



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

21-084

H.1.

7/6/2021

### Subject:

Petition to Vacate, Re: Public Utility and Drainage Easement - 83 Mohican Way - "Sunnyland Beach" Plat Book 23, Page 46 - Melbourne Beach - Julio A. Henriques - District 3

### Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacating's.

### Dept/Office:

Public Works Department - Surveying & Mapping

### Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility and drainage easement on Lot 54, Block C, "Sunnyland Beach" in Section 25, Township 29 South, Range 38 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lot 54, Block C and is requesting the vacating of a portion of a 5.00 ft. wide public utility and drainage easement lying in lot 54, Block C to allow for an existing pool enclosure to be replaced. Easement to be vacated contains 86 square feet, more or less. The property is located in Melbourne Beach South of Highway 192 and West of Highway A1A.

June 21, 2021, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

### Clerk to the Board Instructions:

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

# Brevard County Property Appraiser Detail Sheet

Account 2956473  
 Owners HENRIQUES, JULIO  
 Mailing Address 83 MOHICAN WAY MELBOURNE BEACH FL 32951  
 Site Address 83 MOHICAN WAY MELBOURNE BEACH FL 32951  
 Parcel ID 29-38-25-78-C-54  
 Property Use 0110 - SINGLE FAMILY RESIDENCE  
 Exemptions HEX1 - HOMESTEAD FIRST  
 HEX2 - HOMESTEAD ADDITIONAL  
 Taxing District 3400 - UNINCORP DISTRICT 3  
 Total Acres 0.23  
 Subdivision SUNNYLAND BEACH SEC 5  
 Site Code 0130 - CANAL FRONT  
 Plat Book/Page 0023/0046  
 Land Description SUNNYLAND BEACH SEC 5 LOT 54 BLK C

## **VALUE SUMMARY**

Category	2020	2020	2019
Market Value	\$363,120	\$373,150	\$341,140
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$343,940	\$336,210	\$329,950
Assessed Value School	\$343,940	\$336,210	\$329,950
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	\$293,940	\$286,210	\$279,950
Taxable Value School	\$318,940	\$311,210	\$304,950

## **SALES/TRANSFERS**

Date	Price	Type	Parcel	Deed
10/06/2015	\$362,500	WD	Improved	7471/1721
09/25/2015	--	PB	Improved	7459/2877
02/01/1972	\$6,500	--	--	1224/0371

Fig. 1: Copy of Property Appraiser's detail sheet for lot 54, block C, Sunnyland Beach, 83 Mohican Way, Melbourne Beach, FL 32951, Section 25, Township 29 South, Range 38 East, District 3

