



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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G.1.

2/6/2024

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### Subject:

Petition to Vacate, Re: Two Public Utility and Drainage Easements- 1335 Anchor Lane - "Glen Isles Sec. 2" Plat Book 20, Page 36 - Merritt Island - Thomas Earl and Monica C. Phillips - 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, "Glen Isles Sec. 2" in Section 30, Township 24 South, Range 37 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

### Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lot 9, Block A, and is requesting the vacating of a portion of two 5.00 ft. wide public utility and drainage easements on Lot 9, Block A, to allow for the construction of a roof over the existing deck. The easement to be vacated contains 690.00 square feet, more or less. The property is located in Merritt Island, North of E. Merritt Island CSWY (Highway 520) and West of N. Banana River Dr.

On January 22, 2024, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. 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.

## **Brevard County Property Appraiser Detail Sheet**

Account 2438320

Owners PHILLIPS, THOMAS EARL; PHILLIPS, MONICA C

Mailing Address 1335 ANCHOR LN MERRITT ISLAND FL 32952

Site Address 1335 ANCHOR LN MERRITT ISLAND FL 32952

Parcel ID 24-37-30-96-A-9

Taxing District 2200 - UNINCORP DISTRICT 2

Exemptions NONE

Property Use 0110 - SINGLE FAMILY RESIDENCE

Total Acres 0.19

Site Code 0130 - CANAL FRONT

Plat Book/Page 0020/0036

Subdivision GLEN ISLES SEC 2

Land Description GLEN ISLES SEC 2 LOT 9 BLK A

### **VALUE SUMMARY**

<b>Category</b>	<b>2023</b>	<b>2022</b>	<b>2021</b>
Market Value	\$495,350	\$459,850	\$350,740
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$495,350	\$322,720	\$313,330
Assessed Value School	\$495,350	\$322,720	\$313,330
Homestead Exemption	\$0	\$25,000	\$25,000
Additional Homestead	\$0	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$495,350	\$272,720	\$263,330
Taxable Value School	\$495,350	\$297,720	\$288,330

### **SALES/TRANSFERS**

<b>Date</b>	<b>Price</b>	<b>Type</b>	<b>Parcel</b>	<b>Deed</b>
01/12/2023	\$600,000	WD	Improved	9699/0952
06/29/2022	\$610,000	WD	Improved	9556/1613
04/04/2019	\$380,500	WD	Improved	8409/1426



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

February 21, 2024

Thomas E and Monica C Phillips  
1335 Anchor Lane  
Merritt Island, FL 32952

Dear Sir/Madam:

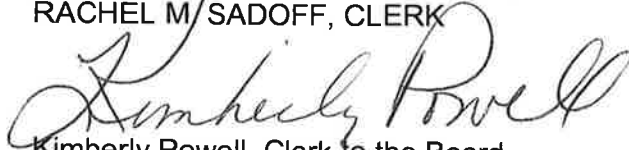
Re: Resolution Vacating a Portion of Two Public Utility and Drainage Easements in the Plat of  
"Glen Isles Sec. 2", Merritt Island

The Board of County Commissioners, in regular session on February 6, 2024, adopted Resolution No. 24-012, vacating a portion of two public utility and drainage easements in the plat of "Glen Isles Sec. 2", Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 9997, Pages 55 through 59. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works



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

February 21, 2024

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

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

RE: Advertising Bills for Resolution Vacating a Portion of Two Public Utility and Drainage Easements in the Plat of "Glen Isles Sec. 2", Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 24-012, vacating a portion of two public utility and drainage easements in plat "Glen Isles Sec. 2", Merritt Island, as petitioned by Thomas E. and Monica C. Phillips. Said Resolution was adopted by the Board of County Commissioners, in regular session on February 6, 2024.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

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

Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

**Resolution 2024 - 012**

**Vacating a portion of two public utility and drainage easements in the plat of "Glen Isles Sec. 2"  
Merritt Island, Florida, lying in Section 30, Township 24 South, Range 37 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Thomas Earl and Monica C. Phillips** with the Board of County Commissioners to vacate a public 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 Florida 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 easement(s) will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easement(s) are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED, AND ADOPTED, in regular session, this 6th day of February 2024 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk

  
Jason Steele, Chair

As approved by the Board on:  
February 6, 2024

CFN 2024035464, OR BK 9997 PAGE 55,  
Recorded 02/21/2024 at 10:41 AM, Rachel M. Sadoff,  
Clerk of Courts, Brevard County  
# Pgs:5

# LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

PARENT PARCEL ID: 24-37-30-96-A-9

PURPOSE: VACATE PUBLIC UTILITIES & DRAINAGE EASEMENTS

## LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)


THE 5.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENTS ESTABLISHED BY THE PLAT OF GLEN ISLES SEC. 2, PER PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING ADJACENT TO THE EAST 70.0 FEET OF THE SOUTH PROPERTY LINE, AND THE SOUTH 73.00 FEET OF THE EAST PROPERTY LINE OF LOT 9, BLOCK "A", GLEN ISLES SEC. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

CONTAINING 690 SQUARE FEET, 0.016 ACRES, MORE OR LESS.

## SURVEYORS NOTES:

### SURVEYOR'S NOTES:

1. FLOOD ZONE 'X SHADED' PER FLOOD INSURANCE RATE MAP 12009C0435H, 01/29/2021.
2. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTION, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
3. BEARINGS DEPICTED HEREON ARE PLAT BEARINGS AND ARE BASED ON THE SOUTH RIGHT OF WAY LINE OF ANCHOR LANE HAVING A BEARING OF N90°00'00"E.
4. THIS SKETCH AND DESCRIPTION WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT(S) SHOWN HEREON AND COPIES ARE VALID ONLY WITH THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR & MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REFERENCED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES.

  
David J. Kugelmann 10/30/2023  
DAVID J. KUGELMANN, PLS. 5117  
PROFESSIONAL LAND SURVEYOR  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFIED TO :  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY: 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: KKW	PROJECT NO. 2023029			SECTION 30 TOWNSHIP 24 SOUTH RANGE 37 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 10/09/2023	DRAWING: ESMT_VACATE.DGN				



**PROOF OF PUBLICATION**

Brevard County Clerk Donna Scott -Survey  
Brevard Cty Public Works Dept  
2725 Judge Fran Jamieson Way Bldg A  
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

01/22/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 01/22/2024

Legal Clerk

  
Notary, State of WI County of Brown

5.15.27

My commission expires

Publication Cost: \$251.75

Order No: 9744570

Customer No: 1127286

PO #: LSAR0051706

# of Copies:

0

**THIS IS NOT AN INVOICE!**

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

LEGAL NOTICE  
NOTICE FOR THE PARTIAL  
VACATING OF TWO 5.00 FT. WIDE  
PUBLIC UTILITY AND DRAIN-  
AGE EASEMENTS, PLAT OF  
"GLEN ISLES SEC. 2" IN SECTION  
30, TOWNSHIP 24 SOUTH, RANGE  
37 EAST, MERRITT ISLAND, FL  
NOTICE IS HEREBY GIVEN that  
pursuant to Chapter 336.09, Florida  
Statutes, and Chapter 86, Article II,  
Section 36-36, Brevard County Code,  
a petition has been filed by THOMAS  
EARL & MONICA C. PHILLIPS  
with the Board of County Commis-  
sioners of Brevard County, Florida,  
to request vacating the following  
described property, to wit:

THE 5.00 FOOT WIDE PUBLIC  
UTILITIES AND DRAINAGE  
EASEMENTS ESTABLISHED BY  
THE PLAT OF GLEN ISLES SEC.  
2, PER PLAT BOOK 20, PAGE 36  
OF THE PUBLIC RECORDS OF  
BREVARD COUNTY, FLORIDA,  
LYING ADJACENT TO THE  
EAST 70.0 FEET OF THE SOUTH  
PROPERTY LINE, AND THE  
SOUTH 73.0 FEET OF THE EAST  
PROPERTY LINE OF LOT 9,  
BLOCK "A", GLEN ISLES SEC.  
2, ACCORDING TO THE PLAT  
THEREOF, AS RECORDED IN  
PLAT BOOK 20, PAGE 36 OF THE  
PUBLIC RECORDS OF BREVARD  
COUNTY, FLORIDA, CONTAINING  
690 SQUARE FEET, 0.016 ACRES,  
MORE OR LESS, PREPARED BY:  
DAVID J. KUGELMANN, PSM

