



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.1.

3/23/2021

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### **Subject:**

Petition to Vacate, Re: Public Utility and Drainage Easement - "Twin Lakes at Suntree, First Addition" Plat Book 28, Page 48 - 447 Pauma Valley Way - Melbourne - Jerry J. Morian - District 4

### **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 a 10.0-foot public utility and drainage easement on Lot 12, Block 2, "Twin Lakes at Suntree, First Addition" in Section 14, Township 26 South, Range 36 East in Melbourne, Florida. 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 petitioner owns Lot 12 and is requesting the vacating of a 4.0-foot portion of the easement to be vacated to allow for the construction of a pool. Easement to be vacated contains 196 square feet, more or less. The property is located in Melbourne South of N. Wickham Rd. and East of I-95.

March 8, 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

April 7, 2021

Jerry J. Morian  
447 Pauma Valley Way  
Melbourne, FL 32940

Dear Sir/Madam:

Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement in "Twin Lakes at Suntree, First Addition" Subdivision, Melbourne, Lying in Section 14, Township 26 South, Range 36 East

The Board of County Commissioners, in regular session on March 23, 2021, adopted Resolution No. 21-034, vacating a portion of a public utility and drainage easement in "Twin Lakes at Suntree, First Addition" Subdivision, Melbourne, lying in Section 14, Township 26 South, Range 36 East, as petitioned by you. Said Resolution has been recorded in ORBK 9076, Pages 1638 through 1642. 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

April 7, 2021

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

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

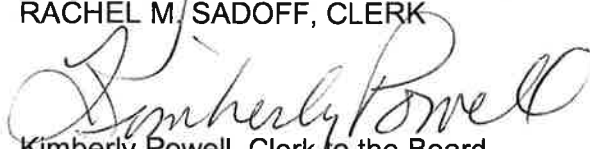
**RE:** Advertising Bills for Resolution Vacating a Portion of a Public Utility and Drainage Easement in "Twin Lakes at Suntree, First Addition" Subdivision, Melbourne, Lying in Section 14, Township 26 South, Range 36 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 21-034, vacating a Portion of a Public Utility and Drainage Easement in "Twin Lakes at Suntree, First Addition" Subdivision, Melbourne, Lying in Section 14, Township 26 South, Range 36 East, as petitioned by Jerry J. Morian. Said Resolution was adopted by the Board of County Commissioners, in regular session on March 23, 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)

**Resolution 2021 - 034**

**Vacating a portion of a public utility and drainage easement in "Twin Lakes at Suntree, First Addition"  
Subdivision, Melbourne, Florida lying in Section 14, Township 26 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JERRY J. MORIAN** with the Board of County Commissioners to vacate an easement in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH AND 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 easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility and drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said strip of land. 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 23<sup>rd</sup> day of March, 2021 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk

  
Rita Pritchett, Chair

As approved by the Board on:  
March 23, 2021

# LEGAL DESCRIPTION

PARENT PARCEL: #26-36-14-07-2-12

PURPOSE: PARTIAL VACATION OF REAR 10' P.U.&D. EASEMENT

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

### LEGAL: PARTIAL VACATION OF 10' P.U.&D. EASEMENT (BY SURVEYOR)

A PORTION OF LOT 12, BLOCK 2, AS SHOWN ON THE PLAT OF TWIN LAKES AT SUNTREE, FIRST ADDITION, AS RECORDED IN PLAT BOOK 28, PAGE 48 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SAID LOT 12, BLOCK 2, THENCE RUN N 25°59'27"W (PLAT) N 26°01'17"W (MEASURED) A DISTANCE OF 25.25 FEET; THENCE S63°51'15"W A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 63°51'15"W A DISTANCE OF 4.00 FEET; THENCE N 26°01'17"W PARALLEL TO THE EASTERLY BOUNDARY LINE OF SAID LOT 12, BLOCK 2 A DISTANCE OF 49.00 FEET; THENCE N 63°51'15"E A DISTANCE OF 4.00 FEET; THENCE S 26°01'17"E A DISTANCE OF 49.00 FEET TO THE POINT OF BEGINNING

### SURVEYORS NOTES & LEGEND:

1. THE BEARING SYSTEM SHOWN HEREON IS BASED ON A ASSUMED BEARING OF N.33°06'05"W., ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF PAUMA VALLEY WAY.

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C.L.F = CHAIN LINK FENCE  
CH = CHORD  
CONC. = CONCRETE  
(D) = DEEDED  
FD = FOUND  
ID = IDENTIFICATION  
IR = IRON ROD  
L = LENGTH  
LB = LICENSE BUSINESS  
LS = LICENSE SURVEYOR  
(M) = MEASURED  
NO = NUMBER  
ON/OFF = ON SITE/OFF SITE  
ORB = OFFICIAL RECORDS BOOK  
PG = PAGE  
PC = POINT OF CURVATURE  
(P) = PLATTED  
P.U.&D. = PUBLIC UTILITY AND DRAINAGE  
R = RADIUS  
WF = WOOD FENCE



PREPARED FOR AND CERTIFIED TO:

