



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.2.

5/20/2025

Subject:

Petition to Vacate, Re: A portion of a Public Drainage Easement - Plat of "Creekwood" Plat Book 43, Page 8 - Melbourne - Jason and Leah Reilly - District 5

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 a portion of a public drainage easement, per Plat "Creekwood", Plat Book 43, Page 8, in Section 13, Township 27 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 petitioners own Lot 15 and are requesting the vacating of a portion of a public drainage easement lying on the north side of Lot 15 to allow for a shed built into the easement to be removed as an encroachment and for the permit to be finalized. The property is located in Melbourne West of N. Wickham Road and South of Aurora Road.

On May 5, 2025, 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: 321-350-8346

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

June 12, 2025

Jason and Leah Reilly
1760 Williamsburg Way
Melbourne, FL 32934

Dear Sir/Madam:

Re: Resolution Vacating a Portion of a Public Drainage Easement, Plat of "Creekwood",
Melbourne, Florida, Lying in Section 13, Township 27 South, Range 36 East

The Board of County Commissioners, in regular session on May 20, 2025, adopted Resolution No. 2025-047, vacating a portion of a public drainage easement, Plat of "Creekwood", Melbourne, Florida, lying in Section 13, Township 27 South, Range 36 East. 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

/kl

Encl. (1)

cc: Amber Holley, Public Works



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June 12, 2025

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 Drainage Easement, Plat of "Creekwood", Melbourne, Florida, Lying in Section 13, Township 27 South, Range 36 East – Jason and Leah Reilly

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 2025-047, vacating a portion of a public drainage easement, Plat of "Creekwood", Melbourne, Florida, lying in Section 13, Township 27 South, Range 36 East, as petitioned by Jason and Leah Reilly. Said Resolution was adopted by the Board of County Commissioners, in regular session on May 20, 2025.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in blue ink that reads "Kimberly Powell".

Kimberly Powell, Clerk to the Board

/kl

Encls. (2)

Kimberly Loughner

From: Holley, Amber <Amber.Holley@brevardfl.gov>
Sent: Wednesday, June 4, 2025 1:39 PM
To: Kimberly Loughner
Cc: Donna Scott; Nicole Summers
Subject: [EXTERNAL EMAIL]RE: Commission Meeting May 20, 2025
Attachments: 243623_VAC_78-L-96_Edwards.pdf; 273613_VAC_81-STR-15_Reilly.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments, clicking links or responding to unknown senders.

Kimberly,

I have attached the recorded resolutions from the May 20th meeting. I will put them in the mail to you.

Sincerely,
Amber Holley
Public Works/ Survey Dept.
321-350-8346

From: Holley, Amber
Sent: Thursday, May 22, 2025 8:47 AM
To: Kimberly Loughner <kimberly.loughner@brevardclerk.us>
Cc: Donna Scott <donna.scott@brevardclerk.us>; Nicole Summers <nicole.summers@brevardclerk.us>
Subject: FW: Commission Meeting May 20, 2025

Ladies, here are both legal descriptions from the approval by the Board on 5/20.

I have attached the legal description from the approval at the 5/20 meeting.

Owner information:

- H.1. Richard S. and Kimberly A. Edwards, 1340 Taurus Ct, Merritt Island, FL 32953. (Revised to reflect the motion by the Commissioner to leave the rear easement)
- H.2. Jason and Leah Reilly, 1760 Williamsburg Way, Melbourne, FL 32934

If you have any questions, please call me.

Sincerely,
Amber Holley
Public Works/ Survey Dept.
321-350-8346

From: Holley, Amber
Sent: Tuesday, May 20, 2025 2:02 PM
To: Kimberly Loughner <kimberly.loughner@brevardclerk.us>
Cc: Donna Scott <donna.scott@brevardclerk.us>; Nicole Summers <nicole.summers@brevardclerk.us>
Subject: Commission Meeting May 20, 2025

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Public Works/ Survey Dept.
321-350-8346

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New

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Sent: Thursday, May 22, 2025 8:47 AM
To: Kimberly Loughner
Cc: Donna Scott; Nicole Summers
Subject: [EXTERNAL EMAIL]FW: Commission Meeting May 20, 2025
Attachments: Legal Description-Revised-Edwards.docx; Legal Description-Reilly.docx

Follow Up Flag: Follow up
Flag Status: Flagged

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CL

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"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."

Brevard County Property Appraiser Detail Sheet

Account 2735992
 Owners REILLY, JASON; REILLY, LEAH
 Mailing Address 1760 WILLIAMSBURG WAY MELBOURNE FL 32934
 Site Address 1760 WILLIAMSBURG WAY MELBOURNE FL 32934
 Parcel ID 27-36-13-81-* -15
 Taxing District 5300 - UNINCORP DISTRICT 5
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Total Acres 0.42
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0043/0008
 Subdivision CREEKWOOD
 Land Description CREEKWOOD LOT 15

VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$417,150	\$421,340	\$416,860
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$378,300	\$367,290	\$356,600
Assessed Value School	\$378,300	\$367,290	\$356,600
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,590	\$3,900	\$32,560
Taxable Value School	\$378,300	\$367,290	\$356,600

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
11/24/2021	\$475,000	WD	--	9338/0590
06/27/2019	\$300,000	WD	--	8477/1152
10/25/2007	\$0	QC	--	5824/483

