



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.A

Meeting Date
October 24, 2017

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate Re: Moody Terrace - 20.0 ft. Wide Public Right-of-Way – S.F. Gray's Subdivision - Mims – Shirley G. White – District 1 (Fiscal impact: \$640.00 Vacating Application Fee Paid by Petitioner
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider the vacating of Moody Terrace, an unopened, 20.0 ft. wide public right-of-way in "S. F. Gray's Subdivision", Mims, Florida. If approved, it is requested that the Board authorize the Chairman to: a) sign the attached Resolution approving the vacating; b) accept the conveyance of the additional right-of-way from the Petitioner for the right-of-way of Myrtle Avenue; c) refund the fee to the Petitioner for the Ownership and Encumbrance Report for the additional right-of-way; d) sign the Partial Release of Mortgage and e) authorize Health and Human Resources Dept. to update all pertinent documents relating to the mortgage.

Summary Explanation & Background:

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

The Petitioner as owner of Tax Parcel T-02 which adjoins the north right-of-way line of Moody Terrace is requesting the vacating to remove her previously owned residence on Tax Parcel T-01 which abuts Moody Terrace, a carport and a dog pen as encroachments into the right-of-way and allow for the post-construction permitting of a fence installed to provide increased security, prevent illegal dumping and improved general maintenance. As part of the vacating, the Petitioner agrees to convey the west 20.0 ft. of her residential parcel T-01 to the County for the additionally right-of-way of Myrtle Avenue. The additional right-of-way parcel contains approximately 1,260 square feet and the area of right-of-way to be vacated is 5,784 square feet, more or less.

September 25, 2017, 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 at this time, no objections have been received. The Board has previously adopted three petitions for the vacating of rights-of-way within this plat. The subject parcel is located in Mims as follows: Begin at the intersection of U. S. Highway No. 1 and Wiley Avenue; thence 0.38 miles east along Wiley Avenue; thence 0.13 miles south along Myrtle Avenue to the Moody Terrace right-of-way on the east (left).

Fiscal Impact: The petitioners are charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265-3699000, revenue account for vacatings.

Name: Marc.Cazessus@brevardfl.gov Phone: Ext. 57315

Exhibits Attached: Resolution, Appraisers detail sheet, vicinity map, aerial map, plat (if applicable), petitioner's deed, boundary survey (if available), boundary survey (right-of-way vacating) or sketch and description (easement vacating), comment summary sheet and legal notice of public hearing advertisement.

Clerk to the Board instruction: Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one, resolution type document which in sequence includes the proof of publication of the public hearing notice, the approved/signed resolution, and the proof of publication of the adopted resolution notice. Record the additional right-of-way deed.

Contract / Agreement (If attached):		Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR <input type="checkbox"/>
County Manager Frank Abbate		Assistant County Manager John P. Denninghoff				Interim Department Director / Extension Andrew J. Homes, P.E. / Ext. 57202	
		Assistant County Manager Jim Liesenfelt					



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

November 16, 2017

MEMORANDUM

TO: Andrew Holmes, Public Works Director Attn: Marc Cazessüs

RE: Item IV.A., Resolution Vacating Moody Terrace an Unopened 20.0 Foot Wide Public Right-of-Way in S. F. Gray's Subdivision, Mims – Shirley G. White

The Board of County Commissioners, in regular session on October 24, 2017, executed and adopted Resolution No. 17-213, vacating Moody Terrace an unopened 20.0 foot wide public right-of-way in S. F. Gray's Subdivision, Mims, as petitioned by Shirley G. White; accepted the conveyance of the additional right-of-way from the petitioner for the right-of-way of Myrtle Avenue; granted refund of the \$175 fee to the petitioner for the Ownership and Encumbrance Report for the additional right-of-way; executed the Partial Release Mortgage; and authorized the Health and Human Resources Department to update all pertinent documents relating to the mortgage.

The originals of the Resolution No. 17-213 and the Partial Release Mortgage were provided to you by United States Postal Service.

Upon recordation, please provide original Resolution and copy of the Partial Release Mortgage to this office for inclusion in the official minutes.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

cc: Housing and Human Services Director
Finance
Budget

RESOLUTION 2017 - 213

VACATING OF MOODY TERRACE, AN UNOPENED 20.0 FT. WIDE PUBLIC RIGHT-OF-WAY, S.F. GRAY'S SUBDIVISION IN SECTIONS 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST, MIMS, FLORIDA

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **SHIRLEY G. WHITE** with the Board of County Commissioners to vacate Moody Terrace, an unopened 20.0 ft. wide public right-of-way in Mims, Brevard County, Florida, described as follows:

SEE ATTACHED PETITIONER'S RIGHT-OF-WAY BOUNDARY SURVEY

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 vacating the public right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public right-of-way is hereby vacated; and Brevard County renounces and disclaims any rights in and to said right-of-way. 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 24th day of October, 2017 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



RITA PRITCHETT VICE CHAIRWOMAN

As approved by the Board on:
October 24, 2017

BOUNDARY SURVEY

SECTION 17, T.21S., R.35E.

LEGAL DESCRIPTION: ("MOODY TERRACE" 20' R/W. TO BE VACATED)

THE 20 FOOT ROAD RIGHT OF WAY KNOWN AS "MOODY TERRACE" LYING NORTH OF BLOCK "I", OF JEFF CUYLER'S SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AND SOUTH OF BLOCK "T", GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF SAID PUBLIC RECORDS. LESS AND EXCEPT THE EAST 5.00 FEET AND THE WEST 20.00 FEET THEREOF.

NOTES:

1. ALL IRON RODS SET ARE 18" #4 (1/2") REBAR WITH CAP MARKED HOLLEY & ASSOC. LB.4595.
2. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
3. DATE SHOWN IS DATE OF FIELD SURVEY, UNLESS OTHERWISE STATED.
4. BEARINGS & DISTANCES MEASURED ARE THE SAME AS PLAT OR DEED CALL UNLESS OTHERWISE SHOWN.
5. BEARINGS BASED ON ASSUMED DATUM, THE CENTER LINE OF ORANGE AVE. BEING DUE NORTH.
6. THE ACCURACY OF FIELD MEASUREMENTS FOR THIS SURVEY MEETS OR EXCEEDS 1 FT. IN 7,500 FT.