The Board of County Commissioners  
will hold a public hearing to deter-  
mine the advisability of such vacat-  
ing of the above-described easement  
at 5:00 P.M. on February 6, 2024, at  
the Brevard County Government  
Center Board Room, Building C.,  
2725 Judge Fran Jamieson Way,  
Viera, Florida, at which time and  
place all those for or against the  
same may be heard before final  
action is taken.

Pursuant to Section 286.0105,  
Florida Statutes, if a person decides  
to appeal any decision made by the  
board, agency, or commission with  
respect to the vacating, he or she  
will need a record of the proceed-  
ings, and that, for such purpose,  
he or she may need to ensure that  
a verbatim record of the proceed-  
ings 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.  
January 22 2024  
LSAR0051706

NANCY HEYRMAN  
Notary Public  
State of Wisconsin





Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

**PROOF OF PUBLICATION**

Samantha McDaniel  
Brevard County Clerk Donna Scott -Survey  
Brevard Cty Public Works Dept  
2725 Judge Fran Jamieson Way Bldg A  
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

02/14/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/14/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$181.82

Order No: 9838046

Customer No: 1127286

PO #:

# of Copies:

1

**THIS IS NOT AN INVOICE!**

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

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

Ad#9838046

2/14/2024

**LEGAL NOTICE**

RESOLUTION VACATING A PORTION OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS IN THE PLAT OF "GLEN ISLES SEC. 2", MERRITT ISLAND, LYING IN SECTION 30, TOWNSHIP 24 SOUTH, RANGE 37 EAST - THOMAS EARL AND MONICA C. PHILLIPS

TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on the 6th of February, 2024, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public utility and drainage easements in the Plat of "Glen Isles Sec. 2", Merritt Island, lying in Section 30, Township 24 South, Range 37 East as petitioned by Thomas Earl and Monica C. Phillips.

**LEGAL DESCRIPTION:**

THE 5.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENTS ESTABLISHED BY THE PLAT OF GLEN ISLES SEC. 2, PER PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING ADJACENT TO THE EAST 70.0 FEET OF THE SOUTH PROPERTY LINE, AND THE SOUTH 73.0 FEET OF THE EAST PROPERTY LINE OF LOT 9, BLOCK "A", GLEN ISLES SEC. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 690 SQUARE FEET, 0.016 ACRES, MORE OR LESS. PREPARED BY: DAVID J. KUGELMANN, PSM  
The Board further renounced and disclaimed any right of the County in and to said public easements.  
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell, Clerk to the Board

## Samantha McDaniel

---

**From:** Holley, Amber <Amber.Holley@brevardfl.gov>  
**Sent:** Wednesday, February 7, 2024 9:24 AM  
**To:** Samantha McDaniel  
**Cc:** Nicole Summers; Donna Scott  
**Subject:** [EXTERNAL EMAIL]February 6, 2024 Commission Meeting  
**Attachments:** LEGAL DESCRIPTION-PHILLIPS.docx

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

Ladies, please find attached the legal description from the approval on the 2/6 meeting.

Owner information:

- G.1. Thomas Earl and Monica C. Phillips, 1335 Anchor Lane, Merritt Island, FL 32952.

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

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

**LEGAL DESCRIPTION:**

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## LEGAL NOTICE

RESOLUTION VACATING A PORTION OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS IN THE PLAT OF "GLEN ISLES SEC. 2", MERRITT ISLAND, LYING IN SECTION 30, TOWNSHIP 24 SOUTH, RANGE 37 EAST – THOMAS EARL AND MONICA C. PHILLIPS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 6<sup>th</sup> of February, 2024, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public utility and drainage easements in the Plat of "Glen Isles Sec. 2", Merritt Island, lying in Section 30, Township 24 South, Range 37 East as petitioned by Thomas Earl and Monica C. Phillips.

