



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.A.

Meeting Date
April 11, 2017

**AGENDA REPORT**  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: 10.0 ft. Public Utility and Drainage Easement – Spinaker Drive – “South Indian River Isle Third Addition”– Rockledge – Stephen and Michelle Spira – District 4 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)		
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 a 10.0 ft. wide public utility and drainage easement in “South Indian River Isle Third Addition” in Section 12, Township 26 South, Range 36 East. If approved, it is requested that the Board authorizes the Chairman to sign the attached Resolution approving the vacating.		
Summary Explanation & Background:	<p>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.</p> <p>The petitioners own the South half of Lot 44 and all of Lot 45 and are requesting the vacating of the 10.0 ft. wide public utility and drainage easement centered along the common lot line to allow for the permitting and construction of a new residence which would cross over the easement area. Total area of easements to be vacated is 0.045 acres or 1,972 square feet, more or less.</p> <p>March 17, 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.</p> <p>All pertinent county agencies and public utility companies have been notified and at this time, no objections have been received. This same common lot line easement was recently vacated at Lots 33 and 34 (Resolution 2016 – 227: Altman). The property is located in Rockledge as follows: Begin at the intersection of S.R. 404 (aka: Pineda Causeway) and U.S. Highway No. 1; thence 2.50 miles north along U.S. Highway No. 1; thence 0.01 miles east along Bosun Court; thence 0.09 south and east along Topsail Drive; thence 0.11 miles south, east and northeast to the lot on the east (right).</p> <p>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. This action is in keeping with the County's efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year's budget.</p> <p>Name: <a href="mailto:Marc.Cazessus@brevardfl.gov">Marc.Cazessus@brevardfl.gov</a> Phone: Ext. 57315</p>		
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.		
Contract / Agreement (If attached):	Reviewed by County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/>
County Manager	Assistant County Manager	Department/Director / Extension	
Stockton Whitten	Assistant County Manager Venetta Valdengo	John Denninghoff / Ext. 57202	



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

May 1, 2017

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

**TO:** John Denninghoff, Public Works Director    Attn: Marc Cazessus

**RE:** Advertising Bills for Resolution Vacating A 10.0 Ft. Wide Public Utility and Drainage Easement on Spinaker Drive, in South Indian River Isle Third Addition, Rockledge

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-060, vacating a 10.0 Ft. Wide Public Utility and Drainage Easement on Spinaker Drive, in South Indian River Isle Third Addition, Rockledge, as petitioned by Stephen and Michelle Spira. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on April 11, 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

May 1, 2017

Stephen and Michelle Spira  
5205 Babcock Street  
Palm Bay, FL 32905

Dear Mr. and Mrs. Spira:

Re: Resolution Vacating A 10.0 Ft. Wide Public Utility and Drainage Easement on Spinaker Drive, in South Indian River Isle Third Addition, Rockledge

The Board of County Commissioners, in regular session on April 11, 2017, adopted Resolution No. 17-060, vacating a 10.0 foot wide public utility and drainage easement on Spinaker Drive, in South Indian River Isle Third Addition, Rockledge, as petitioned by you. Said Resolution has been recorded in ORBK 7874, Pages 999 through 1003. 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

RESOLUTION 2017 - 060

**VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT IN "SOUTH INDIAN RIVER ISLE THIRD ADDITION", ROCKLEDGE, FLORIDA, LYING IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **STEPHEN AND MICHELLE SPIRA** with the Board of County Commissioners to vacate a portion of a 10.0 ft. wide public utility and drainage easement in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH & DESCRIPTION**

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public utility and drainage will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public drainage and utility easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

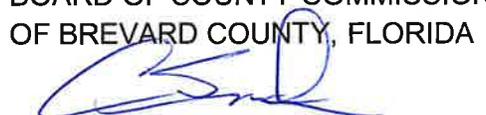
DONE, ORDERED AND ADOPTED, in regular session, this 11<sup>th</sup> day of April, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

  
CURT SMITH, CHAIRMAN

As approved by the Board on:  
April 11, 2017

# LEGAL DESCRIPTION

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

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
PARCEL ID#: 26-36-12-05-\*--44  
PURPOSE: VACATE A PUBLIC UTILITY AND DRAINAGE EASEMENT  
LOCATION: ROCKLEDGE, FL

