



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.2.

7/7/2020

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### Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement - XXX Brush Lane - "Laura Lee Estates" Plat Book 24, Page 154 - Cocoa - Terri Mallard Hart - 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 part of two public utility and drainage easements along the common lines of Lots 13 and 14, "Laura Lee Estates" in Section 25, Township 24 South, Range 35 East. If approved, it is requested that the Board authorize the Chairman 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lots 13 and 14 and is requesting the vacating of the 10.00 ft. wide public utility and drainage easements along the common line of lots 13 and 14 to allow for the construction of a single-family home. Easement to be vacated contains 2,200 square feet, more or less. The property is located in Cocoa North of W. King Street and East of Interstate I-95.

June 22, 2020, 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: 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.



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

July 23, 2020

**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 Two Public Utility and Drainage Easements in "Laura Lee Estates" Subdivision, Cocoa, Lying in Section 25, Township 24 South, Range 35 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 20-072, vacating two public utility and drainage Easements in "Laura Lee Estates" Subdivision, Cocoa, lying in Section 25, Township 24 South, Range 35 East as petitioned by Terri Mallard Hart. Said Resolution was adopted by the Board of County Commissioners, in regular session on July 7, 2020.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Kimberly Powell, Deputy Clerk

/sm

Encls. (2)



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

July 23, 2020

Terri Mallard Hart  
4108 Fishermans Place  
Cocoa, FL 32926

Dear Ms. Hart:


Re: Resolution Vacating Two Public Utility and Drainage Easements in "Laura Lee Estates" Subdivision, Cocoa, Lying in Section 25, Township 24 South, Range 35 East

The Board of County Commissioners, in regular session on July 7, 2020, adopted Resolution No. 20-072, vacating two public utility and drainage easements in "Laura Lee Estates" Subdivision, Cocoa, lying in Section 25, Township 24 South, Range 35 East as petitioned by you. Said Resolution has been recorded in ORBK 8800, Pages 1158 through 1162. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

  
Kimberly Powell, Deputy Clerk

/sm

Encl. (1)

cc: Amber Holley, Public Works

Resolution 2020 - 072

**Vacating two public utility and drainage easements in "Laura Lee Estates" Subdivision, Cocoa, Florida,  
lying in Section 25, Township 24 South, Range 35 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **TERRI MALLARD HART** with the Board of County Commissioners to vacate 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 two 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 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 07<sup>th</sup> day of July, 2020 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

SCOTT ELLIS, CLERK

  
Bryan Lober, Chair

As approved by the Board on:  
July 07, 2020

# LEGAL DESCRIPTION

SHEET 1 OF 2

EXHIBIT "A"

SECTION 25, TOWNSHIP 24 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: 24-35-25-\*13

PARCEL ID NUMBER: 24-35-25-\*14

PURPOSE OF SURVEY: VACATE 10.00 FOOT PUBLIC UTILITIES AND DRAINAGE EASEMENTS ALONG COMMON PROPERTY LINE BETWEEN LOTS 13 AND 14

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION (BY SURVEYOR):

THAT PORTION OF 10.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT AS ESTABLISHED BY THE PLAT OF "LAURA LEE ESTATES" PER PLAT BOOK 24, PAGE 154, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 5.00 FEET OF LOT 13 AND THE NORTH 5.00 FEET OF LOT 14, OF SAID PLAT OF LAURA LEE ESTATES, LESS AND EXCEPT THE WEST 5.00 FEET OF THE SOUTH 5.00 FEET OF SAID LOT 13 AND LESS AND EXCEPT THE WEST 5.00 FEET OF THE NORTH 5.00 FEET OF SAID LOT 14, CONTAINING 0.051 ACRES OR 2200.00 SQUARE FEET, MORE OR LESS.

1. THIS NOT A BOUNDARY SURVEY.
2. FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP 12009C0425G, MARCH 17, 2014.
3. FENCE OWNERSHIP UNKNOWN.
4. SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD.
5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
6. SURVEY DOES NOT WARRANT TITLE.
7. UNDERGROUND FOUNDATIONS AND/OR UTILITIES NOT LOCATED AT TIME OF SURVEY.
8. BEARINGS DEPICTED HEREON ARE PLAT BEARINGS AND ARE BASED ON THE CENTERLINE OF BRUSH LANE HAVING A BEARING OF N00°05'55"W.
9. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT (S) SHOWN HEREON; COPIES ARE VALID ONLY WHEN SIGNED, DATED AND SEALED WITH THE SURVEYOR'S SEAL.