### LEGAL DESCRIPTION:

**THE 5.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENTS ESTABLISHED BY THE PLAT OF GLEN ISLES SEC. 2, PER PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING ADJACENT TO THE EAST 70.0 FEET OF THE SOUTH PROPERTY LINE, AND THE SOUTH 73.0 FEET OF THE EAST PROPERTY LINE OF LOT 9, BLOCK "A", GLEN ISLES SEC. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 690 SQUARE FEET, 0.016 ACRES, MORE OR LESS. PREPARED BY: DAVID J. KUGELMANN, PSM**

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

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF

BREVARD COUNTY, FLORIDA

RACHEL M. SADOFF, CLERK

BY: Kimberly Powell, Clerk to the Board

### **Florida TODAY:**

Please advertise in the February 14, 2024, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**

## Vicinity Map

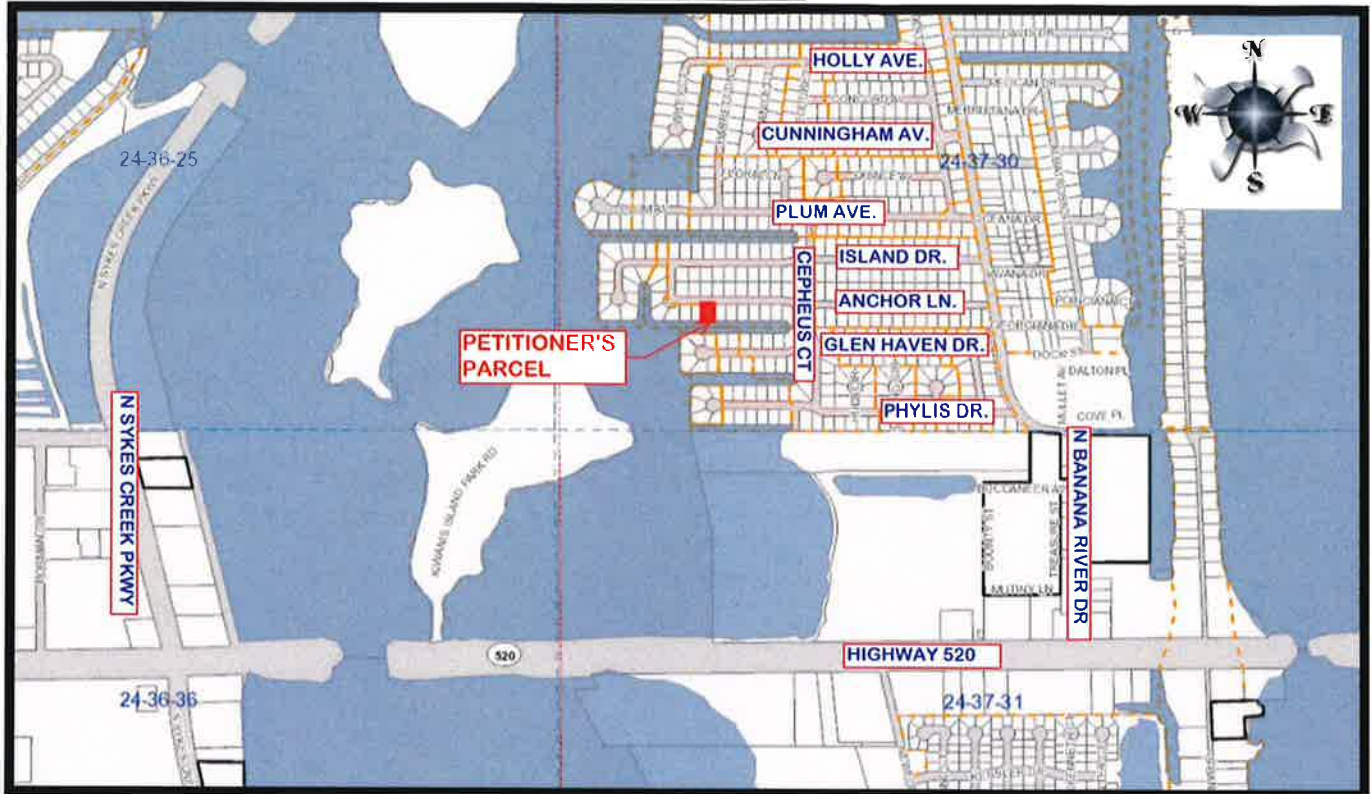


Figure 1: A vicinity map of lot 9, block A, Glen Isles Sec. 2, 1335 Anchor Lane, Merritt Island, Florida, 32952.