Vicinity Map

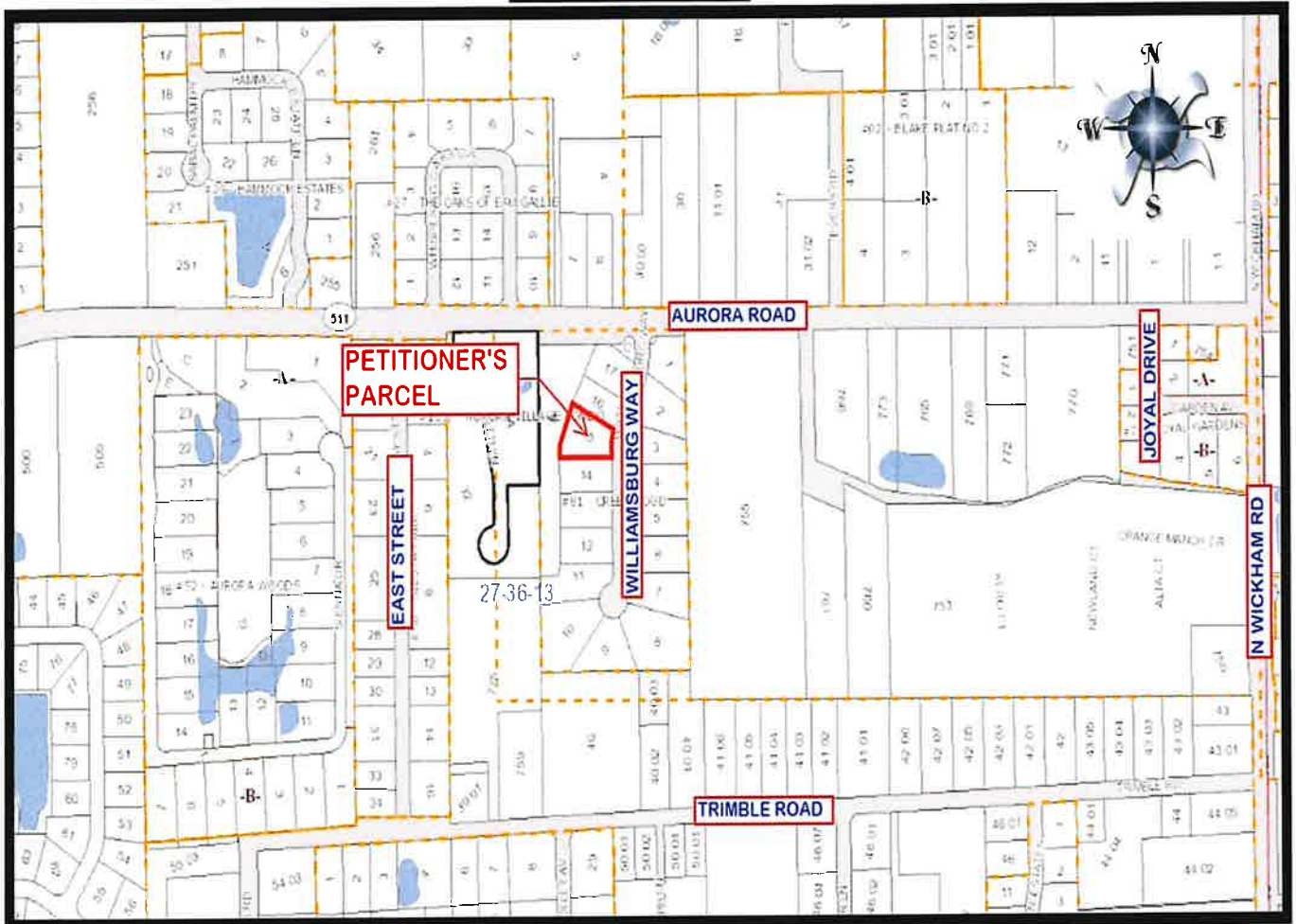


Figure 1: Map of Lot 15, Creekwood, 1760 Williamsburg Way, Melbourne, Florida, 32934.

Jason and Leah Reilly – Lot 15, Creekwood –
1760 Williamsburg Way, Melbourne, FL,
32934 – lying in Section 13, Township 27
South, Range 36 East – District 5 – Proposed
Vacating of a portion of a Public Drainage
Easement

Aerial Map



Figure 2: Aerial Map of Lot 15, Creekwood, 1760 Williamsburg Way, Melbourne, Florida, 32934.