**BREVARD COUNTY BOARD  
OF COUNTY COMMISSIONERS**

*Myron E. Barker*

MYRON E. BARKER — FLORIDA CERTIFICATE NO. 5085  
CERTIFICATE OF AUTHORIZATION LB. 6586  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: PRECISION LAND SURVEYING, INC.  
2600 LAKE WASHINGTON ROAD, SUITE 1  
MELBOURNE, FLORIDA 32935

DRAWN BY: J. PRESSMAN	CHECKED BY: M. BARKER	PROJECT NO. 20-1723			SECTION 14 TOWNSHIP 26 SOUTH RANGE 36 EAST
DATE: 08/11/2020	DRAWING: 20-1723	REVISIONS	DATE	DESCRIPTION	
			02/18/21	CHANGE VACATIONING TO POOL AREA ONLY	

# SKETCH OF DESCRIPTION

PARENT PARCEL: #26-36-14-07-2-12

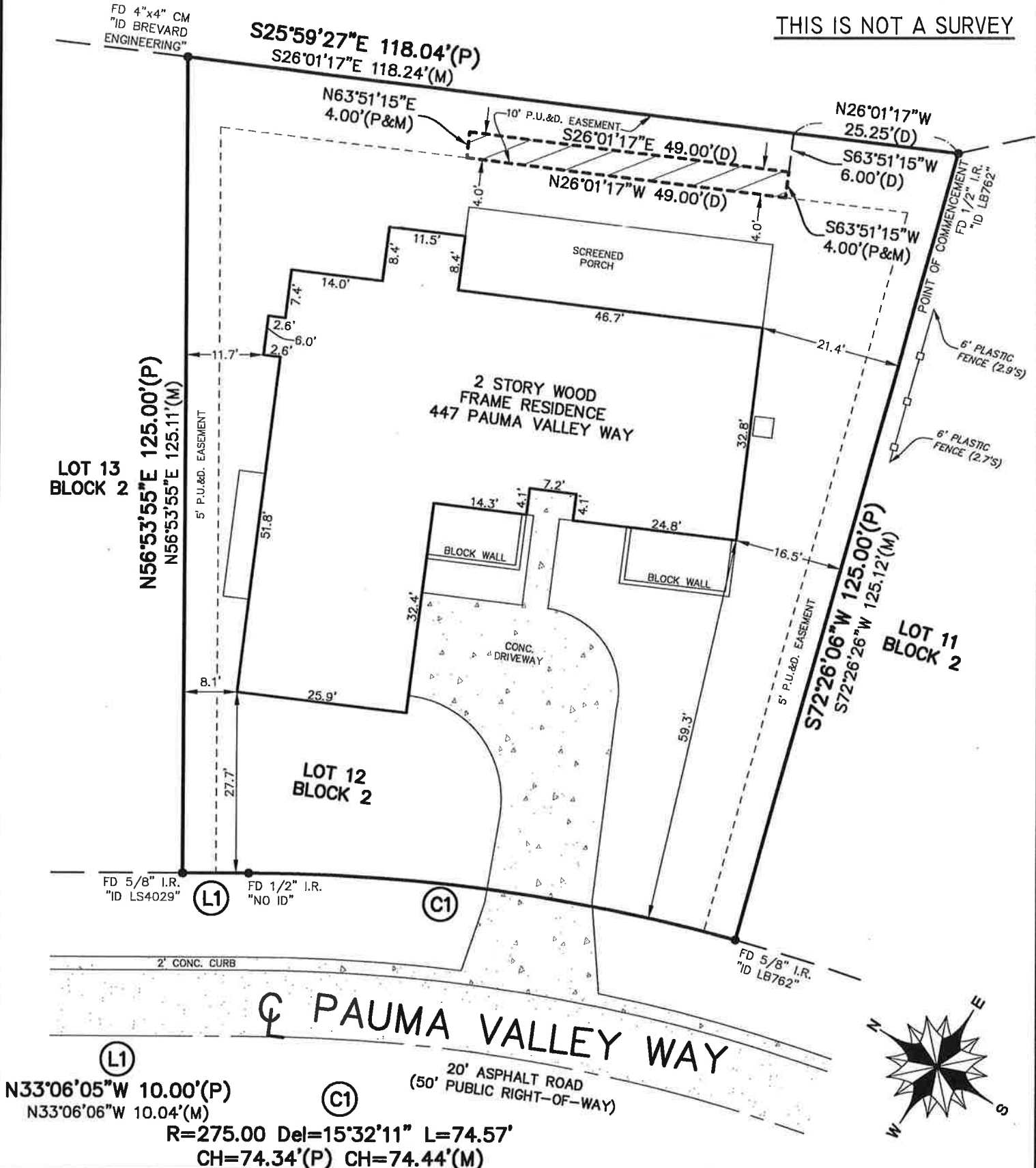
PURPOSE: PARTIAL VACATION OF REAR 10' P.U.&D. EASEMENT

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



<p>PREPARED BY: PRECISION LAND SURVEYING, INC. 2600 LAKE WASHINGTON ROAD, SUITE 1 MELBOURNE, FLORIDA 32935</p>	<p>SCALE: 1"=20' PROJECT NO.: 20-1723</p>	<p>SECTION 14 TOWNSHIP 26 SOUTH RANGE 36 EAST</p>
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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:

**03/08/2021**

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 8th of March 2021, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Ad#4626345 03/08/2021

#### LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF A 10.00 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "TWIN LAKES AT SUNTREE, FIRST ADDITION" IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, 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 JERRY J. MORIAN with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF LOT 12, BLOCK 2, AS SHOWN ON THE PLAT OF TWIN LAKES AT SUNTREE, FIRST ADDITION, AS RECORDED IN PLAT BOOK 28, PAGE 48 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SAID LOT 12, BLOCK 2, THENCE RUN N 25°59'27" W (PLAT) N 26°01'17" W (MEASURED) A DISTANCE OF 25.25 FEET; THENCE S 63°51'15" W A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 63°51'15" W A DISTANCE OF 4.00 FEET; THENCE N 26°01'17" W PARALLEL TO THE EASTERLY BOUNDARY LINE OF SAID LOT 12, BLOCK 2 A DISTANCE OF 49.00 FEET; THENCE N 63°51'15" E A DISTANCE OF 4.00 FEET; THENCE S 26°01'17" E A DISTANCE OF 49.00 FEET TO THE POINT OF BEGINNING, CONTAINING 196.00 SQ. FT. PREPARED BY: MYRON E. BARKER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on March 23, 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.

Publication Cost: \$236.72

Ad No: 0004626345

Customer No: BRE-6BR327

This is not an invoice

# of Affidavits 1

NANCY HEYRMAN  
Notary Public  
State of Wisconsin



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:

**03/31/2021**

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 31th of March 2021, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

AD#4663153 03/31/2021

LEGAL NOTICE

VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN "TWIN LAKES AT SUNTREE, FIRST ADDITION" SUBDIVISION, MELBOURNE, LYING IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST - JERRY J. MORIAN

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 23rd day of March 2021, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in "Twin Lakes at Suntree, First Addition" subdivision, Melbourne, lying in Section 14, Township 26 South, Range 36 East, as petitioned by Jerry J. Morian.

LEGAL DESCRIPTION:

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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  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell, Clerk to the Board

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

Publication Cost: \$181.30  
Ad No: 0004663153  
Customer No: BRE-6BR327  
This is not an invoice

# of Affidavits 1

## Samantha McDaniel

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**From:** Holley, Amber <Amber.Holley@brevardfl.gov>  
**Sent:** Tuesday, March 23, 2021 4:45 PM  
**To:** Samantha McDaniel; Nicole Summers; Cheryl Duisberg  
**Cc:** Deborah Thomas; Donna Scott; Kimberly Powell  
**Subject:** March 23, 2021 Commission Meeting  
**Attachments:** LEGAL-DESCRIPTION\_MORIAN.docx

Ladies, please find attached the legal description from the approval on 3/23 meeting. Owner information:

- Jerry J. Morian, 447 Pauma Valley Way, Melbourne, FL 32940.

Thank you,  
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

A PORTION OF LOT 12, BLOCK 2, AS SHOWN ON THE PLAT OF TWIN LAKES AT SUNTREE, FIRST ADDITION, AS RECORDED IN PLAT BOOK 28, PAGE 48 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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# Brevard County Property Appraiser Detail Sheet

Account 2603969  
 Owners Morian, Jerry J  
 Mailing Address 447 Pauma Valley Way Melbourne FL 32940  
 Site Address 447 Pauma Valley Way Melbourne FL 32940  
 Parcel ID 26-36-14-07-2-12  
 Property Use 0110 - Single Family Residence  
 Exemptions  
 HEX1 - Homestead First  
 HEX2 - Homestead Additional  
 WDWL - Widower's Exemption For Husband  
 Taxing District 4200 - Unincorp District 4  
 Total Acres 0.29  
 Subdivision Twin Lakes At Suntree 1St Addn  
 Site Code 0142 - Nbhd Lake/Reten Frtg  
 Plat Book/Page 0028/0048  
 Land Description Twin Lakes At Suntree 1St Addn Lot 12 Blk 2

## VALUE SUMMARY

Category	2020	2019	2018
Market Value	\$356,590	\$360,100	\$365,300
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$247,280	\$241,730	\$237,230
Assessed Value School	\$247,280	\$241,730	\$237,230
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$500	\$500	\$500
Taxable Value Non-School	\$196,780	\$191,230	\$186,730
Taxable Value School	\$221,780	\$216,230	\$211,730

## SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
08/10/2012	\$265,000	WD	Improved	6675/1062
03/08/2010	--	WD	Improved	6128/0614
11/01/1993	--	QC	Improved	3342-0049
08/06/1982	\$43,000	WD	--	2381/0789

Fig. 1: Copy of Property Appraiser's detail sheet for Lot 12, Block 2, Twin Lakes at Suntree, First Addition, 447 Pauma Valley Way, Melbourne, FL 32940, Section 14, Township 26 South, Range 36 East, District 4

