

IV.A.

BREVARD County

BOARD OF COUNTY COMMISSIONERS

FLORIDA'S SPACE COAST



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 10.0 Foot Wide Public Utility and Drainage Easement on Curtis Boulevard, Port St. John, Unit Seven, Cocoa

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-084, vacating a 10.0 foot wide public utility and drainage easement on Curtis Boulevard, Port St. John, Unit Seven, Cocoa, as petitioned by Kerry Stover. 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, Deputy Clerk

Encls. (2)



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Tammy.Rowe@brevardclerk.us

May 30, 2017

Kerry Stover
c/o John R. Campbell, PLS
115 Alma Boulevard, Suite 102
Merritt Island, FL 32953

Dear Mr. Stover:

Re: Resolution Vacating a 10.0 Foot Wide Public Utility and Drainage Easement on Curtis Boulevard, Port St. John, Unit Seven, Cocoa

The Board of County Commissioners, in regular session on May 9, 2017, adopted Resolution No. 17-084, vacating a 10.0 foot wide public utility and drainage easement on Curtis Boulevard, Port St. John, Unit Seven, Cocoa, as petitioned by you. Said Resolution has been recorded in ORBK 7895, Pages 2791 through 2796. 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

Encl. (1)

cc: Marc Cazessus, Public Works

**PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT
IN "PORT ST. JOHN UNIT - SEVEN", COCOA, FLORIDA, LYING IN SECTION 22,
TOWNSHIP 23 SOUTH, RANGE 35 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **KERRY STOVER** with the Board of County Commissioners to vacate a portion of a 10.0 ft. wide 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 the partial vacating of the public utility and drainage easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility and drainage 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 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 OF VACATED EASEMENT SHEET 1 OF 3

NOT VALID WITHOUT SHEET 2 & 3

SECTION 22, TOWNSHIP 23 SOUTH, RANGE 35 EAST
 PARCEL ID# 23-35-22-JY-254-7
 PURPOSE: VACATE EASEMENT

LEGAL DESCRIPTION OF PARENT PARCEL:

SEE BOUNDARY SURVEY OF PARENT PARCEL ON SHEET 2 OF 3.

Lot 7 in Block 254 of PORT ST. JOHN, UNIT 7, according to the plat thereof recorded in Plat Book 23 at Pages 60 through 69 of the Public Records of Brevard County, Florida.

LEGAL DESCRIPTION OF PORTION OF EASEMENT TO BE VACATED:

SEE SKETCH OF DESCRIPTION ON SHEET 3 OF 3.

A portion of the 10 foot wide Public Drainage and Utility Easement that lies within Lot 7 in Block 254 of PORT ST. JOHN UNIT SEVEN, according to the plat thereof recorded in Plat Book 23 at Pages 60 through 69 of the Public Records of Brevard County, Florida, the same being more particularly described as follows:

The Northwesterly 4.0 feet as measured at right angles of the Southeasterly 10.0 feet as measured at right angles of said Lot 7, less and except there from the Northeasterly 6.0 feet as measured at right angles of said Lot 7. Containing 352.15 square feet, more or less.

SURVEYOR'S NOTES:

1. Purpose of this Sketch is to depict the Vacation of a portion of the 10 foot wide a Public Drainage and Utility Easement lying within Lot 7 of Block 254 of PORT ST. JOHN, UNIT 7 according to the plat thereof recorded in Plat Book 23 at Pages 60 through 69 of the Public records of Brevard County, Florida.
2. The bearings shown are based on the Easterly right of way line of ARLINGTON ROAD as N 38°57' 14" E which is not a true North azimuth.
3. Not a boundary survey.

PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

John R. Campbell
 Professional Surveyor & Mapper #2351
 State of Florida

NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY:



115 Alma Blvd., Suite 102
 Mailing Address: P.O. Box 541866
 Merritt Island, FL. 32954
 Phone: (321) 514.6920
 LICENSED BUSINESS #7978

DRAWN BY: <u>DHR</u>	CHECKED BY: <u>JRC</u>	DRAWING NO. <u>2017-114</u>	SECTION <u>22</u>
DATE: <u>3/6/17</u>	SHEET <u>1</u> OF <u>3</u>	REVISIONS <u>04-03-2017</u>	TOWNSHIP <u>23</u> SOUTH
			RANGE <u>35</u> EAST

BOUNDARY SURVEY PARENT PARCEL

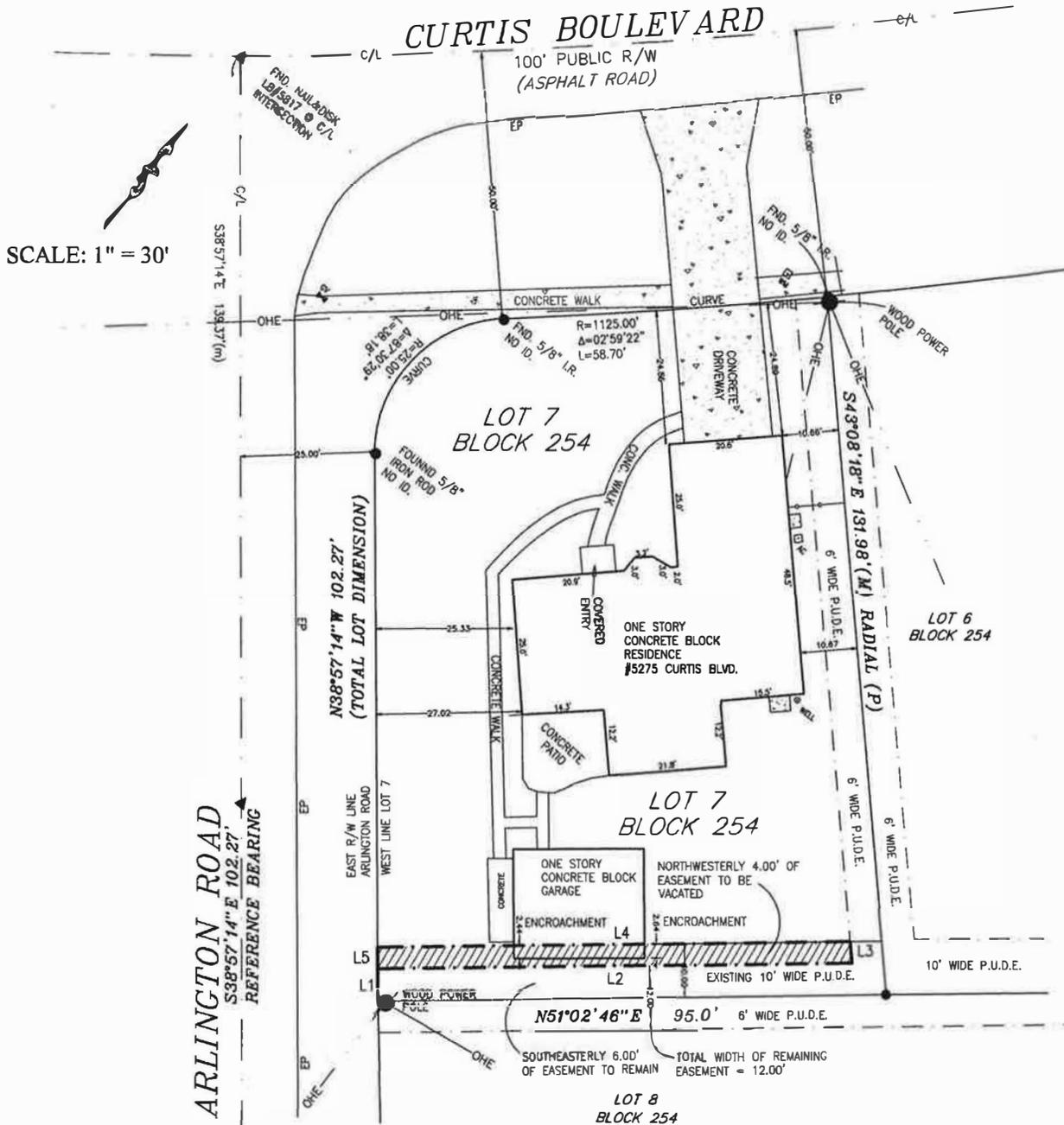
PARCEL ID#: 23-35-22-JY-254-7

PURPOSE: VACATE EASEMENT

SHEET 2 OF 3

