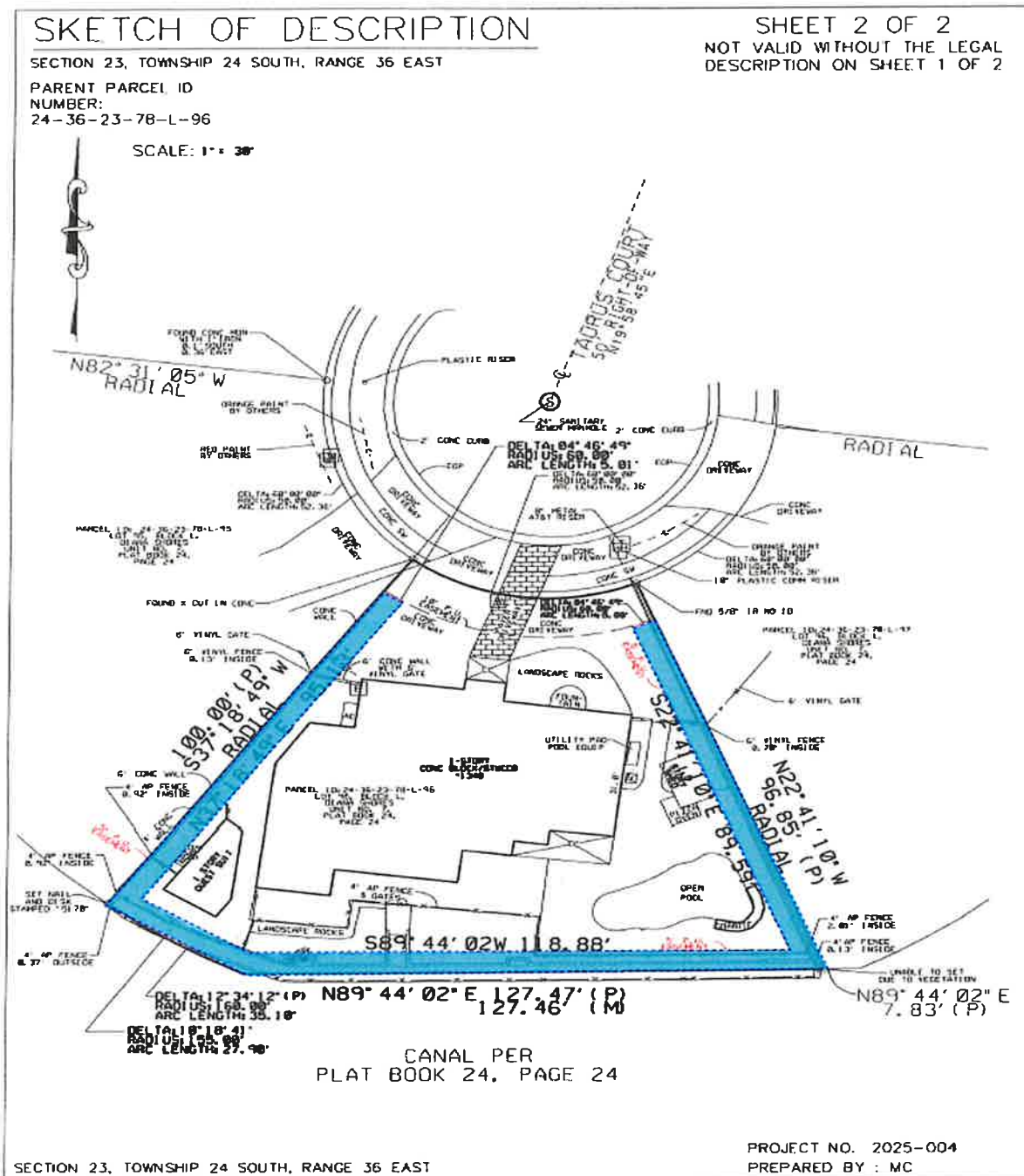


Figure 5: Sketch of Description. Sheet 2 of 2. Section 23, Township 24 South, Range 36 East. Parcel ID number: 24-36-23-78-L-96.

The sketch illustrates a portion of three 5.00-foot-wide public utility easements, per the Plat of Diana Shores Unit No. 7. The coordinates of the lot are as follows: East boundary – North 22°41'10" West 96.85 Feet; South boundary – North 89°44'02" East 127.47 Feet; West boundary – South 37°18'49" West 100.00 feet. Prepared by: Timothy R. Carlile, PLS.

