



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.1.

8/6/2024

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### Subject:

Petition to Vacate, Re: Public Utility & Drainage Easements - 466 Newfound Harbor Drive - "Revised Gateway Unit No. 2" Plat Book 19, Page 112 - Merritt Island - Shani Murphy and Todd P. O'Brien - 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 two public utility & drainage easements, lying within the plat "Revised Gateway Unit No. 2" in Section 31, Township 24 South, Range 37 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 8, Block E, and are requesting the vacating of a portion of two public utility & drainage easements to allow for the existing covered wood deck to remain and become compliant with Code Enforcement case #22CE-01195. The property is located in Merritt Island South of Highway 520 and West of S. Banana River Road.

On July 22, 2024, 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 and no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

### 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.

# Brevard County Property Appraiser Detail Sheet

Account 2439169

Owners O'BRIEN, SHANI MURPHY; O'BRIEN, TODD P

Mailing Address 466 NEWFOUND HARBOR DR MERRITT ISLAND FL 32952

Site Address 466 NEWFOUND HARBOR DR MERRITT ISLAND FL 32952

Parcel ID 24-37-31-53-E-8

Taxing District 2200 - UNINCORP DISTRICT 2

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Property Use 0110 - SINGLE FAMILY RESIDENCE

Total Acres 0.20

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0019/0112

Subdivision GATEWAY UNIT 2, REVISED

Land Description GATEWAY UNIT 2, REVISED LOT 8 BLK E

## **VALUE SUMMARY**

<b>Category</b>	<b>2023</b>	<b>2022</b>	<b>2021</b>
Market Value	\$242,640	\$256,000	\$186,330
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$101,060	\$98,120	\$95,270
Assessed Value School	\$101,060	\$98,120	\$95,270
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	\$51,060	\$48,120	\$45,270
Taxable Value School	\$76,060	\$73,120	\$70,270

## **SALES/TRANSFERS**

<b>Date</b>	<b>Price</b>	<b>Type</b>	<b>Parcel</b>	<b>Deed</b>
12/28/2005	\$257,000	WD	Improved	5586/2876
03/29/2005	--	QC	Improved	5447/1251
07/01/1997	--	QC	Improved	3691/2199

## Vicinity Map



Figure 1: Map of the parcel for the easement to be vacated at Lot 8, Block E, Revised Gateway Unit No. 2, Merritt Island, Florida, 32952.

Shani Murphy and Todd P. O'Brien – 466  
Newfound Harbor Drive – Merritt Island – Lot  
8, Block E, “Revised Gateway Unit No. 2” –  
Plat Book 19, Page 112 – Section 31,  
Township 24 South, Range 37 East – District 2  
– Proposed Vacating of a portion of two  
Public Utility & Drainage Easements

## Aerial Map



Figure 2: Aerial Map for easements to be vacated at Lot 8, Block E, Revised Gateway Unit No. 2, Merritt Island, Florida, 32952.

Shani Murphy and Todd P. O'Brien – 466  
Newfound Harbor Drive – Merritt Island – Lot  
8, Block E, “Revised Gateway Unit No. 2” –  
Plat Book 19, Page 112 – Section 31,  
Township 24 South, Range 37 East – District 2  
– Proposed Vacating of a portion of two  
Public Utility & Drainage Easements