THE 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 5.00 FEET OF LOT 44, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF. SAID EASEMENTS BEING VACATED CONTAINS A TOTAL OF 978 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

THE 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 5.00 FEET OF LOT 45, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF. SAID EASEMENTS BEING VACATED CONTAINS A TOTAL OF 994 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

### LEGEND

- (AKA) = ALSO KNOWN AS
- CL = CENTERLINE
- C.B. = CONCRETE BLOCK
- C.B.S. = CONCRETE BLOCK STRUCTURE
- CH = CHORD DISTANCE
- CLR. = CLEAR
- C.M. = CONCRETE MONUMENT
- CONC. = CONCRETE
- COR. = CORNER
- COVD = COVERED
- DEL = DELTA ANGLE
- ENCH. = ENCROACHMENT
- FD = FOUND
- ID = IDENTIFICATION
- I.P. = IRON PIPE
- I.R. = IRON ROD
- L = LENGTH
- LS = LICENSE SURVEYOR
- (M) = MEASURED
- N&D = NAIL & DISK
- N.R. = NON RADIAL
- (P) = PLATTED
- PC = POINT OF CURVATURE
- P.T. = POINT OF TANGENCY
- PL = PROPERTY LINE
- P.S.M. = PROFESSIONAL SURVEYOR & MAPPER
- P.U.&D. = PUBLIC UTILITY & DRAINAGE
- PVMT = PAVEMENT
- R = RADIUS
- R/W = RIGHT-OF-WAY
- W.F = WOOD FENCE



*Myron E. Barker*  
 PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE  
 MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085  
 CERTIFICATE OF AUTHORIZATION LB. 6586

### SURVEYOR'S NOTES:

- 1) THE BEARING SYSTEM SHOWN HEREON IS BASED ON A ASSUMED BEARING OF S.89°48'00"W., ALONG THE SOUTH RIGHT-OF-WAY LINE OF SPINAKER DRIVE.
- 2) AS PER FLOOD INSURANCE RATE MAP NO.12009C 0602 G, INDEX DATED 03-17-2014, THE ABOVE DESCRIBED PROPERTY LIES IN ZONE X.
- 3) THIS SKETCH AND DESCRIPTION WAS PREPARED FROM TITLE INFORMATION PROVIDED TO THE SURVEYOR. THERE MAY BE ADDITIONAL RESTRICTIONS OR EASEMENTS THAT AFFECT THE PROPERTY.
- 4) UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN.
- 5) LANDS SHOWN HERON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, RESERVATION, AGREEMENT AND/OR EASEMENTS OF RECORD, SUCH INFORMATION IF DESIRED, SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION.
- 6) NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 7) THIS NOT A BOUNDARY SURVEY

### PROJECT:

**16-2251**

DATE: 02/21/2017  
 CAD FILE: 16-2251.DWG  
 F.B. NUMBER: \_\_\_\_\_  
 REVISION: \_\_\_\_\_  
02/22/2017-COUNTY COMMENTS  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**PRECISION**  
**LAND SURVEYING, INC.**

CERTIFIED TO:  
**STEPHEN SPIRA**

PHONE: (321) 259-4600 2900 LAKE WASHINGTON ROAD  
 FAX: (321) 259-4255 SUITE 1  
 EMAIL: PLS@CFL.RR.COM MELBOURNE, FLORIDA 32935

N00°12'00"W  
15.00'(P&M)

FD 5/8" I.R.  
"ID LS5117"

FD 5/8" I.R.  
"ID LS3867"

25.00'  
(P&M)

SET NAIL&DISC  
"ID LS5085"

25.00'  
(P&M)

SET NAIL  
"NO ID"

PC

FD 5/8" I.R.  
"ID LS3867"

# SKETCH OF DESCRIPTION

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
PARCEL ID#: 26-36-12-05--\*-44

## SHEET 2 OF 2

NOT VALID WITHOUT THE  
LEGAL ON SHEET 1 OF 2

(C1)

R=150.00 Del=84°15'40"  
L=220.60' CH=201.25'(P&M)

(L1)

S89°48'00"W 40.00'(P&M)



SPINAKER DRIVE  
(50' PUBLIC RIGHT-OF-WAY)

(C1)

PLAT OF TOWN OF PINEDA  
PLAT BOOK 1, PAGE 41

S89°48'00"W 356.97'(P)

