



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

21-054

H.1.

5/4/2021

Subject:

Petition to Vacate, Re: Public Utility Easements - 946 & 948 Pecan Circle - "Barefoot Bay Unit Two Part Twelve" Plat Book 22, Page 79 - Barefoot Bay - Barry Southard and Valerie Gallo - District 3

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacating's.

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 easements between Lots 5 and 6, Block 117, "Barefoot Bay Unit Two Part Twelve" in Section 10, Township 30 South, Range 38 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lots 5 and 6, Block 117 and are requesting the vacating of the portions of two 6.00 ft. wide public utility easements lying between lots 5 and 6, Block 117 to allow for a single-family home to be built between both lots. Easement to be vacated contains 720 square feet, more or less. The property is located in Barefoot Bay North of Micco Road and West of US Highway 1.

April 19, 2021, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

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

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice and the proof of publication of the adopted resolution notice.



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

May 19, 2021

MEMORANDUM

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

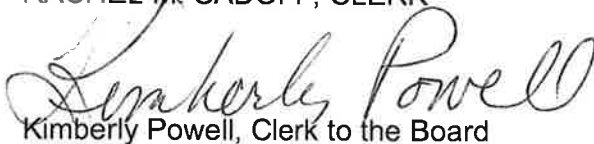
RE: Advertising Bills for Resolution Vacating a Portion of Two Public Utility Easements in "Barefoot Bay Unit Two, Part Twelve" Subdivision, Barefoot Bay, Lying in Section 10, Township 30 South, Range 38 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 21-054, vacating a portion of two public utility easements in "Barefoot Bay Unit Two, Part Twelve" Subdivision, Barefoot Bay, lying in Section 10, Township 30 South, Range 38 East, as petitioned by Barry Southard and Valerie Gallo. Said Resolution was adopted by the Board of County Commissioners, in regular session on May 4, 2021.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Encls. (2)



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

May 19, 2021

Barry Southard and Valerie Gallo
3825 12th St.
Micco, FL 32976

Dear Sir/Madam:

Re: Resolution Vacating a Portion of Two Public Utility Easements in "Barefoot Bay Unit Two, Part Twelve" Subdivision, Barefoot Bay, Lying in Section 10, Township 30 South, Range 38 East

The Board of County Commissioners, in regular session on May 4, 2021, adopted Resolution No. 21-054, vacating a portion of two public utility easements in "Barefoot Bay Unit Two, Part Twelve" Subdivision, Barefoot Bay, lying in Section 10, Township 30 South, Range 38 East, as petitioned by you. Said Resolution has been recorded in ORBK 9126, Pages 1014 through 1018. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script that reads "Kimberly Powell".

Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works

Resolution 2021 - 054

**Vacating a portion of two public utility easements in "Barefoot Bay Unit Two, Part Twelve"
Subdivision, Barefoot Bay, Florida, lying in Section 10, Township 30 South, Range 38 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **BARRY SOUTHARD AND VALERIE GALLO** with the Board of County Commissioners to vacate two public utility easements in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

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

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

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

THEREFORE BE IT RESOLVED that said public utility easements are 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 4th day of May, 2021 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk



Rita Pritchett, Chair

As approved by the Board on:
May 4, 2021

LEGAL DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PARCEL I.D. NUMBER: 30-38-10-JU-117-5

PARCEL I.D. NUMBER: 30-38-10-JU-117-6

PURPOSE OF SKETCH AND DESCRIPTION:

SHEET 1 OF 2

NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

TO VACATE TWO, 6' WIDE PUBLIC UTILITY EASEMENTS LYING ON BOTH
SIDES OF THE COMMON LINE BETWEEN LOTS 5 AND 6, BLOCK 117.

LEGAL DESCRIPTION: THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY LINE
OF LOT 5 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY LINE
OF LOT 6, BLOCK 117 ,
LESS THE SOUTH 10.0 FEET AND LESS THE NORTH 10.0 FEET FOR UTILITIES.