Jason and Leah Reilly – Lot 15, Creekwood –
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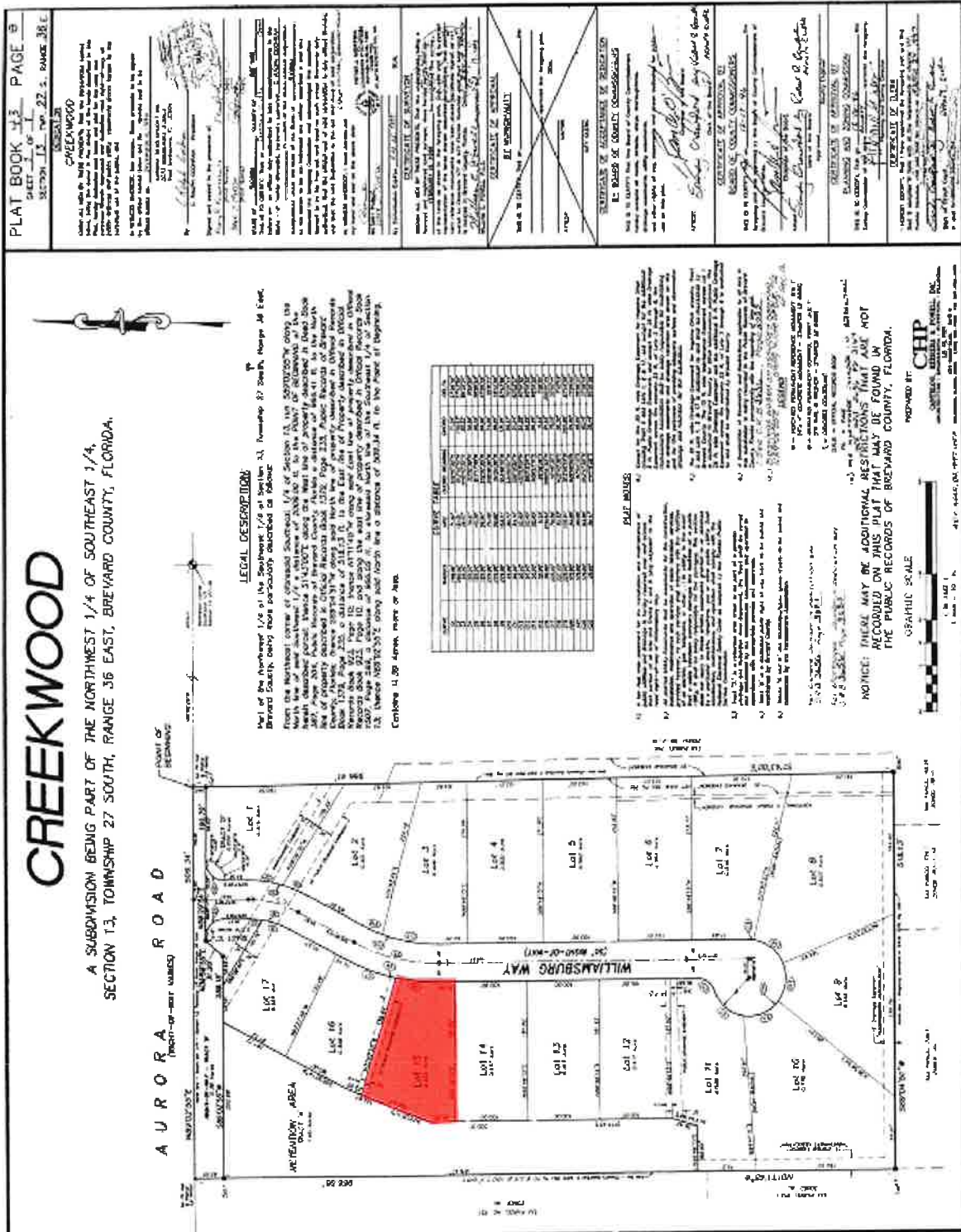
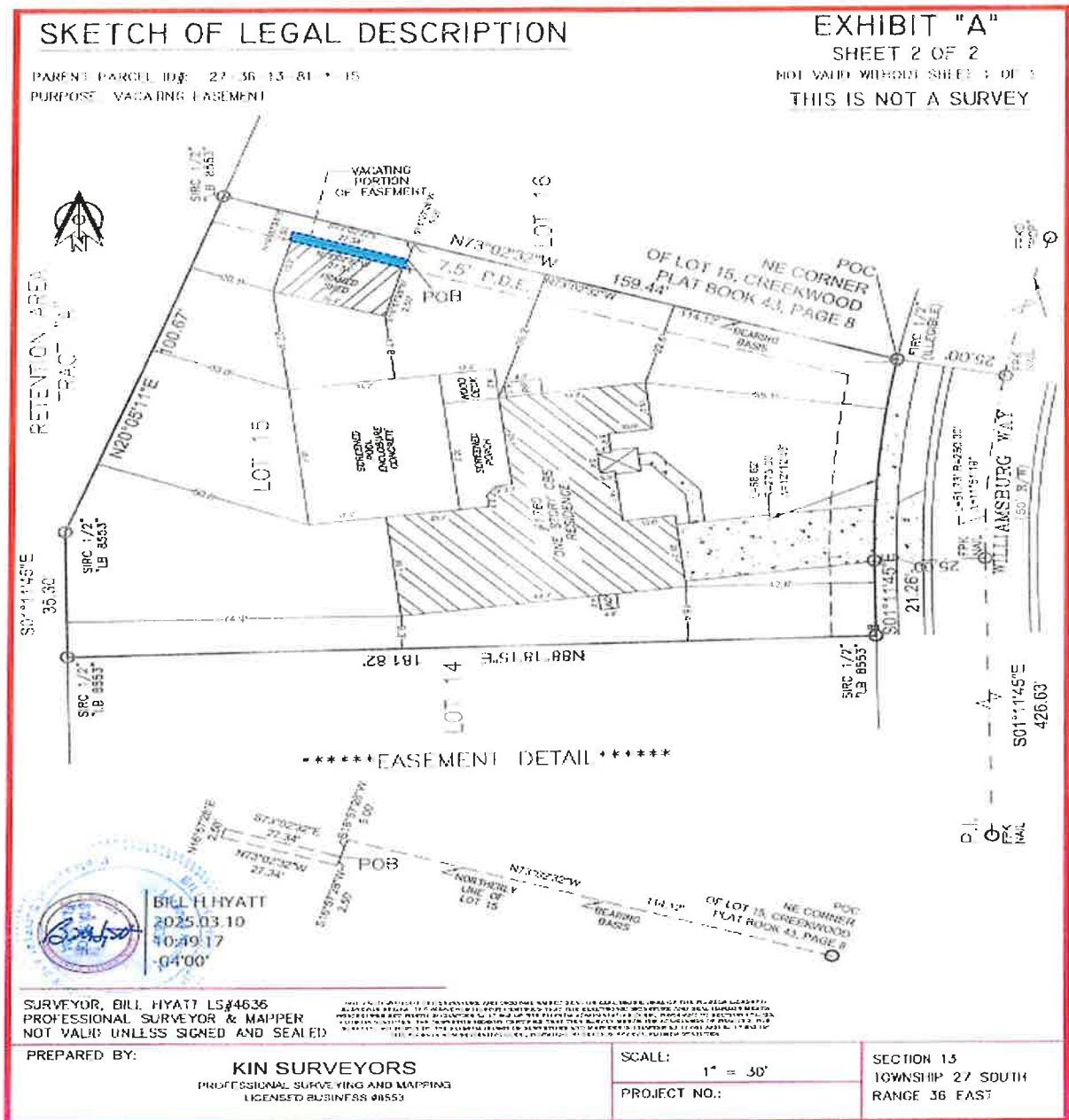