PREPARED FOR AND CERTIFIED TO:  
TERRI M. HART &  
COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA

  
5/18/20  
DAVID J. KUGELMANN, PLS. NO. 5117  
NOT VALID UNLESS SIGNED AND SEALED

## KUGELMANN LAND SURVEYING, INC.

30 NORTH TROPICAL TRAIL, SUITE B  
MERRITT ISLAND, FLORIDA 32953  
L.B. NO. 6575 - PHONE (321) 459-0930

DRAWN BY: DJK

DATE: 5/05/20

CHECKED BY: DJK

SHEET 1 OF 2

DRAWING NO.

2016061VACATE.DGN

REVISIONS

SECTION 25

TOWNSHIP 24 SOUTH

RANGE 35 EAST

PREPARED BY: DAVID J. KUGELMANN, PLS



Amber Holley  
BREVARD CTY PUBLIC WORKS DEPT  
2725 JUDGE FRAN JAMIESON WAY  
BLDG A 220  
VIERA, FL 32940

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared Joe Heynen 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

**Notice Public Hearing**

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

6/22/2020

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 corporation 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 22nd of June 2020, by Joe Heynen who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost \$213.90  
Ad No: 0004243017  
Customer No: BRE-6BR327

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

AdR4243017 06/22/2020  
LEGAL NOTICE  
NOTICE FOR THE PARTIAL VACATING OF  
TWO 5.0 FT. WIDE PUBLIC UTILITY EASE-  
MENTS, PLAT OF "LAURA LEE ESTATES"  
IN SECTION 25, TOWNSHIP 24 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, Bre-  
vard County Code, a petition has been  
filed by TERRI MALLARD HART with the  
Board of County Commissioners of Bre-  
vard County, Florida, to request vacating  
the following described property, to wit:

THAT PORTION OF 10.00-FOOT-WIDE  
PUBLIC UTILITIES AND DRAINAGE EASE-  
MENT AS ESTABLISHED BY THE PLAT OF  
"LAURA LEE ESTATES" PER PLAT BOOK  
24, PAGE 154, OF THE PUBLIC RECORDS  
OF BREVARD COUNTY, FLORIDA, BEING  
MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:  
THE SOUTH 5.00 FEET OF LOT 13 AND  
THE NORTH 5.00 FEET OF LOT 14, OF  
SAID PLAT OF LAURA LEE ESTATES, LESS  
AND EXCEPT THE WEST 5.00 FEET OF THE  
SOUTH 5.00 FEET OF SAID LOT 13 AND  
LESS AND EXCEPT THE WEST 5.00 FEET  
OF THE NORTH 5.00 FEET OF SAID LOT  
14, CONTAINING 0.051 ACRES OR  
2200.00 SQUARE FEET, MORE OR LESS,  
PREPARED BY: DAVID J. KUGELMANN,  
PSM.

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 July 07, 2020 at the Brevard County  
Government Center Board Room, Build-  
ing 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 desires 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 pur-  
pose, he or she may need to ensure that  
a verbatim record of the proceedings is  
made, which record includes the testi-  
mony and evidence upon which the ap-  
peal 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 im-  
paired persons shall be met if the de-  
partment sponsoring the  
meeting/hearing is contacted at least 48  
hours prior to the public  
meeting/hearing by any person wishing  
assistance.