20' P.U.&D. EASEMENT

349.70'(M)

LOT 45

5' P.U.&D. EASEMENT

FD 5/8" I.R.  
"ID LS5117"

REMAINDER OF  
LOT 44

143.29'(M)

N89°48'00"E 141.85'(P)

SOUTH HALF  
OF LOT 44

SURVEY CLOSURE LINE  
S06°43'39" 150.98'(M)

FD 5/8" I.R.  
"NO ID"

SET 5/8" I.R.  
"ID LS5085"

±37.00'(M)

SHORELINE LOCATION AS  
SCALED FROM PLAT

±42.00'(M)

INDIAN RIVER

CAD FILE:  
**16-2251.DWG**

SCALE: 1" = 40'



BREVARD CTY PUBLIC WORKS DEPT  
2725 JUDGE FRAN JAMIESON WAY  
BLDG A220  
VIERA, FL 32940

STATE OF FLORIDA COUNTY OF BREVARD:  
Before the undersigned authority personally appeared Kim Curro, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

**Legal Notices**

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

03/17/17

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 17th of March 2017, by Kim Curro who is personally known to me

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

AD# 1996951 3/17/2017

**LEGAL NOTICE**  
NOTICE FOR THE VACATING AND DRAINAGE EASEMENT, PLAT OF "SOUTH INDIAN RIVER ISLE THIRD ADDITION", SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by STEPHEN AND MICHELLE SPIRA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**SEE EXHIBIT "A"**

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 6:00 p.m. on April 11, 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.

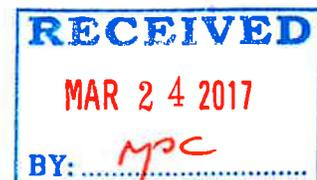
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Publication Cost: \$239.98  
Ad No: 0001996951  
Customer No: BRE-6BR327



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





BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

AD 2075854 4/20/2017

LEGAL NOTICE

RESOLUTION VACATING A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON SPINAKEE DRIVE, IN SOUTH INDIAN RIVER ISLE THIRD ADDITION, ROCKLEDGE - STEPHEN AND MICHELLE SPIRA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of April, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 10.0 ft. wide public utility and drainage easement on Spinaker Drive, in South Indian River Isle Third Addition, Rockledge, as petitioned by Stephen and Michelle Spira.

SEE ATTACHED EXHIBIT "A"

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

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

LEGAL DESCRIPTION:

EXHIBIT "A"

THE 5.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 5.00 FEET OF LOT 44, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF, SAID EASEMENT BEING VACATED, CONTAINS A TOTAL OF 978 SQUARE FEET OR 0.02 ACRES MORE OR LESS, THE 5.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 5.00 FEET OF LOT 45, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF, SAID EASEMENT BEING VACATED CONTAINS A TOTAL OF 994 SQUARE FEET OR 0.02 ACRES MORE OR LESS, PREPARED BY MYRON E. BARKER, PSM

AD 2079854 4/20/2017

LEGAL NOTICE

RESOLUTION VACATING A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON SPINAKEE DRIVE, IN SOUTH INDIAN RIVER ISLE THIRD ADDITION, ROCKLEDGE - STEPHEN AND MICHELLE SPIRA

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

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STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared Kim Curro, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Legal Notices

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

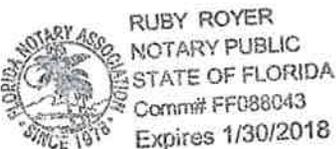
04/20/17

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 20th of April 2017, by Kim Curro who is personally known to me

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

Publication Cost: \$153.96
Ad No: 0002079854
Customer No: BRE-66R327



LEGAL NOTICE

RESOLUTION VACATING A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE  
EASEMENT ON SPINAKE DRIVE, IN SOUTH INDIAN RIVER ISLE THIRD ADDITION,  
ROCKLEDGE – STEPHEN AND MICHELLE SPIRA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11<sup>th</sup> day of April, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 10.0 ft. wide public utility and drainage easement on Spinaker Drive, in South Indian River Isle Third Addition, Rockledge, as petitioned by Stephen and Michelle Spira.