## Petitioner's Sketch & Description Sheet 1 of 2


<b>LEGAL DESCRIPTION</b> SECTION 31, TOWNSHIP 24 SOUTH, RANGE 37 EAST PARCEL ID NUMBER 24-37-31-53-E-8 PURPOSE OF SURVEY: TO ABANDON THE 5' WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS ALONG THE EASTERLY LINE AND THE NORTHERLY LINE OF LOT 8 BLOCK E	<b>SHEET 1 OF 2</b> <b>NOT VALID WITHOUT</b> <b>SKETCH ON SHEET 2 OF 2</b>
 <b>LEGAL DESCRIPTION</b> <u>LEGAL DESCRIPTION:</u> THE 5 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS ALONG THE EASTERLY LINE AND THE NORTHERLY LINE OF LOT 8, BLOCK E, REVISED GATEWAY UNIT NO. 2, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 19, PAGE 112, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.  LESS AND EXCEPT THE WEST 5 FEET OF THE 5 FOOT WIDE PUBLIC UTILITY EASEMENT ALONG SAID NORTHERLY LINE.	
 <b>LEGEND:</b>  FNC= FENCE IRF= IRON ROD FOUND (M) = MEASURED (P) = PLAT PUE= PUBLIC UTILITY EASEMENT PUDE = PUBLIC UTILITY & DRAINAGE EASEMENT PC= POINT OF CURVATURE WD= WOOD FENCE OHW = OVERHEAD WIRE	
 <b>SURVEYORS NOTES:</b>  1. REFERENCE BEARING N21°39'48"E AS SHOWN ON WESTERLY LINE OF LOT 8, BLOCK E, AS PER PLAT 2. NOT A BOUNDARY SURVEY	
 <b>PREPARED FOR:</b> BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS	
 <b>PREPARE BY:</b> GAI SURVYIORS <b>ADDRESS:</b> 1 OLEANDER ST, COCOA, FL 32922 <b>PHONE:</b> 321 -806-3908	
<div style="display: flex; align-items: center; justify-content: center;"><div style="border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center; margin-right: 20px;"><small>ERIK K. GORDON CERTIFICATE I.S. 5363 STATE OF FLORIDA</small></div><div style="text-align: center;"> <b>SURVEYOR AND MAPPER PSM NO. 5363</b> <b>NOT VALID UNLESS SIGNED AND SEALED</b></div></div>	
<div style="display: flex; justify-content: space-between;"><div><b>DRAWN BY:</b> AEG      <b>CHECKED BY:</b> EKG</div><div><b>DRAWING NO.</b> 2642024      <b>SECTION</b> 31</div></div> <div style="display: flex; justify-content: space-between;"><div><b>DATE:</b> 07 JUN 24      <b>SHEET</b> 1 <b>OF</b> 1</div><div><b>REVISIONS:</b> _____</div></div> <div style="display: flex; justify-content: space-between;"><div></div><div><b>TOWNSHIP</b> 24 SOUTH</div><div><b>RANGE</b> 37 EAST</div></div>	

Figure 4: Legal Description. Sheet 1 of 2. Section 31, Township 24 South, Range 37 East. Parcel ID number: 24-37-31-53-E-8.

