

Meeting Date
April 11, 2017



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.B.

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: 12.0 ft. wide Public Utility Easement – Sapodilla Drive – “Barefoot Bay Unit One”– Barefoot Bay – Floyd and Lonie Layman– 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 12.0 ft. wide public utility easement at the common line between Lots 18 and 19, Block 19, “Barefoot Bay Unit One” in Section 15, Township 30 South, Range 38 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.		
Summary Explanation & Background:	<p>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.</p> <p>The petitioners own Lots 18 and 19 and are requesting the vacating of the 12.0 ft. wide public utility easement to allow for the permitting and construction of a garage which will cross the easement area. Total area of easements to be vacated is 888.0 square feet, more or less.</p> <p>March 28, 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.</p> <p>All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. Within the Barefoot Bay development, this 12.0 ft. easement has previously been vacated in whole or part, dozens of times. The property is located in Barefoot Bay as follows: Begin at the intersection of U. S. Highway No. 1 and Micco Road; thence 0.96 miles west along Micco Road; thence 0.45 miles south along Fleming Grant Road; thence 0.18 miles east along Sapodilla Drive to the residence on the south (right).</p> <p>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.</p> <p>Name: Marc.Cazessus@brevardfl.gov Phone: Ext. 57315</p>		
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"/>
County Manager	Assistant County Manager	Department Director / Extension	
Stockton Whitten	Assistant County Manager Venetta Valdengo	John Denninghoff / Ext. 57202	



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

May 1, 2017

M E M O R A N D U M

TO: John Denninghoff, Public Works Director Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating A 12.0 Ft. Wide Public Utility Easement on Sapodilla Drive, in Barefoot Bay Unit One, Barefoot Bay

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-061, vacating a 12.0 Ft. Wide Public Utility Easement on Sapodilla Drive, in Barefoot Bay Unit One, Barefoot Bay, as petitioned by Floyd and Lonie Layman. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on April 11, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

May 1, 2017

Floyd and Lonie Layman
835 Sapodilla Drive
Barefoot Bay, FL 32976

Dear Mr. and Mrs. Layman:

Re: Resolution Vacating a 12.0 Ft. Wide Public Utility Easement on Sapodilla Drive, in Barefoot Bay Unit One, Barefoot Bay

The Board of County Commissioners, in regular session on April 11, 2017, adopted Resolution No. 17-061, vacating a 12.0 ft. wide public utility easement on Sapodilla Drive, in Barefoot Bay Unit One, Barefoot Bay, as petitioned by you. Said Resolution has been recorded in ORBK 7874, Pages 987 through 991. 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, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

RESOLUTION 2017 - 061

VACATING OF A 12.0 FT. WIDE PUBLIC UTILITY EASEMENT IN "BAREFOOT BAY UNIT ONE", BAREFOOT BAY, FLORIDA, LYING IN SECTION, 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **FLOYD AND LONIE LAYMAN** with the Board of County Commissioners to vacate A 12.0 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 easement. 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 April, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


CURT SMITH, CHAIRMAN

As approved by the Board on:
April 11, 2017

LEGAL DESCRIPTION

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

SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PARCEL ID NUMBER: 30-38-15-01-19-18

PARCEL ID NUMBER: 30-38-15-01-19-19

PURPOSE OF SKETCH AND DESCRIPTION

TO VACATE TWO, 6.00 FOOT WIDE PUBLIC UTILITY EASEMENTS LYING ON BOTH SIDES OF THE COMMON LINE BETWEEN LOTS 18 AND 19, BLOCK 19.

LEGAL DESCRIPTION:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 18 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 19, BLOCK 19, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE SOUTHERLY 6.00 FEET OF SAID EASEMENTS. CONTAINING 888.00 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE BASED ON THE CENTERLINE OF SAPODILLA DRIVE AS N 89°46'20" E 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 MAY 02, 2016, PROJECT NO. 16-114.