## Vicinity Map

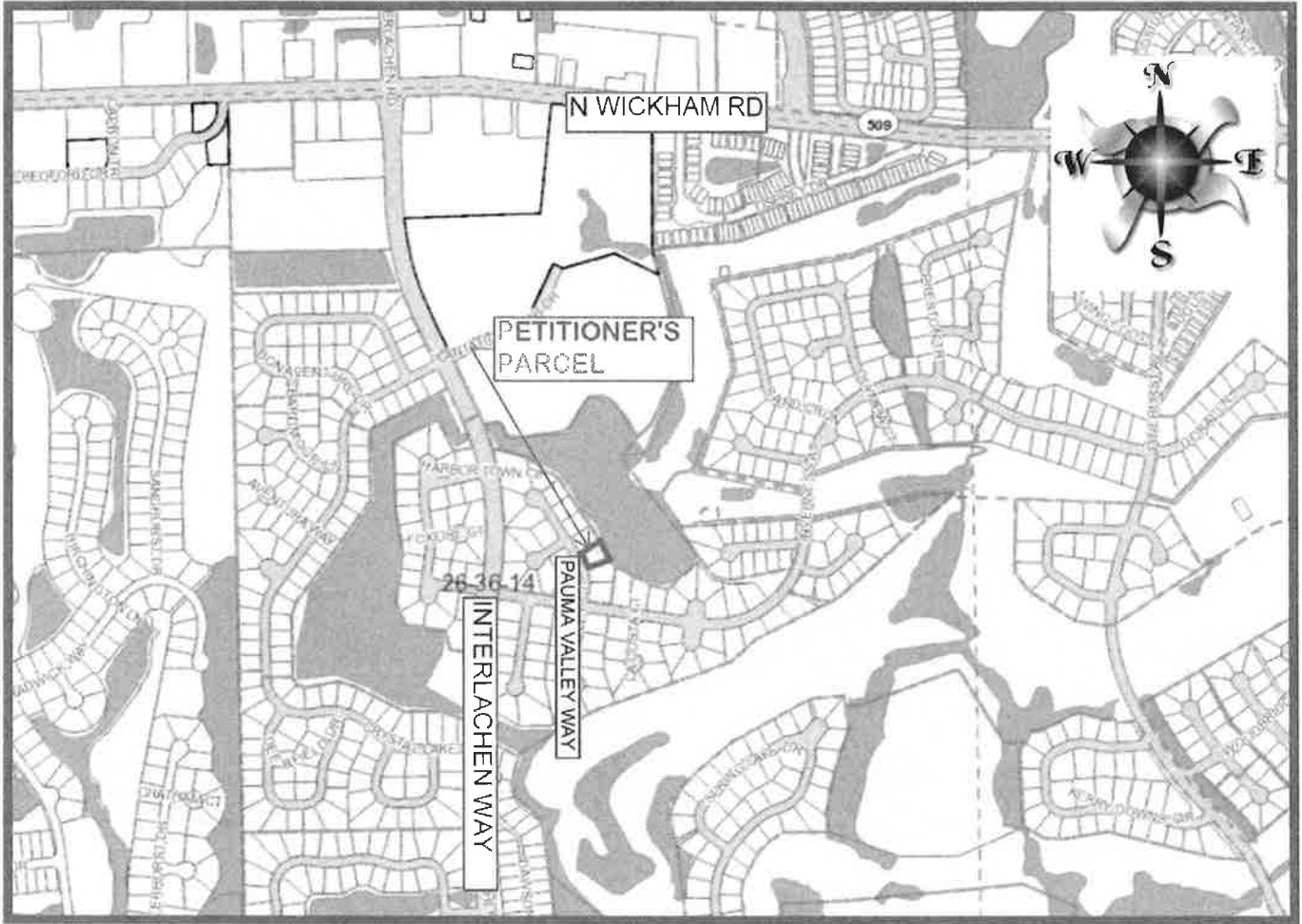


Fig. 2: Map of Lot 12, Block 2, Twin Lakes at Suntree, First Addition, 447 Pauma Valley Way, Melbourne, FL 32940.

**Jerry J. Morian – 447 Pauma Valley Way  
– Melbourne, FL, 32940 – Lot 12, Block 2,  
plat of “Twin Lakes at Suntree First  
Addition” – Plat Book 28, Page 48 –  
Section 14, Township 26 South, Range 36  
East – District 4 – Proposed Vacating of  
the westerly 4.0 ft. of a 10.0 ft. Wide  
Public Utility and Drainage Easement**