Amber Holley  
BREVARD CTY PUBLIC WORKS DEPT  
2725 JUDGE FRAN JAMIESON WAY  
BLDG A 220  
VIERA, FL 32940

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared Joe Heynen 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:

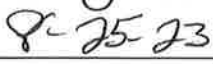
7/14/2020

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 corporation 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 14th of July 2020, by Joe Heynen who is personally known to me

\_\_\_\_\_  
Affiant

  
\_\_\_\_\_  
Notary State of Wisconsin County of Brown

  
\_\_\_\_\_  
My commission expires

Publication Cost \$155.22  
Ad No:0004277855  
Customer No: BRE-6BR327

SHELLY HORA  
Notary Public  
State of Wisconsin

AD #A277855 7/14/2020  
LEGAL NOTICE

RESOLUTION VACATING TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS IN "LAURA LEE ESTATES" SUBDIVISION, COCOA, LYING IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 35 EAST - TERRI MALLARD HART

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 7th day of July 2020, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating two public utility and drainage easements in "Laura Lee Estates" Subdivision, Cocoa, lying in Section 25, Township 24 South, Range 35 East, as petitioned by Terri Mallard Hart.

THAT PORTION OF 10.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT AS ESTABLISHED BY THE PLAT OF "LAURA LEE ESTATES" PER PLAT BOOK 24, PAGE 154, OF THE PUBLIC RECORDS OF BREVARD COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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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  
SCOTT ELLIS, CLERK  
BY: Kimberly Powell, Deputy Clerk



LEGAL NOTICE

RESOLUTION VACATING TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS IN  
"LAURA LEE ESTATES" SUBDIVISION, COCOA, LYING IN SECTION 25, TOWNSHIP 24  
SOUTH, RANGE 35 EAST – TERRI MALLARD HART

TO WHOM IT MAY CONCERN:

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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  
SCOTT ELLIS, CLERK  
BY: Kimberly Powell, Deputy Clerk

**Florida TODAY:**

Please advertise in the July 14, 2020, 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.**

## Brevard County Property Appraiser Detail Sheet

Account 2407768 & 2407769  
 Owners Hart, Terri Mallard  
 Mailing Address 4108 Fishermans Pl Cocoa FL 32926  
 Site Address Not Assigned  
 Parcel ID 24-35-25-25-\*13 & 24-35-25-25-\*14  
 Property Use 0010 - Vacant Residential Land (Single Family, Platted)  
 Exemptions None  
 Taxing District 2300 - Unincorp District 2  
 Total Acres 0.59 & 0.61  
 Subdivision Laura Lee Estates  
 Site Code 0001 - No Other Code Appl.  
 Plat Book/Page 0024/0154  
 Land Description Laura Lee Estates Lot 13 & Lot 14

### VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$30,000	\$30,000	\$30,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$30,000	\$30,000	\$30,000
Assessed Value School	\$30,000	\$30,000	\$30,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$30,000	\$30,000	\$30,000
Taxable Value School	\$30,000	\$30,000	\$30,000

### SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/29/2008	--	WD	Improved	5860/5020
08/30/1993	\$80,000	WD	Improved	3315/4031
11/02/1987	\$7,500	WD	--	2867/1361
10/01/1968	\$800	--	--	1051/0593

Fig. 1: Copy of Property Appraiser's detail sheet for lots 13, 14, Laura Lee Estates, XXX Brush Lane, Cocoa, FL 32926, Section 25, Township 24 South, Range 35 East, District 2