LEGEND:

N = NORTH
S = SOUTH
E = EAST
W = WEST
FD = FOUND
I.R. = IRON ROD
N&D = NAIL & DISC
FNC. = FENCE
RES. = RESIDENCE
FRM. = FRAME
STOR. = STORAGE
MTL. = METAL
MEAS. = MEASURED
CONC. = CONCRETE
CL = CENTER LINE
P.B. = PLAT BOOK
PG. = PAGE
R/W = RIGHT OF WAY
N.T.S. = NOT TO SCALE
L.S. = LICENSED SURVEYOR
L.B. = LICENSED BUSINESS
ID = IDENTIFYING NAME / #

THE FOREGOING PLAT IS HEREBY CERTIFIED AS BEING A CORRECT REPRESENTATION OF THE LAND SURVEYED AND MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE 472.027.

REVISED PER COUNTY COMMENTS --- 9/20/12



06/21/2012

JOHN T. HOLLEY, P.S.M. #5050
("NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER.")

HOLLEY & ASSOCIATES INC.

REGISTERED LAND SURVEYORS L.B#4595
3370 GARDEN ST., TITUSVILLE, FL.
321-267-6113

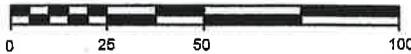
N. 89° 51' 00" E. 330.00' PLAT 334.17' MEAS.
E OF WILEY ROAD

SHEET 2 OF 2 NOT VALID
WITHOUT SHEET 1

BOUNDARY SURVEY

SECTION 17, T.21S., R.35E.

SCALE: 1" = 50'



660.00' PLAT
670.39' MEAS.
N.T.S.

660.00' PLAT
670.28' MEAS.
N.T.S.

ORANGE AVENUE 20' R/W (PLAT)

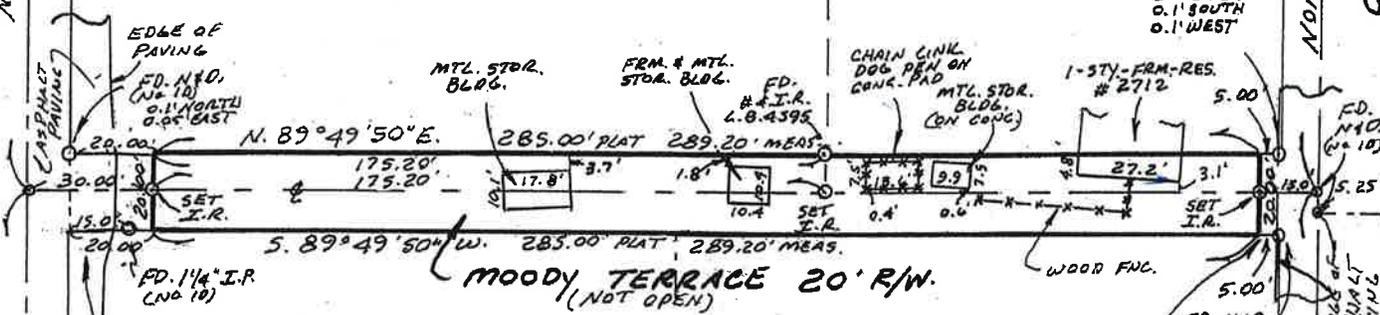
MYRTLE AVENUE 10' R/W (PLAT) R/W VARIES AS OCCUPIED
660.00' PLAT
659.62' MEAS.
N.T.S.

BLOCK "T"

S.F. GRAYS SUBDIVISION
P.B. 1, PG. 2

TAX PARCEL - T-02

TAX PARCEL - T-01



BLOCK "I"

THE FOREGOING PLAT IS HEREBY CERTIFIED AS BEING A
CORRECT REPRESENTATION OF THE LAND SURVEYED AND
MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED
IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE,
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3370 GARDEN ST., TITUSVILLE, FL.
321-267-6113

SHEET 2 OF 2 NOT VALID
WITHOUT SHEET 1

E OF CYPRESS AVENUE
N. 89° 51' 40" E. 330.00' PLAT 334.23' MEAS.



RECEIVED
OCT 05 2017
BY: mpc

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 Becky Holland, 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:

10/02/17

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 2th of October 2017, by Becky Holland who is personally known to me

Ruby Royer
Ruby Royer
Notary Public for the State of Florida
My Commission expires January 30, 2018

Publication Cost: \$210.64
Ad No: 0002440471
Customer No: BRE-6BR327



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

Ad #2440471 10/2/2017
LEGAL NOTICE
NOTICE TO VACATE THE 20.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF MOODY TERRACE, "S. F. GRAY'S SUBDIVISION" SECTIONS 17 TOWNSHIP 21 SOUTH, RANGE 35 EAST, MIMS, 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 SHIRLEY G. WHITE with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

SEE ATTACHED EXHIBIT A

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described right-of-way at 9:00 A.M. on October 24, 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"

THE 20 FOOT ROAD RIGHT OF WAY KNOWN AS "MOODY TERRACE" LYING NORTH OF BLOCK "I", OF JEFF CUYLER'S SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND SOUTH OF BLOCK "T", GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF SAID PUBLIC RECORDS, LESS AND EXCEPT THE EAST 5.00 FEET AND THE WEST 20.00 FEET THEREOF, PREPARED BY JOHN T. HOLLEY, P.S.M.

Ad #2440471 10/2/2017
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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 **Becky Holland**, 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:

11/01/17

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 1th of November 2017, by Becky Holland who is personally known to me

Adia Bell
Notary Public for the State of Florida
My Commission expires January 27, 2020



Adia Bell
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF954893
Expires 1/27/2020

Publication Cost: \$204.12
Ad No: 0002502944
Customer No: BRE-6BR327

AD#2502944, 11/1/2017

LEGAL NOTICE

RESOLUTION VACATING MOODY TERRACE, AN UNOPENED 20.0 FOOT WIDE PUBLIC RIGHT-OF-WAY IN S.F. GRAY'S SUBDIVISION, MIMS - SHIRLEY G. WHITE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 24th day of October, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating Moody Terrace, an unopened 20.0 foot wide public right-of-way in S.F. Gray's Subdivision, Mims, as petitioned by Shirley G. White.

SEE ATTACHED EXHIBIT "A"

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

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

LEGAL DESCRIPTION:
EXHIBIT "A"

THE 20 FOOT ROAD RIGHT OF WAY KNOWN AS "MOODY TERRACE" LYING NORTH OF BLOCK "I", OF JEFF CUYLER'S SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND SOUTH OF BLOCK "T", GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF SAID PUBLIC RECORDS, LESS AND EXCEPT THE EAST 5.00 FEET AND THE WEST 20.00 FEET THEREOF. PREPARED BY JOHN T. HOLLEY, P.S.M.