Figure 3: Copy of Plat of Creekwood, dedicated to Brevard County in December 1996.

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Comment Sheet

Applicant: Reilly

Updated by: Amber Holley 20250414 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20250320	20250414	Yes	No Objections
FL Power & Light	20250320	20250414	Yes	No Objections
At&t	20250320	20250414	Yes	No objections
Charter/Spectrum	20250320	20250325	Yes	No objections
City of Melbourne	20250320	20250321	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20250320	20250321	Yes	No objections
Land Planning	20250320	20250325	Yes	No objections
Utility Services	20250320	20250324	Yes	No objections
Storm Water	20250320	20250321	Yes	No objections
Zoning	20250320	20250325	Yes	No objections

Public Hearing Legal Advertisement

ad# 11269495 05/05/25

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF A PUBLIC DRAINAGE EASEMENT, PLAT OF "CREEKWOOD", IN SECTION 13, TOWNSHIP 27 SOUTH, RANGE 36 EAST, MELBOURNE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by JASON AND LEAH REILLY with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF A PUBLIC DRAINAGE EASEMENT WITHIN LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, RUN N73°02'32"W, ALONG THE NORTHERLY LINE OF SAID LOT 15, A DISTANCE OF 114.12 FEET; THENCE RUN S16°57'28"W, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S16°57'28"W, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN N73°02'32"W, A DISTANCE OF 27.34 FEET TO A POINT, THENCE RUN N16°57'28"E, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN S73°02'32"E, A DISTANCE OF 27.34 FEET TO THE POINT OF BEGINNING. SAID AREA OF VACATED EASEMENT CONTAINING 68.35 SQUARE FEET MORE OR LESS. PREPARED BY: BILL H. HYATT, PLS.

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 May 20, 2025, 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 hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance.

Figure 8: Copy of public hearing advertisement published on May 5, 2025. See the next page for full text.

Legal Notice Text

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LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC DRAINAGE EASEMENT, PLAT OF
"CREEKWOOD", MELBOURNE, FLORIDA, LYING IN SECTION 13, TOWNSHIP 27
SOUTH, RANGE 36 EAST – **JASON and LEAH REILLY**

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on May 20, 2025 the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public drainage easement, Plat of "Creekwood", Melbourne, Florida, lying in Section 13, Township 27 South, Range 36 East as petitioned by Jason and Leah Reilly

LEGAL DESCRIPTION:

A PORTION OF A PUBLIC DRAINAGE EASEMENT WITHIN LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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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

Florida TODAY:

Please advertise in the May 26, 2025, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**

Resolution 2025 -047

**Vacating a portion of a public drainage easement, Plat of "Creekwood", Melbourne, Florida, lying in
Section 13, Township 27 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Jason and Leah Reilly** with the Board of County Commissioners to vacate public easements 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 said public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements 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 20th day of May, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:


Rachel Sadoff, Clerk


Rob Feltner, Chairman

As approved by the Board on:
May 20, 2025

LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 27-36-13-81-*15

PURPOSE: VACATING EASEMENT

LEGAL DESCRIPTION:

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SURVEYORS NOTES:

ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AND MEASURED, UNLESS OTHERWISE SHOWN.

P.U.&P.D.E. = PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT.

P.D.E. = PUBLIC DRAINAGE EASEMENT.

P.U.E. = PUBLIC UTILITY EASEMENT.

P.O.C. = POINT OF COMMENCEMENT.

P.O.B. = POINT OF BEGINNING.

BEARINGS ARE BASED UPON THE ASSUMED BEARING FOR THE NORTHERLY LINE OF LOT 15, CREEKWOOD.

ALL ELEVATIONS SHOWN ARE BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD'88).



