



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.1.

10/12/2021

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement- 300 Surf Spray Drive - "Catalina Isle Estates Unit 4"
Plat Book 20, Page 47 - Merritt Island - Clark D. and Theresa A. Kugler - District 2

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 & drainage easement, "Catalina Isle Estates Unit 4" in Section 23, 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lot 36, Block 5 and are requesting the vacating of a portion of a 15.00 ft. wide public utility & drainage easement lying on the North side of Lot 36, Block 5 to allow for the construction of the proposed pool. Easement to be vacated contains 335 square feet or 0.008 acres, more or less. The property is located in Merritt Island North of Highway 520 and East of State Road # 3.

September 27, 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.



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

October 28, 2021

MEMORANDUM

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 Plat "Catalina Isle Estates Unit 4" Subdivision, Merritt Island, Lying in Section 23, Township 24 South, Range 36 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 21-147, vacating a portion of a public utility and drainage easement in plat "Catalina Isle Estates Unit 4" subdivision, Merritt Island, lying in Section 23, Township 24 South, Range 36 East, as petitioned by Clark D. and Theresa A. Kugler. Said Resolution was adopted by the Board of County Commissioners, in regular session on October 12, 2021.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, appearing to read "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

October 28, 2021

Clark D. and Theresa A. Kugler
300 Surf Spray Drive
Merritt Island, FL 32953

Dear Sir/Madam:

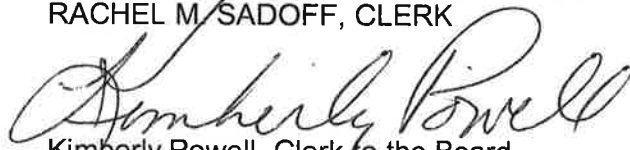
Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Catalina Isle Estates Unit 4" Subdivision, Merritt Island, Lying in Section 23, Township 24 South, Range 36 East

The Board of County Commissioners, in regular session on October 12, 2021, adopted Resolution No. 21-147, vacating a portion of a public utility and drainage easement in plat "Catalina Isle Estates Unit 4" subdivision as petitioned by you. Said Resolution has been recorded in ORBK 9305, Pages 1393 through 1397. 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

/sm

Encl. (1)

cc: Amber Holley, Public Works

Resolution 2021 - 147

**Vacating a portion of a public utility and drainage easement in plat "Catalina Isle Estates Unit 4"
Subdivision, Merritt Island, Florida, lying in Section 23, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **CLARK D. & THERESA A. KUGLER** 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 will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public 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 12th day of October, 2021 A.D.

CFN 2021281328, OR BK 9305 PAGE 1393,
Recorded 10/27/2021 at 10:45 AM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:5

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:


Rachel Sadoff, Clerk


Rita Pritchett, Chair

As approved by the Board on:
October 12, 2021

LEGAL DESCRIPTION

SITUATED IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST
PARCEL ID# 24-36-23-IY-5-36

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PURPOSE OF SURVEY: VACATING A PORTION OF A 15 FOOT WIDE
PRIVATE UTILITY AND DRAINAGE EASEMENT

LEGAL DESCRIPTION:

THAT PORTION OF A 15 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT
DESCRIBED AS FOLLOWS:

THE SOUTH 5 FEET OF THE NORTH 15 FEET OF THE EAST 67 FEET OF THE WEST 72
FEET OF LOT 36, BLOCK 5, CATALINA ISLE ESTATES UNIT FOUR, AS RECORDED IN
PLAT BOOK 20, PAGES 47, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

CONTAINING 335.0 FT., 0.00769 ACRES MORE OR LESS.