BAREFOOT BAY UNIT TWO, PART TWELVE,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 79-80,
OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
CONTAINING 720 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 1) THE BEARING BASE FOR THIS SURVEY IS A PLATTED BEARING OF N90°00'00"W
ALONG THE SOUTHERN RIGHT OF WAY OF PECAN CIRCLE, ALL OTHER BEARINGS
ARE RELATIVE THERETO.
- 2) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP
WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED
OR IMPLIED.
- 3) THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND FOUNDATIONS,
ENCROACHMENTS, OR ANY IMPROVEMENTS EXCEPT AS SHOWN.
- 4) THIS SKETCH IS NOT A BOUNDARY SURVEY.
- 5) IMPROVEMENTS SHOWN HEREON ARE BASED ON THE SURVEY PREPARED BY THE UNDERSIGNED
DATED 03/02/2021, DRAWING NUMBER 21-026

PREPARED FOR:

BARRY SOUTHARD
VALERIE GALLO

DRAWN BY: C.J.C.

DATE: 04/19/2021

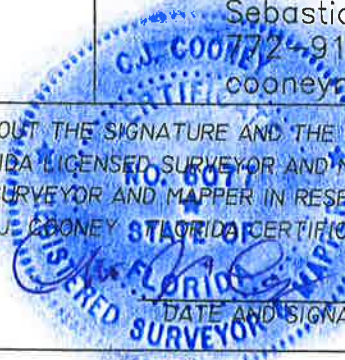
CHECKED BY: C.J.C.
SHEET 1 OF 2

THIS SURVEY PERFORMED BY:

COONEY SURVEYING &
MAPPING, LLC L.B. #8070
456 Chaloupe Terrace
Sebastian, Fl. 32958
772-913-5322
cooneymap@gmail.com