## Comment Sheet

Applicant: Edwards

Updated by: Amber Holley 20250430 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20250408	20250421	Yes	No objection
FL Power & Light	20250408	20250422	Yes	No objection
At&t	20250408	20250421	Yes	No objections
Charter/Spectrum	20250408	20250408	Yes	No objections
City of Cocoa	20250408	20250416	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20250408	20250430	Yes	No objections
Land Planning	20250408	20250409	Yes	No objections
Utility Services	20250408	20250408	Yes	No objections
Storm Water	20250408	20250409	Yes	No objections
Zoning	20250408	20250409	Yes	No objections

## Public Hearing Legal Advertisement

Ad#11281298; 05/05/25

**LEGAL NOTICE  
NOTICE FOR THE VACATING OF  
THREE PUBLIC UTILITY  
EASEMENTS, PLAT OF "DIANA  
SHORES UNIT NO. 7", IN  
SECTION 23, TOWNSHIP 24  
SOUTH, RANGE 36 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 RICHARD S. AND KIMBERLY A. EDWARDS with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF THREE 5.00-FOOT WIDE UTILITY EASEMENTS DESCRIBED AS FOLLOWS: THE WEST 5 FEET, THE EAST 5 FEET, AND THE SOUTH 5 FEET LESS AND EXCEPT THE NORTH 10 FEET OF LOT 96, BLOCK L, DIANA SHORES UNIT NO. 7, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 24, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 1,726.92 SQUARE FEET OR 0.04 ACRES, MORE OR LESS. PREPARED BY: TIMOTHY R. CARLILE, PLS.

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 May 20, 2025, 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 hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance.

Figure 8: Copy of public hearing advertisement published on May 5, 2025. See the next page for full text.

## Legal Notice Text

### LEGAL NOTICE

NOTICE FOR THE VACATING OF THREE PUBLIC UTILITY EASEMENTS, PLAT OF "DIANA SHORES UNIT NO. 7", IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 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 RICHARD S. AND KIMBERLY A. EDWARDS with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

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**THAT PORTION OF TWO 5.00 FOOT WIDE UTILITY EASEMENTS DESCRIBED AS FOLLOWS: THE WEST 5 FEET AND THE EAST 5 FEET LESS AND EXCEPT THE NORTH 10 FEET AND SOUTH 5 FEET OF LOT 96, BLOCK L, DIANA SHORES UNIT NO. 7, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE(S) 24, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 927.61 SQUARE FEET OR 0.02 ACRES, MORE OR LESS. PREPARED BY: TIMOTHY R. CARLILE, PSM.**



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**Resolution 2025 - 046**

**Vacating a portion of three public utility easements, Plat of "Diana Shores Unit No. 7", Merritt Island,  
Florida, lying in Section 23, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Richard S. and Kimberly A. Edwards** with the Board of County Commissioners to vacate public easements in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH AND 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 said public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title, or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. 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 20<sup>th</sup> day of May, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST.



Rachel Sadoff, Clerk



Rob Feltner, Chairman

As approved by the Board on:  
May 20, 2025

# SKETCH OF DESCRIPTION

SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
PARENT PARCEL ID NUMBER:  
24-36-23-78-L-96

PURPOSE OF SURVEY: VACATING THE WEST  
AND EAST 5 FOOT WIDE PUBLIC UTILITY  
EASEMENTS

## LEGAL DESCRIPTION:

THAT PORTION OF TWO 5.00 FOOT WIDE  
UTILITY EASEMENTS DESCRIBED AS FOLLOWS:  
THE WEST 5 FEET AND THE EAST 5 FEET  
LESS AND EXCEPT THE  
NORTH 10 FEET AND SOUTH  
5 FEET OF LOT 96,  
BLOCK L, DIANA SHORES UNIT NO.  
7, ACCORDING TO THE MAP OR PLAT THEREOF,  
AS RECORDED IN PLAT BOOK 24, PAGE(S)  
24, OF THE PUBLIC RECORDS OF  
BREVARD COUNTY, FLORIDA.  
CONTAINING 927.61 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

## ABBREVIATIONS:

A/C= AIR CONDITIONER  
AP= ALUMINUM/ PLEXIGLASS FENCE  
CL= CENTERLINE  
CLF= CHAIN LINK FENCE  
CONC= CONCRETE  
CC= COVERED CONCRETE  
EOP= EDGE OF PAVEMENT  
E.= EAST  
EQUIP= EQUIPMENT  
FND= FOUND

FPL= FLORIDA POWER AND LIGHT  
N.= NORTH  
O/H= OVERHEAD POWER & LIGHT  
(P)= PLAT  
P.U.= PUBLIC UTILITY  
RW= RIGHT OF WAY  
SW= SIDEWALK  
S.= SOUTH  
W.= WEST