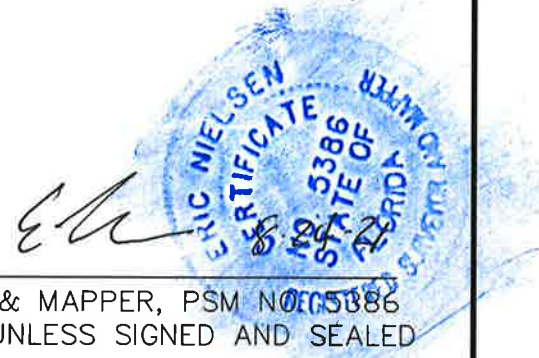
SURVEYOR'S NOTES:

1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIBED DESCRIPTION IS THE
NORTH R/W LINE OF SURFSpray DRIVE, BEING S 89°26'37" W AS PER PLAT OF
CATALINA ISLE ESTATES UNIT FOUR.
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 07-28-2021

ABBREVIATION & SYMBOL LEGEND

C/L = CENTERLINE
R/W = RIGHT-OF-WAY
FND = FOUND
LB = LICENSED BUSINESS
LS = LICENSED SURVEYOR
I.R. = IRON ROD
L = LINE

I.R.C. = IRON ROD & CAP
P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
CONC. = CONCRETE
EM = ELECTRIC METER
WM = WATER METER



PREPARED FOR:

BREVARD COUNTY BOARD OF
COUNTY COMMISSIONERS

SURVEYOR & MAPPER, PSM 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 321-631-5654

DRAWN BY: T.N.