**SEE ATTACHED EXHIBIT "A"**

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

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

*Florida TODAY: Please advertise in the April 20, 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"**

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# Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

## PROPERTY DETAILS

Account	2615573
Owners	Spira, Stephen E; Spira, Michelle S
Mailing Address	5205 Babcock St Palm Bay FL 32905
Site Address	6335 Spinaker Dr Rockledge FL 32955
Parcel ID	26-36-12-05-* 44
Property Use	0007 - Vacant Residential Land (Multi-Family, Platted)
Exemptions	None
Taxing District	4200 - Unincorp District 4
Subdivision	South Indian River Isles 3Rd Addn
Total Acres	0.68
Site Code	0110 - River Front
Plat Book/Page	0038/0093
Description	South Indian River Isles 3Rd Addn S 1/2 Of Lot 44 & All Of Lot 45

## VALUE SUMMARY INFORMATION

Category	2016	2015	2014
Total Market Value	\$342,000	\$319,000	\$274,000
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$331,540	\$301,400	\$274,000
Assessed Value School	\$342,000	\$319,000	\$274,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$331,540	\$301,400	\$274,000
Taxable Value School	\$342,000	\$319,000	\$274,000

## SALES/TRANSFERS INFORMATION

Date	Price	Deed	V O R I	Book/Page
04/20/2005	\$900,000	WD	Vacant	5457/0390
05/29/2001	\$112,500	WD	Vacant	4352/1752

## BUILDING INFORMATION

No Data Found

# APPRAISER'S DETAIL SHEET

Jack B. Spira  
Spira Beadle & McGarrell, P.A.  
5205 Babcock Street NE  
Palm Bay, Florida 32905



CFN 2005143181 04-26-2005 10:26 am  
OR Book/Page: 5457 / 0390

**Scott Ellis**

Clerk Of Courts, Brevard County

#Pgs: 2 #Names: 4  
Trust: 1.50 Rec: 17.00 Serv: 0.00  
Dues: 6,300.00 Excise: 0.00  
Mfg: 0.00 Int Tax: 0.00

Parcel ID Number: 26-36-12-5- -45 & 44

Grantee #1 TIN:

Grantee #2 TIN:

# Warranty Deed

This Indenture, Made this 20th day of April, 2005 A.D., Between  
JEFF W. GRAY and NORRIS E. GRAY, husband and wife

of the County of Brevard, State of Florida, grantors, and  
STEPHEN E. SPIRA and MICHELLE S. SPIRA, husband and wife

whose address is: 5205 BABCOCK STREET, PALM BAY, FL 32905

of the County of BREVARD, State of Florida, grantees.

Witnesseth that the GRANTORS, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,  
and other good and valuable consideration to GRANTORS in hand paid by GRANTEES, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said GRANTEES and GRANTEES' heirs, successors and assigns forever, the following described land, situate, lying and being in the County of BREVARD State of Florida to wit:  
The South 1/2 of Lot 44 and all of Lot 45, SOUTH INDIAN RIVER ISLES THIRD ADDITION, according to the plat thereof, as recorded in Plat Book 38, Pages 93 and 94, of the Public Records of Brevard County, Florida.

(Continued on Attached)

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Printed Name: Yvette Strickland  
Witness as to Both

JEFF W. GRAY (Seal)  
P.O. Address: 4747 South Washington #136, Titusville, FL 32780

Printed Name: Kurtis A. Hopt  
Witness as to Both

NORRIS E. GRAY (Seal)  
P.O. Address: 4747 South Washington #136, Titusville, FL 32780

STATE OF Florida  
COUNTY OF Brevard  
Printed Name: Selena Huettl  
Witness #2 as to Norris Gray

The foregoing instrument was acknowledged before me this 20th day of April, 2005 by  
JEFF W. GRAY and NORRIS E. GRAY, husband and wife

who are personally known to me or who have produced their Florida driver's license as identification.