## Aerial Map

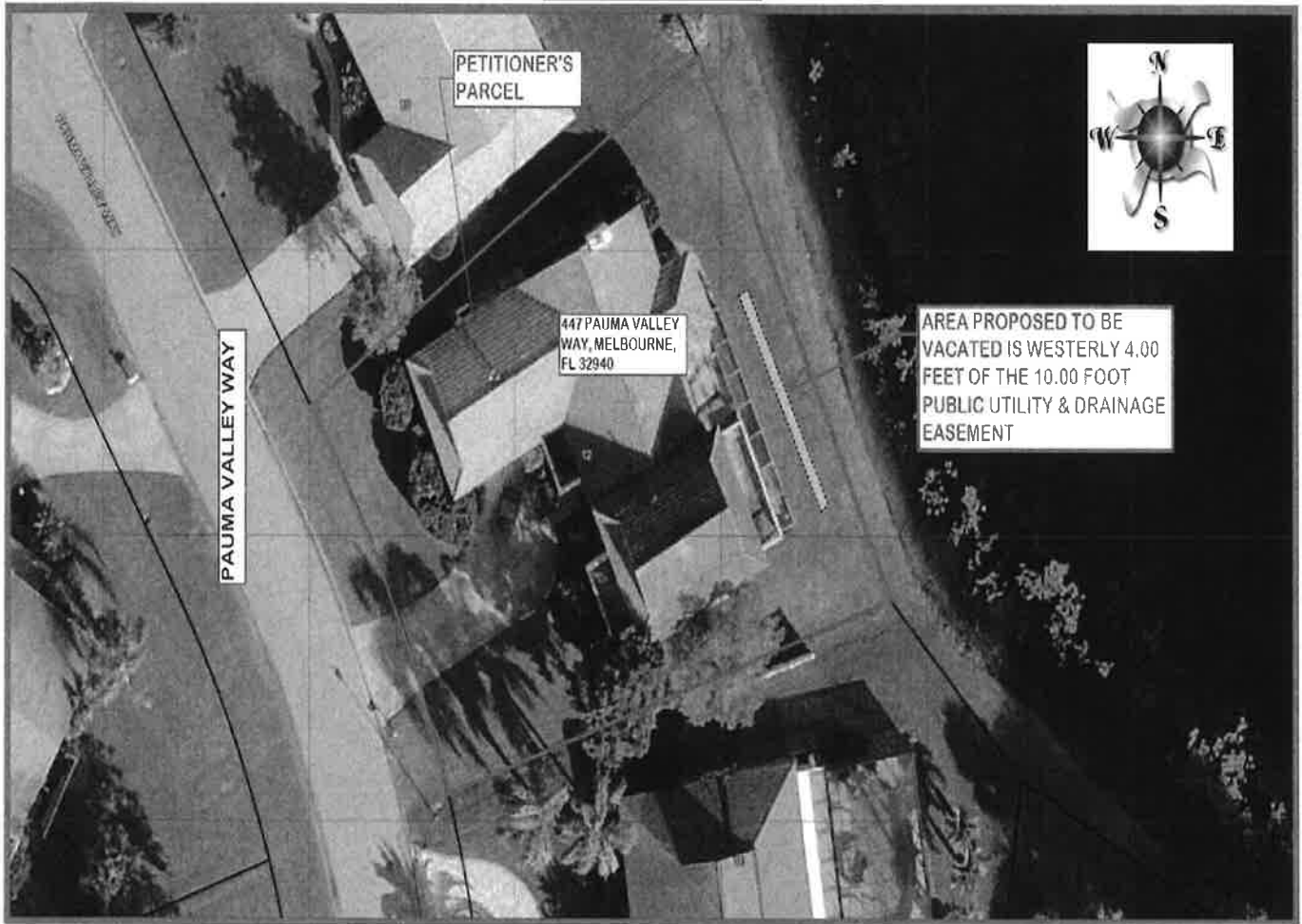


Fig. 3: Map of aerial view of Lot 12, Block 2, Twin Lakes at Suntree, First Addition, 447 Pauma Valley Way, Melbourne, FL 32940.

**Jerry J. Morian – 447 Pauma Valley Way  
– Melbourne, FL, 32940 – Lot 12, Block 2,  
plat of “Twin Lakes at Suntree First  
Addition” – Plat Book 28, Page 48 –  
Section 14, Township 26 South, Range 36  
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Public Utility and Drainage Easement**