CHECKED BY: EN

DRAWING NO. 21-385-07

SECTION 23

TOWNSHIP 24 SOUTH

RANGE 36 EAST

DATE: 07-28-2021

SHEET 1 OF 2

REVISIONS

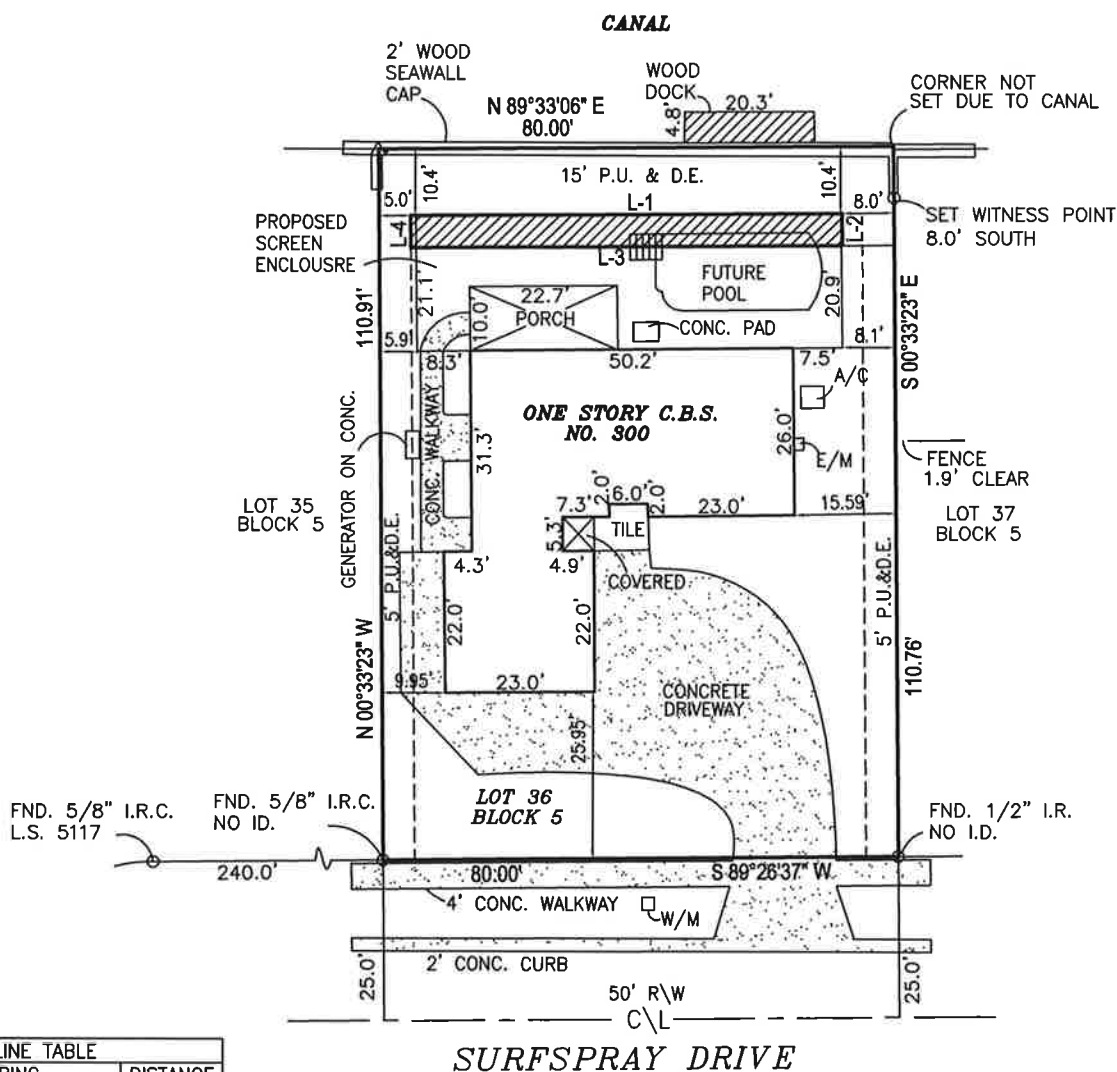
SKETCH OF DESCRIPTION

SITUATED IN SECTION 23, TOWNSHIP 24 SOUTH,
RANGE 36 EAST
PARCEL ID# 24-36-23-1Y-5-36

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2

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



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 89° 33' 06" E	67.00'
L-2	S 00° 33' 23" E	5.00'
L-3	S 89° 33' 06" W	67.00'
L-4	N 00° 33' 23" W	5.00'

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 321-631-5654

DRAWN BY: T.N.

CHECKED BY: EN

DRAWING NO. 21-385-07

SECTION 23

TOWNSHIP 24 SOUTH

RANGE 36 EAST

DATE: 08-02-2021

SHEET 2 OF 2

REVISIONS



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:

09/27/2021

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 27th of September 2021, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Ad#4922921 09/27/2021
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF A 15.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "CATALINA ISLE ESTATES UNIT FOUR" IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL
NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.05, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by CLARK D. AND THERESA A. KUGLER with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THAT PORTION OF A 15-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS: THE SOUTH 5 FEET OF THE NORTH 15 FEET OF THE EAST 67 FEET OF THE WEST 72 FEET OF LOT 36, BLOCK 5, CATALINA ISLE ESTATES UNIT FOUR, AS RECORDED IN PLAT BOOK 20, PAGES 47, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 335.0 FT., 0.00769 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 October 12, 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 desires 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.

Publication Cost: \$184.56
Ad No: 0004922921
Customer No: BRE-6BR327
This is not an invoice
of Affidavits 1

NANCY HEYRMAN
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) dated:

10/20/2021

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 20th of October 2021, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

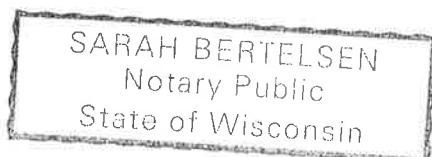
Publication Cost: \$109.58
Ad No: 0004961373
Customer No: BRE-6BR327
This is not an invoice
of Affidavits 1

Ad#4961373, 10/20/2021

LEGAL NOTICE
RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN PLAT "CATALINA ISLE ESTATES UNIT 4" SUBDIVISION, MERRITT ISLAND, LYING IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST - CLARK D. AND THERESA A. KUGLER

TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the 12th day of October 2021, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in plat "Catalina Isle Estates Unit 4" Subdivision, Merritt Island, lying in Section 23, Township 24 South, Range 36 East as petitioned by Clark D. and Theresa Kugler.

LEGAL DESCRIPTION:
THAT PORTION OF A 15-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:
THE SOUTH 5 FEET OF THE NORTH 15 FEET OF THE EAST 67 FEET OF THE WEST 72 FEET OF LOT 36, BLOCK 5, CATALINA ISLE ESTATES UNIT FOUR, AS RECORDED IN PLAT BOOK 20, PAGES 47, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 335.0 FT., 0.00769 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.



LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE
EASEMENT IN PLAT "CATALINA ISLE ESTATES UNIT 4" SUBDIVISION, MERRITT
ISLAND, LYING IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST – CLARK D.
AND THERESA A. KUGLER

TO WHOM IT MAY CONCERN:

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LEGAL DESCRIPTION:

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DESCRIBED AS FOLLOWS:**

**THE SOUTH 5 FEET OF THE NORTH 15 FEET OF THE EAST 67 FEET OF THE WEST
72 FEET OF LOT 36, BLOCK 5, CATALINA ISLE ESTATES UNIT FOUR, AS RECORDED
IN PLAT BOOK 20, PAGES 47, OF THE PUBLIC RECORDS OF BREVARD COUNTY,
FLORIDA. CONTAINING 335.0 FT., 0.00769 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

Florida TODAY:

Please advertise in the October 20, 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.**

Deborah Thomas

From: Holley, Amber <Amber.Holley@brevardfl.gov>
Sent: Thursday, October 14, 2021 10:10 AM
To: Samantha McDaniel; Nicole Summers; Cheryl Duisberg
Cc: Deborah Thomas; Donna Scott; Kimberly Powell
Subject: October 12, 2021 Commission Meeting
Attachments: LegalDescription-Surf.docx

Ladies, please find attached the legal description from the approval on 10/12 meeting.

Owner information:

- Clark D. and Theresa A. Kugler, 300 Surf Spray Drive, Merritt Island, FL 32953.

Thank you,
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."

LEGAL DESCRIPTION:

THAT PORTION OF A 15-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE SOUTH 5 FEET OF THE NORTH 15 FEET OF THE EAST 67 FEET OF THE WEST 72 FEET OF LOT 36, BLOCK 5, CATALINA ISLE ESTATES UNIT FOUR, AS RECORDED IN PLAT BOOK 20, PAGES 47, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 335.0 FT., 0.00769 ACRES MORE OR LESS.
PREPARED BY: ERIC NIELSEN, PSM.

Brevard County Property Appraiser Detail Sheet

Account 2417367

Owners KUGLER, CLARK D; KUGLER, THERESA A

Mailing Address 300 SURF SPRAY DR MERRITT ISLAND FL 32953

Site Address 300 SURFSPRAY DR MERRITT ISLAND FL 32953

Parcel ID 24-36-23-IY-5-36

Property Use 0110 - SINGLE FAMILY RESIDENCE

Exemptions

DICV - DISABILITY - CIVILIAN

HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Taxing District 2200 - UNINCORP DISTRICT 2

Total Acres 0.20

Subdivision CATALINA ISLE ESTATES UNIT 4

Site Code 0130 - CANAL FRONT

Plat Book/Page 0020/0047

Land Description CATALINA ISLE ESTATES UNIT 4 LOT 36 BLK 5

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$296,820	\$253,540	\$261,040
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$296,820	\$138,910	\$135,790
Assessed Value School	\$296,820	\$138,910	\$135,790
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$500	\$50,500	\$50,500
Taxable Value Non-School	\$246,320	\$88,410	\$85,290
Taxable Value School	\$271,320	\$113,410	\$110,290

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
10/15/2020	\$348,000	WD	Improved	8891/2736
04/20/2000	--	QC	Improved	4154/3096
08/01/1971	\$27,400	--	--	1191/0173

Fig. 1: Copy of Property Appraiser's detail sheet for Lot 36, Block 5, Catalina Isle Estates Unit 4, 300 Surf Spray Drive, Merritt Island, FL 32953, Section 23, Township 24 South, Range 36 East, District 2