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

FOR LEGEND SEE SHEET 3



SEE DETAIL ON SHEET 3 OF 3

SKETCH OF DESCRIPTION

SECTION 22, TOWNSHIP 23 SOUTH, RANGE 35 EAST
 PETITIONER'S PARCEL ID # 23-35-22-JY-254-7

SHEET 3 OF 3

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

LEGEND

 INDICATES VACATED PORTION OF EASEMENT

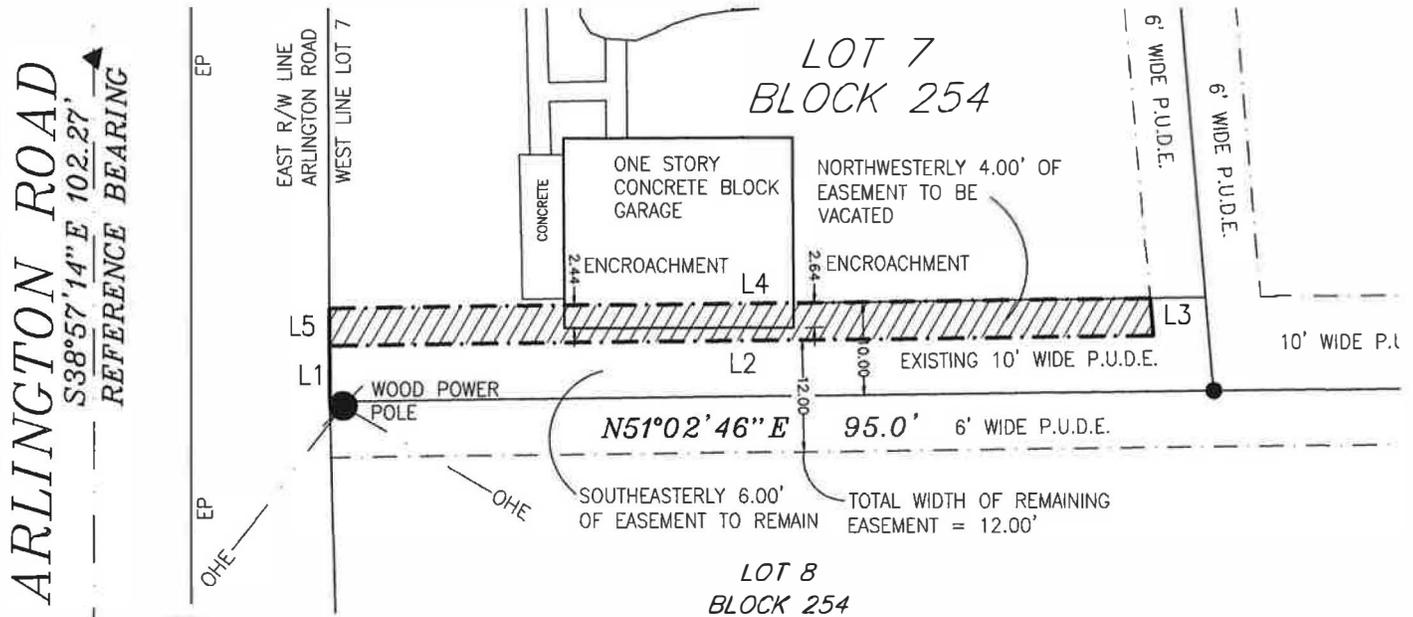
- C/L CENTER LINE
- Δ DELTA
- EP EDGE OF PAVEMENT
- GV GATE VAVLE
- L ARC LENGTH
- L/B LICENSED BUSINESS
- (M) MEASURED
- OHE OVERHEAD ELECTRIC
- (P) PLAT
- P.U.D.E. PUBLIC UTILITY & DRAINAGE EASEMENT
- R RADIUS
- R/W RIGHT OF WAY

LINE TABLE

L1	N38°57'14" W	6.00"
L2	N51°02'46" E	88.20"
L3	N43°08'18" W	4.01"
L4	S51°02'46" W	87.88"
L5	S38°57'14" E	4.00"



