

Meeting Date
July 11, 2017



AGENDA	
Section	PUBLIC HEARING
Item No.	IV. A.

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: 6.0 ft. wide Public Utility Easement – Draco Drive– “Barefoot Bay Unit Two, Eleven” – Barefoot Bay – Jessie Chikalla – District 3 (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 6.0 ft. wide public utility easement in “Barefoot Bay Unit Two, Part Eleven” in Section 10, Township 30 South, Range 38 East. If approved, it is requested that the Board authorizes the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioner owns Lot 12, Block 81 and is requesting the vacating of the 6.0 ft. wide public utility easement along the easterly lot line to remove the existing residence as an encroachment into the easement and pursue a setback variance. Total area of easements to be vacated is 474 square feet, more or less.

June 22, 2017, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified and at this time, no objections have been received. The subject parcel is located in Barefoot Bay as follows: Begin at the intersection of U.S. Highway No. 1 and Barefoot Bay Boulevard; thence 1.17 miles west and northwesterly along Barefoot Bay; thence 0.04 miles northeasterly along Draco Drive to the residence on the northwest (left).

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

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

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

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

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



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

July 28, 2017

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating a 6.00 Foot Wide Public Easement on Draco Drive, Barefoot Bay Unit Two, Part Eleven, Barefoot Bay

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-117, vacating a 6.00 foot wide public easement on Draco Drive, Barefoot Bay Unit Two, Part Eleven, Barefoot Bay, as petitioned by Jessie Chikalla. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on July 11, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

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

July 28, 2017

Jessie Chikalla
605 Draco Drive
Barefoot Bay, FL 32976

Dear Ms. Chikalla:

Re: Resolution Vacating a 6.00 Foot Wide Public Easement on Draco Drive, Barefoot Bay Unit Two, Part Eleven, Barefoot Bay

The Board of County Commissioners, in regular session on July 11, 2017, adopted Resolution No. 17-117, vacating a 6.00 foot wide public easement on Draco Drive, Barefoot Bay Unit Two Part Eleven, Barefoot Bay, as petitioned by you. Said Resolution has been recorded in ORBK 7945, Pages 1207 through 1211. 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

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

HO

RESOLUTION 2017 - 117

VACATING OF A 6.00 FT. WIDE PUBLIC UTILITY EASEMENT IN "BAREFOOT BAY UNIT TWO, PART ELEVEN", 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 **JESSIE CHIKALLA** with the Board of County Commissioners to vacate the 6.00 ft. wide public utility 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 the vacating the public utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public 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 11th day of July, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



CURT SMITH, CHAIRMAN

As approved by the Board on:
July 11, 2017

LEGAL DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST

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

PARCEL ID NUMBER: 30-38-10-JT-81-12

PURPOSE OF SKETCH AND DESCRIPTION

TO VACATE 6.00 FOOT WIDE PUBLIC UTILITY EASEMENTS LYING ON
EASTERLY SIDE OF LOT 12, BLOCK 81.

LEGAL DESCRIPTION:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 12,
BLOCK 81, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART ELEVEN, ACCORDING
TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 116 THROUGH 120, PUBLIC
RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 6.00 FEET OF
SAID EASEMENTS. CONTAINING 474 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE BASED ON THE CENTERLINE OF DRACO
DRIVE AS S 53°40'00" W AS PER RECORD PLAT.
2. NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHTS
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. THE LOCATION OF THE IMPROVEMENTS AS SHOWN HEREON
IS BASED ON A SURVEY PREPARED BY THOMAS R. CERCLE,
PLS NO. 4896, DATED JANUARY 26, 2017, PROJECT NO. 17-13.

PREPARED FOR:

JESSIE E. CHIKALLA



5-12-2017

THOMAS R. CECRLE, PLS 4896
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: CECRLE LAND SURVEYING, INC. CERTIFICATION OF AUTHORIZATION L.B. NO. 6637

ADDRESS: 10749 HIGHWAY US1, SUITE A, SEBASTIAN, FL 32958

PHONE: PHONE 772-388-0520 FAX 772-388-2012 EMAIL tcecrle@bellsouth.net

DRAWN BY T.R.C.

CHECKED BY T.R.C.