## Vicinity Map

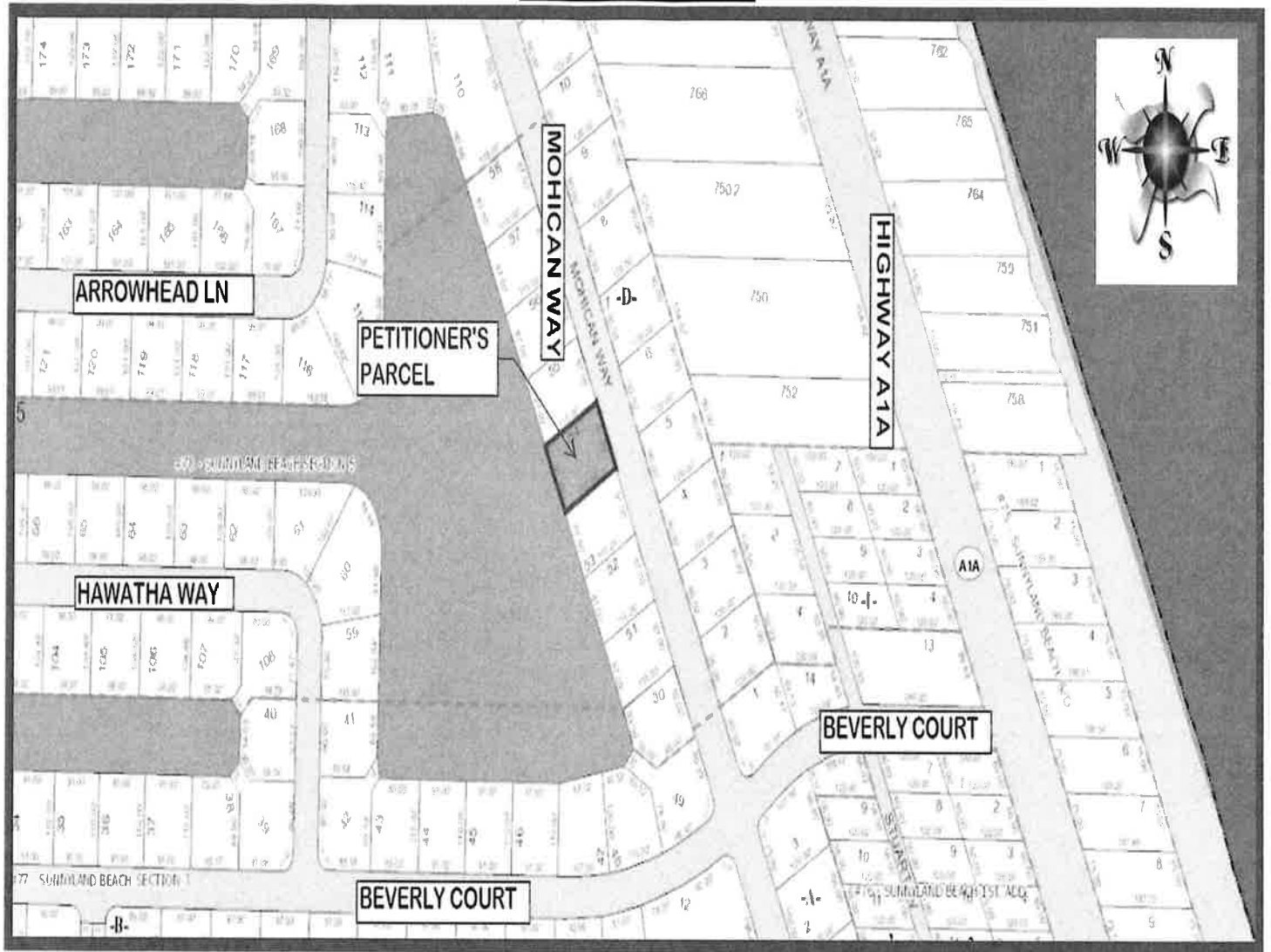


Fig. 3: Map of Lot 54, Block C, Sunnyland Beach, 83 Mohican Way, Melbourne Beach, FL 32951.

**Julio A. Henriques – 83 Mohican Way –  
Melbourne Beach, FL, 32951 – Lot 54, Block C,  
plat of “Sunnyland Beach” – Plat Book 23, Page  
46 – Section 25, Township 29 South, Range 38  
East – District 3 – Proposed Vacating of a portion  
of a 5.0 ft. Wide Public Utility & Drainage  
Easement**

## Aerial Map



Fig. 4: Map of aerial view of Lots 54, Block C, Sunnyland Beach, 83 Mohican Way, Melbourne Beach, FL 32951.