Thomas Earl and Monica C. Phillips – 1335  
Anchor Lane – Merritt Island, FL, 32952 – Lot  
9, Block “A”, plat of “Glen Isles Sec. 2” – Plat  
Book 20, Page 36 – Section 30, Township 24  
South, Range 37 East – District 2 – Proposed  
Vacating of a portion of two 5.0 ft. Wide  
Public Utility & Drainage Easements

## Aerial Map



Figure 2: Aerial Map of Lot 9, Block A, Glen Isles Sec. 2, 1335 Anchor Lane, Merritt Island, Florida, 32952.

Thomas Earl and Monica C. Phillips – 1335 Anchor Lane – Merritt Island, FL, 32952 – Lot 9, Block “A”, plat of “Glen Isles Sec. 2” – Plat Book 20, Page 36 – Section 30, Township 24 South, Range 37 East – District 2 – Proposed Vacating of a portion of two 5.0 ft. Wide Public Utility & Drainage Easements



### Plat Reference

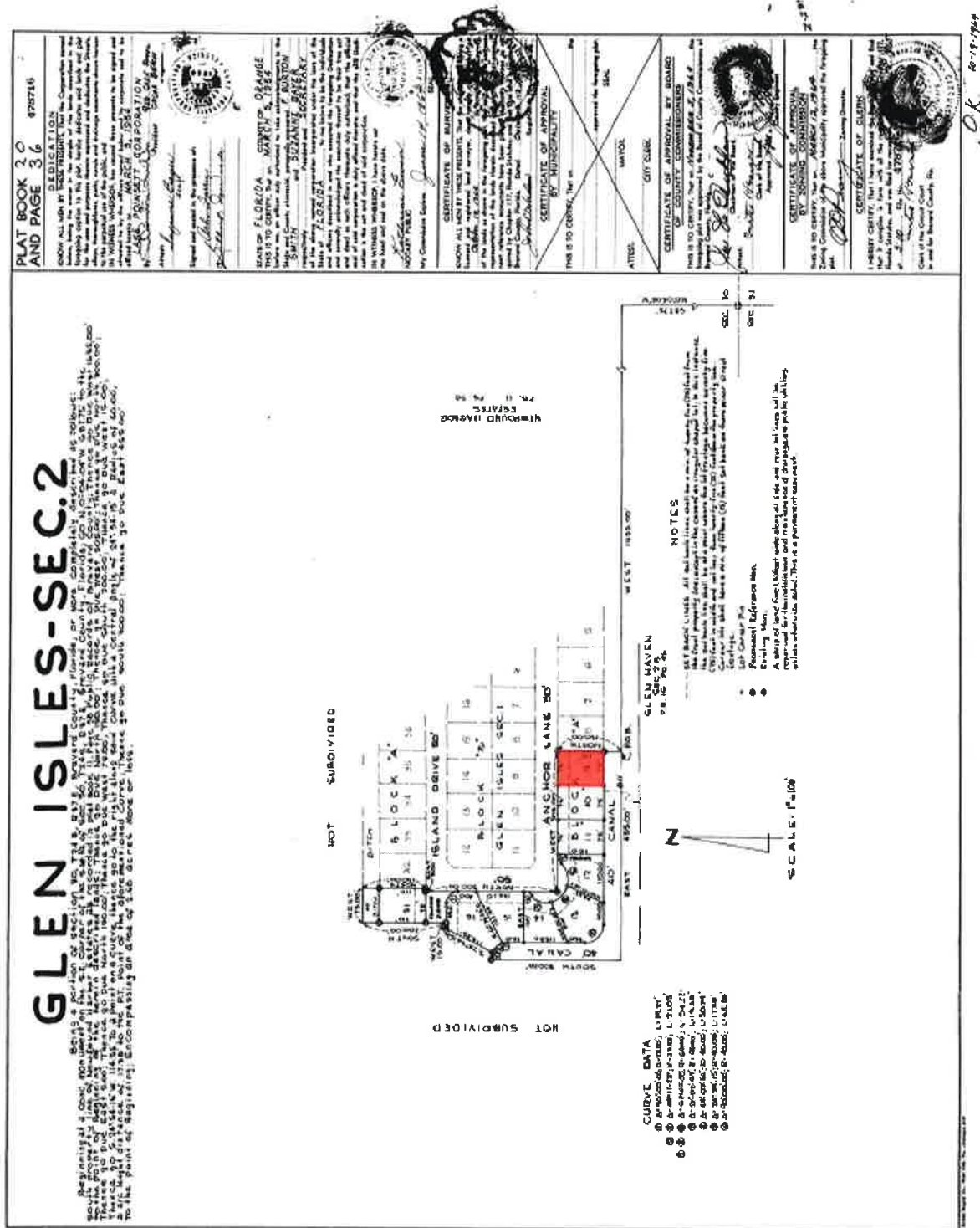


Figure 3: Copy of plat map "Glen Isles – Sec. 2" dedicated to Brevard County November 1964.

# Petitioner's Sketch & Description Sheet 1 of 2

## LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

PARENT PARCEL ID#: 24-37-30-96-A-9

PURPOSE: VACATE PUBLIC UTILITIES & DRAINAGE EASEMENTS

### LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)

THE 5.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENTS ESTABLISHED BY THE PLAT OF GLEN ISLES SEC. 2, PER PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING ADJACENT TO THE EAST 70.0 FEET OF THE SOUTH PROPERTY LINE, AND THE SOUTH 73.00 FEET OF THE EAST PROPERTY LINE OF LOT 9, BLOCK "A", GLEN ISLES SEC. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

CONTAINING 690 SQUARE FEET, 0.016 ACRES, MORE OR LESS.

### SURVEYORS NOTES:

#### SURVEYOR'S NOTES:

1. FLOOD ZONE 'X SHADED' PER FLOOD INSURANCE RATE MAP 12009C0435H, 01/29/2021.
2. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTION, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
3. BEARINGS DEPICTED HEREON ARE PLAT BEARINGS AND ARE BASED ON THE SOUTH RIGHT OF WAY LINE OF ANCHOR LANE HAVING A BEARING OF N90°00'00"E.
4. THIS SKETCH AND DESCRIPTION WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT(S) SHOWN HEREON AND COPIES ARE VALID ONLY WITH THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR & MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REFERENCED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES.



PREPARED FOR AND CERTIFIED TO :  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

DAVID J. KUGELMANN, PLS. 5117  
PROFESSIONAL LAND SURVEYOR  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: 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: KKW	PROJECT NO. 2023029			SECTION 30 TOWNSHIP 24 SOUTH RANGE 37 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 10/09/2023	DRAWING: ESMT_VACATE.DGN				

Figure 4: Legal Description. Sheet 1 of 2. Section 30, Township 24 South, Range 37 East. Parcel ID number: 24-37-30-95-A-9.