DRAWN NO. 17-13-L1

SECTION 10

DATE: 4-4-2017

SHEET 1 OF 2

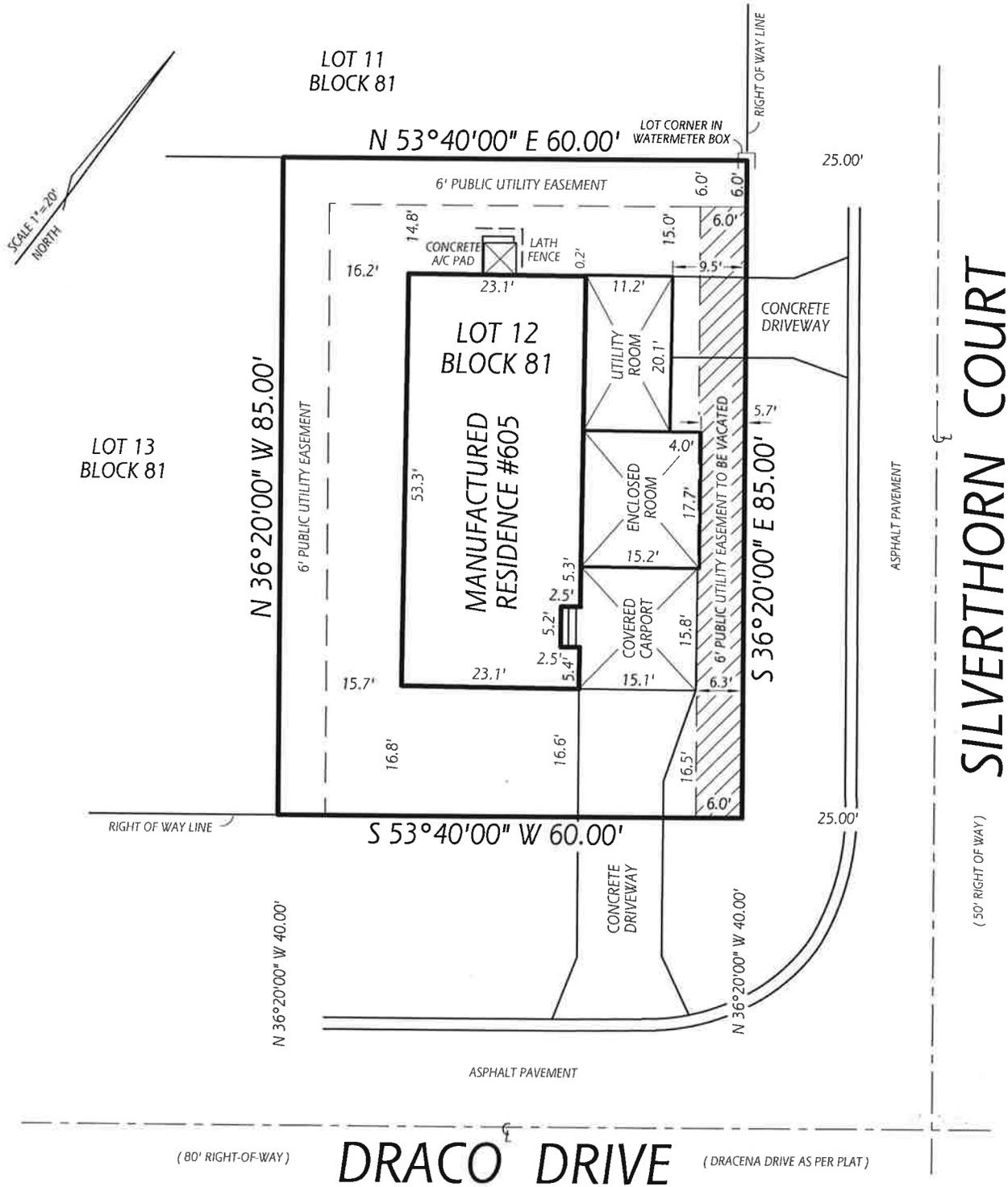
REVISIONS: 5-12-2017

TOWNSHIP 30 SOUTH
RANGE 38 EAST

SKETCH OF DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST
 PARCEL ID NUMBER: 30-38-10-JT-81-12

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



ABBREVIATIONS: CL -CENTERLINE
 SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PROJECT NO : 17-13-L2
 PREPARED BY : T.R.C.