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

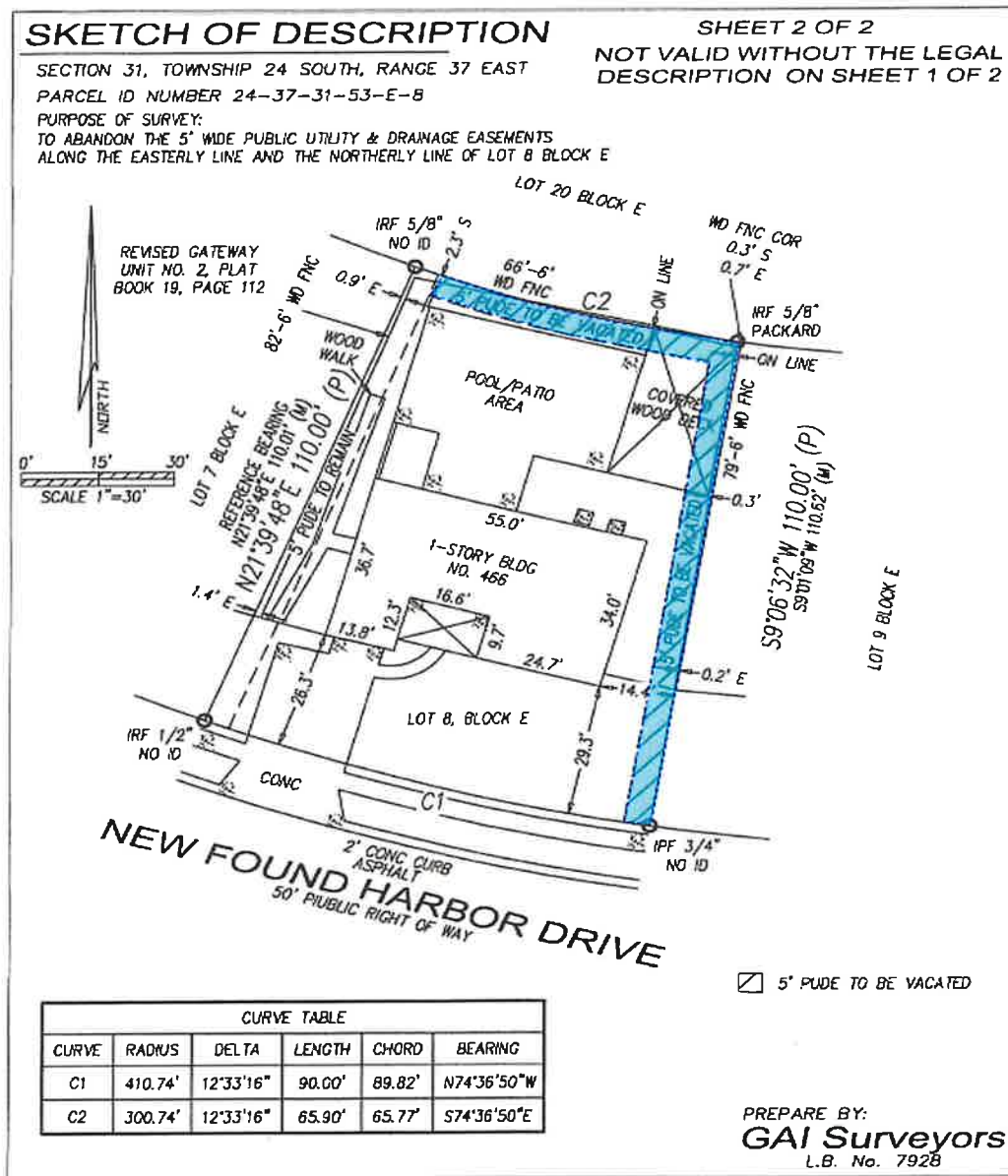


Figure 5: Sketch of description. Sheet 2 of 2. Section 31, Township 24 South, Range 37 East. Parcel ID number: 24-37-31-53-E-8.

The sketch illustrates a portion of two public utility and drainage easements on Lot 8, Block E, Revised Gateway Unit No. 2, 466 Newfound Harbor Drive, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – North 74°36'50" West 65.90 Feet; East boundary – South 09°06'32" West 110.00 Feet; South boundary – South 74°36'50" East 90.00 Feet; West boundary – North 21°39'48" East 110.00 Feet. Prepared by: Earl K. Gordon, LS 5363.

