



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

IX

H.1.

12/6/2022

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement- 1405 Sykes Creek Drive - "Diana Shores Unit No. 10" Plat Book 25, Page 53 - Merritt Island - Christopher & Allison Getchell - 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 a public utility and drainage easement, "Diana Shores Unit No. 10" in Section 24, Township 24 South, Range 36 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's own Lot 27, and are requesting the vacating of a 5.00 ft. wide public utility and drainage easement on Lot 27, to allow for the construction of a pool. The easement to be vacated contains 855.34 square feet, more or less. The property is located on Merritt Island North of Highway 520 and East of N. Courtenay Pkwy.

November 21, 2022, 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 the 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.



December 20, 2022

M E M O R A N D U M

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

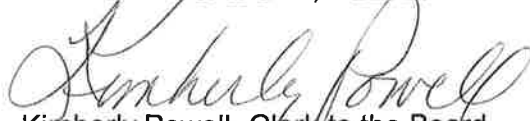
RE: Advertising Bills for Resolution Vacating a Public Utility and Drainage Easement in Plat "Diana Shores Unit No. 10" Subdivision, Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 22-161, vacating a public utility and drainage easement in Plat "Diana Shores Unit No. 10" Subdivision, Merritt Island, as petitioned by Christopher and Allison Getchell. Said Resolution was adopted by the Board of County Commissioners, in regular session on December 6, 2022.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Encls. (2)



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) dated:
or by publication on the newspaper's website, if authorized,
on

11/21/2022

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 21th of November 2022, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

8.25.26

My commission expires
Publication Cost: \$187.82
Ad No: 0005480999
Customer No: BRE-6BR327
This is not an invoice
of Affidavits 1

Ad#5480999 11/21/2022
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT "DIANA SHORES UNIT 10" IN SECTION 24, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL

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

THAT PORTION OF A 5-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE WESTERLY 5 FEET LESS THE NORTHERLY 5 FEET AND THE SOUTHERLY 5 FEET AS MEASURED ALONG THE ARC OF THE CURVE OF LOT 27, DIANA SHORES UNIT NO. 10, AS RECORDED IN PLAT BOOK 25, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 855.34 SQ. FT. 0.0196 ACRES MORE OR LESS, PREPARED BY: ERIC NIELSEN, 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 December 6, 2022, 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.

MARIAH VERHAGEN
Notary Public
State of Wisconsin



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

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Legal Notices

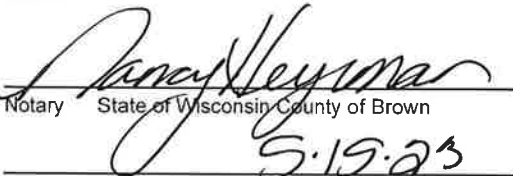
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or by publication on the newspaper's website, if authorized,
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Sworn to and Subscribed before me this 12th of December 2022, by legal clerk who is personally known to me

Affiant


Notary State of Wisconsin County of Brown
5.19.23

My commission expires

Publication Cost: \$151.96

Ad No: 0005516652

Customer No: BRE-6BR327

This is not an invoice

of Affidavits: 1

Ad#5516652 12/12/2022
LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN PLAT "DIANA SHORES UNIT NO. 10" SUBDIVISION, MERRITT ISLAND, LYING IN SECTION 24, TOWNSHIP 24 SOUTH, RANGE 36 EAST - CHRISTOPHER AND ALLISON GETCHELL

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 5TH day of December, 2022, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in plat "Diana Shores Unit No. 10" subdivision, Merritt Island, lying in Section 24, Township 24 South, Range 36 East as petitioned by Christopher and Allison Getchell.

LEGAL DESCRIPTION:

THAT PORTION OF A 5-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE WESTERLY 5 FEET LESS THE NORTHERLY 5 FEET AND THE SOUTHERLY 5 FEET AS MEASURED ALONG THE ARC OF THE CURVE OF LOT 27, DIANA SHORES UNIT NO. 10, AS RECORDED IN PLAT BOOK 25, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 855.34 SQ. FT. 0.0196 ACRES MORE OR LESS. PREPARED BY: ERIC NIELSEN, PSM.

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

Samantha McDaniel

From: Holley, Amber <Amber.Holley@brevardfl.gov>
Sent: Wednesday, December 7, 2022 8:31 AM
To: Samantha McDaniel; Nicole Summers; Deborah Thomas; Priyanka Patel
Cc: Donna Scott; Kimberly Powell
Subject: December 6, 2022 Commission Meeting
Attachments: LEGAL DESCRIPTION-GETCHELL.docx; LEGAL DESCRIPTION-RIZZO.docx

Ladies, please find attached the legal description from the approval on the 12/6 meeting.