A Daily Publication By:



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

AD# 2220906 LEGAL NOTICE 6/22/2017

NOTICE FOR THE VACATING OF THE 6.0 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY UNIT TWO, PART ELEVEN" 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 JESSIE CHIKALLA 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 5:00 P.M. on July 11, 2017 at the Brevard County Government Center Board Room, Building C, 2/25 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 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 12, BLOCK 81, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART ELEVEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 116 THROUGH 120, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 6.00 FEET OF SAID EASEMENTS CONTAINING 474 SQUARE FEET MORE OR LESS. PREPARED BY: THOMAS R. CECRLE, PLS

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

Legal Notices

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

06/22/17

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 22th of June 2017, by Becky Holland who is personally known to me

Handwritten signature of Ruby Royer
Ruby Royer
Notary Public for the State of Florida
My Commission expires

AD# 2220906 LEGAL NOTICE 6/22/2017

NOTICE FOR THE VACATING OF THE 6.0 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY UNIT TWO, PART ELEVEN" IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, FL

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Publication Cost: \$190.64
Ad No: 0002220906
Customer No: BRE-6BR327



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



A Daily Publication By:



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

AD# 2283409 LEGAL NOTICE 7/20/17

RESOLUTION VACATING A 6.00 FOOT WIDE PUBLIC UTILITY EASEMENT ON DRACO DRIVE IN BAREFOOT BAY UNIT TWO, PART ELEVEN, BAREFOOT BAY - JESSIE CHIKALLA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of July, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 6.00 foot wide public utility easement on Draco Drive in Barefoot Bay Unit Two, Part Eleven, Barefoot Bay, as petitioned by Jessie Chikalla. 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"

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

Legal Notices

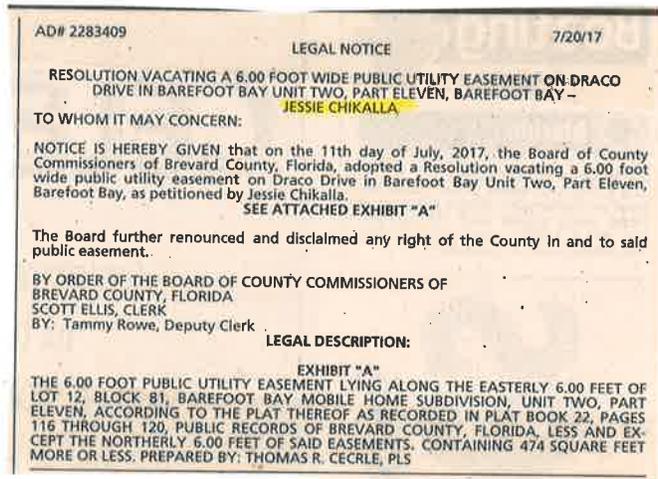
as published in FLORIDA TODAY in the issue(s) of:

07/20/17

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 corporation 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 July 2017, by Becky Holland who is personally known to me

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



Publication Cost: \$148.72
Ad No: 0002283409
Customer No: BRE-6BR327



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



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.: 0002283409
Pymt Method: Invoice
Net Amt: \$148.72

Run Times: 1

No. of Affidavits: 1

Run Dates: 07/20/17

Text of Ad:

AD# 2283409

LEGAL NOTICE

7/20/17

RESOLUTION VACATING A 6.00 FOOT WIDE PUBLIC UTILITY EASEMENT ON DRACO DRIVE IN BAREFOOT BAY UNIT TWO, PART ELEVEN, BAREFOOT BAY - JESSIE CHIKALLA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of July, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 6.00 foot wide public utility easement on Draco Drive in Barefoot Bay Unit Two, Part Eleven, Barefoot Bay, as petitioned by Jessie Chikalla.

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"
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LEGAL NOTICE

RESOLUTION VACATING A 6.00 FOOT WIDE PUBLIC UTILITY EASEMENT ON DRACO
DRIVE IN BAREFOOT BAY UNIT TWO, PART ELEVEN, BAREFOOT BAY – JESSIE
CHIKALLA

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

Florida TODAY: Please advertise in the July 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) 264-8700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 3004399
 Owners Chikalla, Jessie E Trustee
 Mailing Address 605 Draco Dr Barefoot Bay FL 32976
 Site Address 605 Draco Dr Barefoot Bay FL 32976
 Parcel ID 30-38-10-JT-81-12
 Property Use 0213 - Manufactured Housing - Double Wide
 Exemptions HEX1 - Homestead First \$25,000
 HEX2 - Homestead Additional \$25,000
 WDW - Widow's Exemption For Wife
 Taxing District 3400 - Unincorp District 3
 Subdivision Barefoot Bay Unit 2 Part 11
 Total Acres 0.12
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0022/0116
 Description Barefoot Bay Unit 2 Part 11 Lot 12 Blk 81