Vicinity Map

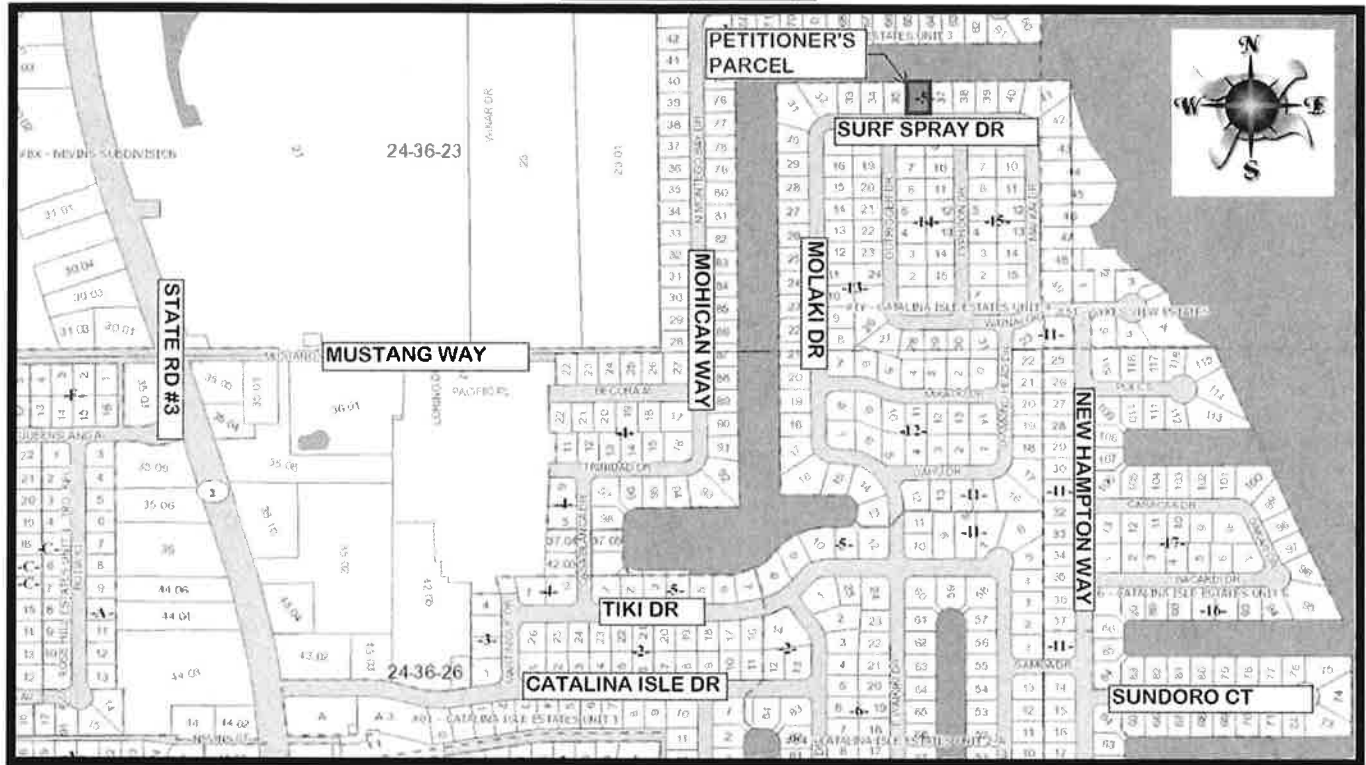


Fig. 3: Map of Lot 36, Block 5, Catalina Isle Estates Unit 4, 300 Surf Spray Drive, Merritt Island, FL 32953.

Clark D. & Theresa A. Kugler – 300 Surf Spray Dr – Merritt Island, FL, 32953 – Lot 36, Block 5, plat of “Catalina Isle Estates Unit 4” – Plat Book 20, Page 47 – Section 23, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a portion of a 15.0 ft. Wide Public Utility & Drainage Easement

Aerial Map



Fig. 4: Map of aerial view of Lot 36, Block 5, Catalina Isle Estates Unit 4, 300 Surf Spray Drive, Merritt Island, FL 32953.

Clark D. & Theresa A. Kugler – 300 Surf Spray Dr – Merritt Island, FL, 32953 – Lot 36, Block 5, plat of “Cataline Isle Estates Unit 4” – Plat Book 20, Page 47 – Section 23, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a portion of a 15.0 ft. Wide Public Utility & Drainage Easement