SECTION 10
TOWNSHIP 30 SOUTH
RANGE 38 EAST

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE
CHRISTOPHER J. COONEY FLORIDA CERTIFICATE NO. 6077



DATE AND SIGNATURE

SKETCH OF DESCRIPTION

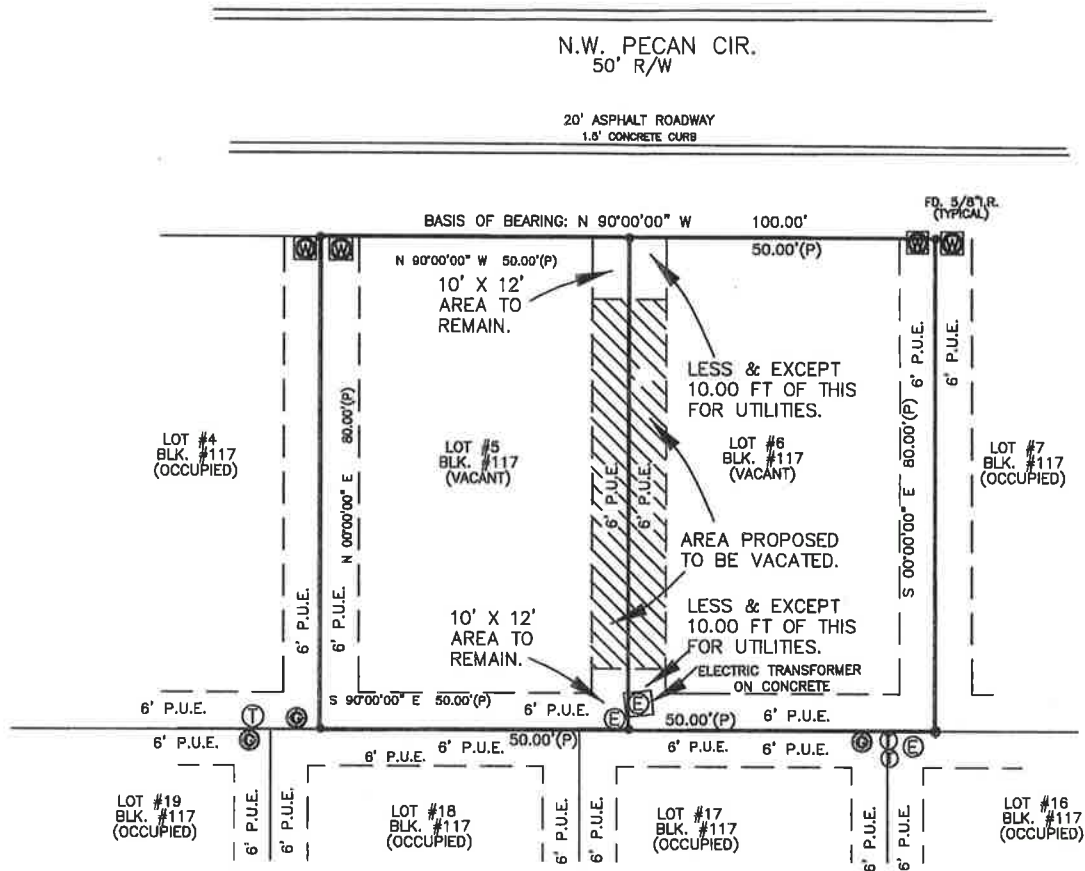
SHEET 2 OF 2

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PARCEL I.D. NUMBER: 30-38-10-JU-117-5

PARCEL I.D. NUMBER: 30-38-10-JU-117-6

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2



CERTIFIED TO:
BARRY SOUTHARD
VALERIE GALLO

PROPERTY ADDRESS:
946 & 948 PECAN CIR.
BAREFOOT BAY, FL. 32976

LEGEND & ABBREVIATIONS

⊙ = GAS SERVICE	CH = CHORD DISTANCE	FD. = FOUND
⊙ = WATER METER	CB = CHORD BEARING	I.P. = IRON PIPE
⊙ = ELECTRIC SERVICE	R = RADIUS OF CURVE	I.R. = IRON ROD
⊙ = CABLE T.V. SERVICE	Δ = (DELTA) CENTRAL ANGLE OF CURVE	I.R./C = IRON ROD & CAP
⊙ = TELEPHONE SERVICE	L = LENGTH OF ARC	N/D = NAIL AND DISK
⊙ = WELL	PC = POINT OF CURVATURE	(P) = PLAT
⊙ = SANITARY SERVICE	PT = POINT OF TANGENCY	(M) = MEASURED
⊙ = SANITARY MANHOLE	PI = POINT OF INTERSECTION	(C) = CALCULATED
	P.U.E. = PUBLIC UTILITY EASEMENT	BLK. = BLOCK
	C/L = CENTERLINE	

THIS DOCUMENT PREPARED BY:
COONEY SURVEYING &
MAPPING, LLC L.B. #8070
456 Chaloupe Terrace
Sebastian, FL. 32958
772-913-5322
cooneymap@gmail.com

0 30 60



SCALE, 1"=30'	FIELD BOOK: 112/18	SURVEY DATE: 03/02/2021	REVISIONS
JOB # 21-026	FLOOD ZONE: X	FLOOD INSURANCE RATE MAP: #12009C0694G 03/17/14	4/01/21 LESS N.10'
<p>COONEY SURVEYING AND MAPPING LLC L.B. #8070</p>	<p>Christopher J. Cooney Professional Surveyor & Mapper L.S. #6077 458 Chaloupe Terrace Sebastian, FL. 32958 772-913-5322 cooneymap@gmail.com</p>	<p>NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE CHRISTOPHER J. COONEY, FLORIDA CERTIFICATE NO. 1007</p>	4/19/21 SQ. FEET



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

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, 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:

04/19/2021

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.

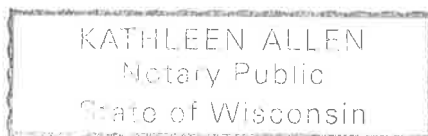
Sworn to and Subscribed before me this 19th of April 2021, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$207.38
Ad No: 0004692008
Customer No: BRE-6BR327
This is not an invoice
of Affidavits 1



AD#4692008 04/19/2021
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF TWO 6.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART TWELVE" IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, 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 BARRY SOUTHWORTH AND VALERIE GALLO with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:
THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY LINE OF LOT 5, AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 6, BLOCK 117, LESS THE SOUTH 10 FEET FOR UTILITIES, AND LESS THE NORTH 10 FEET FOR UTILITIES, BAREFOOT BAY UNIT TWO, PART TWELVE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 79-80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 960 SQUARE FEET, MORE OR LESS, PREPARED BY: CHRISTOPHER J. COONEY, 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 May 4, 2021 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.