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

November 20, 2017

M E M O R A N D U M

TO: Andrew Holmes, Interim Public Works Director Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating Moody Terrace an Unopened 20.0 Foot Wide Public Right-of-Way in S. F. Gray's Subdivision, Mims

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-213, vacating Moody Terrace an unopened 20.0 foot wide public right-of-way in S. F. Gray's Subdivision, Mims, as petitioned by Shirley G. White. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on October 24, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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

November 20, 2017

Shirley G. White
2703 Myrtle Avenue
Mims, FL 32754

Dear Ms. White:

Re: Resolution Vacating Moody Terrace an Unopened 20.0 Foot Wide Public Right-of-Way
in S. F. Gray's Subdivision, Mims

The Board of County Commissioners, in regular session on October 24, 2017, adopted Resolution No. 17-213, vacating Moody Terrace an unopened 20.0 foot wide public right-of-way in S. F. Gray's Subdivision, Mims, as petitioned by you. Said Resolution has been recorded in ORBK 8030, Pages 1190 through 1194. 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

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

WARRANTY DEED
(Myrtle Avenue)

THIS INDENTURE is made this ____ day of _____, 2017, between **SHIRLEY G. WHITE** and **DENSEL WHITE**, husband and wife, whose mailing address is 2703 Myrtle Avenue, Mims, FL 32754 and **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, as party of the second part, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described land, situate, lying and being in the County of Brevard, State of Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

This deed is made for the purpose of giving and granting to the party of the second part, its successors and assigns, a fee simple interest in and to said lands for public road purposes, public sidewalk, utilities, and other allied uses pertaining thereto.

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title & interest forever, and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

SHIRLEY G. WHITE

Print

DENSEL WHITE

Witness

Print

State of Florida
County of Brevard

COPY

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by Shirley G. White and Densel White, who is/are personally known to me or who have produced valid photo id as identification.

Notary Public

Print Name
Commission Expires: _____
Commission No. _____

*Public Works, Land Acquisition Section, (321) 690-6847
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
Being a portion of Interest in Tax Parcel #21-35-17-02-T.02*

**20170829 – DO NOT USE – SEE FORM PER WORD DOC FILE – “CAO APPRVD RoW
DEED FORM” DATED AS RECEIVED 20170829 –MARC CAZESSÚS PLS**



**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.: 0002502944
Pymt Method Invoice
Net Amt: \$204.12

Run Times: 1

No. of Affidavits: 1

Run Dates: 11/01/17

Text of Ad:

AD#2502944, 11/1/2017

LEGAL NOTICE

RESOLUTION VACATING MOODY TERRACE, AN UNOPENED 20.0 FOOT WIDE PUBLIC RIGHT-OF-WAY IN S.F. GRAY'S SUBDIVISION, MIMS - SHIRLEY G. WHITE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 24th day of October, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating Moody Terrace, an unopened 20.0 foot wide public right-of-way in S.F. Gray's Subdivision, Mims, as petitioned by Shirley G. White.

SEE ATTACHED EXHIBIT "A"

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

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

LEGAL DESCRIPTION:

EXHIBIT "A"

THE 20 FOOT ROAD RIGHT OF WAY KNOWN AS "MOODY TERRACE" LYING NORTH OF BLOCK "I", OF JEFF CUYLER'S SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND SOUTH OF BLOCK "T", GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF SAID PUBLIC RECORDS, LESS AND EXCEPT THE EAST 5.00 FEET AND THE WEST 20.00 FEET THEREOF. PREPARED BY JOHN T. HOLLEY, P.S.M.

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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 November 1, 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"

THE 20 FOOT ROAD RIGHT OF WAY KNOWN AS "MOODY TERRACE" LYING NORTH OF BLOCK "I", OF JEFF CUYLER'S SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AND SOUTH OF BLOCK "T", GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF SAID PUBLIC RECORDS. LESS AND EXCEPT THE EAST 5.00 FEET AND THE WEST 20.00 FEET THEREOF. PREPARED BY JOHN T. HOLLEY, P.S.M.

Partial Release of Mortgage

Know All Men By These Presents:

WHEREAS, Shirley G. and Densel White, husband and wife, whose address is 2703 Myrtle Avenue, Mims, FL 32754 ("Mortgagor"), by that certain Real Estate Mortgage dated the 27th day of March, 2008, recorded in Official Records Book 5853, at Page 6416, mortgaged unto Brevard County Board of County Commissioners, whose address is 2725 Judge Fran Jamieson Way, Viera, FL 32940 ("Mortgagee"), and assigns, the premises therein particularly described, to secure the payment of the sum of \$115,900.00, with interest as stated in the Mortgage.

AND WHEREAS, Mortgagor has requested Mortgagee release the premises hereinafter described ("Released Parcel"), being part of the mortgaged premises, from the lien and operation of the Mortgage:

NOW THEREFORE; KNOW THAT Mortgagee, in consideration of the Released Parcel and the sum of \$10.00, to it paid by, or on behalf of, the Mortgagor at the time of the execution hereof, the receipt whereof is hereby acknowledged, does remise, release, quit-claim, exonerate and discharge from the lien and operation of the Mortgage unto Mortgagor, its successors and/or assigns, the Released Parcel, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

TO HAVE AND TO HOLD the same with the appurtenances, unto the Mortgagor, its successors and/or assigns forever, freed, exonerated and discharged of and from the lien of the Mortgage, and every part thereof; provided always, nevertheless, that nothing herein contained, shall in anywise impair, alter or diminish the effect, lien or encumbrance of the Mortgage on the remaining part of the mortgaged premises not hereby released therefrom, or any of the rights and remedies of the holder(s) thereof. This document covers only the Released Parcel.

IN WITNESS WHEREOF, the Mortgagee has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, this _____ day of February, 2017.

ATTEST:



SCOTT ELLIS, CLERK TO THE BOARD

BREVARD COUNTY, FLORIDA



RITA PRITCHETT VICE CHAIRWOMAN

Approved by Board: 10/24/17

COPY

PARTIAL RELEASE OF MORTGAGE



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 284-8700
<https://www.bcpao.us>

PROPERTY DETAILS

Account 2113287
 Owners White, Shirley G; White, Densel
 Mailing Address 2703 Myrtle Ave Mims FL 32754
 Site Address 2703 Myrtle Ave Mims FL 32754
 Parcel ID 21-35-17-02.*-T.02
 Property Use 0110 - Single Family Residence
 Exemptions HEX1 - Homestead First \$25,000
 HEX2 - Homestead Additional \$25,000
 Taxing District 1300 - Unincorp District 1
 Total Acres 0.27
 Subdivision S F Grays Subd
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0001/0002
 Land Description S F Grays Subd W 191 Ft Of S 63 Ft Of Lot T