SCALE: 1" = 20'



DETAIL

PREPARED FOR:

BREVARD COUNTY BOARD OF
 COUNTY COMMISSIONERS

DRAWN BY: <u>DHR</u>	CHECKED BY: <u>JRC</u>	DRAWING NO. <u>2017-114</u>	SECTION <u>22</u>
DATE: <u>3/6/17</u>	SHEET <u>3</u> OF <u>3</u>	REVISIONS <u>04-03-2017</u>	TOWNSHIP <u>23</u> SOUTH
			RANGE <u>35</u> EAST



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:

04/21/17

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 21th 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: \$233.46
Ad No: 0002094002
Customer No: BRE-6BR327



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

AD# 2084002 Apr. 21, 2017
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "PORT ST. JOHN UNIT- SEVEN" IN SECTION 22, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, 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 KERRY STOVER 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 THE 10 FOOT WIDE PUBLIC DRAINAGE AND UTILITY EASEMENT THAT LIES WITHIN LOT 7 IN BLOCK 254 OF PORT ST JOHN UNIT SEVEN, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 23 AT PAGES 60 THROUGH 69 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THE SAME BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH-WESTERLY 4.0 FEET AS MEASURED AT RIGHT ANGLES OF THE SOUTHEASTERLY 10.0 FEET AS MEASURED AT RIGHT ANGLES OF SAID LOT 7, LESS AND EXCEPT THERE FROM THE NORTHEASTERLY 6.0 FEET AS MEASURED AT RIGHT ANGLES OF SAID LOT 7, CONTAINING 352.15 SQUARE FEET, MORE OR LESS, PREPARED BY: JOHN R. CAMPBELL, PSM

AD# 2084002 Apr. 21, 2017
LEGAL NOTICE
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BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

AD# 2144199 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF
A 10.0 FT. WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENT ON CURTIS BOU-
LEVARD, IN PORT ST. JOHN UNIT SEVEN
COCOA - KERRY STOVER

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
9th day of May, 2017, the Board of
County Commissioners of Brevard Coun-
ty, Florida, adopted a Resolution of par-
tial vacating of a 10.0 ft. wide public
utility and drainage easement on Curtis
Boulevard, in Port St. John Unit Seven,
Cocoa, as petitioned by Kerry Stover.
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# 2144199 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF
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Boulevard, in Port St. John Unit Seven,
Cocoa, as petitioned by Kerry Stover.
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: 0002144199
Customer No: BRE-6BR327



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





**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.: 0002144199
Pymt Method: Invoice
Net Amt: \$75.36

Run Times: 1

No. of Affidavits: 1

Run Dates: 05/18/17

Text of Ad:

AD# 2144199 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF
A 10.0 FT. WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENT ON CURTIS BOU-
LEVARD, IN PORT ST. JOHN UNIT SEVEN,
COCOA - KERRY STOVER

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Boulevard, in Port St. John Unit Seven,
Cocoa, as petitioned by Kerry Stover.
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 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON CURTIS BOULEVARD, IN PORT ST. JOHN UNIT SEVEN, COCOA – KERRY STOVER

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 10.0 ft. wide public utility and drainage easement on Curtis Boulevard, in Port St. John Unit Seven, Cocoa, as petitioned by Kerry Stover.

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 THE 10 FOOT WIDE PUBLIC DRAINAGE AND UTILITY EASEMENT THAT LIES WITHIN LOT 7 IN BLOCK 254 OF PORT ST JOHN UNIT SEVEN, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 23 AT PAGES 60 THROUGH 69 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THE SAME BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTHWESTERLY 4.0 FEET AS MEASURED AT RIGHT ANGLES OF THE SOUTHEASTERLY 10.0 FEET AS MEASURED AT RIGHT ANGLES OF SAID LOT 7, LESS AND EXCEPT THERE FROM THE NORTHEASTERLY 6.0 FEET AS MEASURED AT RIGHT ANGLES OF SAID LOT 7. CONTAINING 352.15 SQUARE FEET, MORE OR LESS. PREPARED BY: JOHN R. CAMPBELL, PSM