A Daily Publication By:



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

STATE OF WISCONSIN COUNTY OF BROWN:
Before the undersigned authority personally appeared said legal clerk, 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:

05/12/2021

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 12th of May 2021,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Ad#4726596 05/12/2021
LEGAL NOTICE

RESOLUTION VACATING A PORTION OF TWO PUBLIC UTILITY EASEMENTS IN "BAREFOOT BAY UNIT TWO, PART TWELVE" SUBDIVISION, BAREFOOT BAY, LYING IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST - BARRY SOUTHARD AND VALERIE GALLO

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 4th day of May 2021, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public utility easements in "Barefoot Bay Unit Two, Part Twelve" subdivision, Barefoot Bay, lying in Section 10, Township 30 South, Range 38 East, as petitioned by Barry Southard and Valerie Gallo.

LEGAL DESCRIPTION:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY LINE OF LOT 5, AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 6, BLOCK 117, LESS THE SOUTH 10 FEET FOR UTILITIES, AND LESS THE NORTH 10 FEET FOR UTILITIES, BAREFOOT BAY UNIT TWO, PART TWELVE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 79-80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 720 SQUARE FEET, MORE OR LESS, PREPARED BY: CHRISTOPHER J. COONEY, 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

KATHLEEN ALLEN
Notary Public
State of Wisconsin

Publication Cost: \$155.22
Ad No: 0004726596
Customer No: BRE-6BR327
This is not an invoice
of Affidavits 1

Brevard County Property Appraiser Detail Sheet

Account 3005127
 Owners Southard, Barry; Gallo, Valerie
 Mailing Address 3825 12th St Micco FL 32976
 Site Address 946 Pecan Cir Barefoot Bay FL 32976
 Parcel ID 30-38-10-JU-117-5
 Property Use 0020 - Vacant Mobile Home Site (Platted)
 Exemptions None
 Taxing District 3400 - Unincorp District 3
 Total Acres 0.09
 Subdivision Barefoot Bay Unit 2 Part 12
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0022/0079
 Land Description Barefoot Bay Unit 2 Part 12 Lot 5 Blk 117

VALUE SUMMARY

Category	2020	2020	2019
Market Value	\$14,000	\$13,000	\$13,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$5,290	\$4,810	\$4,380
Assessed Value School	\$14,000	\$13,000	\$13,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$5,290	\$4,810	\$4,380
Taxable Value School	\$14,000	\$13,000	\$13,000

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
09/25/2020	\$13,900	XD	Vacant	8868/2019
12/08/2010	--	QC	Improved	6297/0057
06/30/1996	\$29,900	WD	--	3587/2232

Fig. 1: Copy of Property Appraiser's detail sheet for lot 5, block 117, Barefoot Bay Unit Two Part Twelve, 946 Pecan Circle, Barefoot Bay, FL 32976, Section 10, Township 30 South, Range 38 East, District 3

Brevard County Property Appraiser Detail Sheet

Account 3005128
 Owners Southard, Barry; Gallo, Valerie
 Mailing Address 3825 12th St Micco FL 32976
 Site Address 948 Pecan Cir Barefoot Bay FL 32976
 Parcel ID 30-38-10-JU-117-6
 Property Use 0020 – Vacant Mobile Home Site (Platted)
 Exemptions None
 Taxing District 3400 - Unincorp District 3
 Total Acres 0.09
 Subdivision Barefoot Bay Unit 2 Part 12
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0022/0079
 Land Description Barefoot Bay Unit 2 Part 12 Lot 6 Blk 117

VALUE SUMMARY

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Assessed Value Non-School	\$14,000	\$13,000	\$13,000
Assessed Value School	\$14,000	\$13,000	\$13,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$14,000	\$13,000	\$13,000
Taxable Value School	\$14,000	\$13,000	\$13,000

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
02/19/2021	\$15,800	WD	Vacant	9024/1724
12/27/2017	\$13,000	WD	Vacant	8060/0563
07/29/2015	\$5,600	WD	--	7422/0861

Fig. 2: Copy of Property Appraiser's detail sheet for lot 6, block 117, Barefoot Bay Unit Two Part Twelve, 948 Pecan Circle, Barefoot Bay, FL 32976, Section 10, Township 30 South, Range 38 East, District 3

Vicinity Map



Fig. 3: Map of Lots 5 & 6, Block 117, Barefoot Bay Unit Two, Part Twelve, 946 & 948 Pecan Circle, Barefoot Bay, FL 32976.