Julio A. Henriques – 83 Mohican Way –  
Melbourne Beach, FL, 32951 – Lot 54, Block C,  
plat of “Sunnyland Beach” – Plat Book 23, Page  
46 – Section 25, Township 29 South, Range 38  
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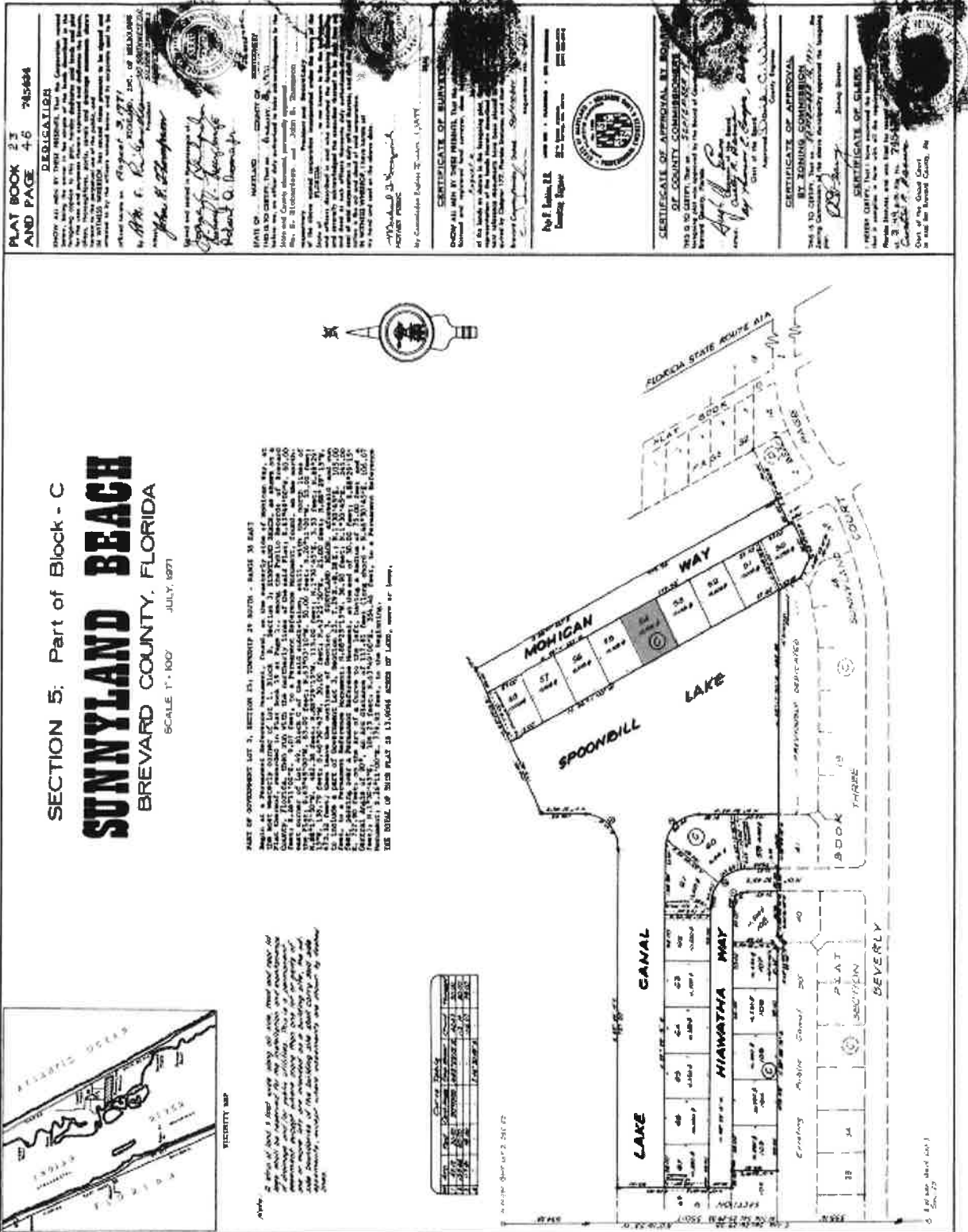


Fig. 5: Copy of plat map "Sunnyland Beach" dedicated to Brevard County September 16, 1971.

# LEGAL DESCRIPTION

SHEET 1 OF 2  
NOT VALID WITHOUT SHEET 2 OF 2  
THIS IS NOT A SURVEY

PARENT PARCEL ID#: 29-38-25-78-C-54  
SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: VACATING A PORTION OF A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT.

## LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)

THAT PORTION OF A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT LYING IN LOT 54, BLOCK C, SUNNYLAND BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 46, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 54 AND RUN SOUTH 63°49'00" WEST ALONG THE NORTH LINE OF SAID LOT 54, A DISTANCE OF 73.94 FEET; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 63°49'00" WEST, A DISTANCE OF 24.66 FEET; THENCE NORTH 26°11'00" WEST, A DISTANCE OF 3.50 FEET; THENCE NORTH 63°49'00" EAST, A DISTANCE OF 24.66 FEET TO THE POINT OF BEGINNING. CONTAINING 86 SQUARE FEET OR 0.002 ACRES, MORE OR LESS.