PREPARED FOR:

FLOYD LAMYAN and LONIE J. LAYMAN



3-3-2017
THOMAS R. CERCLE, PLS 4896
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: CERCLE 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. 16-114-L1

SECTION 15

DATE: 11-2-2016

SHEET 1 **OF** 2

REVISIONS: 3-3-2017

TOWNSHIP 30 SOUTH
RANGE 38 EAST

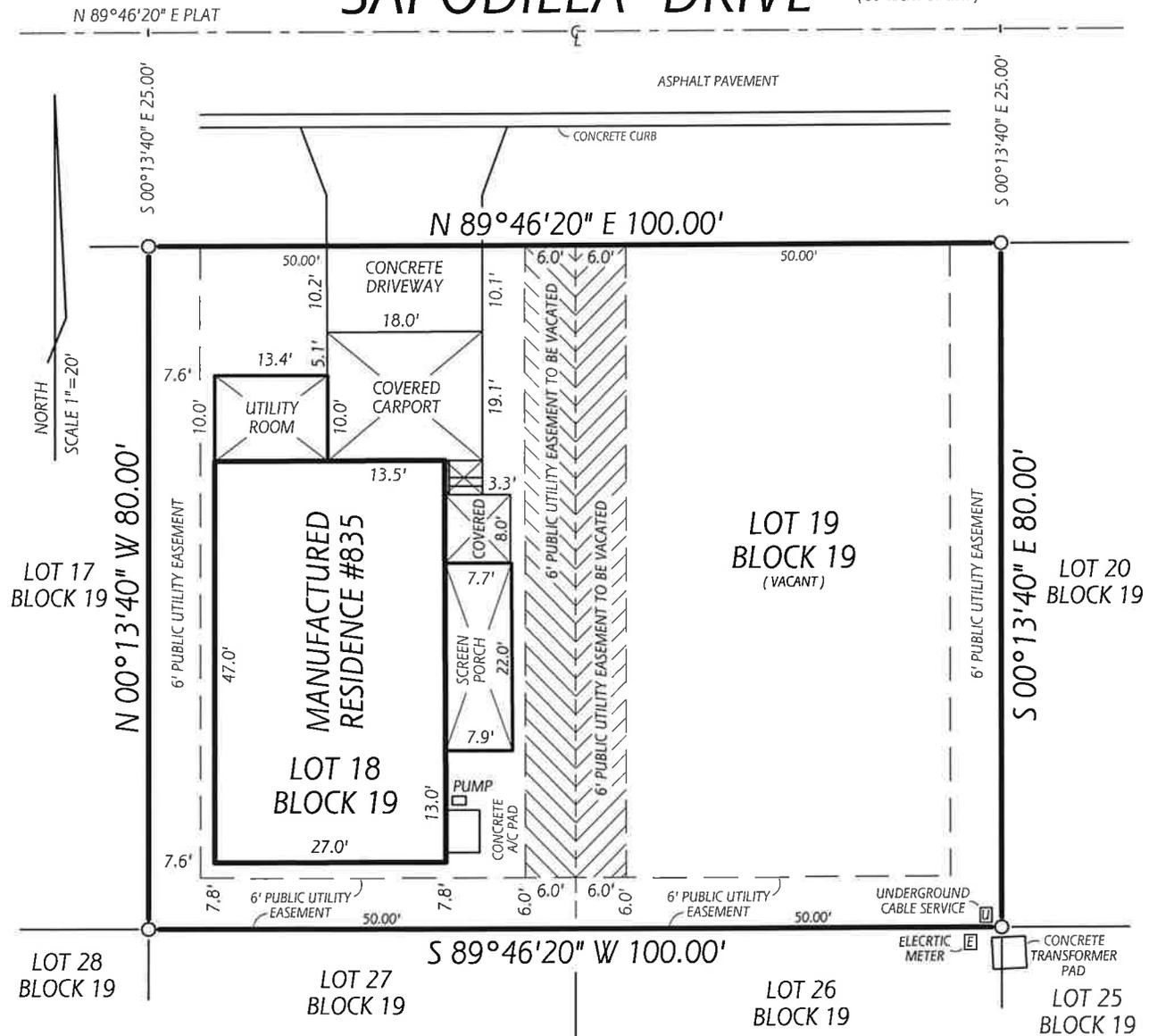
SKETCH OF DESCRIPTION

SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST
 PARCEL ID NUMBER: 30-38-15-01-19-18
 PARCEL ID NUMBER: 30-38-15-01-19-19

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

SAPODILLA DRIVE

(50' RIGHT-OF-WAY)



ABBREVIATIONS: ⊥ -CENTERLINE
 SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PROJECT NO : 16-114-L2
 PREPARED BY : T.R.C.