## Petitioner's Boundary Survey

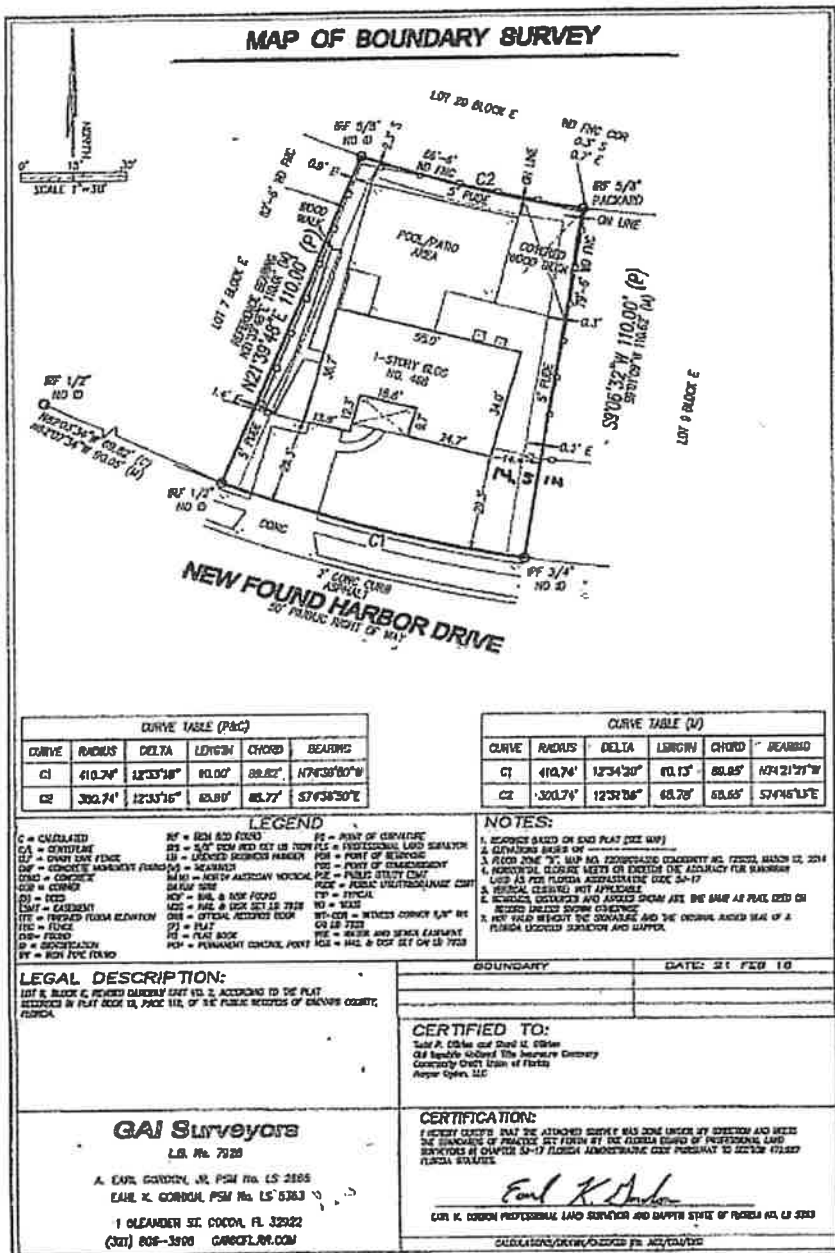


Figure 6: Boundary Survey. Section 31, Township 24 South, Range 37 East. Parcel ID number: 24-37-31-53-E-8.

The boundary survey illustrates the location of the home and improvements on Lot 8, Block E, Revised Gateway Unit No. 2, 466 Newfound Harbor Drive, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – North 74°36'50" West 65.90 Feet; East boundary – South 09°06'32" West 110.00 Feet; South boundary – South 74°36'50" East 90.00 Feet; West boundary – North 21°39'48" East 110.00 Feet. Prepared by: Earl K. Gordon, LS 5363.



## Comment Sheet

Applicant: O'Brien

Updated by: Amber Holley 20240715 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20240614	20240625	Yes	No objections
FL Power & Light	20240614	20240715	Yes	No response
At&t	20240614	20240703	Yes	No objections
Charter/Spectrum	20240614	20240618	Yes	No objections
City of Cocoa	20240614	20240617	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20240614	20240708	Yes	No objections
Land Planning	20240614	20240617	Yes	No objections
Utility Services	20240614	20240614	Yes	No objections
Storm Water	20240614	20240708	Yes	No objections
Zoning	20240614	20240617	Yes	No objections