## Vicinity Map

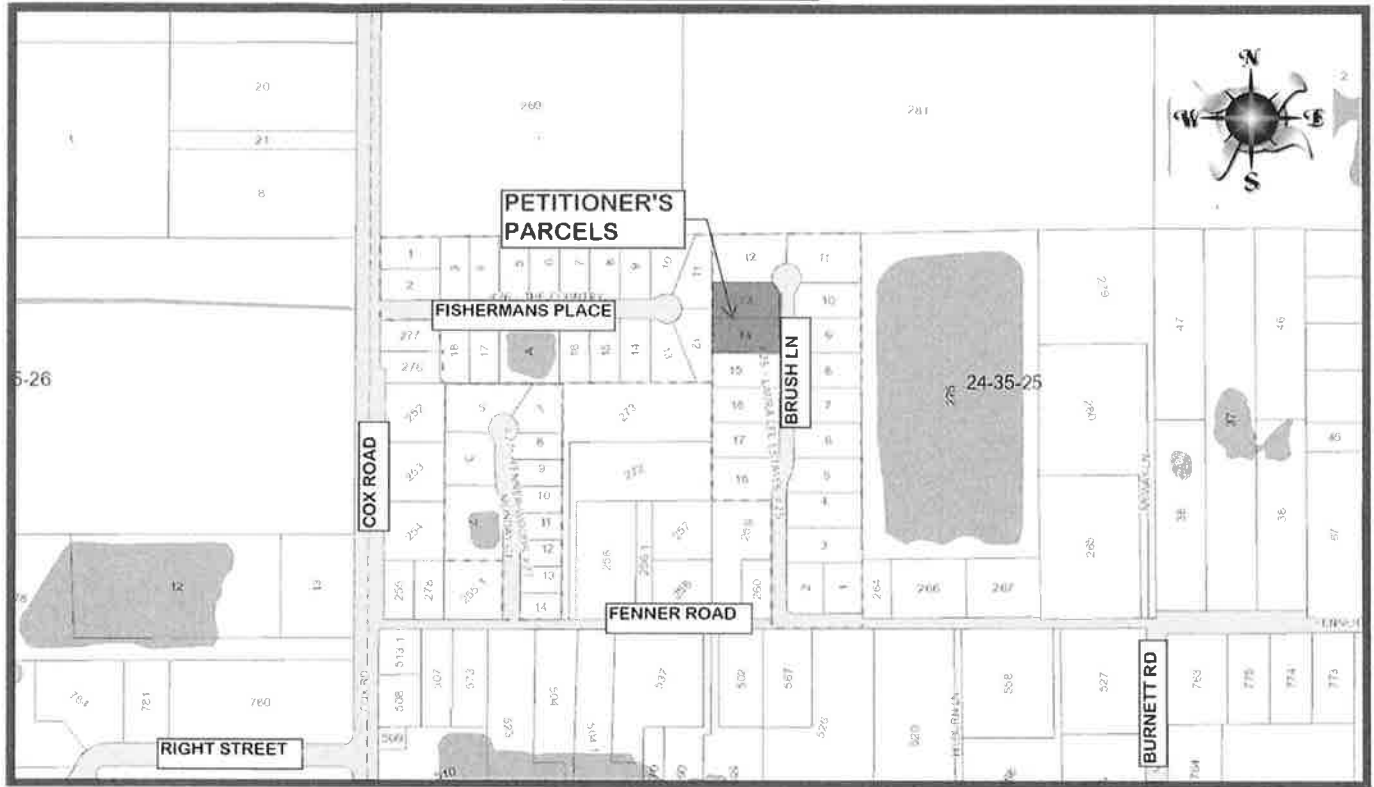


Fig. 2: Map of Lots 13 & 14, Laura Lee Estates, Brush Lane, Cocoa, FL 32926

Terri Mallard Hart – Lots 13 & 14, “Laura Lee Estates” (Plat Book 24, Page 154) – XXX Brush Lane – Section 25, Township 24 South, Range 35 East – District 2 – Proposed Vacating of two 5.0 ft. Wide Public Utility & Drainage Easements along the common lines of Lots 13 & 14.