# Plat Reference

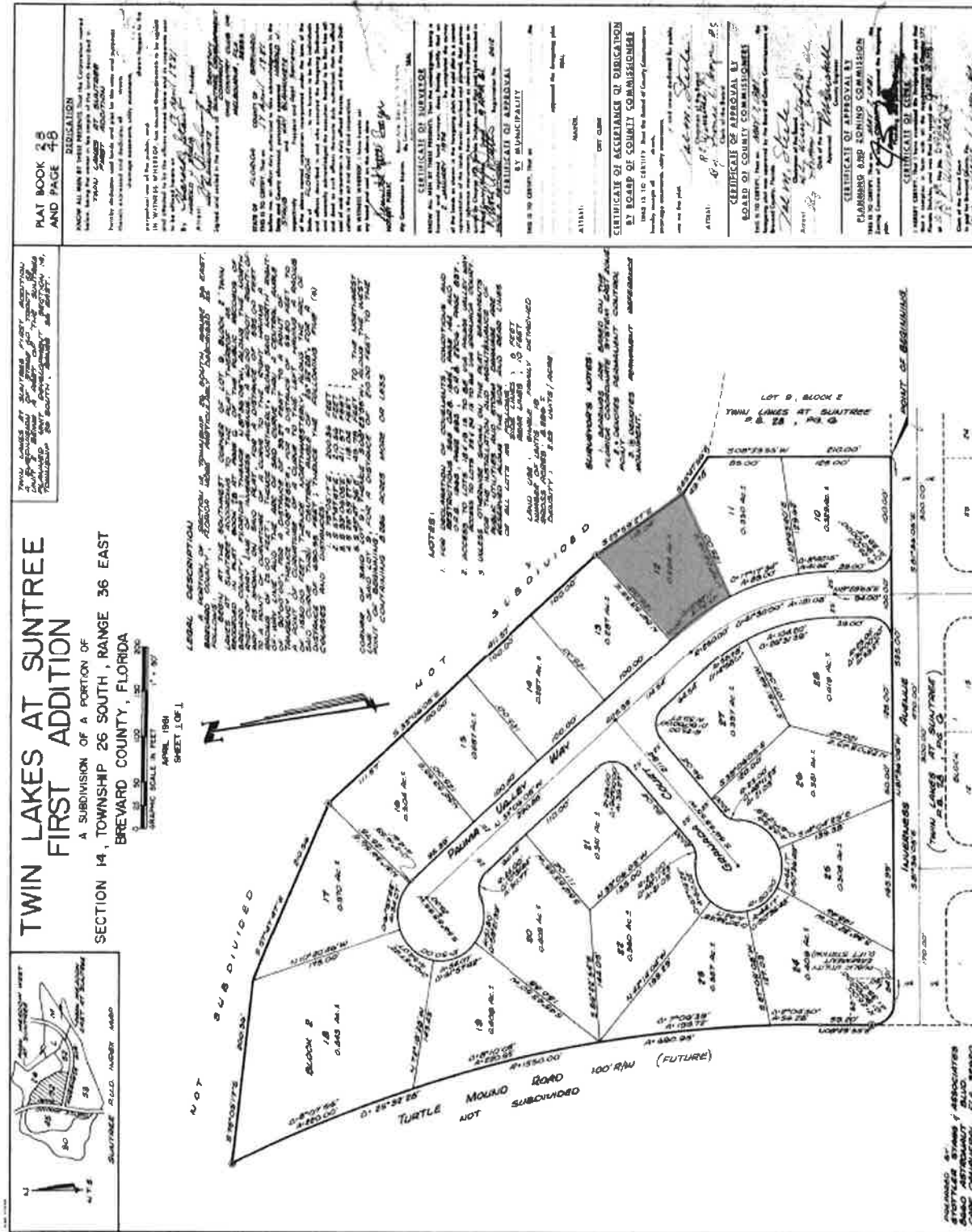


Fig. 4: Copy of plat "Twin Lakes at Suntree, First Addition" dedicated to Brevard County in 1981.

# LEGAL DESCRIPTION

PARENT PARCEL: #26-36-14-07-2-12

PURPOSE: PARTIAL VACATION OF REAR 10' P.U.&D. EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

## LEGAL: PARTIAL VACATION OF 10' P.U.&D. EASEMENT (BY SURVEYOR)

A PORTION OF LOT 12, BLOCK 2, AS SHOWN ON THE PLAT OF TWIN LAKES AT SUNTREE, FIRST ADDITION, AS RECORDED IN PLAT BOOK 28, PAGE 48 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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## SURVEYORS NOTES & LEGEND:

1. THE BEARING SYSTEM SHOWN HEREON IS BASED ON A ASSUMED BEARING OF N.33°06'05"W., ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF PAUMA VALLEY WAY.

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*Myron E. Barker*

PREPARED FOR AND CERTIFIED TO:

**BREVARD COUNTY BOARD  
OF COUNTY COMMISSIONERS**

MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085  
CERTIFICATE OF AUTHORIZATION LB. 6586  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: PRECISION LAND SURVEYING, INC.  
2600 LAKE WASHINGTON ROAD, SUITE 1  
MELBOURNE, FLORIDA 32935