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

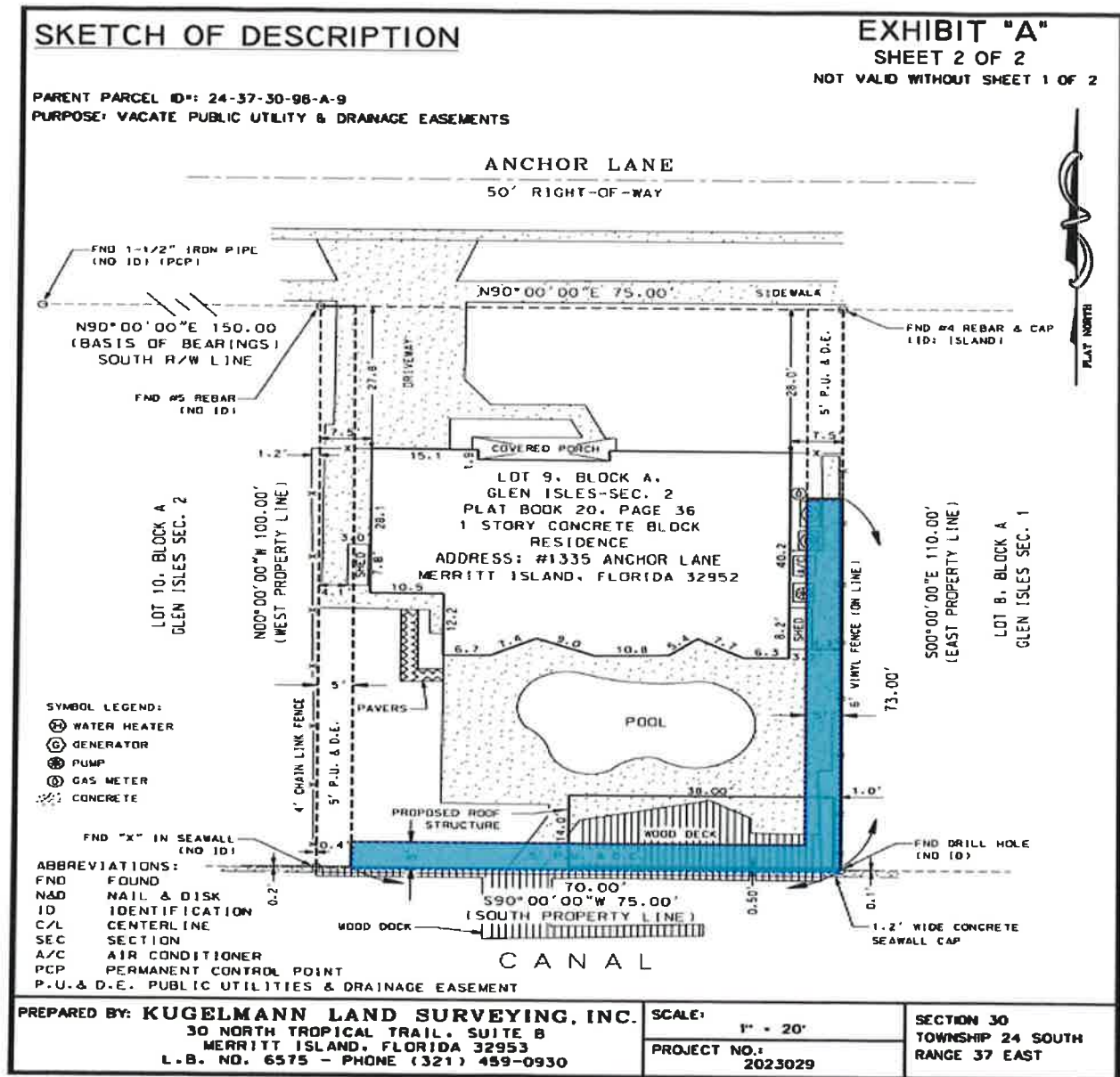


Figure 5: Sketch of description. Sheet 2 of 2. Section 30, Township 24 South, Range 37 East. Parcel ID number: 24-37-30-95-A-9.

The sketch illustrates a portion of two 5.00-foot-wide public utility and drainage easements on Lot 9, Block A, Glen Isles Sec. 2, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – North 90°00'00" East 75.00 Feet; East boundary – South 00°00'00" East 110.00 Feet; South boundary – South 90°00'00" West 75.00 Feet; West boundary – North 00°00'00" West 100.00 Feet. Prepared by: David J. Kugelmann, Kugelmann Land Surveying, Inc., LB 6575, Project NO: 20233029.