## Aerial Map

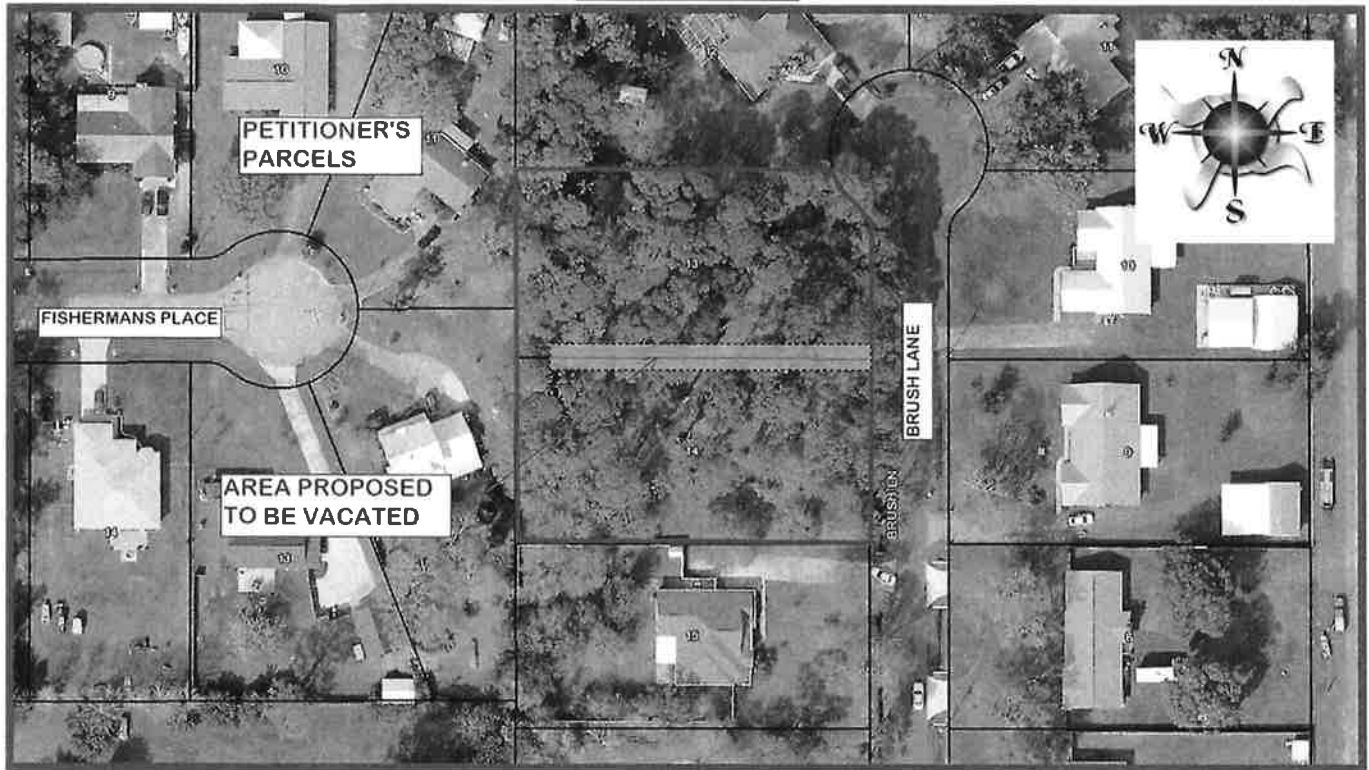


Fig. 3: Map of aerial view of Lots 13 & 14, Laura Lee Estates, Brush Lane, Cocoa, FL 32926

**Terri Mallard Hart – Lots 13 & 14, “Laura Lee Estates”  
(Plat Book 24, Page 154) – XXX Brush Lane – Section  
25, Township 24 South, Range 35 East – District 2 –  
Proposed Vacating of two 5.0 ft. Wide Public Utility &  
Drainage Easements along the common lines of Lots  
13 & 14.**