DRAWN BY: J. PRESSMAN

CHECKED BY: M. BARKER

PROJECT NO. 20-1723

REVISIONS

DATE

DESCRIPTION

02/18/21

CHANGE VACATIONING TO  
POOL AREA ONLY

DATE: 08/11/2020

DRAWING: 20-1723

SECTION 14

TOWNSHIP 26 SOUTH  
RANGE 36 EAST

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

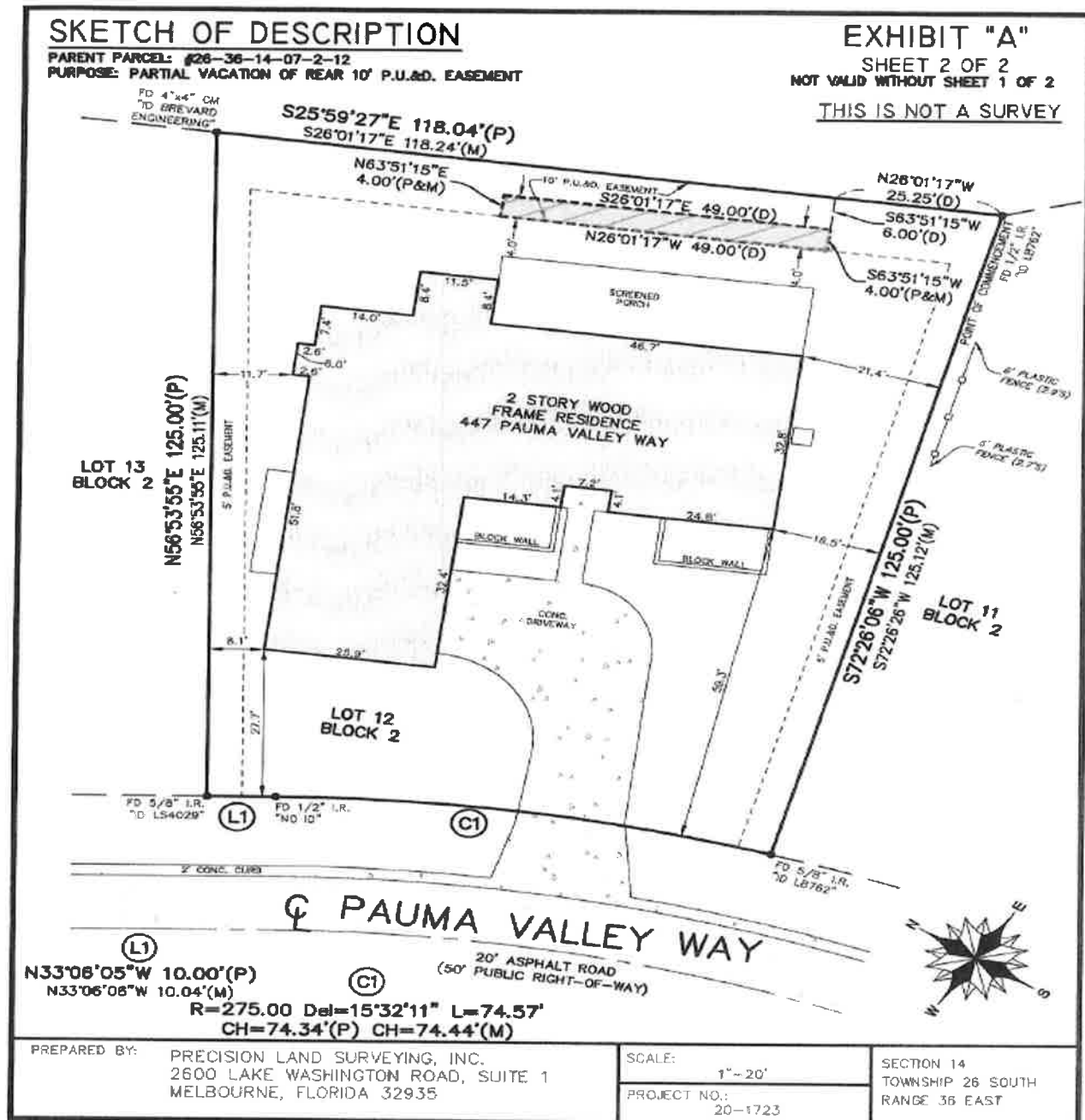


Fig. 6: Sketch of Description. Situated in Section 14, Township 26 South, Range 36 East, Parent Parcel: #26-36-14-07-2-12. Sheet 2 of 2. Not valid without legal description on sheet 1 of 2. Sketch illustrates a 4.0-foot strip of a 10.0-foot easement lying on the West side of Lot 12, Twin Lakes at Suntree, First Addition, 447 Pauma Valley Way, Melbourne, Florida. The coordinates of the area depicted is as follows moving North to East clockwise. North boundary – North 56°53'55" East 125.00'; East boundary South 25°59'27" East 118.04', South boundary – South 72°26'06" West 125.00'. Prepared by: Precision Land Surveying, Inc., FL LB# 6586. Project NO: 20-1723.

# Petitioner's Proposed Pool Plan

LOT 12, BLOCK 2 AS SHOWN ON THE PLAT OF TWIN LAKES AT SUNTREE FIRST ADDITION  
AS RECORDED IN PLAT BOOK 28, PAGE 48 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