Owner information:

- Christopher & Allison Getchell, 1405 Sykes Creek Drive, Merritt Island, FL 32953.
- Russell & Jacqueline M. Rizzo, 1385 California Drive, Melbourne, FL 32940.

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."

This email was scanned by Bitdefender

Resolution 2022 - 161

**Vacating a portion of a public utility & drainage easement in plat "Diana Shores Unit No. 10"
Subdivision, Merritt Island, Florida, lying in Section 24, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **CHRISTOPHER & ALLISON GETCHELL** 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 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 December, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:


Rachel Sadoff, Clerk


Rita Pritchett, Chair

As approved by the Board on:
December 6, 2022

CFN 2022293304, OR BK 9680 PAGE 2139
Recorded 12/19/2022 at 03:29 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:5

LEGAL DESCRIPTION

SITUATED IN SECTION 24, TOWNSHIP 24 SOUTH, RANGE 36 EAST
PARCEL ID# 24-36-24-50-*27

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PURPOSE OF SURVEY: VACATING A PORTION OF A 5 FOOT WIDE
PUBLIC UTILITY AND DRAINAGE EASEMENT

LEGAL DESCRIPTION:

THAT PORTION OF A 5 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT
DESCRIBED AS FOLLOWS:

THE WESTERLY 5 FEET, LESS THE NORTHERLY 5 FEET AND THE SOUTHERLY 5 FEET AS
MEASURED ALONG THE ARC OF THE CURVE OF LOT 27, DIANA SHORES UNIT NO. 10,
AS RECORDED IN PLAT BOOK 25, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA.

CONTAINING 855.34 SQ. FT., 0.0196 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIBED DESCRIPTION IS THE NORTH R/W
LINE OF SYKES CREEK DRIVE, BEING N 19°58'45" E AS PER PLAT OF DIANA SHORES UNIT
NO. 10.
2. THE SKETCH ON SHEET 2 OF 2 IS NOT A BOUNDARY SURVEY, IT IS A SKETCH ONLY TO
ACCOMPANY LEGAL DESCRIPTION.
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY
ERIC NIELSEN LAND SURVEYING, INC. DATED 05-13-2022.

ABBREVIATION & SYMBOL LEGEND

C/L = CENTERLINE	I.R.C. = IRON ROD & CAP
R/W = RIGHT-OF-WAY	P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
FND = FOUND	EM = ELECTRIC METER
LS = LICENSED SURVEYOR	AC = AIR CONDITIONER
I.R. = IRON ROD	CBS = CONCRETE BLOCK STRUCTURE
L = LINE	CONC. = CONCRETE
	PROP. = PROPOSED



EN
SURVEYOR & MAPPER, RSM NO. 5386
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: BREVARD COUNTY BOARD
OF COUNTY COMMISSIONERS

PREPARED BY:
ERIC NIELSEN LAND SURVEYING, INC.
L.B. 6946, 12 STONE STREET, SUITE 4
COCOA, FL. 32922

DRAWN BY: E.N.