### Plat Reference

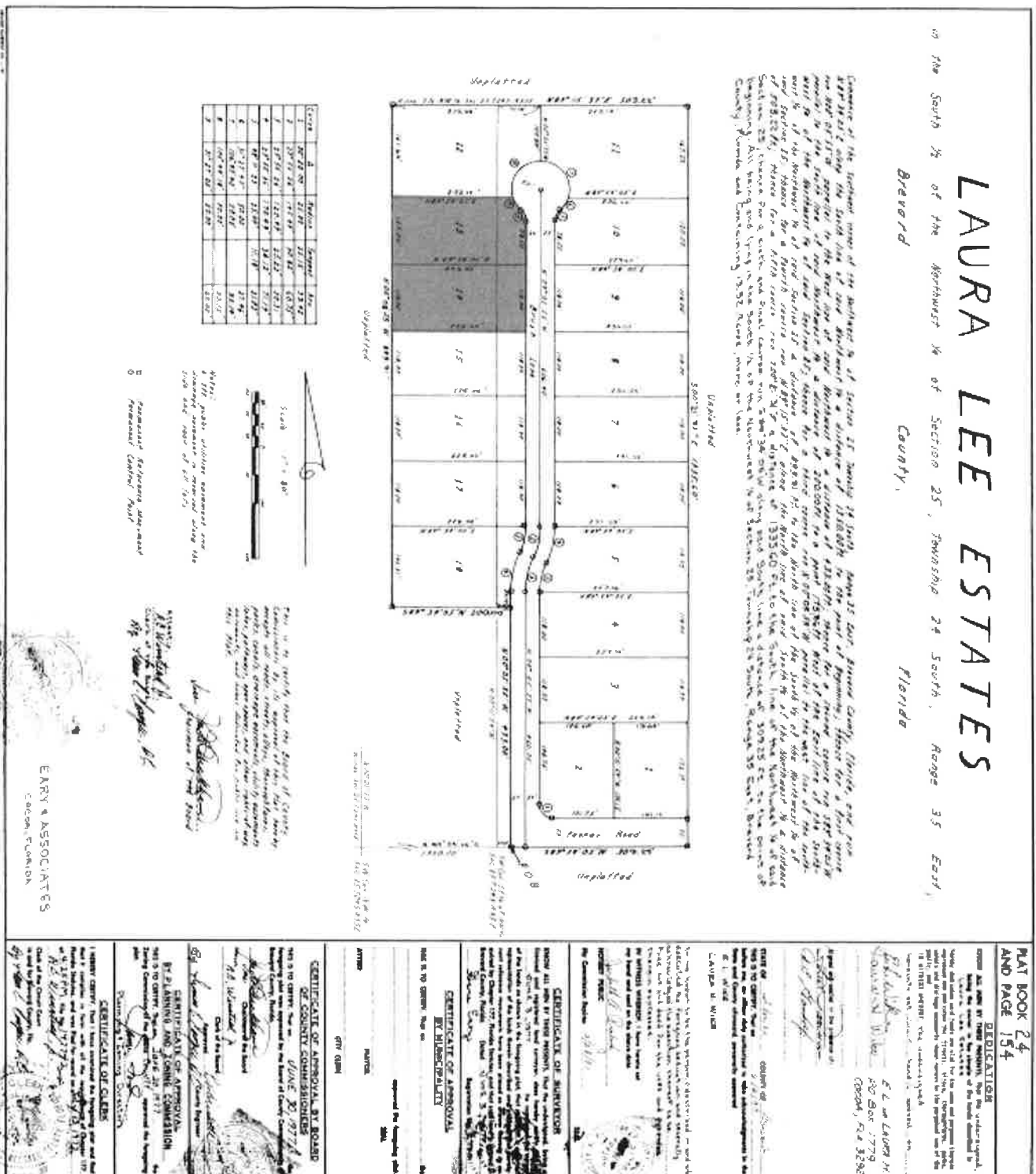


Fig. 4: Copy of plat map "Laura Lee Estates" dedicated to Brevard County July 13, 1977

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

### LEGAL DESCRIPTION

SECTION 25, TOWNSHIP 24 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: 24-35-25-13

PARCEL ID NUMBER: 24-35-25-14

PURPOSE OF SURVEY: VACATE 10.00 FOOT PUBLIC UTILITIES AND DRAINAGE EASEMENTS ALONG COMMON PROPERTY LINE BETWEEN LOTS 13 AND 14

SHEET 1 OF 2

EXHIBIT "A"

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

### LEGAL DESCRIPTION (BY SURVEYOR):

THAT PORTION OF 10.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT AS ESTABLISHED BY THE PLAT OF "LAURA LEE ESTATES" PER PLAT BOOK 24, PAGE 154, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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1. THIS NOT A BOUNDARY SURVEY.
2. FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP 12009C0425G, MARCH 17, 2014.
3. FENCE OWNERSHIP UNKNOWN.
4. SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD.
5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
6. SURVEY DOES NOT WARRANT TITLE.
7. UNDERGROUND FOUNDATIONS AND/OR UTILITIES NOT LOCATED AT TIME OF SURVEY.
8. BEARINGS DEPICTED HEREON ARE PLAT BEARINGS AND ARE BASED ON THE CENTERLINE OF BRUSH LANE HAVING A BEARING OF N00°05'55"W.
9. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT(S) SHOWN HEREON; COPIES ARE VALID ONLY WHEN SIGNED, DATED AND SEALED WITH THE SURVEYOR'S SEAL.