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

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared
Kim Curro, 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:

03/28/17

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 28th of March
2017, by Kim Curro who is personally known to me

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

Publication Cost: \$200.86
Ad No: 0002024021
Customer No: BRE-6BR327



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

AD# 2024021 3/28/2017
LEGAL NOTICE
NOTICE FOR THE VACATING OF THE 12.0
FT. WIDE PUBLIC UTILITY EASEMENT,
PLAT OF "BAREFOOT BAY MOBILE HOM
SUBDIVISION, UNIT ONE" IN SECTION 15
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, Bre-
vard County Code, a petition has been
filed by FLOYD AND LONIE LAYMAN
with the Board of County Commissioners
of Brevard County, Florida, to request
vacating the following described proper-
ty, 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 6:00 p.m.
on April 11, 2017 at the Brevard County
Government Center Board Room, Build-
ing 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 pur-
pose, he or she may need to ensure that
a verbatim record of the proceedings is
made, which record includes the testi-
mony and evidence upon which the ap-
peal 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 im-
paired persons shall be met if the de-
partment 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 EASE-
MENT LYING ALONG THE EASTERLY 6.00
FEET OF LOT 18 AND THE 6.00 FOOT
PUBLIC UTILITY EASEMENT LYING
ALONG THE WESTERLY 6.00 FEET OF LOT
19, BLOCK 19, BAREFOOT BAY MOBILE
HOME SUBDIVISION, UNIT ONE, AC-
CORDING TO THE PLAT THEREOF AS RE-
CORDED IN PLAT BOOK 22, PAGES 100
THRU 104, PUBLIC RECORDS OF BRE-
VARD COUNTY, FLORIDA, LESS AND EX-
CEPT THE SOUTHERLY 6.00 FEET OF SAID
EASEMENTS, CONTAINING 888.00
SQUARE FEET MORE OR LESS. PREPARED
BY THOMAS R. CECRLE, PLS

AD# 2024021 3/28/2017
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PLAT OF "BAREFOOT BAY MOBILE HOME
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BY THOMAS R. CECRLE, PLS





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

AD 2079876 4/20/2017

LEGAL NOTICE

RESOLUTION VACATING A 12.0 FT. WIDE PUBLIC UTILITY EASEMENT ON SAPODILLA DRIVE, IN BAREFOOT BAY UNIT ONE, BAREFOOT BAY - FLOYD AND LONIE LAYMAN

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of April, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 12.0 ft. wide public utility easement on Sapodilla Drive, in Barefoot Bay Unit One, Barefoot Bay, as petitioned by Floyd and Lonie Layman.

SEE ATTACHED EXHIBIT "A"

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
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk

LEGAL DESCRIPTION:

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AD 2079876 4/20/2017

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SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk

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STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared Kim Curro, 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:

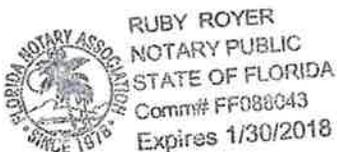
04/20/17

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 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 20th of April 2017, by Kim Curro who is personally known to me