VALUE SUMMARY

Category	2016	2015	2014
Total Market Value	\$85,380	\$104,370	\$84,870
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$73,200	\$72,700	\$72,130
Assessed Value School	\$73,200	\$72,700	\$72,130
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$23,200	\$22,700	\$22,130
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$25,000	\$25,000	\$25,000
Taxable Value School	\$48,200	\$47,700	\$47,130

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
No Data Found				

BUILDINGS

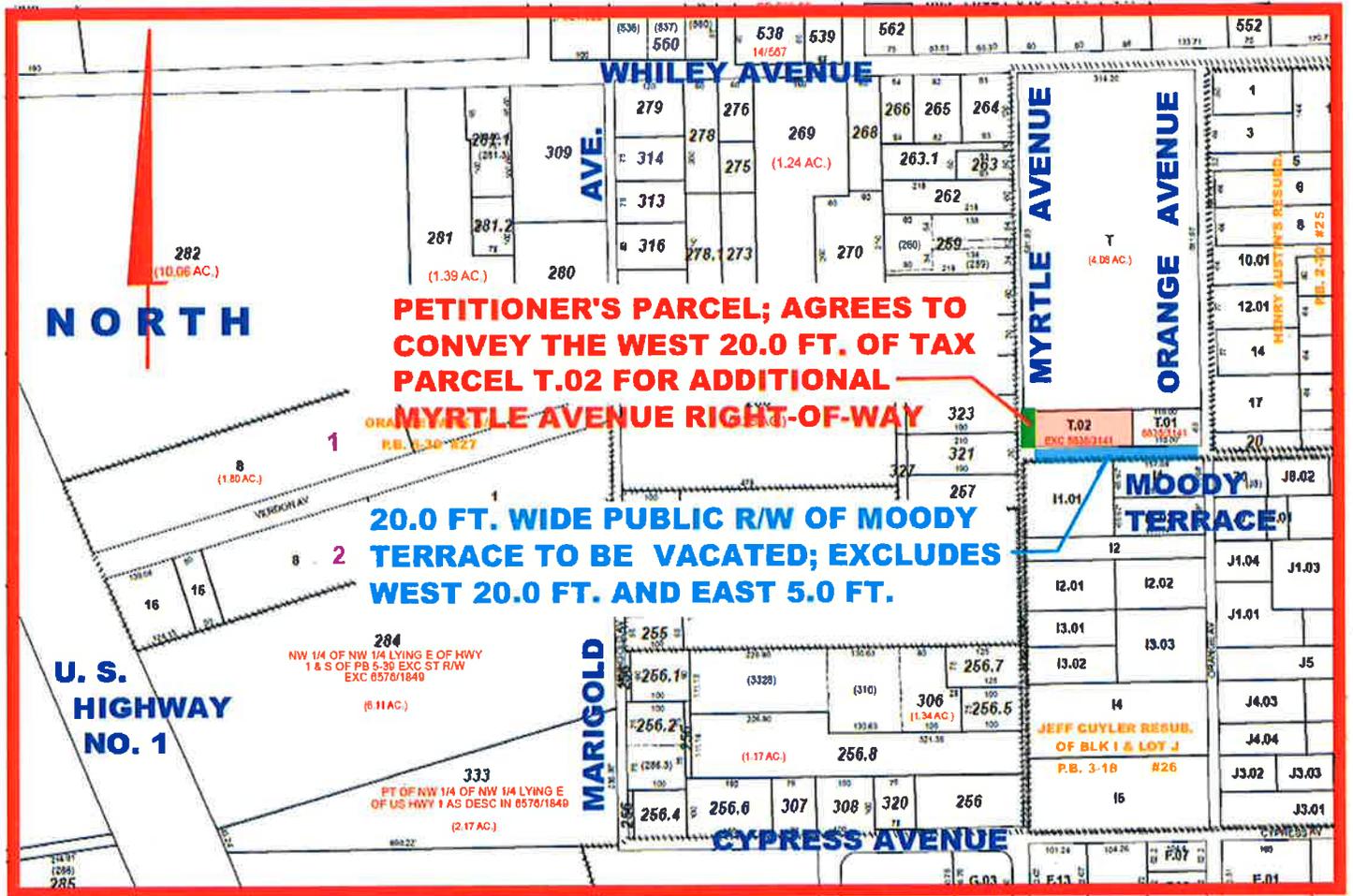
PROPERTY DATA CARD #1

Building Use	Year Built	Story Height	Floors	Residential Units	Commerical Units
0110 - Single Family Residence	2008	9	1	1	0

Materials	Sub Areas	
Exterior Wall	Stucco	Base Area (1st) 1692
Frame	Masnryconc	Open Porch 64
Roof	Asph/Asb Shngl	Total Base Area 1692
Roof Structure	Hip/Gable	Total Sub Area 1756

Extra Features	Additional Extra Features
No Data Found	No Data Found

APPRAISER'S DETAIL SHEET

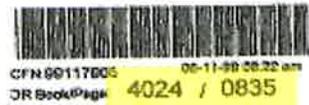




AERIAL MAP

Shirley G. White – West 191.0 ft. of South
63.0 ft. of Lot T – “S. F. Gray’s Subdivision”
– Plat Book 01, Page 02 – 2703 Myrtle
Avenue, Mims, FL, 32754 – Section 17,
Township 21 South, Range 35 East –
District 1 – Proposed Vacating 20.0 ft. wide
Public Right-of-Way of Moody Terrace

This instrument Prepared by: RICHARD W. NORRIS
 Name: Network Closing Services, Inc.
 Address: 7651-A Ashley Park Ct.
 Orlando, FL 32835
 Return to: Network Closing Services, Inc.
 Address: 7651-A Ashley Park Ct.
 Orlando, FL 32835



Sandy Crawford
 Clerk Of Courts, Brevard County
 STPs: 2 \$Fees: 5
 Trust: 1.00 Rec: 90.00 Serv: 0.00
 Deed: 44.10 Excl: 0.00
 MG: 0.00 Int Tax: 0.00

Property Appraisers Parcel Identification Number(s):

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Quit-Claim Deed, Executed this 29th day of March 1999, by SHIRLEY G. WHITE, a married woman joined by her spouse DENSEL WHITE and DOROTHEA L. ALLEN, a single woman, party of the first part, as SHIRLEY G. WHITE and DENSEL WHITE, wife and husband, whose post office address is 2703 MYRTLE AVENUE, MIMS, FL 32734 second party:

(Whoever used hereto the terms "first part" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, whenever the context so admits or requires.)