Valerie Gallo and Barry Southard – 946 & 948
 Pecan Circle – Barefoot Bay, FL, 32976 – Lots 5 &
 6, Block 117, plat of “Barefoot Bay Unit Two Part
 Twelve” – Plat Book 22, Page 79 – Section 10,
 Township 30 South, Range 38 East – District 3 –
 Proposed Vacating of portions of two 6.0 ft. Wide
 Public Utility Easements

Aerial Map

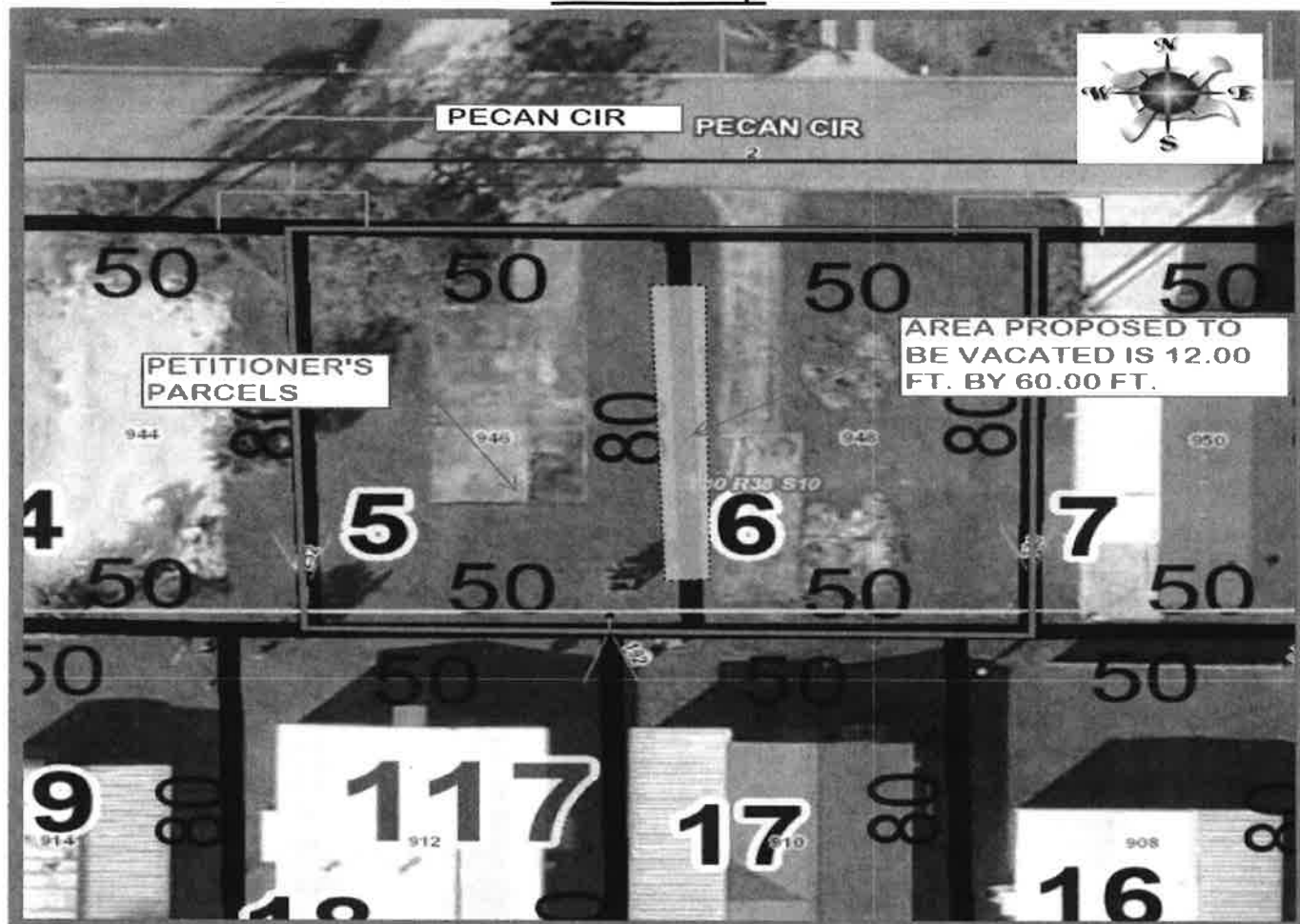


Fig. 4: Map of aerial view of Lots 5 & 6, Block 117, Barefoot Bay Unit Two, Part Twelve, 946 & 948 Pecan Circle, Barefoot Bay, FL 32976.