CHECKED BY: EN

DRAWING NO. 22-206-05

SECTION 24

DATE: 09-07-2022

SHEET 1 OF 2

REVISIONS _____

TOWNSHIP 24 SOUTH
RANGE 36 EAST

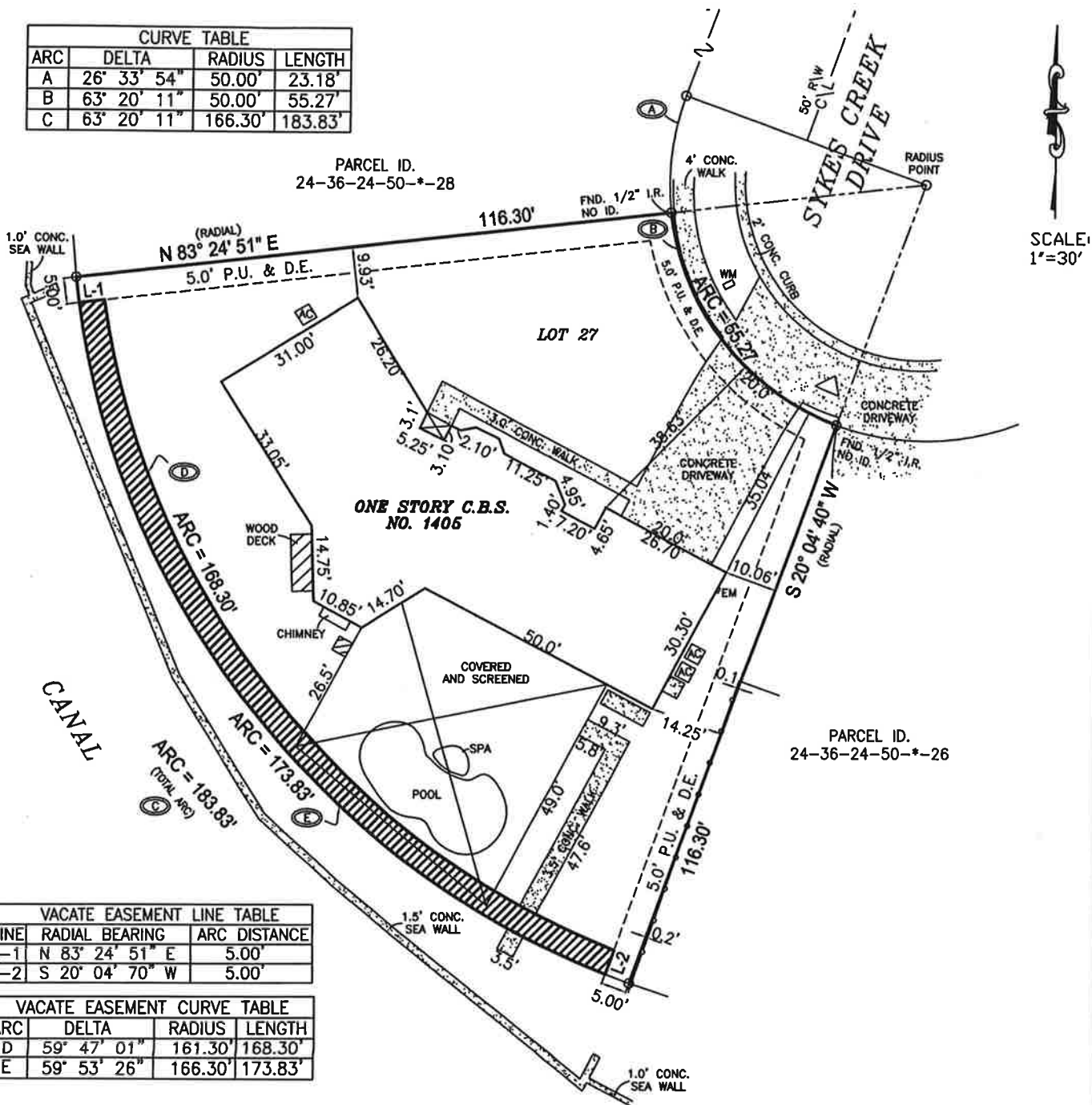
SITUATED IN SECTION 24, TOWNSHIP 24 SOUTH,
RANGE 36 EAST
PARCEL ID# 24-36-24-50-*-27

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2

"THIS IS A SKETCH ONLY, NOT A BOUNDARY SURVEY"

CURVE TABLE			
ARC	DELTA	RADIUS	LENGTH
A	26° 33' 54"	50.00'	23.18'
B	63° 20' 11"	50.00'	55.27'
C	63° 20' 11"	166.30'	183.83'



VACATE EASEMENT LINE TABLE		
LINE	RADIAL BEARING	ARC DISTANCE
L-1	N 83° 24' 51" E	5.00'
L-2	S 20° 04' 70" W	5.00'

ARC	DELTA	RADIUS	LENGTH
D	59° 47' 01"	161.30'	168.30'
E	59° 53' 26"	166.30'	173.83'

PREPARED FOR: BREVARD COUNTY BOARD
OF COUNTY COMMISSIONERS

PREPARED BY:
ERIC NIELSEN LAND SURVEYING, INC.
L.B. 6946, 12 STONE STREET, SUITE 4
COCOA, FL. 32922

DRAWN BY: E.N.