BILL H HYATT
2025.03.10
10:48:16 -04'00'

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY

SURVEYOR, BILL HYATT LS#4636
PROFESSIONAL SURVEYOR & MAPPER

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ELECTRONIC SEAL OF THE FLORIDA LICENSED SURVEYOR BELOW. THE SURVEYOR HEREBY CERTIFIES THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS PROCEDURES SET FORTH IN CHAPTER SJ-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.025, FLORIDA STATUTES. THE SURVEYOR HEREBY CERTIFIES THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS, SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER SJ-17.051 AND SJ-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PREPARED BY:

KIN SURVEYORS

PROFESSIONAL SURVEYING AND MAPPING
LICENSED BUSINESS #8553

DRAWN BY: MS

CHECKED BY: BH

PROJECT NO.

REVISIONS

DATE

DESCRIPTION

DATE: 2/13/2025

DRAWING:

SECTION 13

TOWNSHIP 27 SOUTH

RANGE 36 EAST

SKETCH OF LEGAL DESCRIPTION

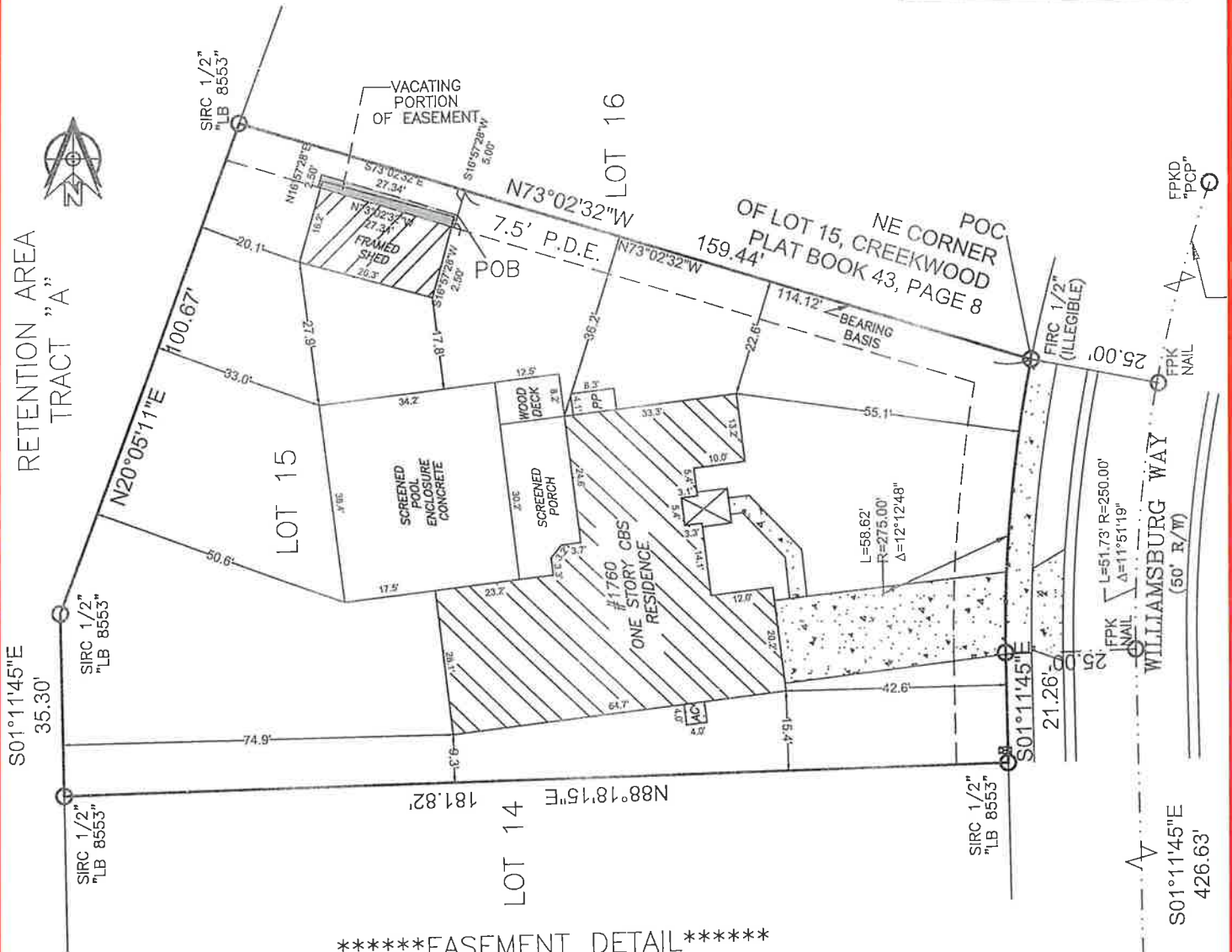
EXHIBIT "A"