Valerie Gallo and Barry Southard – 946 & 948
Pecan Circle – Barefoot Bay, FL, 32976 – Lots 5 &
6, Block 117, plat of “Barefoot Bay Unit Two Part
Twelve” – Plat Book 22, Page 79 – Section 10,
Township 30 South, Range 38 East – District 3 –
Proposed Vacating of portions of two 6.0 ft. Wide
Public Utility Easements

Plat Reference

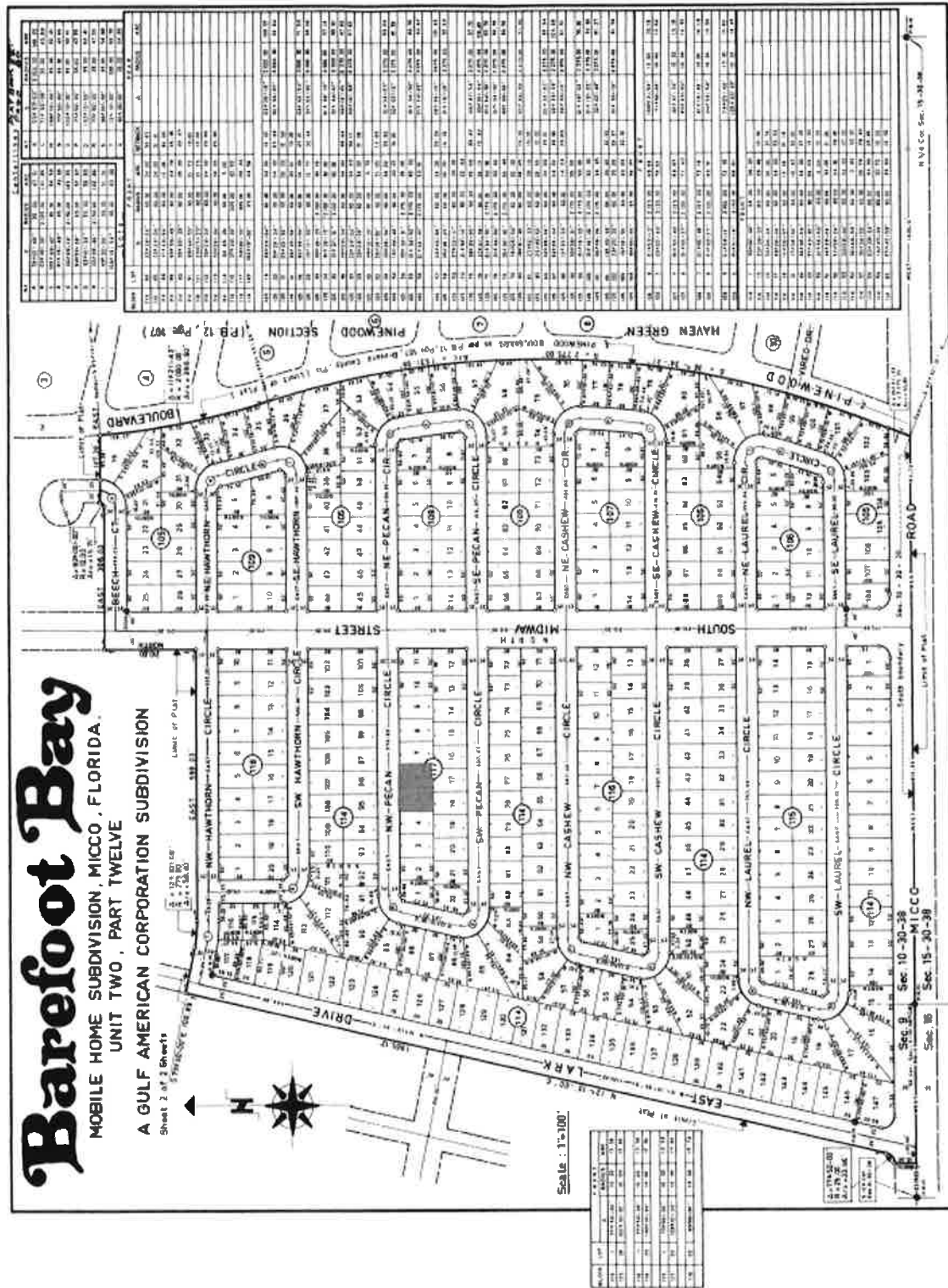


Fig. 5: Copy of plat map "Barefoot Bay" dedicated to Brevard County July 21, 1969.

LEGAL DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST
PARCEL I.D. NUMBER: 30-38-10-JU-117-5
PARCEL I.D. NUMBER: 30-38-10-JU-117-6

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

PURPOSE OF SKETCH AND DESCRIPTION:

TO VACATE TWO, 6' WIDE PUBLIC UTILITY EASEMENTS LYING ON BOTH
SIDES OF THE COMMON LINE BETWEEN LOTS 5 AND 6, BLOCK 117.

LEGAL DESCRIPTION: THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY LINE
OF LOT 5 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY LINE
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LESS THE SOUTH 10.0 FEET AND LESS THE NORTH 10.0 FEET FOR UTILITIES.

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SURVEYORS NOTES:

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ALONG THE SOUTHERN RIGHT OF WAY OF PECAN CIRCLE, ALL OTHER BEARINGS
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OR IMPLIED.
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- 5) IMPROVEMENTS SHOWN HEREON ARE BASED ON THE SURVEY PREPARED BY THE UNDERSIGNED
DATED 03/02/2021, DRAWING NUMBER 21-026

PREPARED FOR:

BARRY SOUTHARD
VALERIE GALLO

DRAWN BY: C.J.C.
DATE: 04/01/2021
CHECKED BY: C.J.C.
SHEET 1 OF 2

THIS SURVEY PERFORMED BY:
COONEY SURVEYING &
MAPPING, LLC L.B. #8070
456 Chaloupe Terrace
Sebastian, Fl. 32958
772-913-5322
cooneymap@gmail.com

SECTION 10
TOWNSHIP 30 SOUTH
RANGE 38 EAST

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE
CHRISTOPHER J. COONEY FLORIDA CERTIFICATE NO. 6077

 4-1-2021
DATE AND SIGNATURE

1196

Comment Sheet

Applicant: Barry Southard and Valerie Gallo

Updated by: Amber Holley 20210414 at 930 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20210406	20210406	Yes	No objections