CHECKED BY: EN

DRAWING NO.22-206-05

SECTION 14
TOWNSHIP 24 SOUTH
RANGE 36 EAST

DATE: 09-07-2022

SHEET 2 OF 2

REVISIONS

Brevard County Property Appraiser Detail Sheet

Account 2418578
 Owners GETCHELL, CHRISTOPHER; GETCHELL, ALLISON
 Mailing Address 1405 SYKES CREEK DR MERRITT ISLAND FL 32953
 Site Address 1405 SYKES CREEK DR MERRITT ISLAND FL 32953
 Parcel ID 24-36-24-50-*27
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Exemptions NONE
 Taxing District 2200 - UNINCORP DISTRICT 2
 Total Acres 0.32
 Subdivision DIANA SHORES UNIT NO 10
 Site Code 0110 - RIVER FRONT
 Plat Book/Page 0025/0053
 Land Description DIANA SHORES UNIT NO 10 LOT 27 & THAT PART
 LYING S OF LOT 27 AS DES IN ORB 2514 PG 782

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$766,110	\$648,200	\$611,620
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$713,020	\$648,200	\$611,620
Assessed Value School	\$766,110	\$648,200	\$611,620
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$713,020	\$648,200	\$611,620
Taxable Value School	\$766,110	\$648,200	\$611,620

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/20/2022	\$1,130,000	WD	--	9487/891
02/06/2020	--	PB	--	8658/251
02/25/2019	--	DC	--	8474/465
05/25/1984	\$59,900	WD	--	2514/783

Vicinity Map

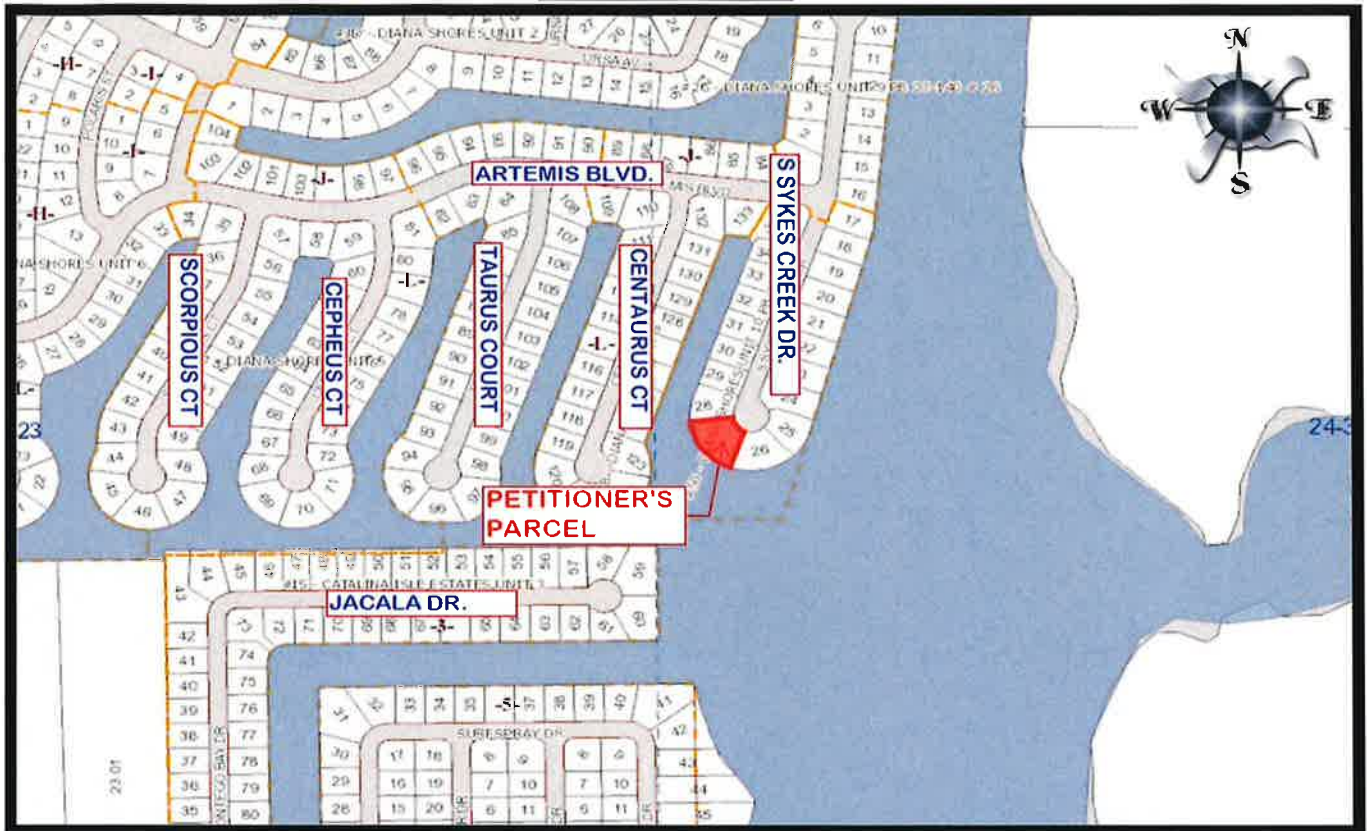


Figure 1: Map of Lot 27, Diana Shores Unit No. 10, 1405 S. Sykes Creek Drive, Merritt Island, Florida, 32953.