WITNESSETH, That the said first party, for and in consideration of the sum \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby renounce, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of BREVARD, State of FLORIDA, to-wit:

Beginning at the South West corner of Lot "T" (GRAY'S SUBDIVISION) thence West 310 feet, thence North 63 feet, thence West 310 feet, thence South 63 feet to the point of beginning, being part of the NW1/4 of the NE1/4 and the E1/2 of the NE1/4 of the NW1/4 and the SE1/4 of the NW 1/4 of Section 17, Township 21 South, Range 35 East, recorded in Plat Book 1, Page 2, of the Public Records of Brevard County, Florida.

To Have and to Hold, The same together with all and singular the appurtenances thereto in anywise appertaining, and all the estate, right, title, interest, claim, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Patricia A. Shaughnessy
 Witness Signature (as to first Grantor)
PATRICIA A. SHAUGHNESSY
 Printed Name
Patricia A. Shaughnessy
 Witness Signature (as to first Grantor)
PATRICIA A. SHAUGHNESSY
 Printed Name
[Signature]
 Witness Signature (as to Co-Grantor, if any)
DIANE M. NAYLOR
 Printed Name
 Witness Signature (as to Co-Grantor, if any)
 Printed Name

Shirley G. White
 SHIRLEY G. WHITE
 *THIS "K" IS HIS OFFICIAL SIGNATURE
DENSEL WHITE
DOROTHEA L. ALLEN

STATE OF FLORIDA
 COUNTY OF BREVARD

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared DOROTHEA L. ALLEN, a single woman known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that she/they executed the same, that I relied upon the following form FD-345-172 US-5610 of identification of the above-named person(s): Dorothea L. Allen and that an oath (was) (was not) taken.



Witness my hand and official seal in the County and State last aforesaid this 29th day of March 1999.
Patricia G. Decier
 Notary Signature
PATRICIA G. DECIER
 Printed Notary Signature

PETITIONER'S DEED:

SHEET 1 OF 2

(OVERALL PARENT TRACT: TAX PARCELS T-01 & T-02)

ORB 5839 @ 3141: TP T.01 - E 119' - S 63' - LOT T - SHIRLEY & DENSEL WHITE TO DOROTHEA JONES & CLIFTON ALLEN

Deposited by:

Shirley G. White

QUIT CLAIM DEED

On this 22 day of January, 2008, this quit claim deed is executed by: Shirley G. White + Densel White H/W as Grantor, whose address is: 2703 Myrtle Ave Mims, FL 32754 to Dorothea h Jones married + Clifton's ALAN single. 898 Rabon Road Monticello FL. 32344 as Grantee, whose address is:

On the following described property lying in Brevard County, Florida The East 119.00 FT. of South 63.00 FT. of Lot 22 of Gray's subdivision, as Recorded in Plat Book 1, Page 23 Public Records of Brevard County, Florida,

That Grantor(s), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration to said Grantee(s) in hand paid by said Grantee(s), the receipt whereof is hereby acknowledged, has released and quit-claimed to the Grantee(s) all of the Grantor's right, title, interest, and claim of demand which the Grantor(s) may have in the above-described land

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Witnesses: Karen McQueen

Grantor(s): Shirley G. White

Christie Jones
Christine L. Jones

Shirley G. White
Densel White

STATE OF Florida
COUNTY OF Brevard

The foregoing instrument was acknowledged before me on this 22 day of January, 2008, by Shirley G. White + Densel White, who is personally known to me as Grantor(s) and who did not take my oath.

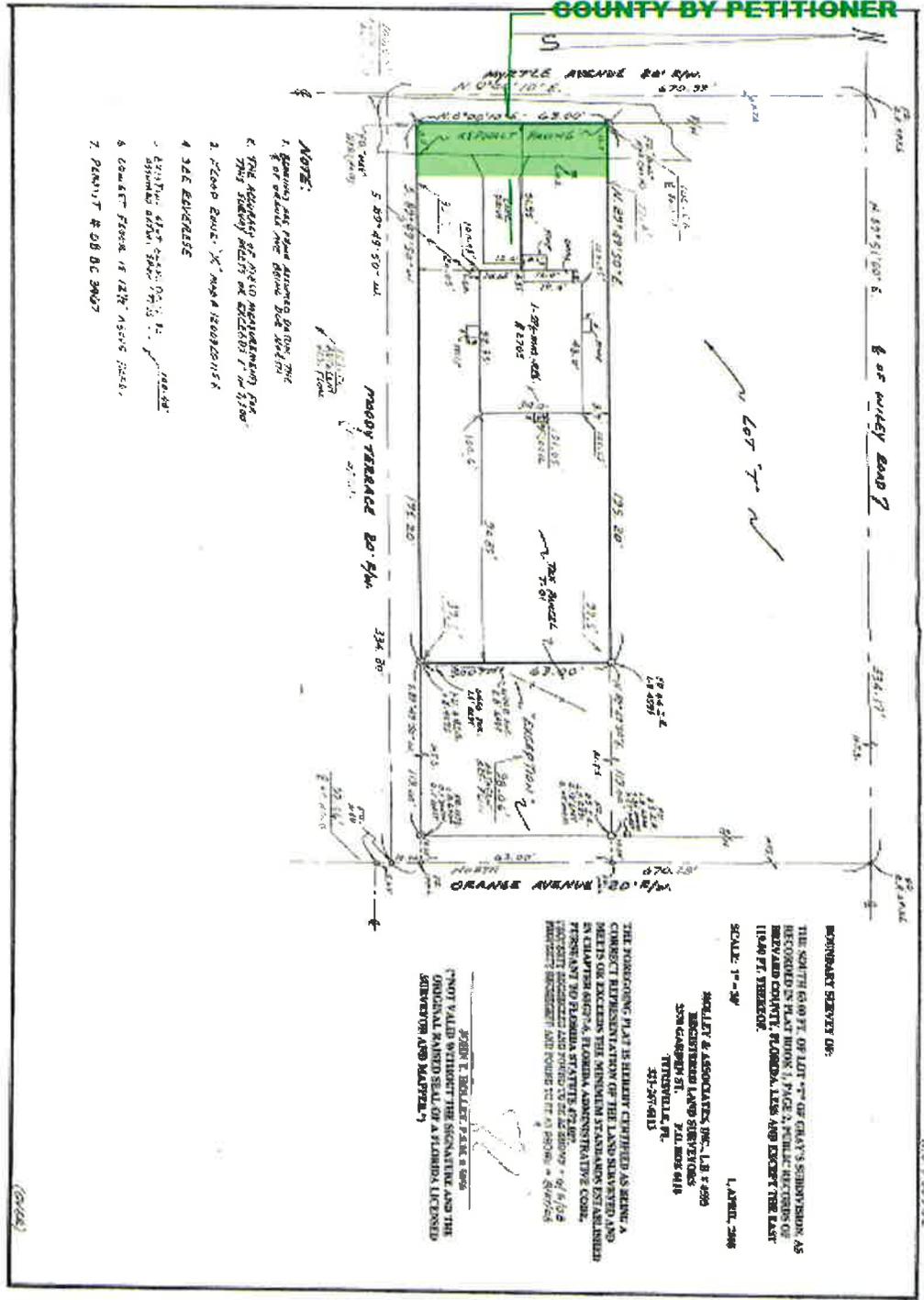
My Commission: Karen McQueen
NOTARY PUBLIC