## Public Hearing Legal Advertisement

Ad#10393213

7/22/2024

### LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO PUBLIC UTILITY & DRAINAGE EASEMENTS, PLAT OF "REVISED GATEWAY UNIT NO. 2" IN SECTION 31, TOWNSHIP 24 SOUTH, RANGE 37 EAST, MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by SHANI MURPHY AND TODD P. O'BRIEN with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 5 FOOT WIDE PUBLIC UTILITY AND DRAINAGES EASEMENTS ALONG THE EASTERLY LINE AND THE NORTHERLY LINE OF LOT 8, BLOCK E, REVISED GATEWAY UNIT NO. 2, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 19, PAGE 112, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 5 FEET OF THE 5 FOOT WIDE PUBLIC UTILITY EASEMENT ALONG SAID NORTHERLY LINE. PREPARED BY: EARL K. GORDON, PLS.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on August 6, 2024, 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.

Figure 7: Copy of public hearing advertisement as published on July 22, 2024. See the next page for full text.

## Legal Notice Text

### LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO PUBLIC UTILITY & DRAINAGE EASEMENTS, PLAT OF "REVISED GATEWAY UNIT NO. 2" IN SECTION 31, TOWNSHIP 24 SOUTH, RANGE 37 EAST, MERRITT ISLAND, FL

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## LEGAL NOTICE

RESOLUTION VACATING A PORTION OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS IN PLAT "REVISED GATEWAY UNIT NO.2", MERRITT ISLAND, LYING IN SECTION 31, TOWNSHIP 24 SOUTH, RANGE 37 EAST – SHANI MURPHY AND TODD P. O'BRIEN

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 6<sup>TH</sup> of August, 2024, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public utility and drainage easements in plat "Revised Gateway Unit No. 2", Merritt Island, lying in Section 31, Township 24 South, Range 37 East as petitioned by Shani Murphy and Todd P. O'Brien.

### LEGAL DESCRIPTION:

**THE 5 FOOT WIDE PUBLIC UTILITY AND DRAINAGES EASEMENTS ALONG THE EASTERLY LINE AND THE NORTHERLY LINE OF LOT 8, BLOCK E, REVISED GATEWAY UNIT NO. 2, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 19, PAGE 112, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 5 FEET OF THE 5 FOOT WIDE PUBLIC UTILITY EASEMENT ALONG SAID NORTHERLY LINE. PREPARED BY: EARL K. GORDON, PLS.**

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

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

### **Florida TODAY:**

Please advertise in the Aug. 15, 2024, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**



**Resolution 2024 - 071**

**Vacating a portion of two public utility and drainage easements in plat "Revised Gateway Unit No. 2",  
Merritt Island, Florida, lying in Section 31, Township 24 South, Range 37 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Shani Murphy and Todd P. O'Brien** with the Board of County Commissioners to vacate the public utility and drainage 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 and drainage easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility and drainage 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 6<sup>th</sup> day of August, 2024 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk

  
Jason Steele, Chair

As approved by the Board on:  
August 6, 2024

## LEGAL DESCRIPTION

SECTION 31, TOWNSHIP 24 SOUTH, RANGE 37 EAST

PARCEL ID NUMBER 24-37-31-53-E-8

PURPOSE OF SURVEY:

TO ABANDON THE 5' WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS  
ALONG THE EASTERLY LINE AND THE NORTHERLY LINE OF LOT 8 BLOCK E

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

## LEGAL DESCRIPTION

### LEGAL DESCRIPTION:

THE 5 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS  
ALONG THE EASTERLY LINE AND THE NORTHERLY LINE OF LOT 8,  
BLOCK E, REVISED GATEWAY UNIT NO. 2, ACCORDING TO THE PLAT  
RECORDED IN PLAT BOOK 19, PAGE 112, OF THE PUBLIC RECORDS  
OF BREVARD COUNTY, FLORIDA.

LESS AND EXCEPT THE WEST 5 FEET OF THE 5 FOOT WIDE PUBLIC  
UTILITY EASEMENT ALONG SAID NORTHERLY LINE.