Christopher & Allison Getchell – 1405 S Sykes Creek Drive – Merritt Island, FL, 32953 – Lot 27, plat of “Diana Shores Unit No. 10” – Plat Book 25, Page 53 – Section 24, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a 5.0 ft. Wide Public Utility & Drainage Easement

Aerial Map



Figure 2: Aerial Map of Lot 27, Diana Shores Unit No. 10, 1405 S. Sykes Creek Drive, Merritt Island, Florida, 32953.

Christopher & Allison Getchell – 1405 S Sykes Creek Drive – Merritt Island, FL, 32953 – Lot 27, plat of “Diana Shores Unit No. 10” – Plat Book 25, Page 53 – Section 24, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a 5.0 ft. Wide Public Utility & Drainage Easement

Plat Reference

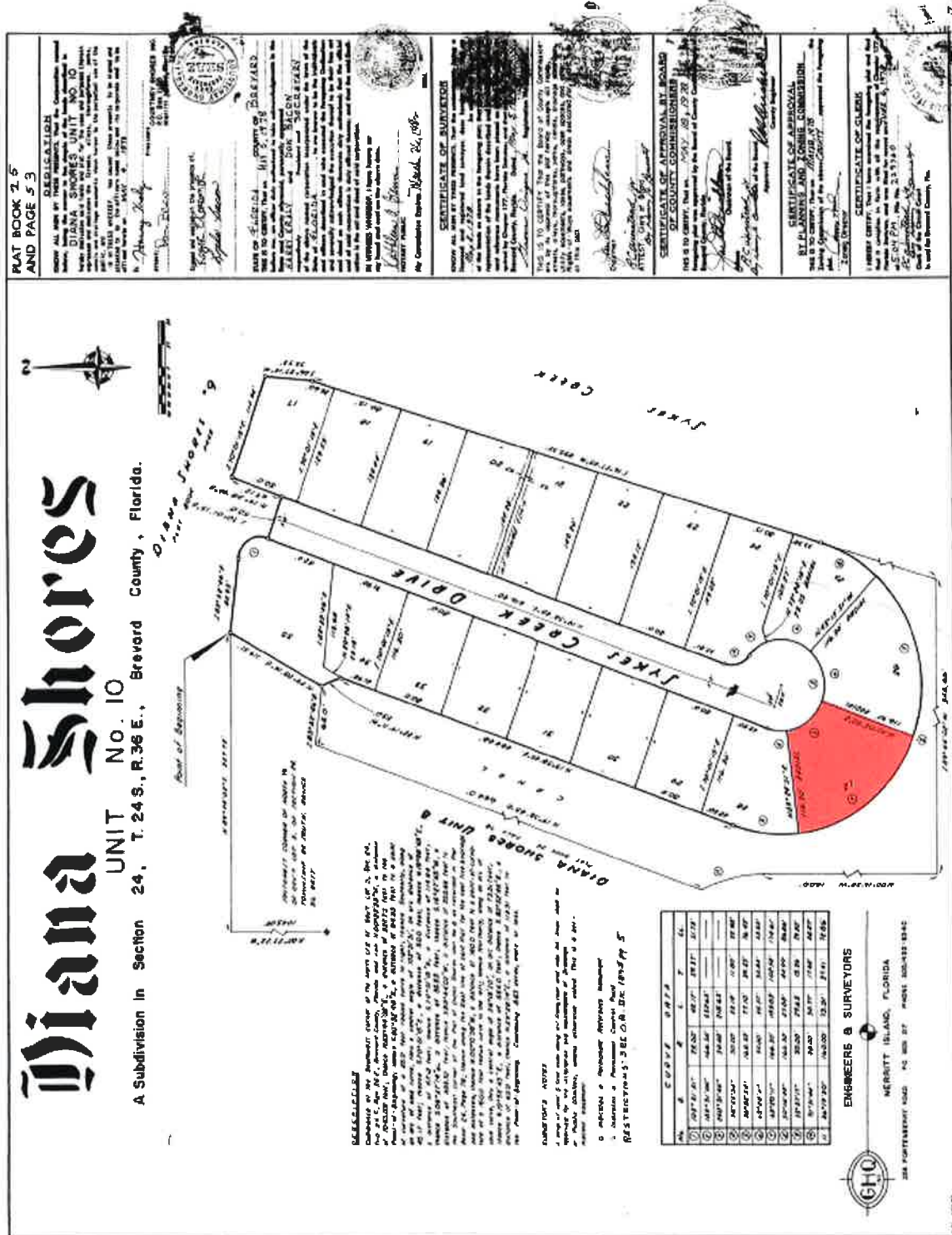


Figure 3: Copy of plat map "Diana Shores Unit No. 10" dedicated to Brevard County November 1, 1988.

Petitioner's Sketch & Description Sheet 1 of 2


LEGAL DESCRIPTION		SHEET 1 OF 2	
SITUATED IN SECTION 24, TOWNSHIP 24 SOUTH, RANGE 36 EAST		NOT VALID WITHOUT THE SKETCH	
PARCEL ID# 24-36-24-50-*--27		ON SHEET 2 OF 2	