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

Publication Cost: \$127.76
Ad No: 0002079876
Customer No: BRE-6BR327



LEGAL NOTICE

RESOLUTION VACATING A 12.0 FT. WIDE PUBLIC UTILITY EASEMENT ON
SAPODILLA DRIVE, IN BAREFOOT BAY UNIT ONE, BAREFOOT BAY – FLOYD AND
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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 April 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) 284-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account	3007363
Owners	Layman, Floyd, Life Estate; Lonie, Life Estate Layman
Mailing Address	835 Sapodilla Dr Barefoot Bay FL 32976
Site Address	835 Sapodilla Dr Barefoot Bay FL 32976
Parcel ID	30-38-15-01-19-18
Property Use	0213 - Manufactured Housing - Double Wide
Exemptions	HEX1 - Homestead First \$25,000 HEX2 - Homestead Additional \$25,000
Taxing District	3400 - Unincorp District 3
Subdivision	Barefoot Bay Unit 1
Total Acres	0.18
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0022/0100
Description	Barefoot Bay Unit 1 Lots 18 & 19 Blk 19



VALUE SUMMARY INFORMATION

Category	2016	2015	2014
Total Market Value	\$86,820	\$64,810	\$56,490
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$63,150	\$51,790	\$51,380
Assessed Value School	\$63,150	\$51,790	\$51,380
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$13,150	\$1,790	\$1,380
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$25,000	\$25,000	\$25,000
Taxable Value School	\$38,150	\$26,790	\$26,380