PETITIONER'S DEED:

SHEET 2 OF 2

(LESS & EXCEPT PARCEL: T-01)

**20.0 FT WIDE R/W PARCEL
TO BE CONVEYED TO
COUNTY BY PETITIONER**



- NOTE:**
1. Boundary and Area Assumed per Plat # 12-00-001-001-001
 2. Plat # 12-00-001-001-001
 3. The Accuracy of this Measurement is as shown on the Plat # 12-00-001-001-001
 4. SEE EXHIBIT
 5. COMEAT FROM 1/2" ASS'G SCALE
 6. PLAT # 08 03 3007

BOUNDARY SURVEY OF:
 THE SOUTH 60.00 FT. OF LOT "A" OF GRAY'S SUBDIVISION AS
 RECORDED IN PLAT BOOK 1, PAGE 2, PUBLIC RECORDS OF
 BREVARD COUNTY, FLORIDA, L&S AND EXCEPT THE EAST
 115.00 FT. THEREON.
 SCALE: 1" = 30'

MOLLEY & ASSOCIATES, INC. L.S. & C.S.
 REGISTERED LAND SURVEYORS
 308 CALDWELL ST. PALM BEACH 33410
 TITUSVILLE, FL.
 321-267-6115

JOHN T. DELLER, P.E. & S.S.
 (NOT VALID WITHOUT THE SIGNATURE AND THE
 ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
 SURVEYOR AND MAPPER.)

**PETITIONER'S RESIDENTIAL
BOUNDARY SURVEY**

BOUNDARY SURVEY

SECTION 17, T.21S., R.35E.

LEGAL DESCRIPTION: ("MOODY TERRACE" 20' R/W. TO BE VACATED)

THE 20 FOOT ROAD RIGHT OF WAY KNOWN AS "MOODY TERRACE" LYING NORTH OF BLOCK "I", OF JEFF CUYLER'S SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AND SOUTH OF BLOCK "T", GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF SAID PUBLIC RECORDS. LESS AND EXCEPT THE EAST 5.00 FEET AND THE WEST 20.00 FEET THEREOF.

NOTES:

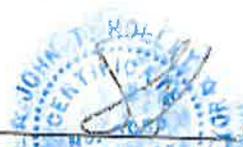
1. ALL IRON RODS SET ARE 18" #4 (1/2") REBAR WITH CAP MARKED HOI 1 FY & ASSOC. L.B.#806.
2. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
3. DATE SHOWN IS DATE OF FIELD SURVEY, UNLESS OTHERWISE STATED.
4. BEARINGS & DISTANCES MEASURED ARE THE SAME AS PLAT OR DEED CALL UNLESS OTHERWISE SHOWN.
5. BEARINGS BASED ON ASSUMED DATUM, THE CENTER LINE OF ORANGE AVE. BEING DUE NORTH.
6. THE ACCURACY OF FIELD MEASUREMENTS FOR THIS SURVEY MEETS OR EXCEEDS 1 FT. IN 7,500 FT.

LEGEND:

- N = NORTH
- S = SOUTH
- E = EAST
- W = WEST
- FD = FOUND
- I.R. = IRON ROD
- N&D = NAIL & DISC
- FNC. = FENCE
- RES. = RESIDENCE
- FRM. = FRAME
- STOR. = STORAGE
- MTL. = METAL
- MEAS. = MEASURED
- CONC. = CONCRETE
- CL = CENTER LINE
- P.B. = PLAT BOOK
- PG. = PAGE
- R/W = RIGHT OF WAY
- N.T.S. = NOT TO SCALE
- L.S. = LICENSED SURVEYOR
- L.B. = LICENSED BUSINESS
- ID = IDENTIFYING NAME / #

THE FOREGOING PLAT IS HEREBY CERTIFIED AS BEING A CORRECT REPRESENTATION OF THE LAND SURVEYED AND MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE 472.027.

REVISED PER COUNTY COMMENTS -- 8/20/12



08/21/2012

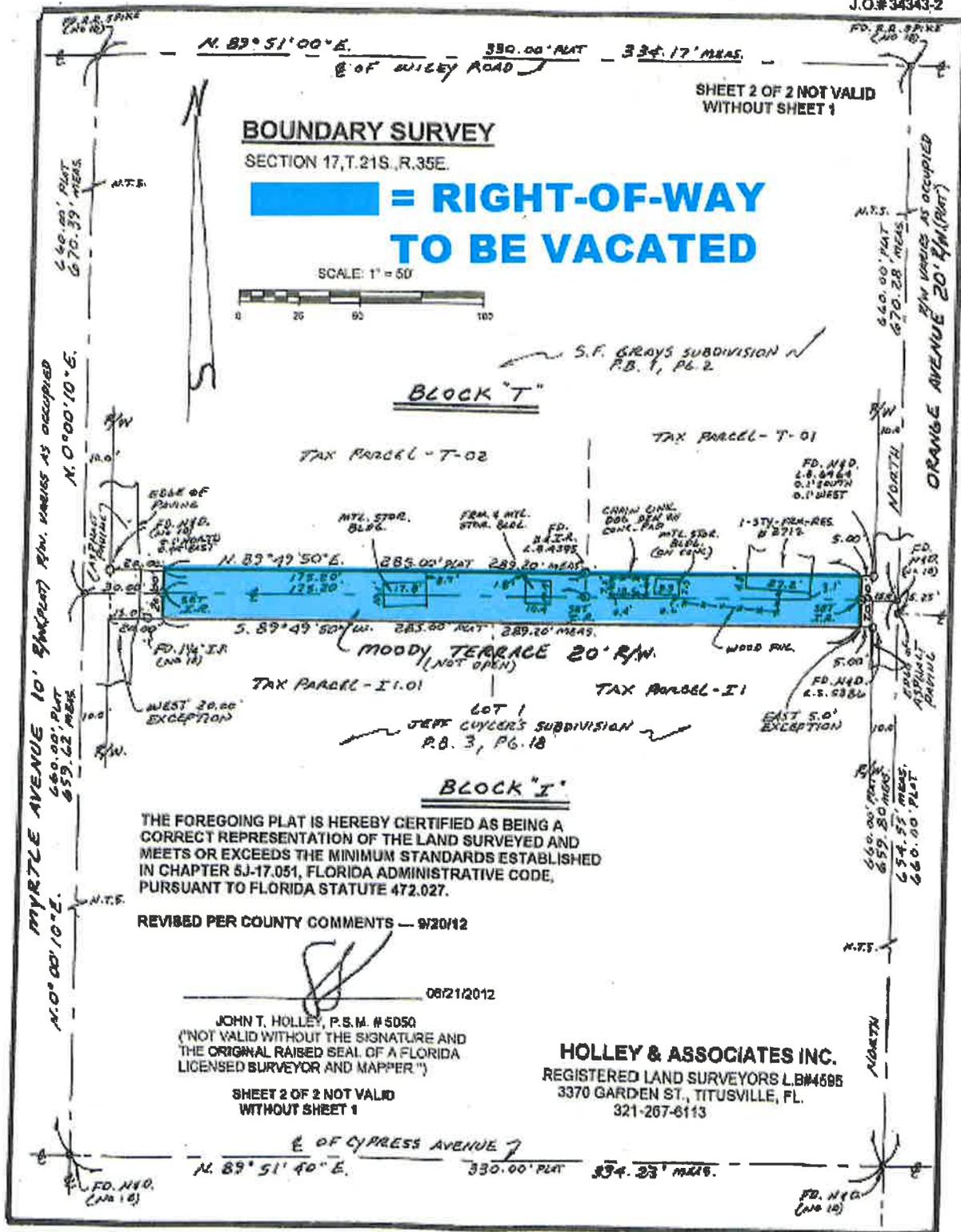
JOHN T. HOLLEY, P.S.M. # 5090
("NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.")