FL Power & Light	20210406	20210414	Yes	No objections
At&t	20210406	20210406	Yes	No objections
Charter/Spectrum	20210406	20210414	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20210406	20210406	Yes	No objections
Land Planning	20210406	20210412	Yes	No objections
Utility Services	20210406	20210406	Yes	No objections
Storm Water	20210406	20210409	Yes	No objections
Zoning	20210406	20210412	Yes	No objections

Fig. 8: Copy of comment sheet for utility review.

Public Hearing Legal Advertisement

AD#4692008

04/19/2021

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 6.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO PART TWELVE" IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, 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 **BARRY SOUTHARD AND VALERIE GALLO** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY LINE OF LOT 5, AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 6, BLOCK 117, LESS THE SOUTH 10 FEET FOR UTILITIES, AND LESS THE NORTH 10 FEET FOR UTILITIES, BAREFOOT BAY UNIT TWO, PART TWELVE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 79-80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 960 SQUARE FEET, MORE OR LESS. PREPARED BY: CHRISTOPHER J. COONEY, 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 May 4, 2021** at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

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

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

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

Fig. 9: Copy of public hearing advertisement as published on April 19, 2021 see next page for full text.

Legal Notice Text

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THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY LINE OF LOT 5, AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 6, BLOCK 117, LESS THE SOUTH 10 FEET FOR UTILITIES, AND LESS THE NORTH 10 FEET FOR UTILITIES, BAREFOOT BAY UNIT TWO, PART TWELVE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 79-80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 720 SQUARE FEET, MORE OR LESS. PREPARED BY: CHRISTOPHER J. COONEY, PSM.