## SURVEYORS NOTES:

1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
4. BEARINGS ARE BASED ON AN ASSUMED BEARING OF SOUTH 26°11'00" EAST FOR THE WEST RIGHT OF WAY LINE OF MOHICAN WAY.

PREPARED FOR:  
BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS



PREPARED BY: AAL LAND SURVEYING SERVICES, INC.  
3970 MINTON ROAD, WEST MELBOURNE, FL 32904  
PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: [frontdesk@aalsurvey.com](mailto:frontdesk@aalsurvey.com) LICENSED BUSINESS #6623

DRAWN BY:  
DOUG W. GUARE

CHECKED BY:  
ANDREW W. POWSHOK

REVISION:

REVISION:

REVISION:

DATE: 04-28-21

PROJECT # 34175

COUNTY COMMENTS

05-07-21

SECTION 25,  
TOWNSHIP 29 SOUTH,  
RANGE 38 EAST

# Petitioner's Sketch & Description Sheet 2 of 2

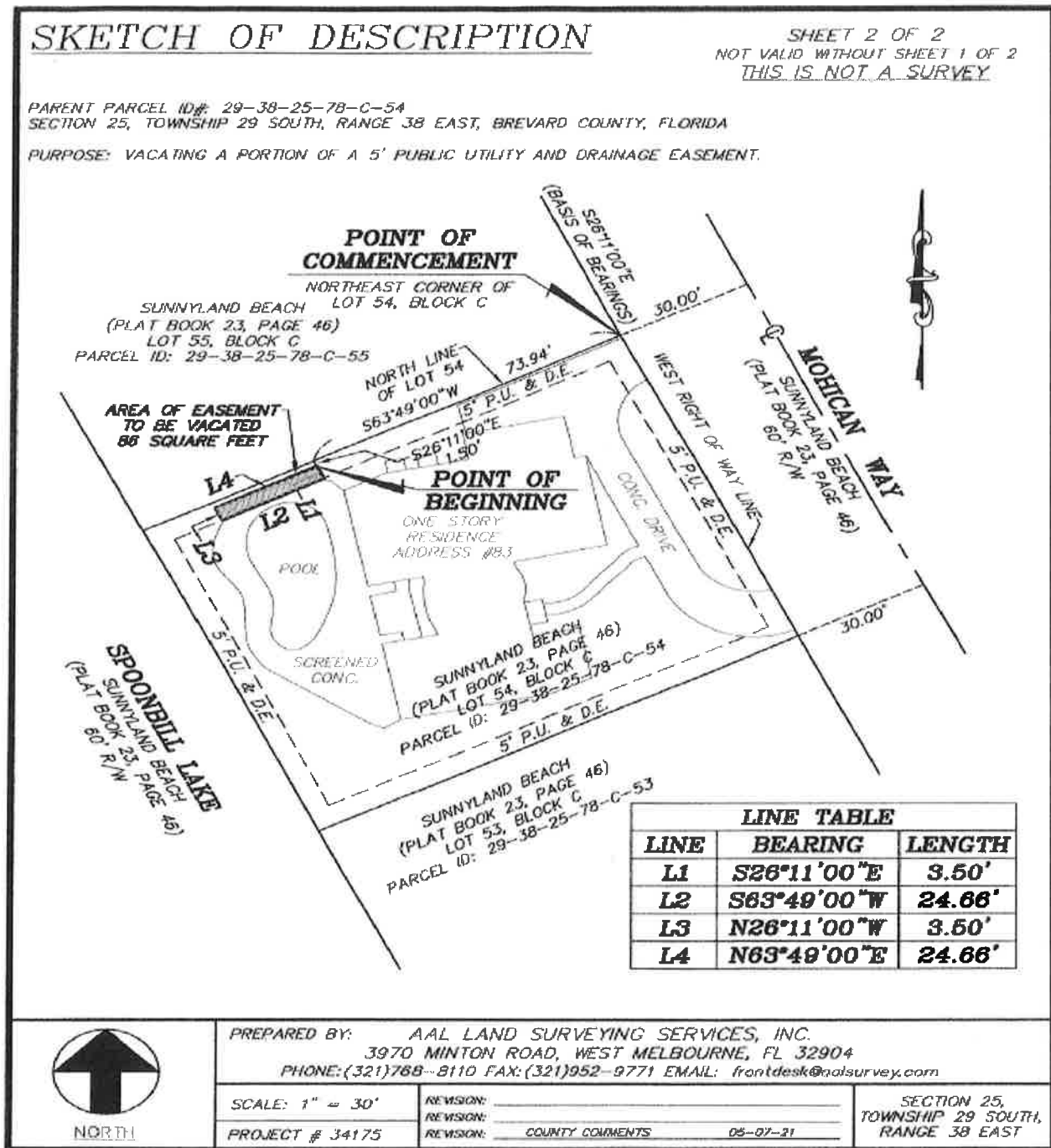


Fig. 7: Sketch of Description. Situated in Section 25, Township 29 South, Range 38 East, Parent Parcel: #29-38-25-78-C-54. Sheet 2 of 2. Not valid without sheet 1 of 2. Sketch illustrates lot 54 that resides on Mohican Way, Melbourne Beach, Florida. A 5-foot public utility and drainage easement lying on the North side of lot 54. The coordinate of the North line depicted is as follows. North boundary – South 63°49'00" West 73.94'.

Prepared by: AAL Land Surveying Services, Inc., 3970 Minton Road, West Melbourne, FL 32904 LB# 6623.

Project NO: 34175.

## Comment Sheet

Applicant: Julio Henriques

Updated by: Amber Holley 20210526 at 1200 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20210519	20210520	Yes	No objections
FL Power & Light	20210519	20210520	Yes	No objections
At&t	20210519	20210520	Yes	No objections
Charter/Spectrum	20210519	20210520	Yes	No objections
City of Melbourne	20210519	20210520	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20210519	20210520	Yes	No objections
Land Planning	20210519	20210526	Yes	No objections
Utility Services	20210519	20210520	Yes	No objections
Storm Water	20210519	20210521	Yes	No objections
Zoning	20210519	20210526	Yes	No objections

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