VALUE SUMMARY INFORMATION

Category	2016	2015	2014
Total Market Value	\$46,780	\$40,200	\$34,800
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$31,880	\$31,660	\$31,410
Assessed Value School	\$31,880	\$31,660	\$31,410
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$500	\$500	\$500
Taxable Value Non-School	\$6,380	\$6,160	\$5,910
Taxable Value School	\$6,380	\$6,160	\$5,910

SALES/TRANSFERS INFORMATION

Date	Price	Deed	V OR I	Book/Page
11/21/2002	\$42,500	WD	Improved	4749/2730
04/01/1980	\$41,200	-	-	2232/0086
11/15/1970	\$100	PT	-	1152/0219

BUILDING INFORMATION

PROPERTY DATA CARD #1

Building Use	Year Built	Story Height
0213 - Manufactured Housing - Double Wide	1980	1
Materials	Sub Areas	
Exterior Wall Vinyl/Aluminum	Base Area (1st)	1209
Frame Wood Frame	Open Porch	10
Roof Asph/Asb Shngl		
Roof Structure Hip/Gable		
Extra Features	Additional Extra Features	
Skirting: Simulated Stone/Brick	No Data Found	
Utility Room Average		
Enclosed Room: Average		
Carpport: Low		

APPRAISER'S DETAIL SHEET

Record and Return to:
Coastal Title Services, Inc.
 701 Fellsmere Road, Suite C
 Sebastian, Florida 32958

*600 Rec Doc
 397.50*

This instrument prepared by:
 Coastal Title Services, Inc.
 701 Sebastian Blvd., Suite C
 Sebastian, FL 32958
 Property Appraiser's
 Parcel Identification Number:
 30-38-10-JT-00081.0-0012.00



C/N: 2002302458 11-27-2002 11:38 am
 OR Book/Page: 4749 / 2730

Scott Ellis
 Clerk Of Courts, Brevard County
 #Pgs: 1 #Names: 4 Serv: 0.00
 Trust: 1.00 Rec: 5.00 Fcile: 0.00
 Deed: 287.50 Int Fax: 0.00
 Mig: 0.00

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

THIS INDENTURE, made this 21 day of November, 2002, BETWEEN Elizabeth M. Rose, the unmarried widow of Thomas B. Rose, whose post office address is: 615 Dolphin Circle, Barefoot Bay, Fl 32976, grantor*, and Jessie E. Chikalla, Trustee of The Jessie E. Chikalla Revocable Trust, a married woman, whose post office address is 605 Dracena Drive, Barefoot Bay, Florida 32976, grantee*,

WITNESSETH that said grantor, for and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Brevard County, Florida, to-wit:

Lot 12, Block 81, BAREFOOT BAY, UNIT TWO PART ELEVEN, according to the plat thereof as recorded in Plat Book 22, Pages 116 through 120, of the Public Records of Brevard County, Florida.

Together with a 1980 Homes of Merit Twin Doublewide Mobile Home Serial #'s T247P7856A & T247P7856B.

SUBJECT TO: (1) TAXES FOR 2002 AND SUBSEQUENT YEARS; (2) ZONING AND/OR RESTRICTIONS AND PROHIBITIONS IMPOSED BY GOVERNMENTAL AUTHORITY AND (3) RESTRICTIONS, EASEMENTS AND OTHER MATTERS APPEARING ON THE PLAT AND/OR COMMON TO THE SUBDIVISION.

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

*"Grantor" and "grantee" are used for singular or plural, as context requires.

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

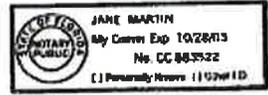
Signed, sealed and delivered in our presence:

Jane Martin
 Witness Name: Jane Martin
Margaret M. Frejo
 Witness Name: MARGARET M. FREJO