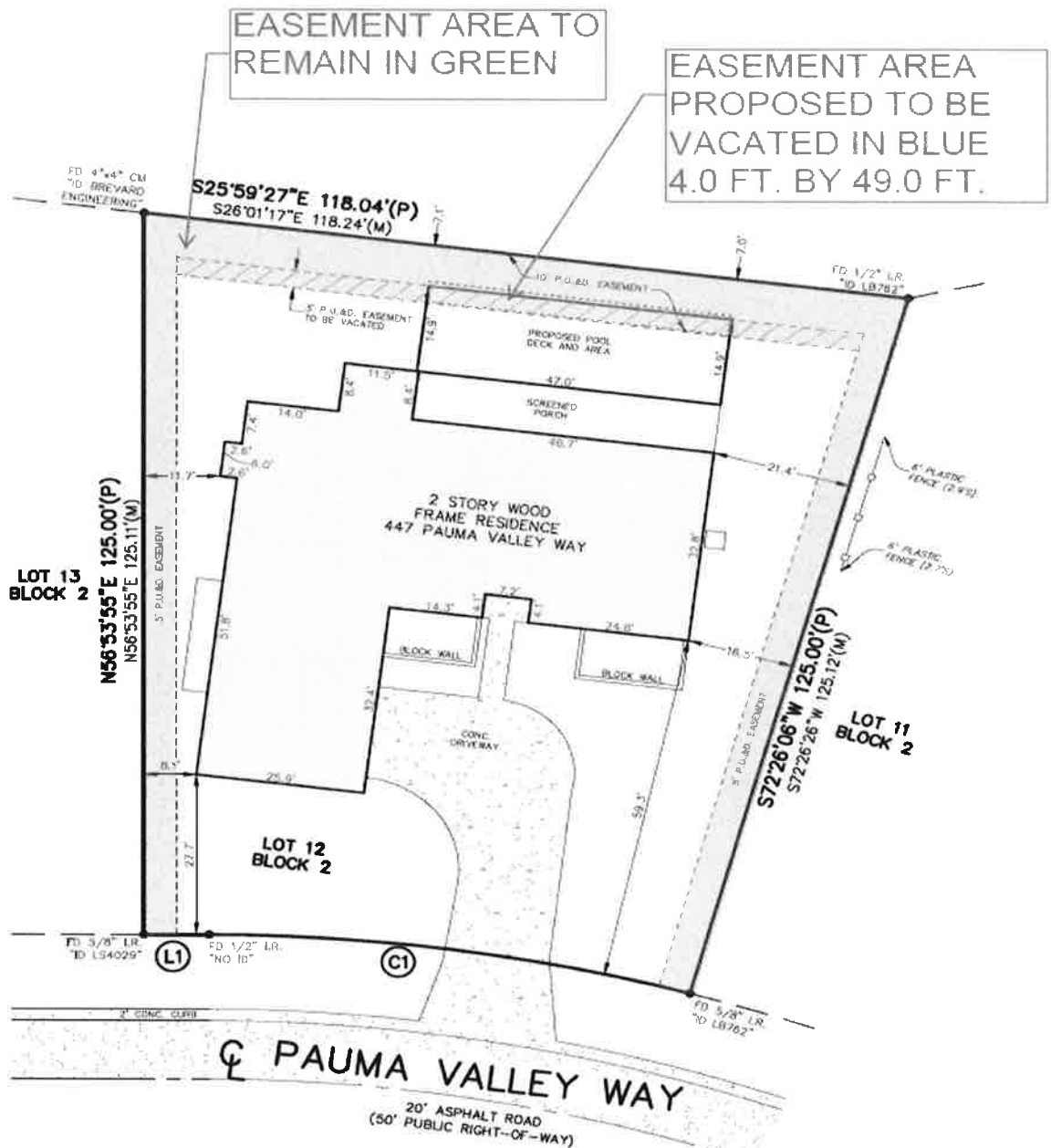


Fig. 7: Copy of proposed pool plan 15 feet by 49 feet. Area highlighted in blue is proposed to be vacated to allow for construction of a pool. Area in green shows easement that will remain.

## **Comment Sheet**

Applicant: Jerry J. Morian

Updated by: Amber Holley 20201013 at 12:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20201008	20201008	Yes	No objections
FL Power & Light	20201008	2020	Yes	No objections
At&t	20201008	2020	Yes	No objections
Charter/Spectrum	20201008	20201013	Yes	No objections
City of Cocoa	20201008	20201110	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20201008	2020	Yes	No objections
Land Planning	20201008	20201009	Yes	No objections
Utility Services	20201008	20201201	Yes	No objections
Storm Water	20201008	20201008	Yes	No objections
Zoning	20201008	20201009	Yes	No objections

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

# Public Hearing Legal Advertisement

Ad#4626345 03/08/2021

## LEGAL NOTICE

NOTICE FOR THE VACATING OF A  
PORTION OF A 10.00 FT. WIDE PUBLIC  
UTILITY AND DRAINAGE EASEMENT,  
PLAT OF "TWIN LAKES AT SUNTREE,  
FIRST ADDITION" IN SECTION 14,  
TOWNSHIP 26 SOUTH, RANGE 36 EAST,  
MELBOURNE, 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 JERRY J. MORIAN with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF LOT 12, BLOCK 2, AS SHOWN ON THE PLAT OF TWIN LAKES AT SUNTREE, FIRST ADDITION, AS RECORDED IN PLAT BOOK 28, PAGE 48 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SAID LOT 12, BLOCK 2, THENCE RUN N 25°59'27" W (PLAT) N 26°01'17" W (MEASURED) A DISTANCE OF 25.25 FEET; THENCE S 63°51'15" W A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 63°51'15" W A DISTANCE OF 4.00 FEET; THENCE N 26°01'17" W PARALLEL TO THE EASTERLY BOUNDARY LINE OF SAID LOT 12, BLOCK 2 A DISTANCE OF 49.00 FEET; THENCE N 63°51'15" E A DISTANCE OF 4.00 FEET; THENCE S 26°01'17" E A DISTANCE OF 49.00 FEET TO THE POINT OF BEGINNING. CONTAINING 196.00 SQ. FT. PREPARED BY: MYRON E. BARKER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **9:00 A.M. on March 23, 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 March 8, 2021 see next page for full text.

## **Legal Notice Text**

**NOTICE FOR THE VACATING OF A PORTION OF A 10.00 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "TWIN LAKES AT SUNTREE, FIRST ADDITION" IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, FL**

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