# Public Hearing Legal Advertisement

AD#4782407

6/21/2021

## LEGAL NOTICE

**NOTICE FOR THE PARTIAL VACATING OF A 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "SUNNYLAND BEACH" IN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, MELBOURNE BEACH, 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 JULIO A. HENRIQUES 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 PUBLIC UTILITY AND DRAINAGE EASEMENT LYING IN LOT 54, BLOCK C, SUNNYLAND BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 46, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 54 AND RUN SOUTH 63°49'00" WEST ALONG THE NORTH LINE OF SAID LOT 54, A DISTANCE OF 73.94 FEET; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 63°49'00" WEST, A DISTANCE OF 24.66 FEET; THENCE NORTH 26°11'00" WEST, A DISTANCE OF 3.50 FEET; THENCE NORTH 63°49'00" EAST, A DISTANCE OF 24.66 FEET TO THE POINT OF BEGINNING. CONTAINING 86 SQUARE FEET OR 0.002 ACRES, MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, 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 July 6, 2021 at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Fig. 9: Copy of public hearing advertisement as published on June 21, 2021 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 EASEMENT, PLAT OF "SUNNYLAND BEACH" IN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, MELBOURNE BEACH, 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 JULIO A. HENRIQUES 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 PUBLIC UTILITY AND DRAINAGE EASEMENT LYING IN LOT 54, BLOCK C, SUNNYLAND BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 46, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 54 AND RUN SOUTH 63°49'00" WEST ALONG THE NORTH LINE OF SAID LOT 54, A DISTANCE OF 73.94 FEET; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 63°49'00" WEST, A DISTANCE OF 24.66 FEET; THENCE NORTH 26°11'00" WEST, A DISTANCE OF 3.50 FEET; THENCE NORTH 63°49'00" EAST, A DISTANCE OF 24.66 FEET TO THE POINT OF BEGINNING. CONTAINING 86 SQUARE FEET OR 0.002 ACRES, MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, PSM.