Printed Name: Yvette Strickland  
Notary Public

# PETITIONERS' DEED

# SHEET 1 OF 2

**Warranty Deed - Page 2**

Parcel ID Number: 26-36-12-5- -45 & 44



CFN 2005143181

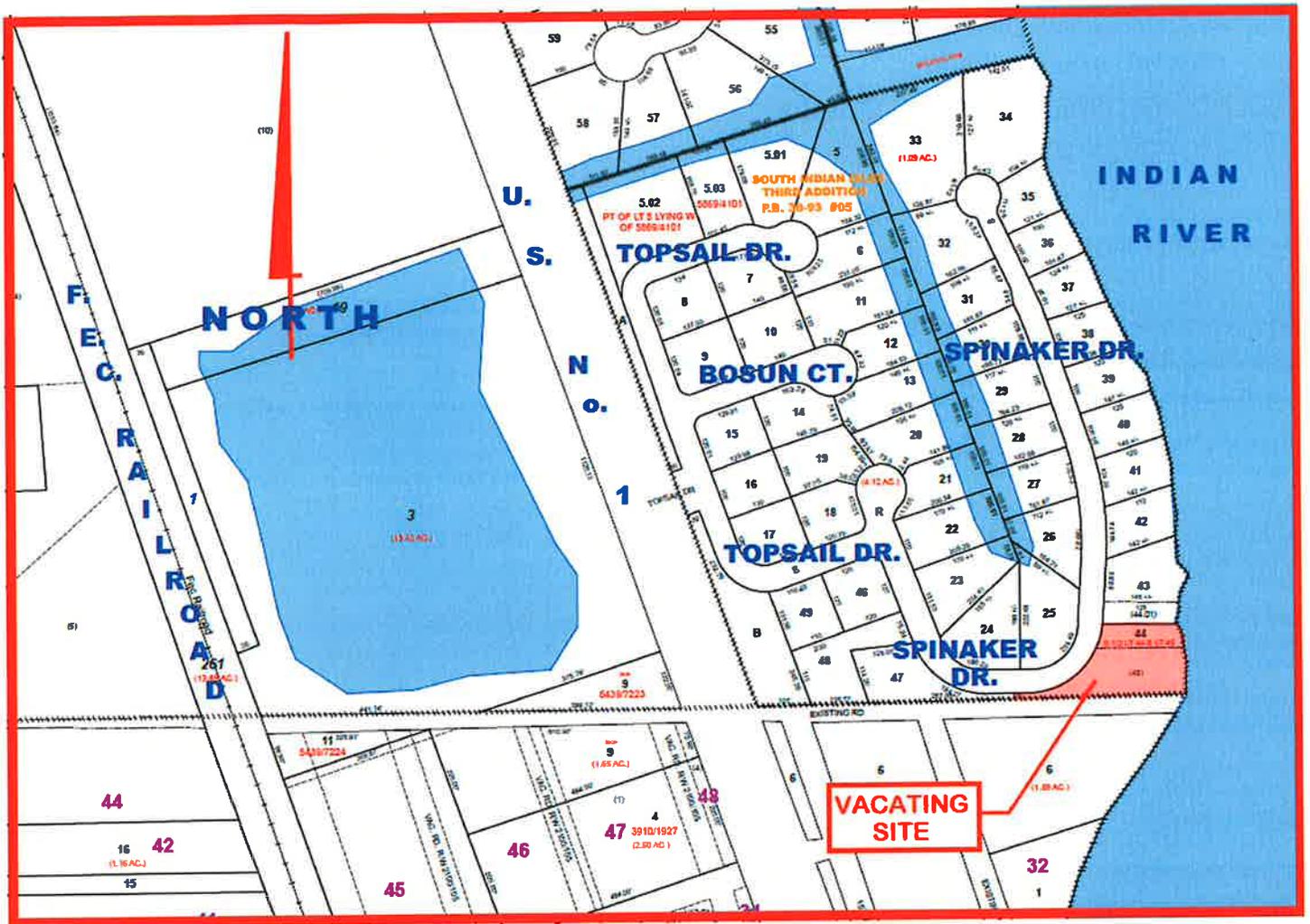
OR Book/Page: 5457 / 0391

**SUBJECT TO:**

1. TAXES FOR THE YEAR 2005 AND SUBSEQUENT THERETO.
2. EASEMENTS, RESTRICTIONS AND LIMITATIONS OF RECORD.
3. ZONING AND OTHER REGULATORY ORDINANCES, IF ANY.
4. THAT CERTAIN MORTGAGE DEED DATED JANUARY 19, 2000 RECORDED IN O.R. BOOK 4114, PAGE 1172, PUBLIC RECORDS, BREVARD COUNTY, FLORIDA WITH A REMAINING PRINCIPAL BALANCE OF APPROXIMATELY \$155,951.29 WHICH GRANTEES ASSUME AND AGREE TO PAY.