SHEET 1 OF 2

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGEND

	CENTER LINE
	CENTER OF 8" WOOD PILE
	CONC PAVERS
	ELECTRIC METER
	FENCE
	FPL TRANSFORMER
	GATE
	IRRIGATION CONTROL VALVE
	POWER LIGHT POLE
	PVC CLEANOUT
	SEWER HANDHOLE
	SPI GWT
	TELEPHONE RISER
	TURF
	WATER METER

## SURVEYOR'S NOTES:

1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE 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.
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3. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TIMOTHY R CARLILE, PLS 5170, ON THE DATE INDICATED. PRINTED COPIES ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED LAND SURVEYOR AND MAPPER.
4. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF TITLE COMMITMENT.
5. BEARINGS ARE BASED UPON THE WEST PROPERTY LINE OF LOT 96, SHOWN TO BEAR S37°18'49"W, AS PER PLAT BOOK 24, PAGE 24, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
6. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. THIS TRACT OF LAND CONTAINS 1,726.92 SQUARE FEET OR 0.04 ACRES OF LAND MORE OR LESS



*Timothy R. Carlile*

PREPARED FOR:

RICHARD EDWARDS AND KIMBERLY EDWARDS

SURVEYOR & MAPPER, 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

LB#6447

DRAWN BY: MC

CHECKED BY: TC

DRAWING NO. 2025-004

SECTION 23

DATE: 05-21-25

SHEET 1 OF 2

REVISIONS 3RD

TOWNSHIP 24 SOUTH

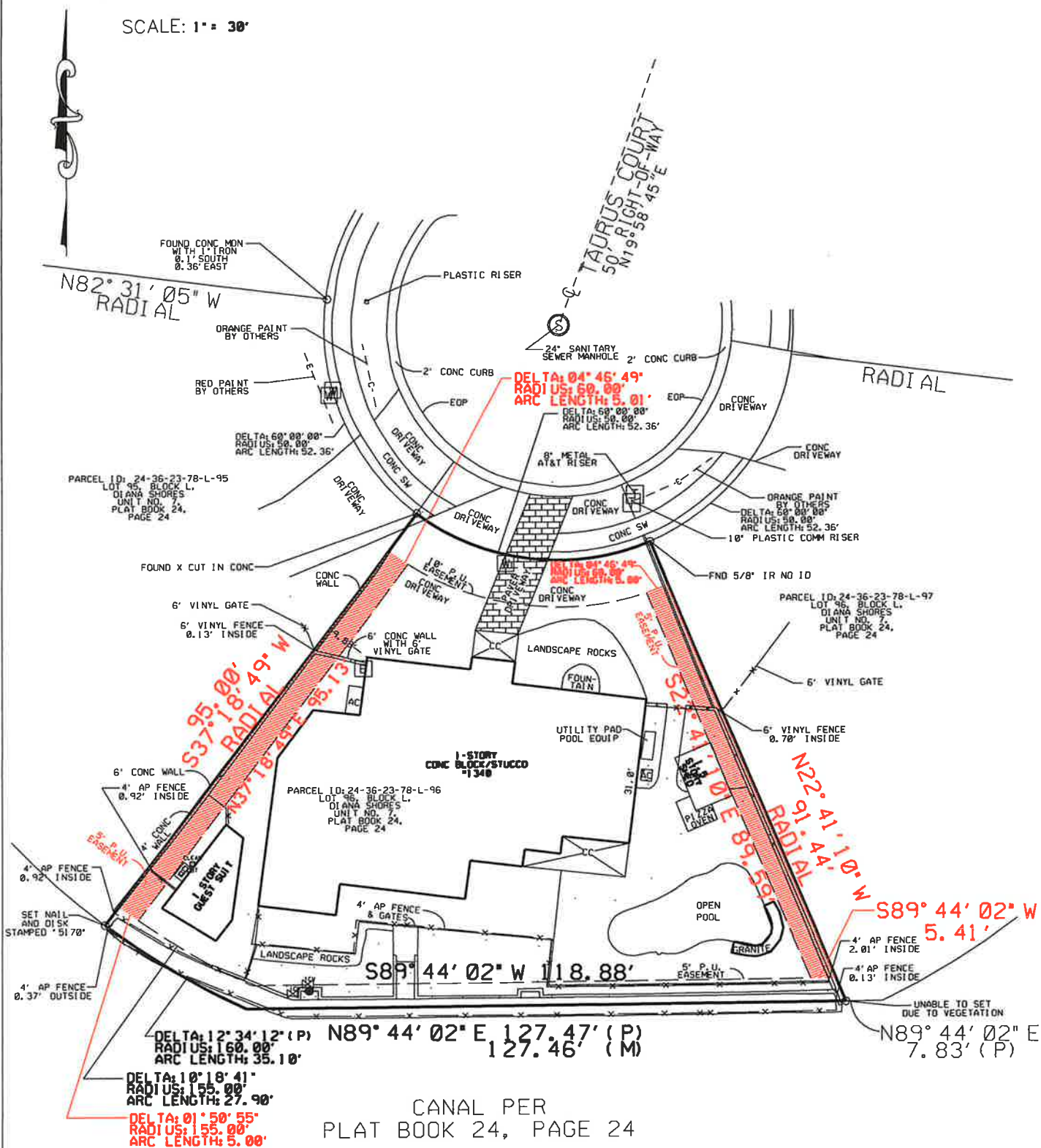
RANGE 36 EAST



SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST

SCALE: 1" = 30'