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**Resolution 2021 - 084**

**Vacating a portion of a public utility and drainage easement in "Sunnyland Beach" Subdivision,  
Melbourne Beach, Florida, lying in Section 25, Township 29 South, Range 38 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JULIO A. HENRIQUES** with the Board of County Commissioners to vacate a public utility and drainage 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 utility and drainage easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility and drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said 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 6<sup>th</sup> day of July, 2021 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk

  
Rita Pritchett, Chair

As approved by the Board on:  
July 6, 2021

# LEGAL DESCRIPTION

SHEET 1 OF 2  
NOT VALID WITHOUT SHEET 2 OF 2  
THIS IS NOT A SURVEY

PARENT PARCEL ID#: 29-38-25-78-C-54  
SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, BREVARD COUNTY, FLORIDA

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PREPARED FOR:  
BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS



PREPARED BY: AAL LAND SURVEYING SERVICES, INC.  
3970 MINTON ROAD, WEST MELBOURNE, FL 32904  
PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: [frontdesk@aalsurvey.com](mailto:frontdesk@aalsurvey.com) LICENSED BUSINESS #6623

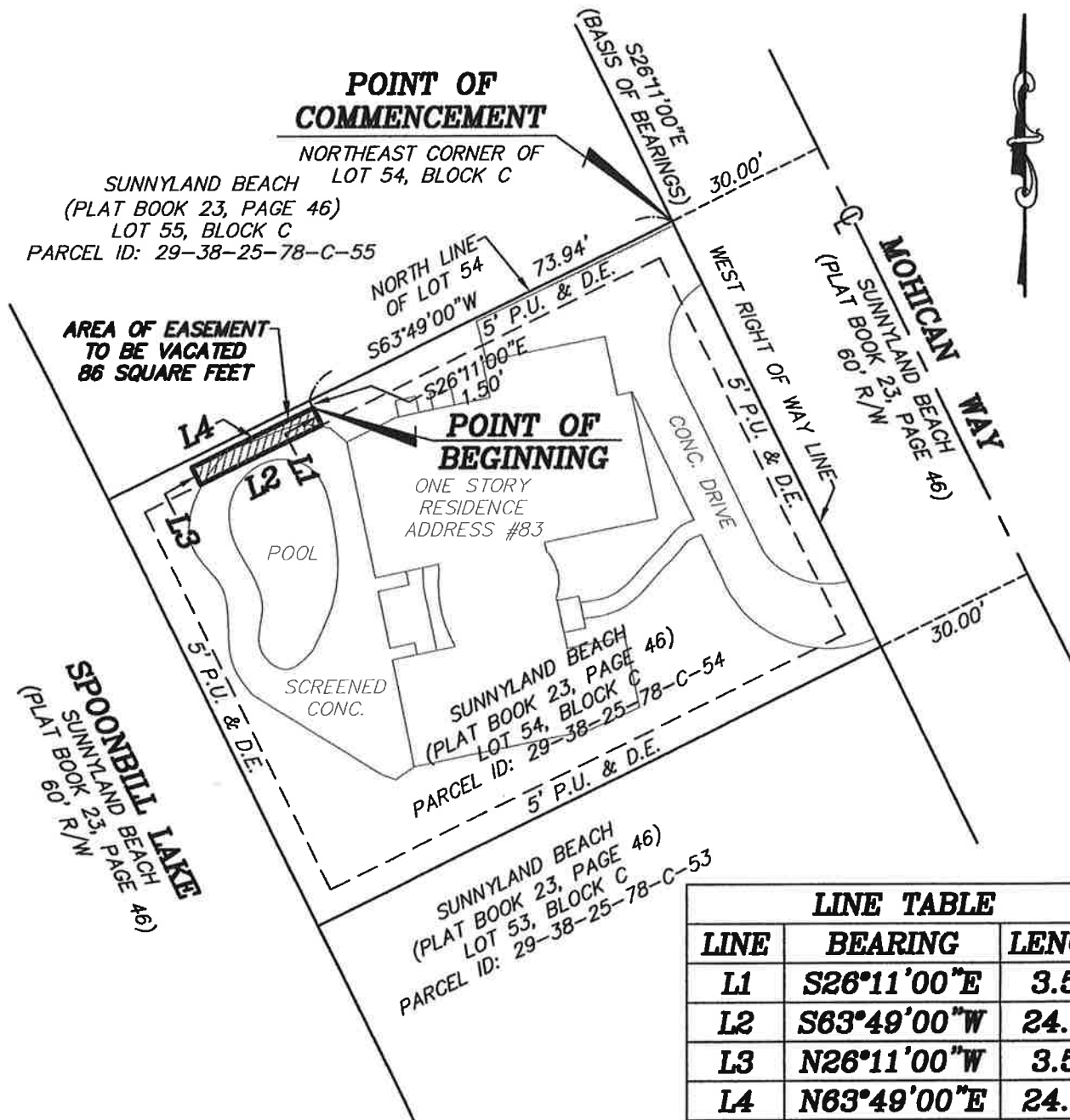
DRAWN BY: DOUG W. GUARE	CHECKED BY: ANDREW W. POWSHOK	REVISION: _____	SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST
DATE: 04-28-21	PROJECT # 34175	REVISION: _____	
		REVISION: COUNTY COMMENTS 05-07-21	