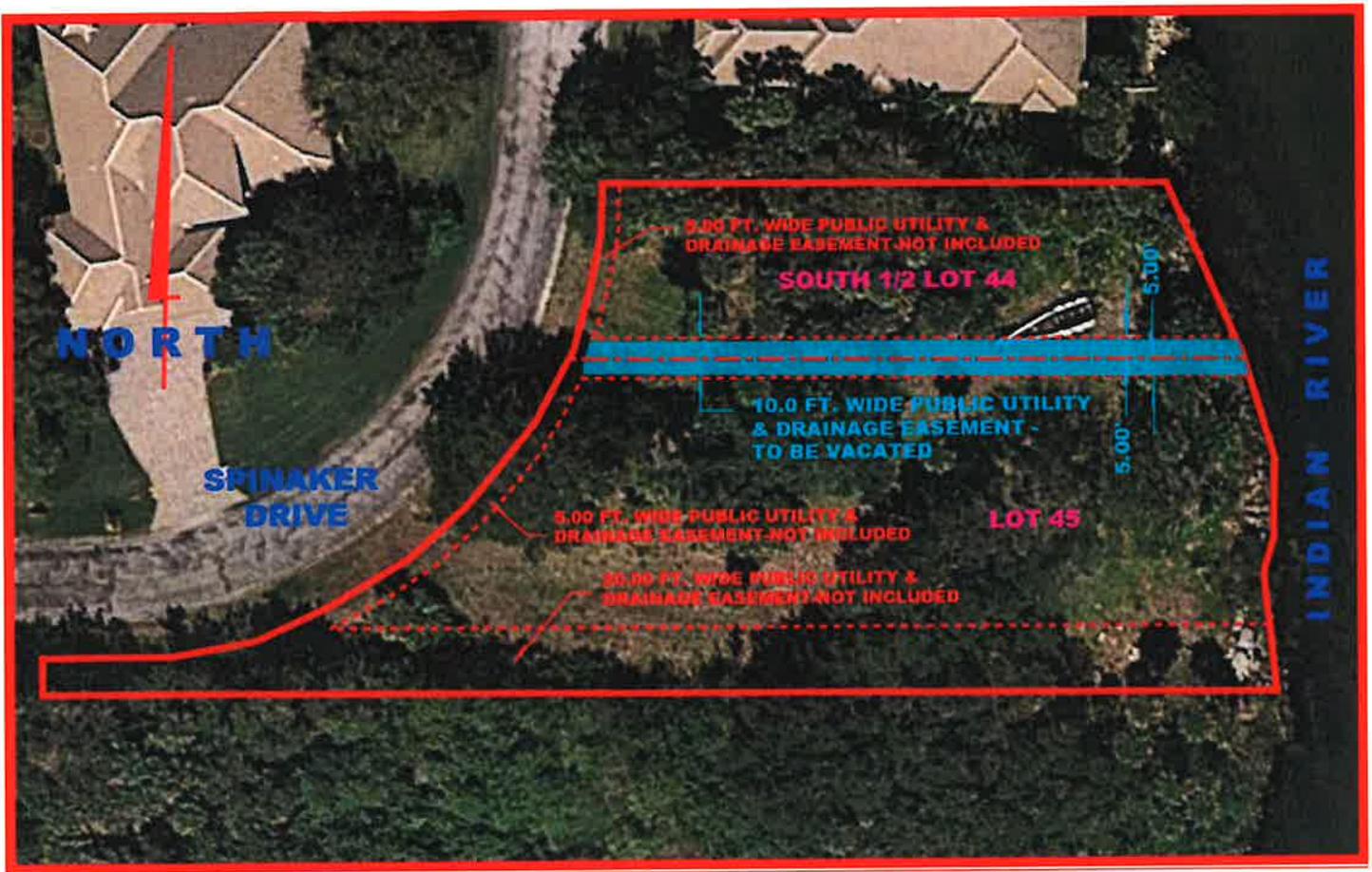
**PETITIONERS' DEED**

**SHEET 2 OF 2**



## VICINITY MAP

Stephen & Michelle Spira – 6335 Spinaker Drive,  
 Rockledge, FL, 32955 – South ½ Lot 44 & Lot 45  
 – “South Indian River Isles Third Addition” – (Plat  
 Book 38 @ Page 93) – Section 12, Township 26  
 South, Range 36 East – District 4 – Proposed  
 Vacating of a 10.0 ft. Wide Public Utility &  
 Drainage Easement centered along the Common  
 Lot Line