SHEET 2 OF 2

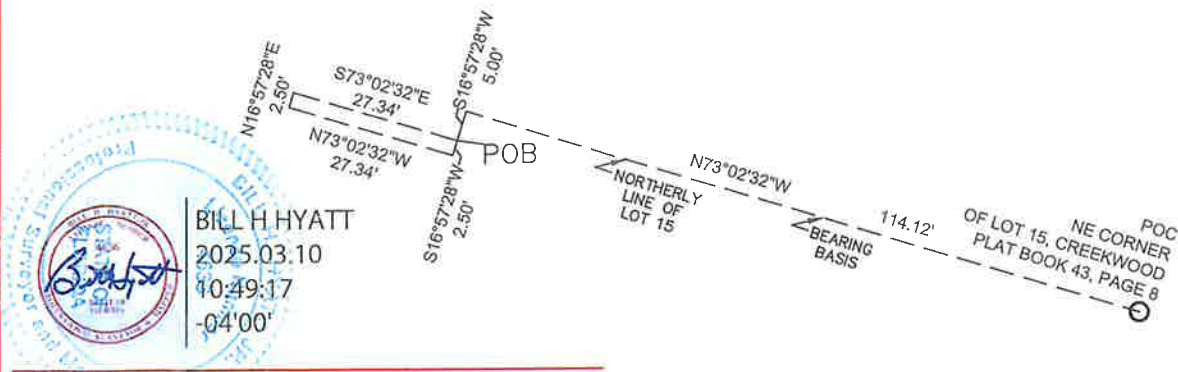
NOT VALID WITHOUT SHEET 1 OF 1

PARENT PARCEL ID#: 27-36-13-81-**-15
PURPOSE: VACATING EASEMENT

THIS IS NOT A SURVEY



*****EASEMENT DETAIL*****



SURVEYOR, BILL HYATT LS#4636
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ELECTRONIC SEAL OF THE FLORIDA LICENSED SURVEYOR BELOW. THE SURVEYOR HEREBY CERTIFIES THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS THE REQUIREMENTS SET FORTH IN CHAPTER 17.002 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.005, FLORIDA STATUTES. THE SURVEYOR HEREBY CERTIFIES THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS, SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS BY CHAPTER SJ-17.051 AND SJ-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PREPARED BY:

KIN SURVEYORS
PROFESSIONAL SURVEYING AND MAPPING
LICENSED BUSINESS #8553

SCALE:

1" = 30'

PROJECT NO.:

SECTION 13

TOWNSHIP 27 SOUTH

RANGE 36 EAST

LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 27-36-13-81-*--15

PURPOSE: VACATING EASEMENT

LEGAL DESCRIPTION:

A PORTION OF A PUBLIC DRAINAGE EASEMENT WITHIN LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, RUN N73°02'32"W, ALONG THE NORTHERLY LINE OF SAID LOT 15, A DISTANCE OF 114.12 FEET; THENCE RUN S16°57'28"W, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S16°57'28"W, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN N73°02'32"W, A DISTANCE OF 27.34 FEET TO A POINT, THENCE RUN N16°57'28"E, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN S73°02'32"E, A DISTANCE OF 27.34 FEET TO THE POINT OF BEGINNING. SAID AREA OF VACATED EASEMENT CONTAINING 68.35 SQUARE FEET MORE OR LESS.

SURVEYORS NOTES:

ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AND MEASURED, UNLESS OTHERWISE SHOWN.

P.U.&P.D.E. = PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT.

P.D.E. = PUBLIC DRAINAGE EASEMENT.

P.U.E. = PUBLIC UTILITY EASEMENT.

P.O.C. = POINT OF COMMENCEMENT.

P.O.B. = POINT OF BEGINNING.

BEARINGS ARE BASED UPON THE ASSUMED BEARING FOR THE NORTHERLY LINE OF LOT 15, CREEKWOOD.

ALL ELEVATIONS SHOWN ARE BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD'88).



BILL H HYATT

2025.03.10

10:48:16 -04'00'

SURVEYOR, BILL HYATT LS#4636
PROFESSIONAL SURVEYOR & MAPPER

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ELECTRONIC SEAL OF THE FLORIDA LICENSED SURVEYOR BELOW. THE SURVEYOR HEREBY CERTIFIES THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS PROCEDURES SET FORTH IN CHAPTER SJ-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.025, FLORIDA STATUTES. THE SURVEYOR HEREBY CERTIFIES THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS, SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER SJ-17.051 AND SJ-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY

PREPARED BY:

KIN SURVEYORS

PROFESSIONAL SURVEYING AND MAPPING
LICENSED BUSINESS #8553

DRAWN BY: MS	CHECKED BY: BH	PROJECT NO.			SECTION 13 TOWNSHIP 27 SOUTH RANGE 36 EAST	
		REVISIONS	DATE	DESCRIPTION		
DATE: 2/13/2025	DRAWING:					

SKETCH OF LEGAL DESCRIPTION

EXHIBIT "A"