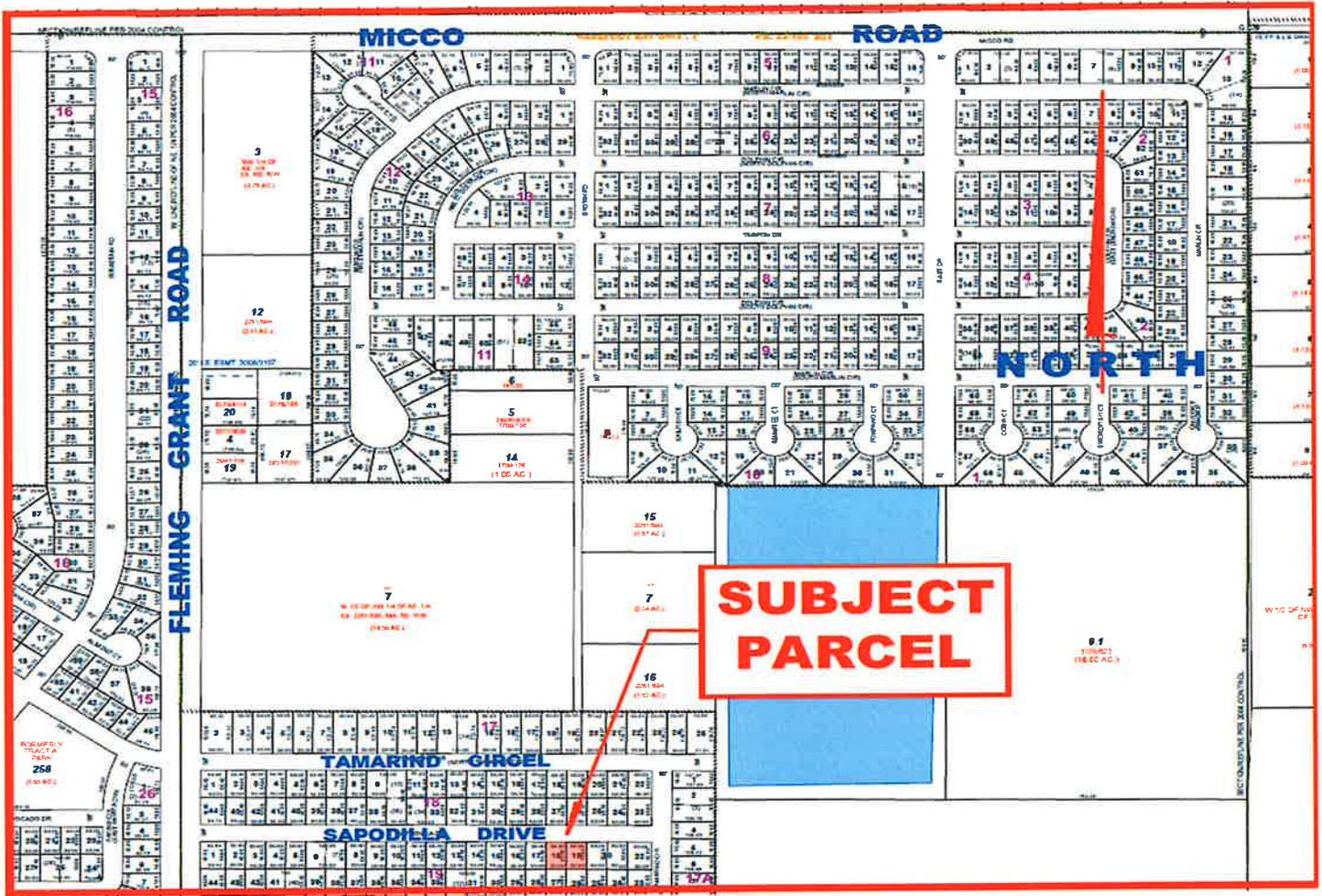
SALES/TRANSFERS INFORMATION

Date	Price	Deed	V O R I	Book/Page
02/10/2016	\$100	QC	Improved	7552/0070
04/21/2008	\$100	QC	Improved	5865/3173
05/19/2003	\$5,000	WD	Vacant	4923/1806
09/30/2002	\$126,000	WD	Vacant	4706/0877
06/01/1997	\$52,200	PT	Vacant	3684/0300
12/19/1985	\$6,500	WD	--	2568/0305
02/08/1985	\$100	PT	--	2578/1544
10/12/1983	\$5,500	WD	--	2464/0899