PURPOSE OF SURVEY: VACATING A PORTION OF A 5 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT			
<u>LEGAL DESCRIPTION:</u>			
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CONTAINING 855.34 SQ. FT., 0.0196 ACRES MORE OR LESS.			
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2. THE SKETCH ON SHEET 2 OF 2 IS NOT A BOUNDARY SURVEY, IT IS A SKETCH ONLY TO ACCOMPANY LEGAL DESCRIPTION.			
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY ERIC NIELSEN LAND SURVEYING, INC. DATED 05-13-2022.			
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I.R. = IRON ROD	CBS = CONCRETE BLOCK STRUCTURE		
L = LINE	CONC. = CONCRETE		
	PROP. = PROPOSED		
PREPARED FOR: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS		SURVEYOR & MAPPER, RSM NO. 5386 NOT VALID UNLESS SIGNED AND SEALED	
		PREPARED BY: ERIC NIELSEN LAND SURVEYING, INC. L.B. 6946, 12 STONE STREET, SUITE 4 COCOA, FL. 32922	
DRAWN BY: E.N.	CHECKED BY: EN	DRAWING NO. 22-206-05	SECTION 24
DATE: 09-07-2022	SHEET 1 OF 2	REVISIONS	TOWNSHIP 24 SOUTH RANGE 36 EAST

Figure 4: Legal Description. Sheet 1 of 2. Section 24, Township 24 South, Range 36 East.