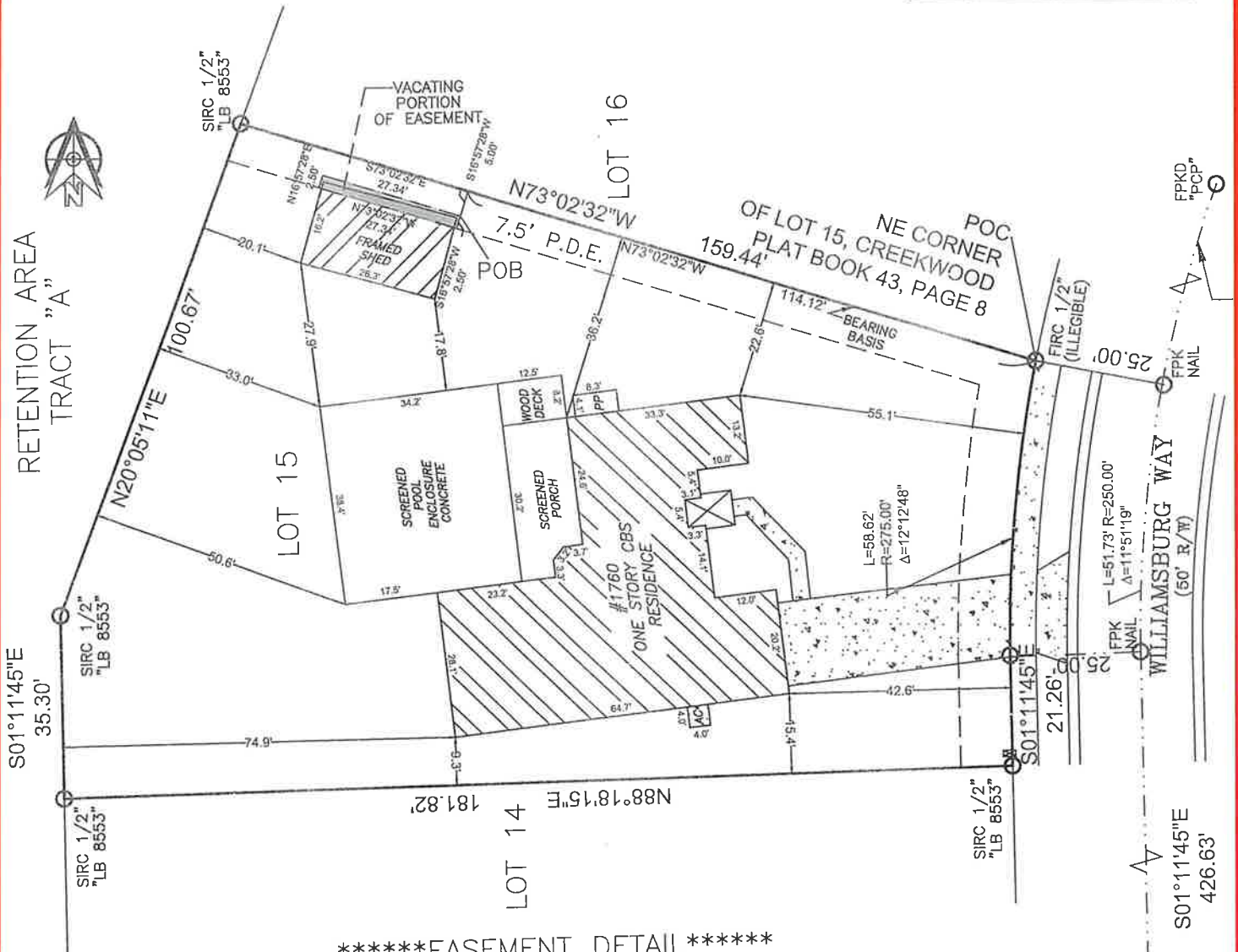
SHEET 2 OF 2

PARENT PARCEL ID#: 27-36-13-81-*--15

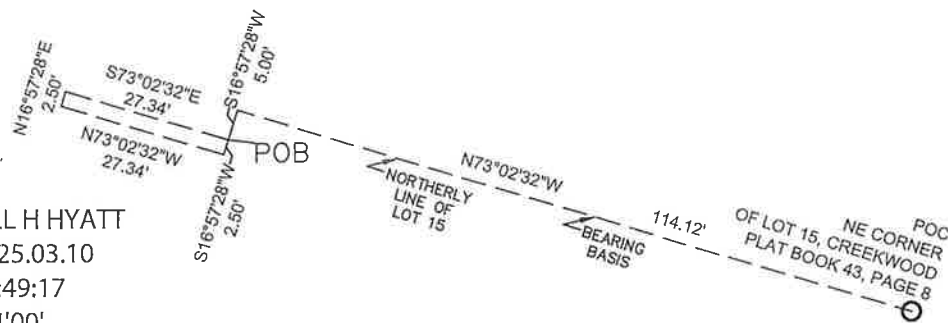
NOT VALID WITHOUT SHEET 1 OF 1

PURPOSE: VACATING EASEMENT

THIS IS NOT A SURVEY



*****EASEMENT DETAIL*****



BILL H HYATT
2025.03.10
10:49:17
-04'00'

SURVEYOR, BILL HYATT LS#4636
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ELECTRONIC SEAL OF THE FLORIDA LICENSED SURVEYOR BELOW. THE SURVEYOR HEREBY CERTIFIES THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS THE REQUIREMENTS SET FORTH IN CHAPTER 51-17.002 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.025, FLORIDA STATUTES. THE SURVEYOR HEREBY CERTIFIES THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS, SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 51-17.051 AND 51-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PREPARED BY:

KIN SURVEYORS
PROFESSIONAL SURVEYING AND MAPPING
LICENSED BUSINESS #8553

SCALE:

1" = 30'

PROJECT NO.:

SECTION 13
TOWNSHIP 27 SOUTH
RANGE 36 EAST



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

AFFIDAVIT OF PUBLICATION

Amber Holley
Amber Holly
Brevard County Public Works Dept. Surveying & Mapping Program
2725 Judge Fran Jamieson Way, Room A-220
Viera FL 32940

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the 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 Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