Elizabeth M. Rose
 Elizabeth M. Rose

STATE OF FLORIDA
 COUNTY OF INDIAN RIVER

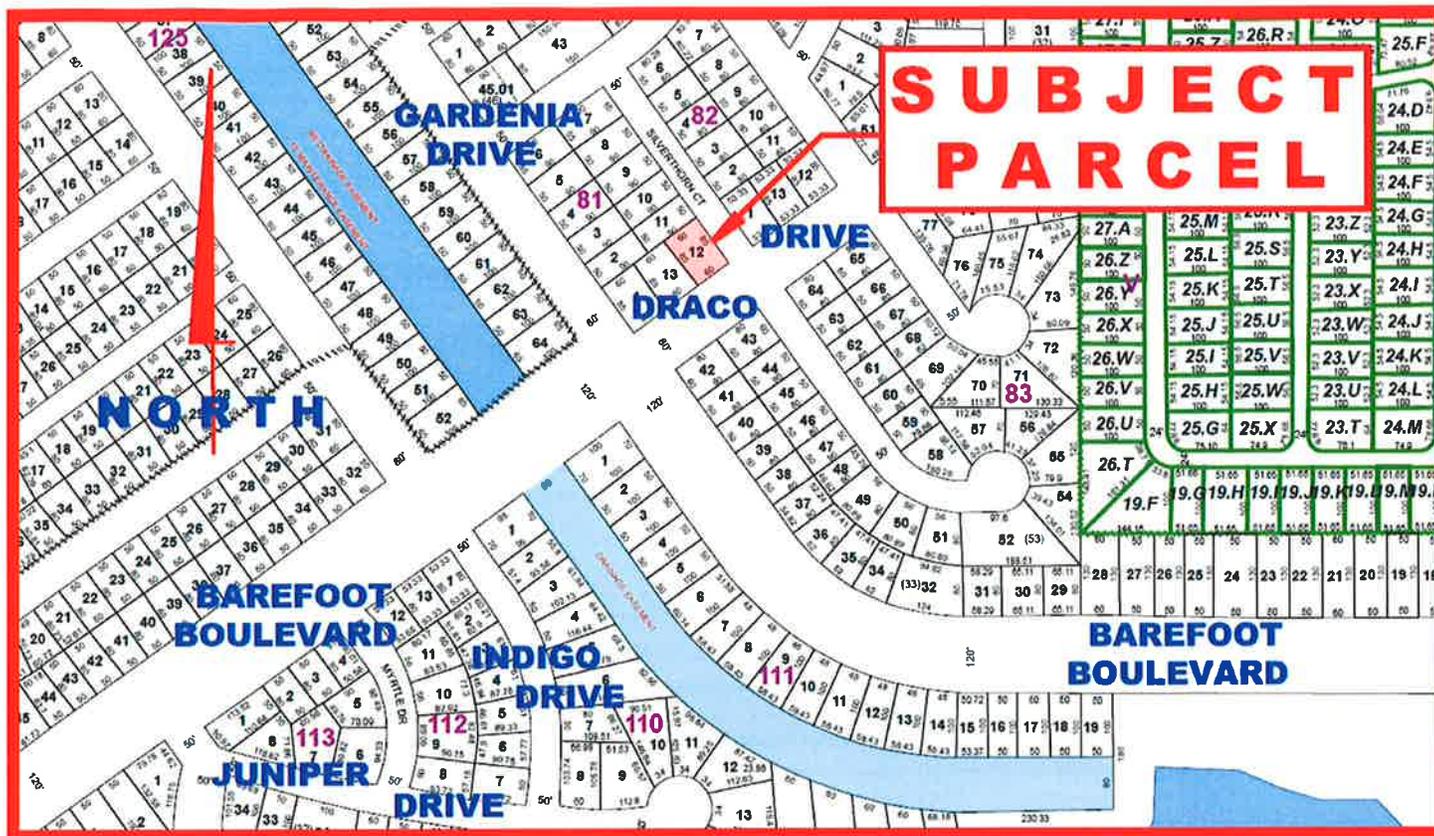
The foregoing instrument was acknowledged before me this 21 day of November 2002, by Elizabeth M. Rose, the unmarried widow of Thomas B. Rose