BUILDING INFORMATION

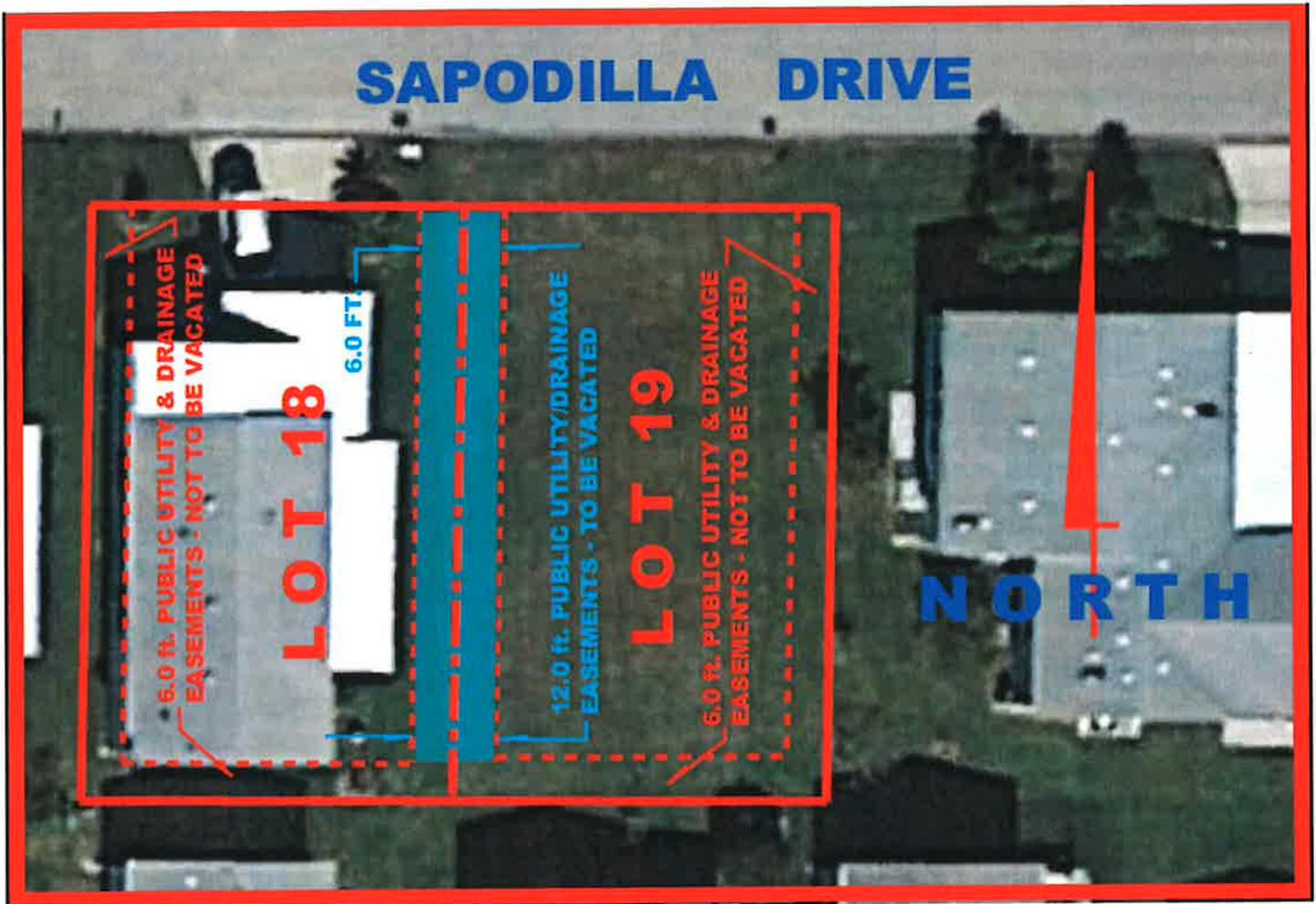
PROPERTY DATA CARD #1			
Building Use	Year Built	Story Height	Floors
0213 - Manufactured Housing - Double Wide	2003	8	1
Materials		Sub Areas	
Exterior Wall	Vinyl/Aluminum	Base Area (1st)	1269
Frame	Wood Frame	Carport	270
Roof	Asph/Asb Shngl	Open Porch	80
Roof Structure	Hip/Gable	Screen Porch	176
		Utility Room	130
		Total Base Area	1269
		Total Sub Area	1925