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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.

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Petitioner's Proposed Plot Plan for New Home

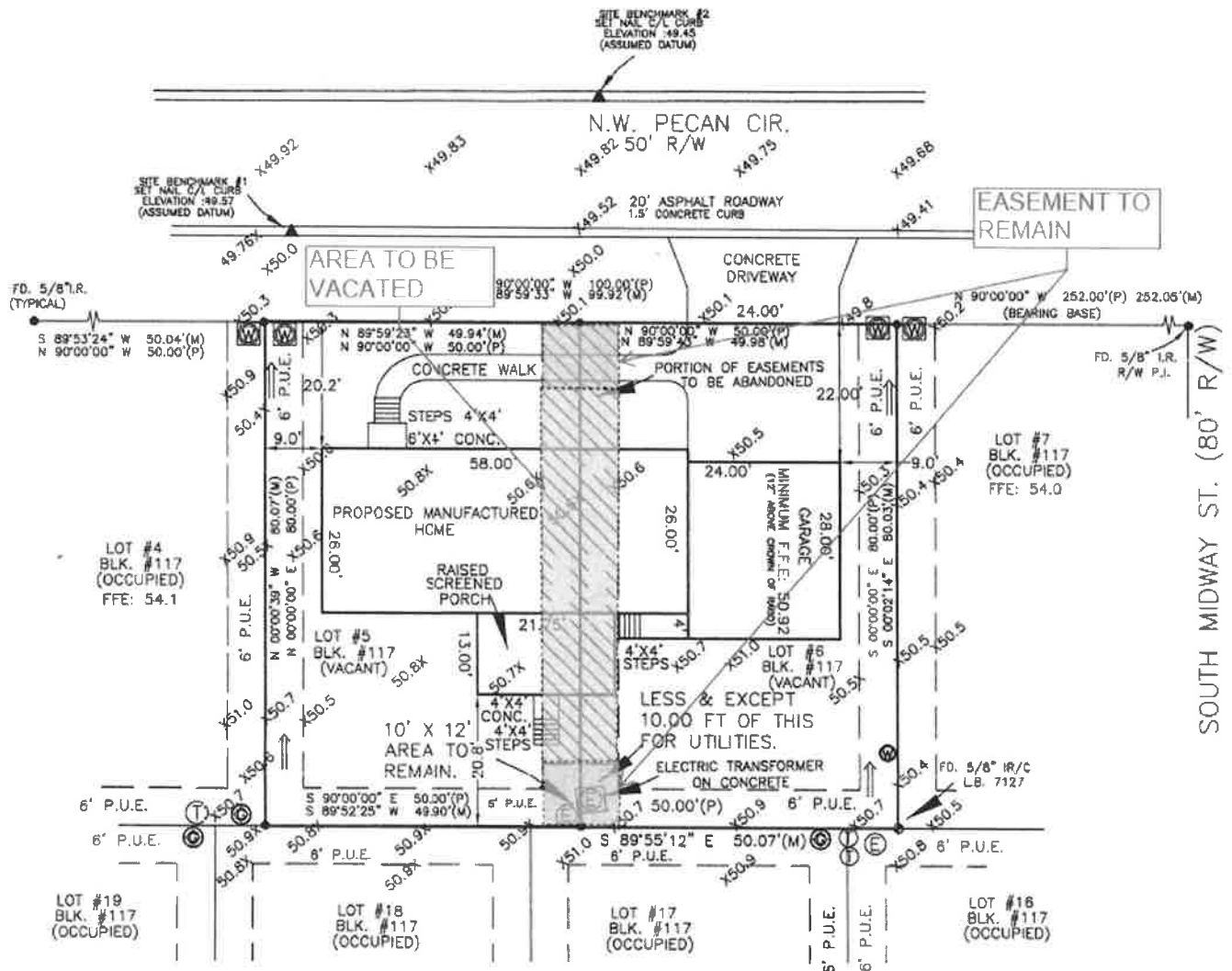


Fig. 10: Petitioner's Proposed Plot Plan for new home on lots 5 & 6, Block 117, Barefoot Bay.