## AERIAL MAP

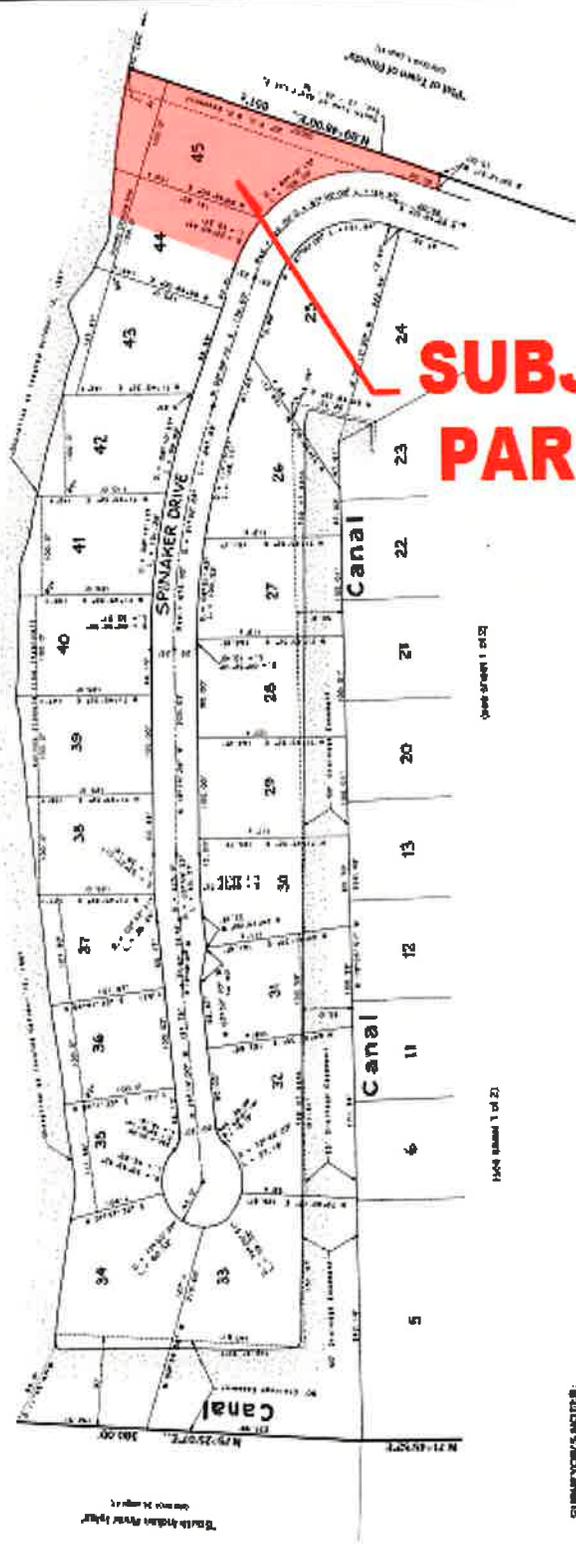
Stephen & Michelle Spira – 6335 Spinkaker Drive,  
Rockledge, FL, 32955 – South ½ Lot 44 & Lot 45  
– “South Indian River Isles Third Addition” – (Plat  
Book 38 @ Page 93) – Section 12, Township 26  
South, Range 36 East – District 4 – Proposed  
Vacating of a 10.0 ft. Wide Public Utility &  
Drainage Easement centered along the Common  
Lot Line



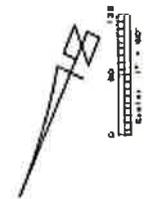
**SOUTH INDIAN RIVER ISLES  
 THIRD ADDITION**

A SUBDIVISION LYING IN SECTION 12, TOWNSHIP 28 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA.

Indian River Indian River



**SUBJECT  
 PARCEL**



**CUSTOMER'S NOTES:**  
 \* - Indicates existing improvements found or assumed to exist on the site.  
 \* - Indicates proposed improvements.  
 The bearing, distance and area of this plat is based on the information shown here and is subject to the accuracy of the survey data and the accuracy of the measurements shown here.