# SKETCH OF DESCRIPTION

SHEET 2 OF 2  
NOT VALID WITHOUT SHEET 1 OF 2  
THIS IS NOT A SURVEY

PARENT PARCEL ID#: 29-38-25-78-C-54  
SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: VACATING A PORTION OF A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT.



LINE TABLE		
LINE	BEARING	LENGTH
L1	S26°11'00"E	3.50'
L2	S63°49'00"W	24.66'
L3	N26°11'00"E	3.50'
L4	N63°49'00"E	24.66'



NORTH

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.  
3970 MINTON ROAD, WEST MELBOURNE, FL 32904  
PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: [frontdesk@aalsurvey.com](mailto:frontdesk@aalsurvey.com)

SCALE: 1" = 30'

PROJECT # 34175

REVISION:

REVISION:

REVISION:

COUNTY COMMENTS

05-07-21

SECTION 25,  
TOWNSHIP 29 SOUTH,  
RANGE 38 EAST



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

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Legal Notices

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

**06/21/2021**

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 21th of June 2021, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$226.94

Ad No: 0004782407

Customer No: BRE-6BR327

This is not an invoice

# of Affidavits 1

AD#4782407

6/21/2021

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "SUNNYLAND BEACH" IN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, MELBOURNE BEACH, FL

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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.

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin



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

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Legal Notices

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

**07/14/2021**

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 14th of July 2021, by legal clerk who is personally known to me

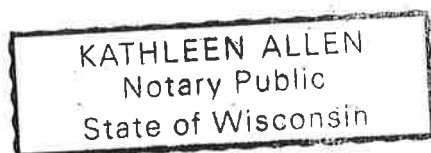
Affiant

Notary State of Wisconsin County of Brown

1-7-25

My commission expires

Publication Cost: \$203.04  
Ad No: 0004813834  
Customer No: BRE-6BR327  
**This is not an invoice**  
# of Affidavits 1



AD#4813834, 7/14/2021  
LEGAL NOTICE

VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN "SUNNYLAND BEACH" SUBDIVISION, MELBOURNE BEACH, LYING IN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST - JULIO A. HENRIQUES

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 6th day of July 2021, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in "Sunnyland Beach" subdivision, Melbourne Beach, lying in Section 25, Township 29 South, Range 38 East, as petitioned by Julio A. Henriques.

LEGAL DESCRIPTION:

THAT PORTION OF A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT LYING IN LOT 54, BLOCK C, SUNNYLAND BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 46, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 54 AND RUN SOUTH 63°49'00" WEST ALONG THE NORTH LINE OF SAID LOT 54, A DISTANCE OF 73.94 FEET; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 63°49'00" WEST, A DISTANCE OF 24.66 FEET; THENCE NORTH 26°11'00" WEST, A DISTANCE OF 3.50 FEET; THENCE NORTH 63°49'00" EAST, A DISTANCE OF 24.66 FEET TO THE POINT OF BEGINNING, CONTAINING 86 SQUARE FEET OR 0.002 ACRES, MORE OR LESS, PREPARED BY: ANDREW W. POWSHOK, 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



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

July 21, 2021

Julio A. Henriques  
83 Mohican Way  
Melbourne Beach, FL 32951

Dear Sir/Madam:

Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement in "Sunnyland Beach" Subdivision, Melbourne Beach, Lying in Section 25, Township 29 South, Range 38 East

The Board of County Commissioners, in regular session on July 6, 2021, adopted Resolution No. 21-084, vacating a portion of a public utility and drainage easement in "Sunnyland Beach" Subdivision, Melbourne Beach, lying in Section 25, Township 29 South, Range 38 East, as petitioned by you. Said Resolution has been recorded in ORBK 9193, Pages 2344 through 2348. 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





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

July 21, 2021

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

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

RE: Advertising Bills for Resolution Vacating a Portion of a Public Utility and Drainage Easement in "Sunnyland Beach" Subdivision, Lying in Section 25, Township 29 South, Range 38 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 21-084, vacating a portion of a public utility and drainage easement in "Sunnyland Beach" Subdivision, lying in Section 25, Township 29 South, Range 38 East, as petitioned by Julio A. Henriques. Said Resolution was adopted by the Board of County Commissioners, in regular session on July 6, 2021.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, reading "Kimberly Powell", is written over the typed name and title.

Kimberly Powell, Clerk to the Board

/sm

Encls. (2)



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

July 21, 2021

**MEMORANDUM**

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

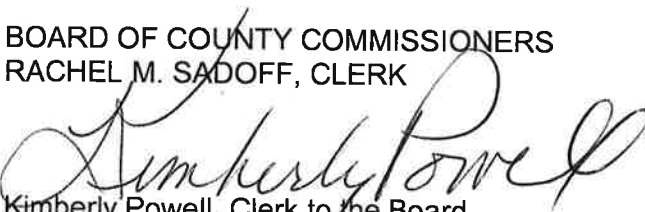
RE: Advertising Bills for Resolution Vacating a General Purpose Easement per Official Records Book 6697, Page 2309, Lying in Section 23, Township 29 South, Range 37 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 21-085, vacating a general purpose easement per Official Records Book 6697, Page 2309, lying in Section 23, Township 29 South, Range 37 East, as petitioned by the Town of Grant-Valkaria. Said Resolution was adopted by the Board of County Commissioners, in regular session on July 6, 2021.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

## LEGAL NOTICE

VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN  
"SUNNYLAND BEACH" SUBDIVISION, MELBOURNE BEACH, LYING IN SECTION 25,  
TOWNSHIP 29 SOUTH, RANGE 38 EAST – JULIO A. HENRIQUES

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 6th day of July 2021, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in "Sunnyland Beach" subdivision, Melbourne Beach, lying in Section 25, Township 29 South, Range 38 East, as petitioned by Julio A. Henriques.

### LEGAL DESCRIPTION:

THAT PORTION OF A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT LYING IN LOT 54, BLOCK C, SUNNYLAND BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 46, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 54 AND RUN SOUTH 63°49'00" WEST ALONG THE NORTH LINE OF SAID LOT 54, A DISTANCE OF 73.94 FEET; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 26°11'00" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 63°49'00" WEST, A DISTANCE OF 24.66 FEET; THENCE NORTH 26°11'00" WEST, A DISTANCE OF 3.50 FEET; THENCE NORTH 63°49'00" EAST, A DISTANCE OF 24.66 FEET TO THE POINT OF BEGINNING. CONTAINING 86 SQUARE FEET OR 0.002 ACRES, MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, 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

### **Florida TODAY:**

Please advertise in the July 14, 2021, 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.**

THAT PORTION OF A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT LYING IN LOT 54, BLOCK C, SUNNYLAND BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 46, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

July 21, 2021

Town of Grant-Valkaria  
Attn: Jason Mahaney/Jessica Kennan  
1449 Valkaria Rd.  
Grant-Valkaria, FL 32950

Dear Sir/Madam:

Re: Resolution Vacating a General Purpose Easement per Official Records Book 6697, Page 2309, Lying in Section 23, Township 29 South, Range 37 East

The Board of County Commissioners, in regular session on July 6, 2021, adopted Resolution No. 21-085, vacating a general purpose easement per Official Records Book 6697, Page 2309, lying in Section 23, Township 29 South, Range 37 East, as petitioned by you. Said Resolution has been recorded in ORBK 9193, Pages 2349 through 2353. 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*  
Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works