05/05/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/05/2025

Legal Clerk

Notary, State of WI. County of Brown

My commission expires

Publication Cost: \$295.04
Tax Amount: \$0.00
Payment Cost: \$295.04
Order No: 11269495
Customer No: 1127286
PO #: PO 450092228-10

of Copies:
1

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AMY KOKOTT
Notary Public
State of Wisconsin

od# 11269495 05/05/25
LEGAL NOTICE
NOTICE FOR THE VACATING OF
A PORTION OF A PUBLIC
DRAINAGE EASEMENT, PLAT
OF "CREEKWOOD", IN SECTION
13, TOWNSHIP 27 SOUTH, RANGE
36 EAST, MELBOURNE, FL. A
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 JASON
AND LEAH REILLY with the
Board of County Commissioners of
Brevard County, Florida, to request
vacating the following described
property, to wit:
A PORTION OF A PUBLIC
DRAINAGE EASEMENT WITHIN
LOT 15, CREEKWOOD, ACCORD-
ING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 43,
PAGE 8, OF THE PUBLIC
RECORDS OF BREVARD
COUNTY, FLORIDA, BEING
MORE PARTICULARLY
DESCRIBED AS FOLLOWS:
COMMENCING AT THE NE
CORNER OF LOT 15, CREEK-
WOOD, ACCORDING TO THE
PLAT THEREOF, AS RECORDED
IN PLAT BOOK 43, PAGE 8, OF
THE PUBLIC RECORDS OF
BREVARD COUNTY, FLORIDA,
RUN N73°02'32"W, ALONG THE
NORTHERLY LINE OF SAID LOT
15, A DISTANCE OF 114.12 FEET;
THENCE RUN S16°57'28"W, A
DISTANCE OF 5.00 FEET TO THE
POINT OF BEGINNING. THENCE
CONTINUE S16°57'28"W, A
DISTANCE OF 2.50 FEET TO A
POINT; THENCE RUN
N73°02'32"W, A DISTANCE OF
27.34 FEET TO A POINT;
THENCE RUN N16°57'28"E, A
DISTANCE OF 2.50 FEET TO A
POINT; THENCE RUN
S73°02'32"E, A DISTANCE OF 27.34
FEET TO THE POINT OF BEGIN-
NING. SAID AREA OF VACATED
EASEMENT CONTAINING 68.35
SQUARE FEET MORE OR LESS.
PREPARED BY: BILL H. HYATT,
P.L.S.
The Board of County Commissioners
will hold a public hearing to deter-
mine the advisability of such vacat-
ing of the above-described easement
at 9:00 A.M. on May 20, 2025, 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 286.0165, 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 proceed-
ings, 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 hearing
is contacted at least 48 hours prior
to the public hearing by any person
wishing assistance.

Public Works

MAY 12 2025

Received



Florida

GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Kimberly Loughner
Brevard County Clerk Donna Scott -Survey
Brevard Cty Public Works Dept
2725 Judge Fran Jamieson Way Bldg A
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the 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 Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

05/27/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/27/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$228.44

Tax Amount: \$0.00

Payment Cost: \$228.44

Order No: 11343067

of Copies:

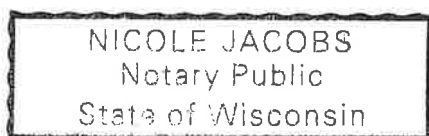
Customer No: 1127286

1

PO #:

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Ad#11343067 05/27/2025

LEGAL NOTICE
RESOLUTION VACATING A PORTION OF A PUBLIC DRAINAGE EASEMENT, PLAT OF "CREEKWOOD", MELBOURNE, FLORIDA, LYING IN SECTION 13, TOWNSHIP 27 SOUTH, RANGE 36 EAST - JASON and LEAH REILLY TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on May 20, 2025 the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public drainage easement, Plat of "Creekwood", Melbourne, Florida, lying in Section 13, Township 27 South, Range 36 East as petitioned by Jason and Leah Reilly

LEGAL DESCRIPTION:
A PORTION OF A PUBLIC DRAINAGE EASEMENT WITHIN LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NE CORNER OF LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, RUN N73°02'32"W, ALONG THE NORTHERLY LINE OF SAID LOT 15, A DISTANCE OF 114.12 FEET; THENCE RUN S16°57'28"W, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S16°57'28"W, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN N73°02'32"W, A DISTANCE OF 27.34 FEET TO A POINT; THENCE RUN N16°57'28"E, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN S73°02'32"E, A DISTANCE OF 27.34 FEET TO THE POINT OF BEGINNING. SAID AREA OF VACATED EASEMENT CONTAINING 68.35 SQUARE FEET MORE OR LESS.
PREPARED BY: BILL H. HYATT, PLS.

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

Resolution 2025 -047

**Vacating a portion of a public drainage easement, Plat of "Creekwood", Melbourne, Florida, lying in
Section 13, Township 27 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Jason and Leah Reilly** with the Board of County Commissioners to vacate public easements 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 said public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements 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 20th day of May, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:


Rachel Sadoff, Clerk


Rob Feltner, Chairman

As approved by the Board on:
May 20, 2025

COPY

Board Meeting Date

5/20/25

Item Number: H.2.

Motion By: TA

Second By: KD

Nay By: _____

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓	
Vice Chair Goodson	2	✓	
Commissioner Adkinson	3	✓	
Commissioner Altman	5	✓	
Chairman Feltner	4	✓	