### LEGEND:

FNC= FENCT  
IRF= IRON ROD FOUND  
(M) = MEASURED  
(P) = PLAT  
PUE= PUBLIC UTILITY EASEMENT  
PUDE = PUBLIC UTILITY & DRAINAGE EASEMENT  
PC= POINT OF CURVATURE  
WD= WOOD FENCE  
OHW = OVERHEAD WIRE

### SURVEYORS NOTES:

1. REFERENCE BEARING N21°39'48"E AS SHOWN ON WESTERLY LINE OF LOT 8, BLOCK E, AS PER PLAT
2. NOT A BOUNDARY SURVEY

PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY: GAI SURYIYORS

ADDRESS: 1 OLEANDER ST, COCOA, FL 32922

PHONE: 321 -806-3908



SURVEYOR AND MAPPER PSM NO. 5363  
NOT VALID UNLESS SIGNED AND SEALED

DRAWN BY: AEG

CHECKED BY: EKG

DRAWING NO. 2642024

SECTION 31

DATE: 07 JUN 24

SHEET 1 OF 1

REVISIONS

TOWNSHIP 24 SOUTH  
RANGE 37 EAST

# SKETCH OF DESCRIPTION

SHEET 2 OF 2

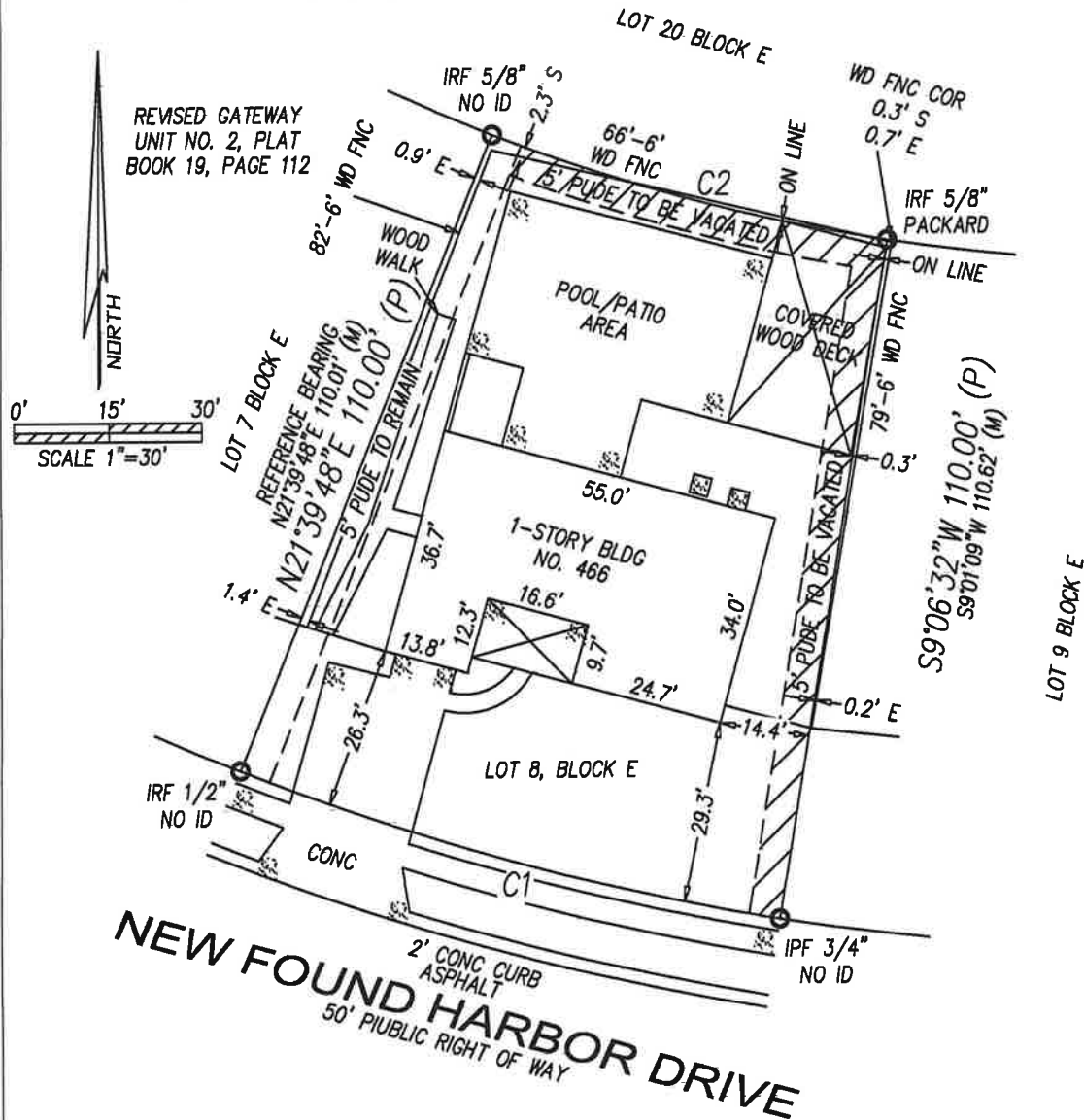
NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2