APPRAISER'S DETAIL SHEET



VICINTY MAP

Floyd & Lonie Layman – 835 Sapodilla Drive,
 Barefoot Bay, FL, 32976 – Lots 18 & 19, Block
 19, Barefoot Bay Mobile Home Subdivision
 Unit One – (Plat Book 22, Page 100) – Section
 15, Township 30 South, Range 38 East –
 District 3 – Proposed Vacating of 12.0 ft. Wide
 Public Utility Easement centered along the
 Common Lot Line



AERIAL MAP

Floyd & Lonie Layman – 835 Sapodilla Drive,
Barefoot Bay, FL, 32976 – Lots 18 & 19, Block
19, Barefoot Bay Mobile Home Subdivision
Unit One – (Plat Book 22, Page 100) – Section
15, Township 30 South, Range 38 East –
District 3 – Proposed Vacating of 12.0 ft. Wide
Public Utility Easement centered along the
Common Lot Line

Pa. 22
Pg. 103
SEE APPENDIX
3/14/72

Barefoot Bay

MOBILE HOME SUBDIVISION, MICCO, FLORIDA,
UNIT ONE

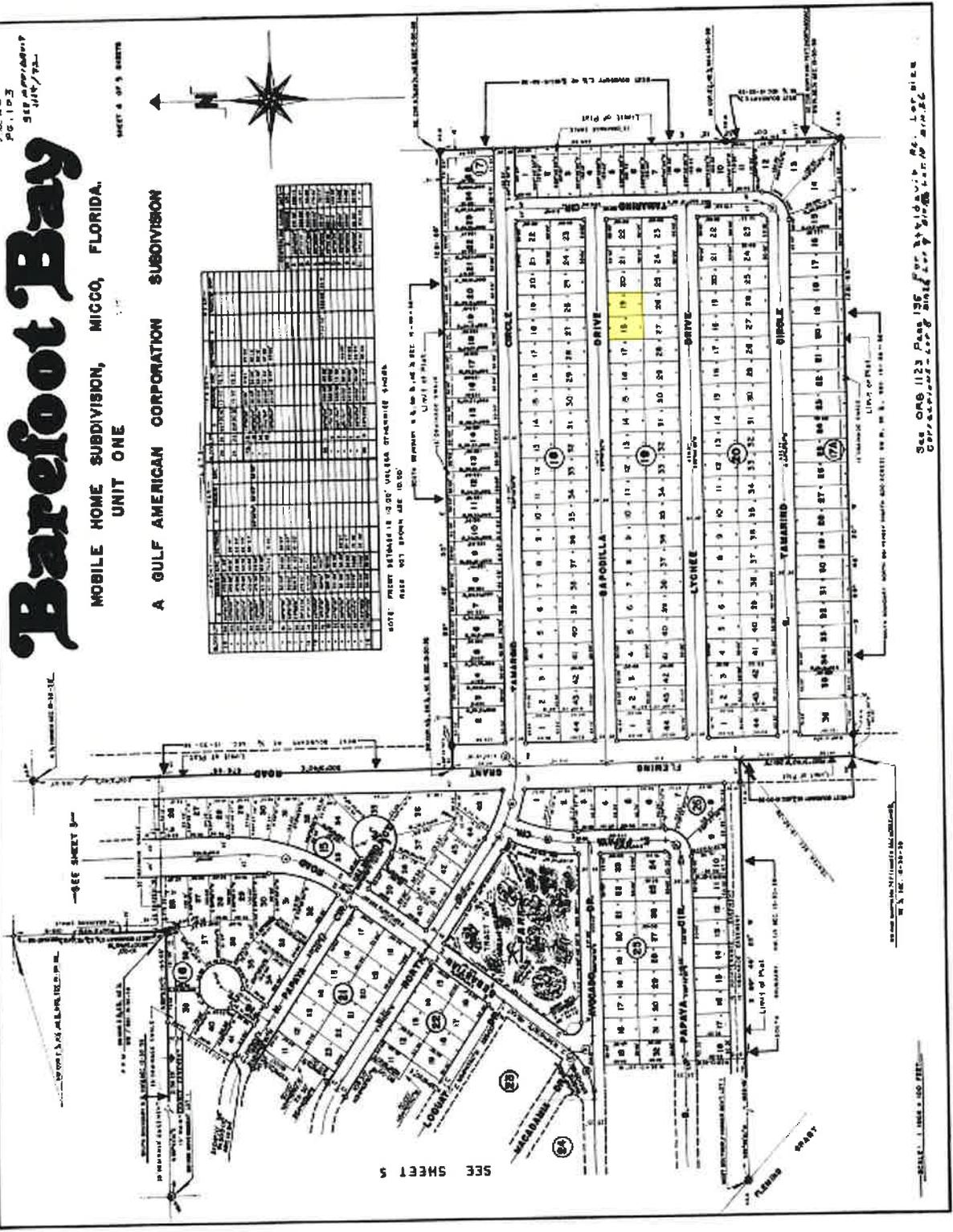
SHEET 4 OF 5 SHEETS

A GULF AMERICAN CORPORATION SUBDIVISION



LOT NO.	OWNER	ACRES	REMARKS
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NOTE: FRONT SETBACK IS 10 FT. UNLESS OTHERWISE SHOWN.
REAR SETBACK IS 10 FT. UNLESS OTHERWISE SHOWN.



SEE SHEET 5

See ORG 1123 Page 136 for 34410 sq. ft. lot size
Corrections - see 8 single lots 20, 21, 22, 23, 24, 25

PLAT REFERENCE SHEET 1 OF 2

Prepared By and Return To:
Darryl J. Jacobs, Esq.
1935 32nd Avenue
Vero Beach, FL 32960

Property I.D. # 30-38-15-01-00019.0-0018.00 &
30-38-15-01-00019.0-0019.00

This Quit Claim Deed executed this 10th day of February, 2016, by FLOYD LAYMAN and LONIE J. LAYMAN, as Co-Trustees of the Floyd Layman and Lonie J. Layman Trust dated the 21st day of April, 2008, and individually as husband and wife, hereunder known as the Grantor, whose post office address is 835 Sapodilla Drive, Barefoot Bay, FL 32976 to FLOYD LAYMAN and LONIE J. LAYMAN, as Co-Trustees of the Floyd Layman and Lonie J. Layman Trust dated the 21st day of April, 2008, hereunder known as the Grantee, with full power and authority to protect, conserve and to sell, or to lease or to encumber, or otherwise to manage and dispose of the real property described herein, pursuant to E.S. 689.071, whose post office address is 835 Sapodilla Drive, Barefoot Bay, FL 32976:

Witnesseth, That the said Grantor for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit claim unto the said Grantee forever, all the right, title and interest, claim and demand which the said Grantor has in and to the following described lot, piece or parcel of land, situated, lying and being in the County of Brevard, State of Florida, to wit:

PARCEL No. 1: Lot 18, Block 19, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, according to the plat thereof as recorded in Plat Book 22, Page 100, Public Records of Brevard County, Florida.

PARCEL No. 2: Lot 19, Block 19, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, according to the plat thereof as recorded in Plat Book 22, Page 100, Public Records of Brevard County, Florida.

SUBJECT TO: Taxes and assessments for the year 2016 and all subsequent years.
SUBJECT TO: Conditions, restrictions, limitations, easements and utility agreements of record, if any.

This instrument has been prepared without examination or opinion of title.

*****NOTE TO PROPERTY APPRAISER:** The said Grantors hereby specifically reserves unto themselves a life estate in and to said described premises, with remainder to Grantee, and the right to occupy same during their life; and likewise reserves unto themselves all income and profit of any nature whatsoever derived from described property during their life.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.
Signed, sealed and delivered in our presence:

mell Jacobs
Darryl J. Jacobs

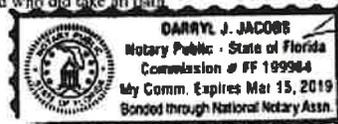
Floyd Layman
FLOYD LAYMAN
835 Sapodilla Drive, Barefoot Bay, FL 32976

Jolene L. Schmitt
Jolene L. Schmitt

Lonie J. Layman
LONIE J. LAYMAN
835 Sapodilla Drive, Barefoot Bay, FL 32976

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 10th day of February, 2016, by FLOYD LAYMAN and LONIE J. LAYMAN, who are personally known to me and who did take an oath.



[Signature]
NOTARY PUBLIC

PETITIONER'S DEED

AD# 2024021 3/28/2017 LEGAL NOTICE NOTICE FOR THE VACATING OF THE 12.0 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE" IN SECTION 15, 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 FLOYD AND LONIE LAYMAN 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 6:00 p.m. on April 11, 2017 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. EXHIBIT "A" THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 18 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 19, BLOCK 19, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE,

PUBLIC HEARING LEGAL

ADVERTISEMENT

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 18 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 19, BLOCK 19, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE SOUTHERLY 6.00 FEET OF SAID EASEMENTS. CONTAINING 888.00 SQUARE FEET MORE OR LESS. PREPARED BY THOMAS R. CECRLE, PLS



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.: 0002079876
Pymt Method Invoice
Net Amt: \$127.76

Run Times: 1

No. of Affidavits: 1

Run Dates: 04/20/17

Text of Ad:

AD 2079876 4/20/2017

LEGAL NOTICE

RESOLUTION VACATING A 12.0 FT. WIDE PUBLIC UTILITY EASEMENT ON SAPODILLA DRIVE, IN BAREFOOT BAY UNIT ONE, BAREFOOT BAY FLOYD AND LONIE LAYMAN

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of April, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 12.0 ft. wide public utility easement on Sapodilla Drive, in Barefoot Bay Unit One, Barefoot Bay, as petitioned by Floyd and Lonie Layman

SEE ATTACHED EXHIBIT "A"

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 SCOTT ELLIS, CLERK BY: Tammy Rowe, Deputy Clerk

LEGAL DESCRIPTION:

EXHIBIT "A"

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 1B AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 19, BLOCK 19, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE SOUTHERLY 6.00 FEET OF SAID EASEMENTS CONTAINING 888.00 SQUARE FEET MORE OR LESS PREPARED BY THOMAS R. CECRLE, PLS