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



SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PROJECT NO. 2025-004  
PREPARED BY : MC



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

# **AFFIDAVIT OF PUBLICATION**

Amber Holley  
Amber Holly  
Brevard County Public Works Dept. Surveying & Mapping Program  
2725 Judge Fran Jamieson Way, Room A-220  
Viera FL 32940

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the 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 Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

05/05/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/05/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$235.10  
Tax Amount: \$0.00  
Payment Cost: \$235.10  
Order No: 11281298  
Customer No: 1127286  
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AMY KOKOTT  
Notary Public  
State of Wisconsin

Ad#11281298; 05/05/25

## **LEGAL NOTICE**

NOTICE FOR THE VACATING OF  
THREE PUBLIC UTILITY  
EASEMENTS, PLAT OF "DIANA  
SHORES UNIT NO. 7", IN  
SECTION 23, TOWNSHIP 24  
SOUTH, RANGE 36 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 RICHARD S. AND KIMBERLY A. EDWARDS with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF THREE 5.00 FOOT WIDE UTILITY EASEMENTS DESCRIBED AS FOLLOWS: THE WEST 5 FEET, THE EAST 5 FEET, AND THE SOUTH 5 FEET LESS AND EXCEPT THE NORTH 10 FEET OF LOT 96, BLOCK L, DIANA SHORES UNIT NO. 7, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 24, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 1,726.92 SQUARE FEET OR 0.04 ACRES, MORE OR LESS. PREPARED BY: TIMOTHY R. CARLILE, PLS.

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 May 20, 2025, 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 hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance.

Public Works

MAY 12 2025

Received



Florida

GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

# **AFFIDAVIT OF PUBLICATION**

Kimberly Loughner  
Brevard County Clerk Donna Scott -Survey  
Brevard Cty Public Works Dept  
2725 Judge Fran Jamieson Way Bldg A  
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the 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 Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

05/27/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/27/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$171.83

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Ad#11342999 05/27/2025

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF THREE PUBLIC UTILITY EASEMENTS, PLAT OF "DIANA SHORES UNIT NO. 7", MERRITT ISLAND, FLORIDA, LYING IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST - RICHARD S. and KIMBERLY A. EDWARDS

TO WHOM IT MAY CONCERN:

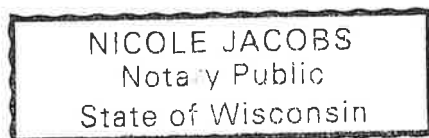
NOTICE IS HEREBY GIVEN that on May 20, 2025, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of three public utility easements, Plat of "Diana Shores Unit No. 7", Merritt Island, Florida, lying in Section 23, Township 24 South, Range 36 East as petitioned by Richard S. and Kimberly A. Edwards

**LEGAL DESCRIPTION:**

THAT PORTION OF TWO 5.00 FOOT WIDE UTILITY EASEMENTS DESCRIBED AS FOLLOWS: THE WEST 5 FEET AND THE EAST 5 FEET LESS AND EXCEPT THE NORTH 10 FEET AND SOUTH 5 FEET OF LOT 96, BLOCK L, DIANA SHORES UNIT NO. 7, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE(S) 24, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 927.61 SQUARE FEET OR 0.02 ACRES, MORE OR LESS. PREPARED BY: TIMOTHY R. CARLILE, PSM.

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

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell, Clerk to the Board



**Resolution 2025 - 046**

**Vacating a portion of three public utility easements, Plat of "Diana Shores Unit No. 7", Merritt Island, Florida, lying in Section 23, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Richard S. and Kimberly A. Edwards** with the Board of County Commissioners to vacate public easements in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH AND 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 said public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title, or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. 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 20<sup>th</sup> day of May, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:



Rachel Sadoff, Clerk

COPY



Rob Feltner, Chairman

As approved by the Board on:  
May 20, 2025



**Board Meeting Date**

5/20/25

Item Number: H. 1.

Motion By: TG

Second By: KA

Nay By: \_\_\_\_\_

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓	
Vice Chair Goodson	2	✓	
Commissioner Adkinson	3	✓	
Commissioner Altman	5	✓	
Chairman Feltner	4	✓	