Plat Reference

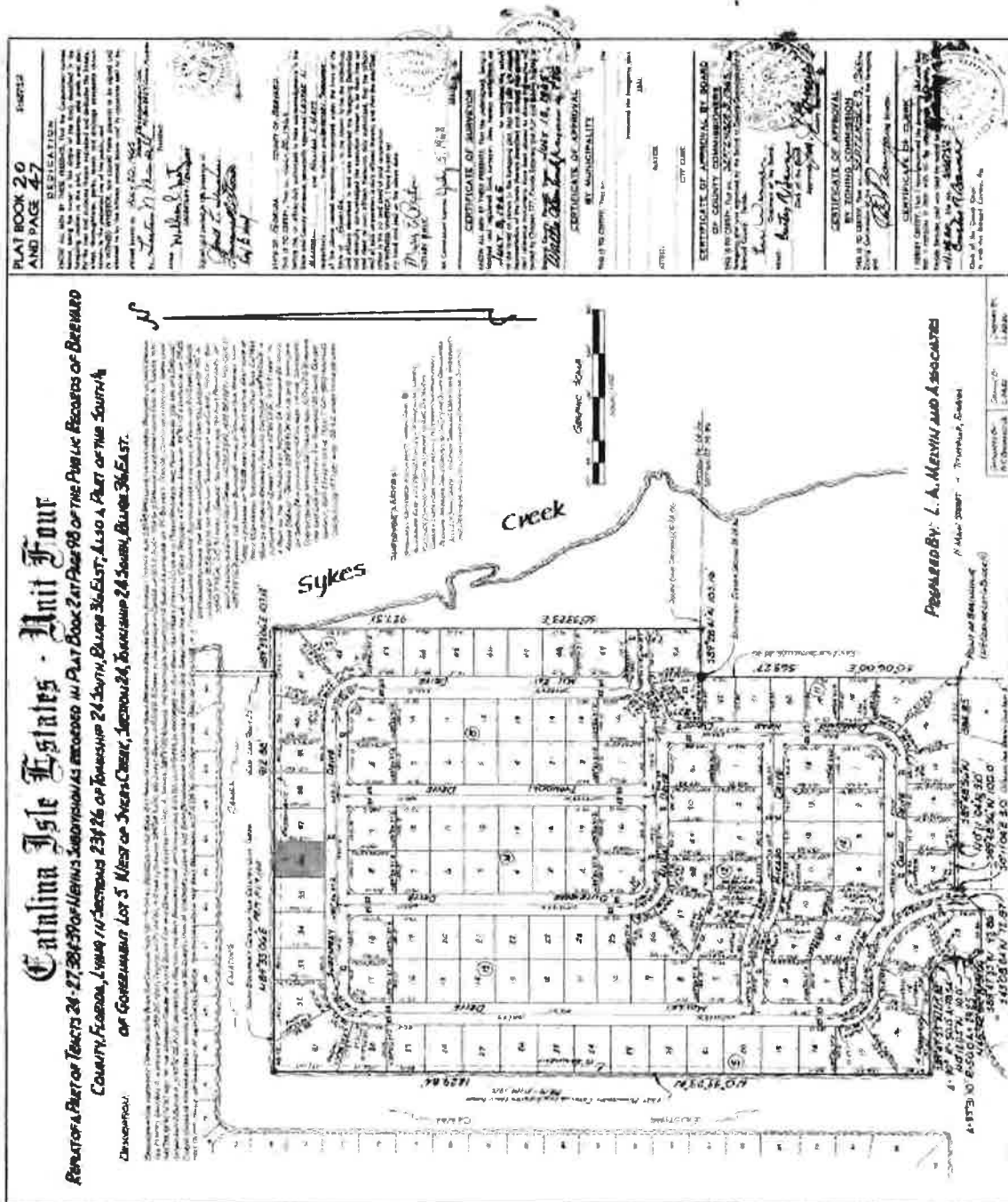


Fig. 5: Copy of plat map “Catalina Isle Estates Unit 4” dedicated to Brevard County September 15, 1965.