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PARCEL ID NUMBER 24-37-31-53-E-8

PURPOSE OF SURVEY:

TO ABANDON THE 5' WIDE PUBLIC UTILITY & DRAINAGE EASEMENTS  
ALONG THE EASTERLY LINE AND THE NORTHERLY LINE OF LOT 8 BLOCK E



5' PUDE TO BE VACATED

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	410.74'	12°33'16"	90.00'	89.82'	N74°36'50"W
C2	300.74'	12°33'16"	65.90'	65.77'	S74°36'50"E

PREPARE BY:  
**GAI Surveyors**  
L.B. No. 7928



Florida  
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

# **AFFIDAVIT OF PUBLICATION**

Amber Holly  
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 Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

07/22/2024

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 07/22/2024

Legal Clerk

Notary, State of WI, County of Brown

5.15.27

My commission expires

Publication Cost:	\$235.10	
Tax Amount:	\$0.00	
Payment Cost:	\$235.10	
Order No:	10393213	# of Copies:
Customer No:	1127286	1
PO #:	4500092228-10	

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

Ad#10393213

7/22/2024

## **LEGAL NOTICE**

NOTICE FOR THE VACATING OF A PORTION OF TWO PUBLIC UTILITY & DRAINAGE EASEMENTS, PLAT OF "REVISED GATEWAY UNIT NO. 2" IN SECTION 31, TOWNSHIP 24 SOUTH, RANGE 37 EAST, MERRITT ISLAND, FL

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Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

**AFFIDAVIT OF PUBLICATION**

Amber Holley  
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:

08/15/2024

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 08/15/2024

Legal Clerk

*[Signature]*  
Notary, State of WI, County of Brown  
5.15.27

My commission expires

Publication Cost: \$168.50  
Tax Amount: \$0.00  
Payment Cost: \$168.50  
Order No: 10473793  
Customer No: 1127286  
PO #:

# of Copies:  
1

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

Ad#10473793

8/15/2024

**LEGAL NOTICE**  
RESOLUTION VACATING A  
PORTION OF TWO PUBLIC UTIL-  
ITY AND DRAINAGE EASE-  
MENTS IN PLAT "REVISED  
GATEWAY UNIT NO. 2",  
MERRITT ISLAND, LYING IN  
SECTION 31, TOWNSHIP 24  
SOUTH, RANGE 37 EAST - SHANI  
MURPHY AND TODD P. O'BRIEN  
TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 6TH of August, 2024, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public utility and drainage easements in plat "Revised Gateway Unit No. 2", Merritt Island, lying in Section 31, Township 24 South, Range 37 East as petitioned by Shani Murphy and Todd P. O'Brien.