PREPARED FOR AND CERTIFIED TO:  
TERRI M. HART &  
COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA

  
DAVID J. KUGELMANN, P.L.S. NO. 5117  
NOT VALID UNLESS SIGNED AND SEALED

### KUGELMANN LAND SURVEYING, INC.

30 NORTH TROPICAL TRAIL, SUITE B  
MERRITT ISLAND, FLORIDA 32953  
L.B. NO. 6575 - PHONE (321) 459-0930

DRAWN BY: DJK

CHECKED BY: DJK

DRAWING NO.  
2016061VACATE.DGN

SECTION 25  
TOWNSHIP 24 SOUTH  
RANGE 35 EAST

DATE: 5/05/20

SHEET 1 OF 2

REVISIONS

Fig. 5: Sheet 1 of 2. Legal description for 6.00-foot easement on lot 21, Block 19, Port St. John Unit Two.

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

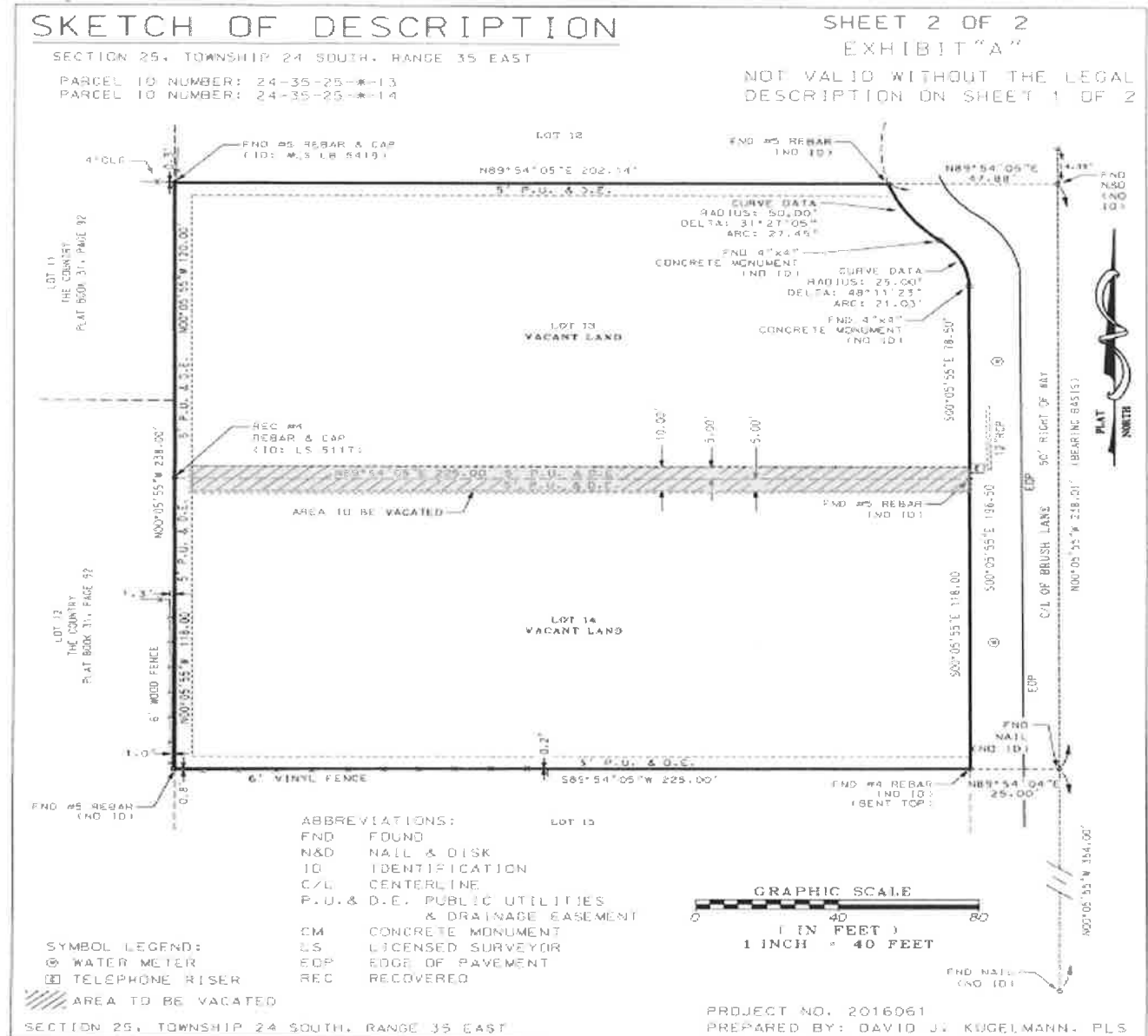


Fig. 6: Sketch and Description. Situated in Section 25, Township 24 South, Range 35 East, Parent Parcel: #24-35-25-25-13 & 14. Sketch illustrates 2 lots (13 and 14) that reside on Brush Lane, Cocoa, Florida. Lot 13 is on the North side while Lot 14 is on the South side. A 5-foot public utility easement lies along the southerly line of lot 13. Lots 13 and 14 are vacant. The coordinates of the area depicted is as follows moving North to East clockwise. North boundary – North  $89^{\circ}54'05''$  East 202.14'; East boundary South  $00^{\circ}05'55''$  East 196.50', South boundary – South  $89^{\circ}54'05''$  West 225.00'. Sheet 2 of 2. Not valid without sheet 1 of 2. Prepared by: David J. Kugelmann, PLS. Project NO: 2016061.

## Comment Sheet

Applicant: Terri Hart

Updated by: Amber Holley 20200616 at 10:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20200519	20200527	Yes	No objections
FL Power & Light	20200519	20200519	Yes	No objections
At&t	20200519	20200527	Yes	No objections
Charter/Spectrum	20200519	20200521	Yes	No objections
City of Cocoa	20200519	20200526	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20200519	20200615	Yes	No objections
Land Planning	20200519	20200520	Yes	No objections
Utility Services	20200519	20200519	Yes	No objections
Storm Water	20200519	20200610	Yes	No objections
Zoning	20200519	20200520	Yes	No objections

Fig. 7: Copy of comment sheet for utility review.