Petitioner's Sketch & Description Sheet 1 of 2


LEGAL DESCRIPTION		SHEET 1 OF 2	
SITUATED IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST		NOT VALID WITHOUT THE SKETCH	
PARCEL ID# 24-36-23-1Y-5-36		ON SHEET 2 OF 2	
PURPOSE OF SURVEY: VACATING A PORTION OF A 15 FOOT WIDE PRIVATE UTILITY AND DRAINAGE EASEMENT			
LEGAL DESCRIPTION:			
THAT PORTION OF A 15 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:			
THE SOUTH 5 FEET OF THE NORTH 15 FEET OF THE EAST 67 FEET OF THE WEST 72 FEET OF LOT 36, BLOCK 5, CATALINA ISLE ESTATES UNIT FOUR, AS RECORDED IN PLAT BOOK 20, PAGES 47, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.			
CONTAINING 335.0 FT., 0.00769 ACRES MORE OR LESS.			
SURVEYOR'S NOTES:			
1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIBED DESCRIPTION IS THE NORTH R/W LINE OF SURFSpray DRIVE, BEING S 89°26'37" W AS PER PLAT OF CATALINA ISLE ESTATES UNIT FOUR.			
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 07-28-2021			
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		CONC. = CONCRETE	
LB = LICENSED BUSINESS		EM = ELECTRIC METER	
LS = LICENSED SURVEYOR		WM = WATER METER	
I.R. = IRON ROD			
L = LINE			
PREPARED FOR:			
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS			
PREPARED BY:		SURVEYOR & MAPPER, PSM 1005086	
ERIC NIELSEN LAND SURVEYING, INC.		NOT VALID UNLESS SIGNED AND SEALED	
L.B. 6946, 12 STONE STREET, SUITE 4, COCOA, FL. 32922 321-631-5654			
DRAWN BY: T.M.	CHECKED BY: EN	DRAWING NO. 21-385-07	SECTION 23
DATE: 07-28-2021	SHEET 1 OF 2	REVISIONS	TOWNSHIP 24 SOUTH
			RANGE 36 EAST

Fig. 6: Legal Description. Sheet 1 of 2. Legal description for a portion of a 15.00-foot public utility & drainage easement on Lot 36, Block 5, Catalina Isle Estates Unit 4.