Jane Martin
 NOTARY PUBLIC

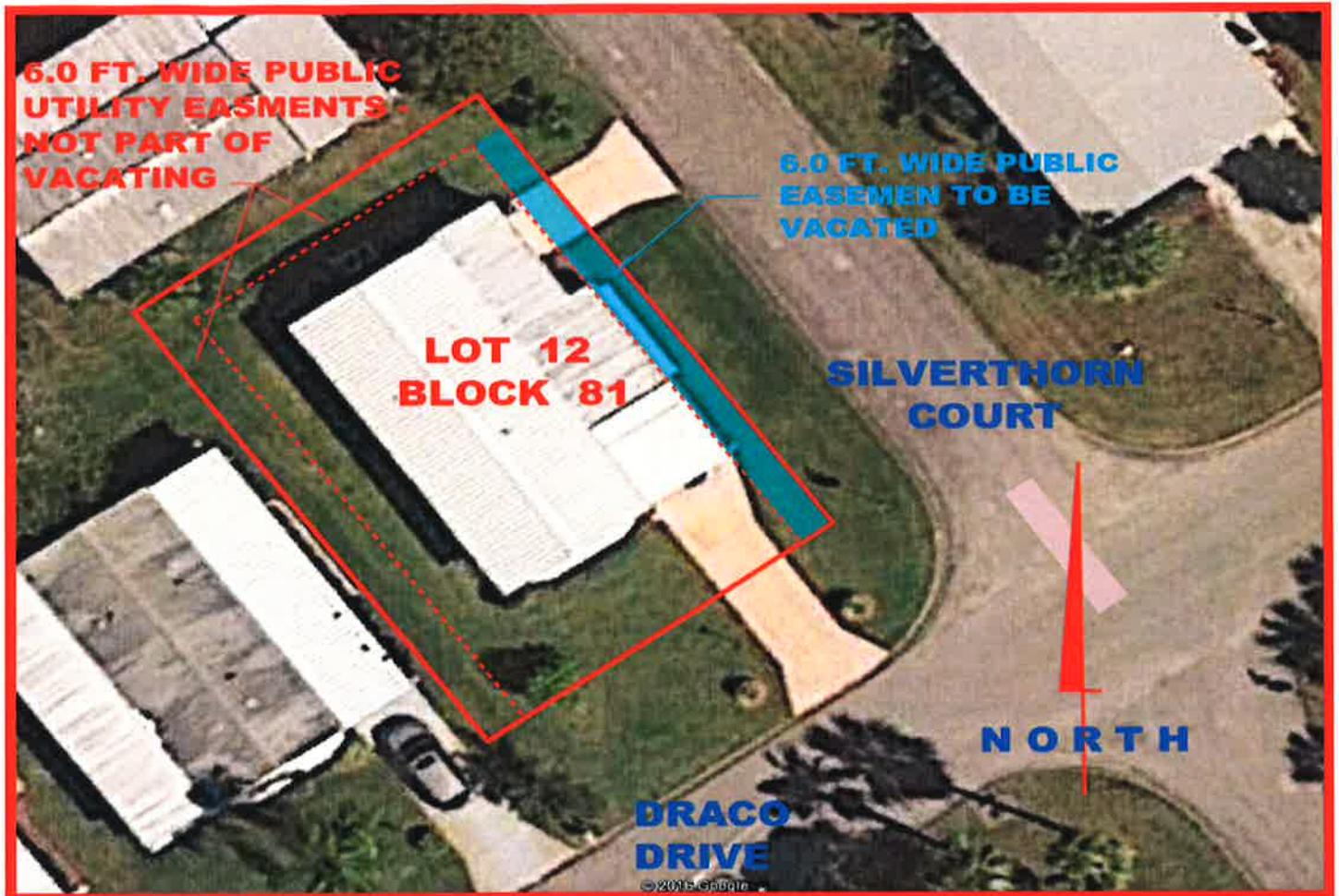
Personally known OR Produced Identification
 Type of Identification Produced: Dr. Washburn

PETITIONER'S DEED



VICINTY MAP

Jessie E. Chikalla, Trustee – 605 Draco Drive, Barefoot Bay, FL, 32976 – Lot 12, Block 81, Barefoot Bay Unit 2, Part 11 – Plat Book 22, Page 116 – Section 10, Township 30 South, Range 38 East – District 3 – Proposed Vacating of a 6.00 ft. wide Public Utility Easement



A E R I A L M A P

Jessie E. Chikalla, Trustee – 605 Draco Drive,
Barefoot Bay, FL, 32976 – Lot 12, Block 81,
Barefoot Bay Unit 2, Part 11 – Plat Book 22,
Page 116 – Section 10, Township 30 South,
Range 38 East – District 3 – Proposed
Vacating of a 6.00 ft. wide Public Utility
Easement

EXHIBIT "A"

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 12, BLOCK 81, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART ELEVEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 116 THROUGH 120, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 6.00 FEET OF SAID EASEMENTS. CONTAINING 474 SQUARE FEET MORE OR LESS. PREPARED BY: THOMAS R. CECRLE, PLS

PUBLIC HEARING LEGAL
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