Petitioner's Sketch & Description Sheet 2 of 2

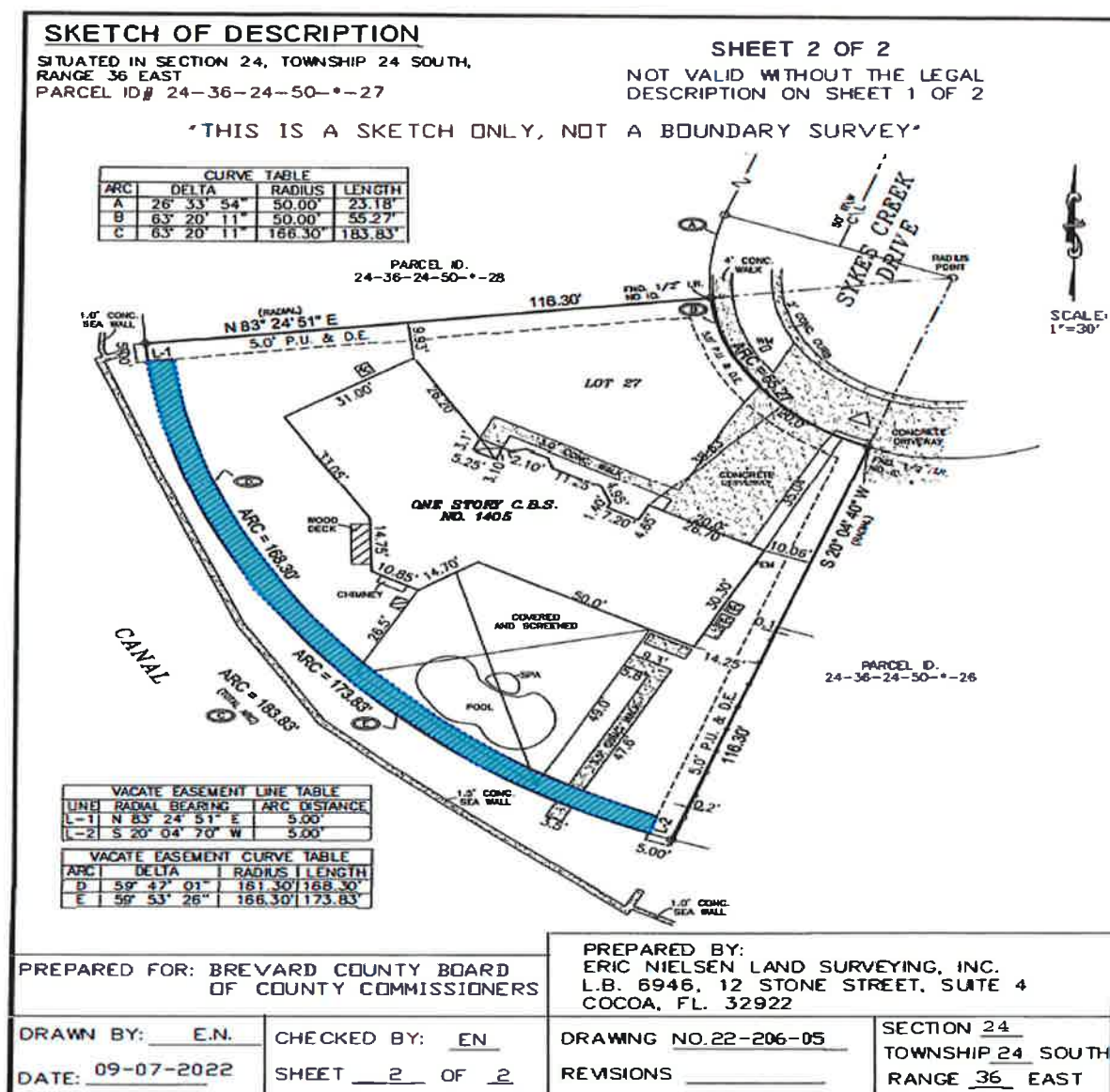


Figure 5: Sketch of description. Sheet 2 of 2. Section 06, Township 25 South, Range 37 East.

The sketch illustrates a 5.00-foot-wide public utility and drainage easement on Lot 27, Diana Shore Unit No. 10, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – North 83°24'51" East 116.30'; East boundary – Delta 63°20'11" Length 55.27'; South boundary – North 20°04'40" West 116.30'; West boundary – Delta 59°53'26" Length 173.83'. Prepared by: Eric Nielsen, Project NO: 22-206-05.