Petitioner's Sketch & Description Sheet 2 of 2

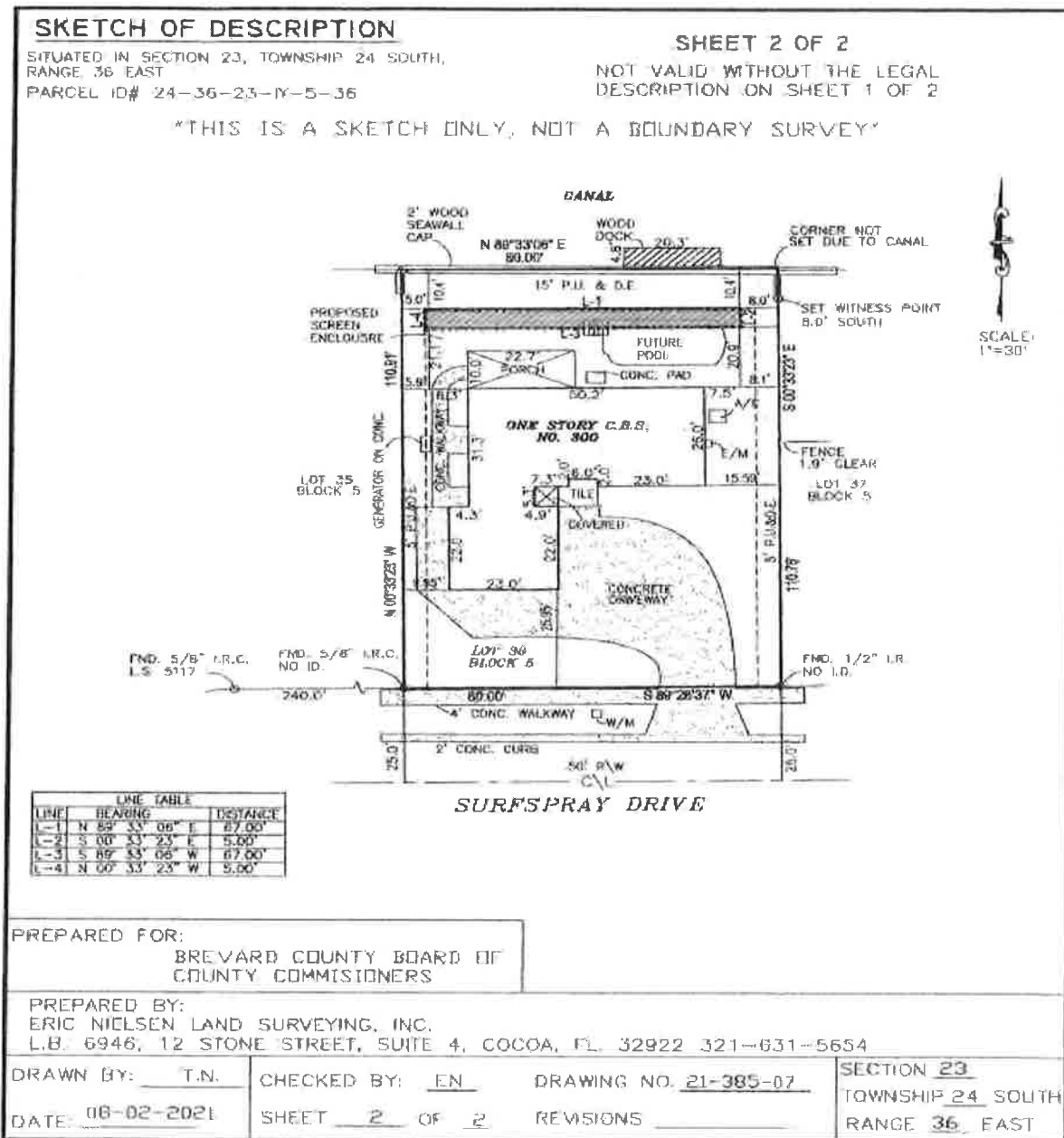


Fig. 7: Boundary survey. Situated in Section 23, Township 24 South, Range 36 East, Parent Parcel: #24-36-23-1Y-5-36. Sheet 2 of 2. Not valid without sheet 1 of 2. Sketch illustrates 5.00-foot of a 15.00-foot public utility & drainage easement on Lot 36, Block 5, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – North 89°33'06" East 80.00'; East boundary – South 00°33'23" East 110.76'; South boundary – South 89°26'37" West 80.00'; West boundary – North 00°33'23" West 110.91'. Prepared by: Eric Nielsen Land Surveying, Inc., LB 6946, Drawing NO: 21-385-07.

Comment Sheet

Applicant: Clark and Theresa Kugler

Updated by: Amber Holley 20210917 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20210903	20210908	Yes	No objections
FL Power & Light	20210903	20210909	Yes	No objections
At&t	20210903	20210917	Yes	No objections
Charter/Spectrum	20210903	20210904	Yes	No objections
City of Cocoa	20210903	20210907	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20210903	20210907	Yes	No objections
Land Planning	20210903	20210907	Yes	No objections
Utility Services	20210903	20210907	Yes	No objections
Storm Water	20210903	20210917	Yes	No objections
Zoning	20210903	20210907	Yes	No objections

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

Public Hearing Legal Advertisement

Ad#4922921 09/27/2021
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF
A 15.0 FT. WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENT, PLAT OF
"CATALINA ISLE ESTATES UNIT FOUR" IN
SECTION 23, 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 CLARK D. AND THERESA A.
KUGLER with the Board of County
Commissioners of Brevard County,
Florida, to request vacating the
following described property, to wit:
THAT PORTION OF A 15-FOOT-WIDE
PUBLIC UTILITY AND DRAINAGE
EASEMENT DESCRIBED AS FOLLOWS:
THE SOUTH 5 FEET OF THE NORTH 15
FEET OF THE EAST 67 FEET OF THE WEST
72 FEET OF LOT 36, BLOCK 5, CATALINA
ISLE ESTATES UNIT FOUR, AS RECORDED
IN PLAT BOOK 20, PAGES 47, OF THE
PUBLIC RECORDS OF BREVARD COUNTY,
FLORIDA. CONTAINING 335.0 FT.,
0.00769 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 October 12, 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 September 27, 2021 see next page for full text.

Legal Notice Text

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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 CLARK D. AND THERESA A. KUGLER with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF A 15-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS: THE SOUTH 5 FEET OF THE NORTH 15 FEET OF THE EAST 67 FEET OF THE WEST 72 FEET OF LOT 36, BLOCK 5, CATALINA ISLE ESTATES UNIT FOUR, AS RECORDED IN PLAT BOOK 20, PAGES 47, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 335.0 FT., 0.00769 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 October 12, 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.