## Public Hearing Legal Advertisement

Ad#4243017

06/22/2020

### **LEGAL NOTICE**

**NOTICE FOR THE PARTIAL VACATING OF  
TWO 5.0 FT. WIDE PUBLIC UTILITY EASE-  
MENTS, PLAT OF "LAURA LEE ESTATES"  
IN SECTION 25, TOWNSHIP 24 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 TERRI MALLARD HART with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**THAT PORTION OF 10.00-FOOT-WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT AS ESTABLISHED BY THE PLAT OF "LAURA LEE ESTATES" PER PLAT BOOK 24, PAGE 154, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**THE SOUTH 5.00 FEET OF LOT 13 AND THE NORTH 5.00 FEET OF LOT 14, OF SAID PLAT OF LAURA LEE ESTATES, LESS AND EXCEPT THE WEST 5.00 FEET OF THE SOUTH 5.00 FEET OF SAID LOT 13 AND LESS AND EXCEPT THE WEST 5.00 FEET OF THE NORTH 5.00 FEET OF SAID LOT 14. CONTAINING 0.051 ACRES OR 2200.00 SQUARE FEET, MORE OR LESS. PREPARED BY: DAVID J. KUGELMANN, PSM.**

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 July 07, 2020 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.

Fig. 8: Copy of public hearing advertisement as published on June 22, 2020 see next page for full text.

## Legal Notice Text

### LEGAL NOTICE

#### LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 5.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "LAURA LEE ESTATES" IN SECTION 25, TOWNSHIP 24 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 TERRI MALLARD HART with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF 10.00-FOOT-WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT AS ESTABLISHED BY THE PLAT OF "LAURA LEE ESTATES" PER PLAT BOOK 24, PAGE 154, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

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LEGAL DESCRIPTION TO VACATE PUBLIC UTILITIES AND DRAINAGE EASEMENT

THAT PORTION OF 10.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENT AS ESTABLISHED BY THE PLAT OF "LAURA LEE ESTATES" PER PLAT BOOK 24, PAGE 154, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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