## **Comment Sheet**

Applicant: Robin

Updated by: Amber Holley 20231116 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20230925	20231116	Yes	No Comment
FL Power & Light	20230925	20231017	Yes	No Objection
At&t	20230925	20230926	Yes	No objections
Charter/Spectrum	20230925	20231003	Yes	No objections
City of Melbourne	20230925	20230926	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20230925	20231116	Yes	No objections
Land Planning	20230925	20231002	Yes	No objections
Utility Services	20230925	20230926	Yes	No objections
Storm Water	20230925	20231019	Yes	No objections
Zoning	20230925	20231002	Yes	No objections

## **Public Hearing Legal Advertisement**

LEGAL NOTICE  
NOTICE FOR THE PARTIAL  
VACATING OF TWO 5.00 FT. WIDE  
PUBLIC UTILITY AND DRAIN-  
AGE EASEMENTS, PLAT OF  
"GLEN ISLES SEC. 2" IN SECTION  
30, TOWNSHIP 24 SOUTH, RANGE  
37 EAST, MERRITT ISLAND, FL  
NOTICE IS HEREBY GIVEN that  
pursuant to Chapter 336.09, Florida  
Statutes, and Chapter 86, Article II,  
Section 86-36, Brevard County Code,  
a petition has been filed by THOMAS  
EARL & MONICA C. PHILLIPS  
with the Board of County Commis-  
sioners of Brevard County, Florida,  
to request vacating the following  
described property, to wit:  
THE 5.00 FOOT WIDE PUBLIC  
UTILITIES AND DRAINAGE  
EASEMENTS ESTABLISHED BY  
THE PLAT OF GLEN ISLES SEC.  
2, PER PLAT BOOK 20, PAGE 36  
OF THE PUBLIC RECORDS OF  
BREVARD COUNTY, FLORIDA,  
LYING ADJACENT TO THE  
EAST 70.0 FEET OF THE SOUTH  
PROPERTY LINE, AND THE  
SOUTH 73.0 FEET OF THE EAST  
PROPERTY LINE OF LOT 9,  
BLOCK "A", GLEN ISLES SEC.  
2, ACCORDING TO THE PLAT  
THEREOF, AS RECORDED IN  
PLAT BOOK 20, PAGE 36 OF THE  
PUBLIC RECORDS OF BREVARD  
COUNTY, FLORIDA. CONTAINING  
690 SQUARE FEET, 0.016 ACRES,  
MORE OR LESS. PREPARED BY:  
DAVID J. KUGELMANN, PSM  
The Board of County Commissioners  
will hold a public hearing to deter-  
mine the advisability of such vacat-  
ing of the above-described easement  
at 5:00 P.M. on February 6, 2024, at  
the Brevard County Government  
Center Board Room, Building C.,  
2725 Judge Fran Jamieson Way,  
Viera, Florida, at which time and  
place all those for or against the  
same may be heard before final  
action is taken.  
Pursuant to Section 286.0105,  
Florida Statutes, if a person decides  
to appeal any decision made by the  
board, agency, or commission with  
respect to the vacating, he or she  
will need a record of the proceed-  
ings, and that, for such purpose,  
he or she may need to ensure that  
a verbatim record of the proceed-  
ings is made, which record includes  
the testimony and evidence upon  
which the appeal is based. Persons  
seeking to preserve a verbatim  
transcript of the record must make  
those arrangements at their own  
expense. The needs of hearing or  
visually impaired persons shall be  
met if the department sponsoring  
the meeting/hearing is contacted  
at least 48 hours prior to the public  
meeting/hearing by any person  
wishing assistance.

Figure 6: Copy of public hearing advertisement as published on January 22, 2024. See the next page for the full text.

## Legal Notice Text

### LEGAL NOTICE

**NOTICE FOR THE PARTIAL VACATING OF TWO 5.00 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "GLEN ISLES SEC. 2" IN SECTION 30, TOWNSHIP 24 SOUTH, RANGE 37 EAST, MERRITT ISLAND, FL**

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **THOMAS EARL & MONICA C. PHILLIPS** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**THE 5.00 FOOT WIDE PUBLIC UTILITIES AND DRAINAGE EASEMENTS ESTABLISHED BY THE PLAT OF GLEN ISLES SEC. 2, PER PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING ADJACENT TO THE EAST 70.0 FEET OF THE SOUTH PROPERTY LINE, AND THE SOUTH 73.0 FEET OF THE EAST PROPERTY LINE OF LOT 9, BLOCK "A", GLEN ISLES SEC. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 690 SQUARE FEET, 0.016 ACRES, 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 February 6, 2024**, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

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