Boundary Survey

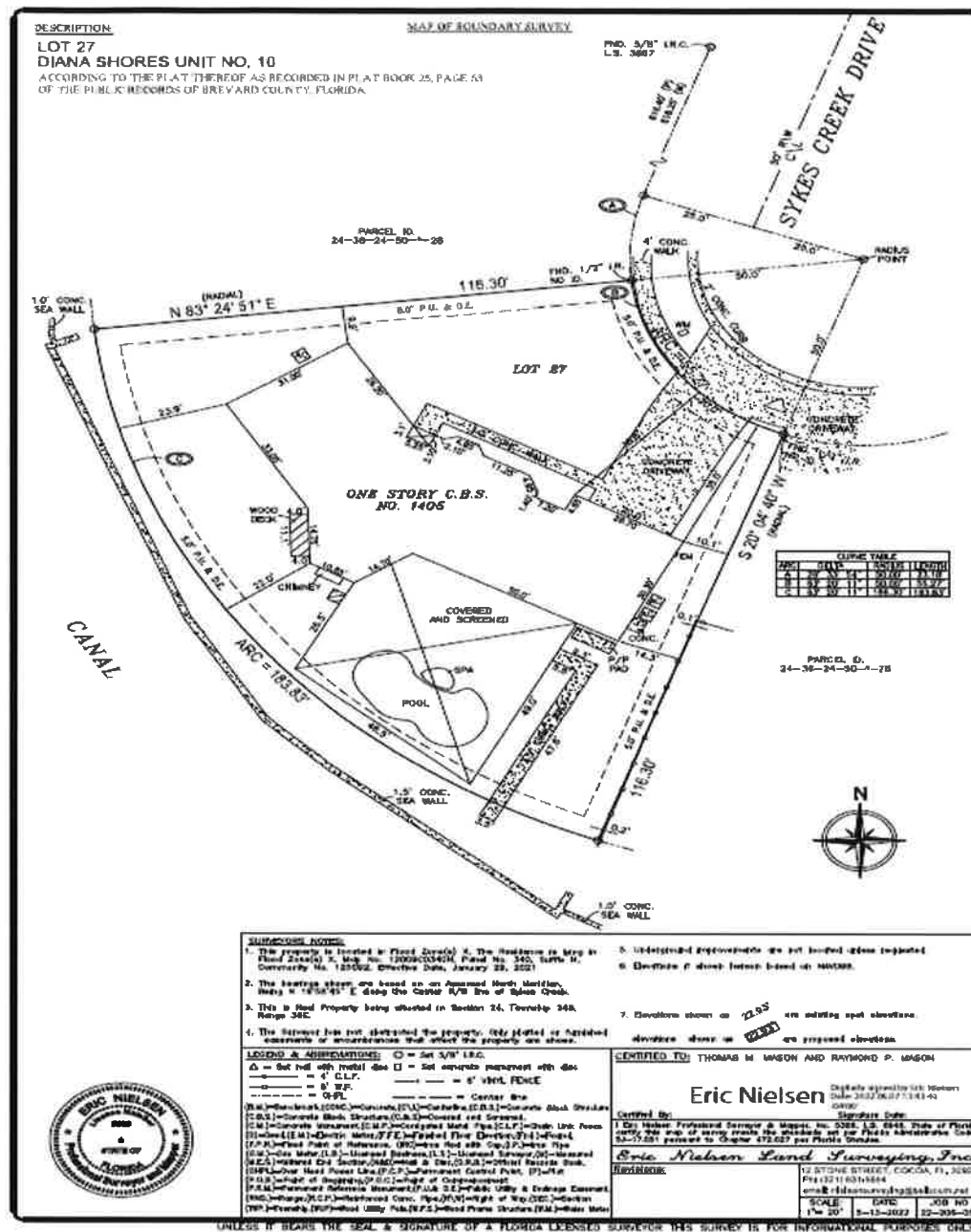


Figure 6: Boundary Survey.

Survey illustrates the existing single-family home and pool all lying within Lot 27, Diana Shores Unit No. 10, 1405 S Sykes Creek Drive, Merritt Island, Florida, 32953.

Comment Sheet

Applicant: Getchell

Updated by: Amber Holley 20221031 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20221012	20221031	Yes	No objections
FL Power & Light	20221012	20221020	Yes	No response
At&t	20221012	20221025	Yes	No objections
Charter/Spectrum	20221012	20221012	Yes	No objections
City of Cocoa	20221012	20221013	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20221012	20221031	Yes	No objections
Land Planning	20221012	20221021	Yes	No objections
Utility Services	20221012	20221013	Yes	No objections
Storm Water	20221012	20221012	Yes	No objections
Zoning	20221012	20221021	Yes	No objections

Public Hearing Legal Advertisement

Ad#5480999

11/21/2022

LEGAL NOTICE

**NOTICE FOR THE PARTIAL VACATING OF
A 5.0 FT. WIDE PUBLIC UTILITY AND
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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 December 6, 2022, 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.

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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 7: Copy of public hearing advertisement as published on November 21, 2022. See next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT "DIANA SHORES UNIT 10" IN SECTION 24, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL

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

THAT PORTION OF A 5-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE WESTERLY 5 FEET LESS THE NORTHERLY 5 FEET AND THE SOUTHERLY 5 FEET AS MEASURED ALONG THE ARC OF THE CURVE OF LOT 27, DIANA SHORES UNIT NO. 10, AS RECORDED IN PLAT BOOK 25, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 855.34 SQ. FT. 0.0196 ACRES MORE OR LESS. PREPARED BY: ERIC NIELSEN, 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 December 6, 2022**, 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.



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

December 20, 2022

Christopher and Allison Getchell
1405 Sykes Creek Dr.
Merritt Island, FL 32953

Dear Sir/Madam:

Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Diana Shores Unit No.10" Subdivision, Merritt Island, Lying in Section 24, Township 24 South, Range 36 East

The Board of County Commissioners, in regular session on December 6, 2022, adopted Resolution No. 22-161, vacating a portion of a public utility and drainage easement in Plat "Diana Shores Unit No. 10" Subdivision, Merritt Island, lying in Section 24, Township 24 South, Range 36 East, as petitioned by you. Said Resolution has been recorded in ORBK 9680, Pages 2139 through 2143. 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