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LINE AND THE NORTHERLY  
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REVISED GATEWAY UNIT NO. 2,  
ACCORDING TO THE PLAT  
RECORDED IN PLAT BOOK 19,  
PAGE 112, OF THE PUBLIC  
RECORDS OF BREVARD  
COUNTY, FLORIDA. LESS AND  
EXCEPT THE WEST 5 FEET OF  
THE 5 FOOT WIDE PUBLIC UTIL-  
ITY EASEMENT ALONG SAID  
NORTHERLY LINE. PREPARED  
BY: EARL K. GORDON, PLS.  
The Board further renounced and  
disclaimed any right of the County  
in and to said public easements.  
BY ORDER OF THE BOARD OF  
COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell, Clerk to the  
Board

Public Works

AUG 19 2024

Received

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

THE 5 FOOT WIDE PUBLIC UTILITY AND DRAINAGES EASEMENTS ALONG THE EASTERLY LINE AND THE NORTHERLY LINE OF LOT 8, BLOCK E, REVISED GATEWAY UNIT NO. 2, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 19, PAGE 112, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 5 FEET OF THE 5 FOOT WIDE PUBLIC UTILITY EASEMENT ALONG SAID NORTHERLY LINE. PREPARED BY: EARL K. GORDON, PLS.

## Samantha McDaniel

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**From:** Holley, Amber <Amber.Holley@brevardfl.gov>  
**Sent:** Monday, August 12, 2024 10:25 AM  
**To:** Samantha McDaniel  
**Subject:** [EXTERNAL EMAIL]RE: Vacating - Murphy/O'Brien  
**Attachments:** Legal Description-O'Brien.docx

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments, clicking links or responding to unknown senders.

My apologies, I did not. I have attached the legal description from the approval on the 8/6 meeting.

Owner information:

- H.1. Shani Murphy O'Brien and Todd P. O'Brien, 466 Newfound Harbor Dr., Merritt Island, FL, 32952.

Sincerely,  
Amber Holley  
Public Works/ Survey Dept.  
321-350-8346

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**From:** Samantha McDaniel <Samantha.McDaniel@brevardclerk.us>  
**Sent:** Monday, August 12, 2024 10:17 AM  
**To:** Holley, Amber <Amber.Holley@brevardfl.gov>  
**Subject:** Vacating - Murphy/O'Brien

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi,  
I have not received the survey description for the Vacating on 8/6 yet. Did you send it? I have been out so I am checking.

Thanks,

*Sam*

Samantha McDaniel, Recording Secretary  
Clerk to the Board of County Commissioners  
Brevard County Clerk of Court  
321-637-2001  
Ext 49129



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

August 29, 2024

Shani and Todd O'Brien  
466 Newfound Harbor Drive  
Merritt Island, FL 32952

Dear Sir/Madam:

Re: Resolution Vacating a Portion of Two Public Utility and Drainage Easements in Plat  
"Revised Gateway Unit No. 2", Merritt Island

The Board of County Commissioners, in regular session on August 6, 2024, adopted Resolution No. 24-071, vacating a portion of two public utility and drainage easements in Plat "Revised Gateway Unit No. 2", Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 10144, Pages 1428 through 1432. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, appearing to read "Kimberly Powell", is written over the typed name.

Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works





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August 29, 2024

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

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

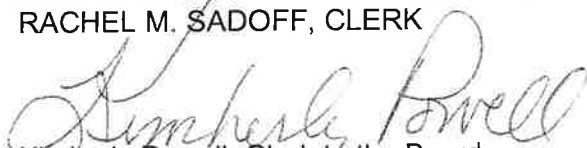
**RE:** Advertising Bills for Resolution Vacating a Portion of Two Public Utility and Drainage Easements in Plat "Revised Gateway Unit No. 2", Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 2024-071, vacating a portion of two public utility easements in Plat "Revised Gateway Unit No. 2", Merritt Island, as petitioned by Shani Murphy and Todd P. O'Brien. Said Resolution was adopted by the Board of County Commissioners, in regular session on August 6, 2024.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/sm

Encls. (2)