**NOTICE:**  
 This plat is subject to the conditions that govern subdivisions in this state and also to the provisions of the Florida Statutes, Chapter 218, Florida Statutes.

**REMARKS:**  
 This plat is subject to the conditions that govern subdivisions in this state and also to the provisions of the Florida Statutes, Chapter 218, Florida Statutes.

(See sheet 1 of 2)

(See sheet 1 of 2)

**PLAT REFERENCE**  
**SHEET 2 OF 2**

**COMMENT SUMMARY**

APPLICANT: Stephen and Michelle Spira

UPDATED BY / DATE: Marc Cazessüs, PLS / 20170310 @ 10:41 hrs.

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
<b>UTILITIES</b>				
City of Cocoa	20170223	20170228	Yes	No objections
City Gas Co. of Florida	20170223	20170223	Yes	No objections
FPL Co.	20170223	20170309	Yes	No objections
AT & T	20170223	20170223	Yes	No objections
Bright House Networks	20170223	20170227	Yes	No objections
<b>COUNTY STAFF</b>				
Road & Bridge	20170223	20170307	Yes	No objections - Susan Jackson
Land Planning	20170223	20170223	Yes	No objections - Rebecca Ragain
Utility Services	20170223	20170223	Yes	No objections - Tammy Hurley
NRMD / Storm Water	20170223	20170223	Yes	No objections - Harvey Wheeler
Zoning	20170223	20170223	Yes	No objections - Paul Body

**COMMENT SHEET**

AD# 1996951 3/17/2017

**LEGAL NOTICE**  
**NOTICE FOR THE VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "SOUTH INDIAN RIVER ISLE THIRD ADDITION", SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL**

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by STEPHEN AND MICHELLE SPIRA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**SEE EXHIBIT "A"**

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 6:00 p.m. on April 11, 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 5.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 5.00 FEET OF LOT 44, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF. SAID EASEMENT BEING VACATED CONTAINS A TOTAL OF 978 SQUARE FEET OR 0.02 ACRES MORE OR LESS. THE 5.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 5.00 FEET OF LOT 45, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF. SAID EASEMENT BEING VACATED CONTAINS A TOTAL OF 994 SQUARE FEET OR 0.02 ACRES MORE OR LESS. PREPARED BY MYRON E. BARKER, PSM**

**PUBLIC HEARING LEGAL**  
**ADVERTISEMENT**

THE 5.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 5.00 FEET OF LOT 44, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF. SAID EASEMENT BEING VACATED CONTAINS A TOTAL OF 978 SQUARE FEET OR 0.02 ACRES MORE OR LESS. THE 5.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 5.00 FEET OF LOT 45, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF. SAID EASEMENT BEING VACATED CONTAINS A TOTAL OF 994 SQUARE FEET OR 0.02 ACRES MORE OR LESS. PREPARED BY MYRON E. BARKER, PSM



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.: 0002079854
Pymt Method Invoice
Net Amt: \$153.96

Run Times: 1

No. of Affidavits: 1

Run Dates: 04/20/17

Text of Ad:

AD 2079854 4/20/2017

LEGAL NOTICE

RESOLUTION VACATING A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON SPINAKE DRIVE, IN SOUTH INDIAN RIVER ISLE THIRD ADDITION, ROCKLEDGE - STEPHEN AND MICHELLE SPIRA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of April, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 10.0 ft. wide public utility and drainage easement on Spinaker Drive, in South Indian River Isle Third Addition, Rockledge, as petitioned by Stephen and Michelle Spira.

SEE ATTACHED EXHIBIT "A"

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

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

LEGAL DESCRIPTION:

EXHIBIT "A"

THE 5.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE SOUTH 5.00 FEET OF LOT 44, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF, SAID EASEMENT BEING VACATED CONTAINS A TOTAL OF 978 SQUARE FEET OR 0.02 ACRES MORE OR LESS THE 5.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 5.00 FEET OF LOT 45, PLAT OF SOUTH INDIAN RIVER ISLES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 38, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE WESTERLY 5.00 FEET THEREOF SAID EASEMENT BEING VACATED CONTAINS A TOTAL OF 994 SQUARE FEET OR 0.02 ACRES MORE OR LESS, PREPARED BY MYRON E. BARKER, PSM