HOLLEY & ASSOCIATES INC.
REGISTERED LAND SURVEYORS L.B.#4595
3370 GARDEN ST., TITUSVILLE, FL.
321-267-8113

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

RIGHT-OF-WAY VACATING BOUNDARY

SURVEY: 1 OF 2



RIGHT-OF-WAY VACATING BOUNDARY SURVEY: 2 OF 2

(Myrtle Avenue)

THIS INDENTURE is made this ____ day of _____, 2017, between **SHIRLEY G. WHITE** and **DENSEL WHITE**, husband and wife, whose mailing address is 2703 Myrtle Avenue, Mims, FL 32754 and **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, as party of the second part, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described land, situate, lying and being in the County of Brevard, State of Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

This deed is made for the purpose of giving and granting to the party of the second part, its successors and assigns, a fee simple interest in and to said lands.

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title & interest forever, and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

SHIRLEY G. WHITE

Print

DENSEL WHITE

Witness

Print

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by Shirley G. White and Densel White, who is/are personally known to me or who have produced valid photo id as identification.

Notary Public

Print Name
Commission Expires: _____
Commission No. _____

TO BE REPLACED WITH COPY
SIGNED BY MR. & MS. WHITE
ADDITIONAL RIGHT-OF-WAY DEED:

EXHIBIT A

J.O.# 34382-1

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

LEGAL DESCRIPTION

SECTION 17, T.21S., R.35E.
PROJECT PARCEL NUMBER: T.02
OWNER NAME: SHIRLY G. WHITE

LEGAL DESCRIPTION:

THE WEST 20.00 FEET OF THE SOUTH 63.00 FEET OF LOT "T", S. F. GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

NOTES:

1. TAX ID # 21-35-17-02-00000.0-000T.02
2. BEARINGS ARE TO ASSUMED DATUM, THE CENTER LINE OF ORANGE AVE. BEING DUE NORTH.

THIS CERTIFIES THAT THE FOREGOING SKETCH AND LEGAL DESCRIPTION MEET THE APPLICABLE MINIMUM STANDARDS ESTABLISHED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTES 472.027 AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY, BUT ARE BASED ON INFORMATION FROM PUBLIC RECORDS WHICH MAY DIFFER.

THIS IS NOT A SURVEY


9/21/12
JOHN T. HOLLEY, P.S.M. # 5050
(*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.*)

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

HOLLEY & ASSOCIATES INC.
REGISTERED LAND SURVEYORS L.B.#4595
3370 GARDEN ST., TITUSVILLE, FL.
321-267-6113

**ADDITIONAL RIGHT-OF-WAY SKETCH &
DESCRIPTION PARCEL: SHEET 1 OF 2**

EXHIBIT A

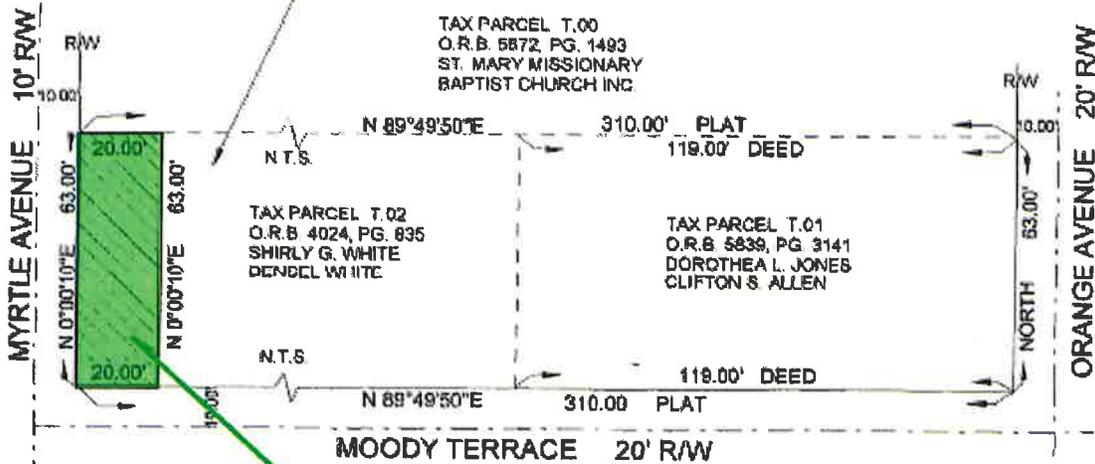
J.O.# 34382-2

SKETCH OF DESCRIPTION:

SHEET 2 OF 2 NOT VALID
WITHOUT SHEET 1

SECTION 17, T.21S., R.35E.
PROJECT PARCEL NUMBER: T.02
OWNER NAME: SHIRLY G. WHITE

LOT "T"
S.F. GRAY'S SUBDIVISION
P.B. 1, PG. 2

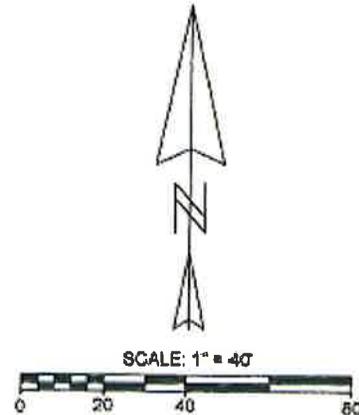


LEGEND:

N = NORTH
S = SOUTH
E = EAST
W = WEST
T. = TOWNSHIP
R. = RANGE
RW = RIGHT OF WAY
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
O.R.B. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PG. = PAGE
N.T.S. = NOT TO SCALE

**20.0 FT. R/W TO BE
CONVEYED TO
BREVARD COUNTY**

THIS CERTIFIES THAT THE FOREGOING SKETCH AND LEGAL DESCRIPTION MEET THE APPLICABLE MINIMUM STANDARDS ESTABLISHED IN CHAPTER 5J-17.061, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTES 472.027 AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY, BUT ARE BASED ON INFORMATION FROM PUBLIC RECORDS WHICH MAY DIFFER.



THIS IS NOT A SURVEY


9/21/12
JOHN T. HOLLEY, P.S.M. # 5050
("NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.")

SHEET 2 OF 2 NOT VALID
WITHOUT SHEET 1

HOLLEY & ASSOCIATES INC.
REGISTERED LAND SURVEYORS L.B.#4595
3370 GARDEN ST., TITUSVILLE, FL.
321-267-8113

**ADDITIONAL RIGHT-OF-WAY SKETCH &
DESCRIPTION PARCEL: SHEET 2 OF 2**

Date: October 24, 2017

To: The Honorable Board of County Commissioners of Brevard County
2725 Judge Fran Jamison Way, Building C
Viera, FL, 32940

From: Ms. Shirley White, Vacating Petitioner - Moody Terrace Right-of-Way

Re: Request for Refund for Ownership & Encumbrance Report Fee

Dear Commissioners:

My name is Shirley White and I live at 2703 Myrtle Avenue, Mims, Florida with my husband, Densel. We previously also owned the property east of our present house located at 2712 Orange Avenue but have since deeded it to members of my family for them to fix up for their use. Unfortunately the house which was built in 1929 is encroaching into the Moody Terrace right-of-way along with the carport and dog pen and is the reason for requesting the vacating of the unopened and undeveloped right-of-way. As part of the vacating, we have agreed to deed the West 20.0 ft. of my present parcel to the County for additional right-of-way of Myrtle Avenue whose pavement encroaches onto my parcel by an average of almost 12 ft. However before we can give the County the 20.0 ft., we had to pay for an Ownership and Encumbrance Report to prove ownership; a \$175.00 cost.

Please also know we live on a very limited budget as attested by the fact that Brevard County constructed our home in 2008 through a grant program and that the County's Health and Human Resources Department currently holds the mortgage. To further worsen the situation my family was the victim of a fraudulent contractor who after receiving funds began repairs to the old house but disappeared during the permitting process as he was not licensed. This resulted in code violations and the assessment of over \$6000 in fines and almost \$800 in administrative fees. We are presently making payments on the administrative fees and once satisfied plan to seek an adjustment of the penalties from the special magistrate.

We thank you for your time, understanding and consideration and ask you provide the relief we seek.

Respectfully,

TO BE REPLACED WITH SIGNED COPY

Shirley G. White
2703 Myrtle Avenue
Mims, FL, 32754
(321) 607-6447

REQUEST FOR REFUND LETTER

COMMENT SUMMARY

APPLICANT: SHIRLEY WHITE

UPDATED: MARC CAZESSUS, PLS / 20170629 @ 07:50 HOURS

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
UTILITIES				
FLORIDA CITY GAS	20170623	20170623	YES	NO OBJECTIONS
FLORIDA POWER & LIGHT	20170623	20170713	YES	NO OBJECTIONS
A T & T	20170623	20170713	YES	NO OBJECTIONS
FLORIDA GAS TRANSMISSION	20170623	20170623	YES	NO OBJECTIONS
BRIGHT HOUSE NETWORKS	20170623	20170623	YES	NO OBJECTIONS
CITY OF TITUSVILLE	20170623	20170623	YES	NO OBJECTIONS
COUNTY STAFF				
ROAD AND BRIDGE	20170623	20170629	YES	NO OBJECTIONS - DAVID BARBER
TRAFFIC ENGINEERING	20170623	20170627	YES	NO OBJECTIONS - DEVIN SWANSON
LAND ACQUISITION	20170623	20170623	YES	NO OBJECTIONS - DAN JONES
FIRE AND RESCUE	20170623	20170626	YES	NO OBJECTIONS - DOUGLAS CARTER
LAND PLANNING	20170623	20170713	YES	NO OBJECTIONS - REBECCA RAGAIN
UTILITY SERVICES	20170623	20170623	YES	NO OBJECTIONS - TAMMY HURLEY
NRMD - STORM WATER	20170623	20170627	YES	NO OBJECTIONS - HARVEY WHEELER
ZONING	20170623	20170623	YES	NO OBJECTIONS - PAUL BODY

COMMENT SHEET

Ad #2440471 10/2/2017 LEGAL NOTICE NOTICE TO VACATE THE 20.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF MOODY TERRACE, "S. F. GRAY'S SUBDIVISION", SECTIONS 17 TOWNSHIP 21 SOUTH, RANGE 35 EAST, MIMS, 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 SHIRLEY G. WHITE with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: SEE ATTACHED EXHIBIT A The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described right-of-way at 9:00 A.M. on October 24, 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" THE 20 FOOT ROAD RIGHT OF WAY KNOWN AS "MOODY TERRACE" LYING NORTH OF BLOCK "I", OF JEFF CUYLER'S SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AND SOUTH OF BLOCK "T", GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF SAID PUBLIC RECORDS. LESS AND EXCEPT THE EAST 5.00 FEET AND THE WEST 20.00 FEET THEREOF. PREPARED BY JOHN T. HOLLEY, P.S.M.

PUBLIC HEARING LEGAL
ADVERTISEMENT

THE 20 FOOT ROAD RIGHT OF WAY KNOWN AS "MOODY TERRACE" LYING NORTH OF BLOCK "I", OF JEFF CUYLER'S SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AND SOUTH OF BLOCK "T", GRAY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF SAID PUBLIC RECORDS. LESS AND EXCEPT THE EAST 5.00 FEET AND THE WEST 20.00 FEET THEREOF. PREPARED BY JOHN T. HOLLEY, P.S.M.