



AGENDA REPORT  
October 9, 2018

**Petition to Vacate Right-of-Way - Melbourne Beach - Thomas & Elizabeth Vitella - (District 3)**

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**SUBJECT:**

Petition to Vacate, Re: Public Road Right-of-Way – Waneta Way –  
"Section 3 Sunnyland Beach" Plat Book 19, Page 1 – Melbourne Beach – Thomas &  
Elizabeth Vitella – District 3

**FISCAL IMPACT:**

\$640.00 Vacating Application Fee Paid by Petitioner

**DEPT/OFFICE:**

Public Works

**REQUESTED ACTION:**

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public road right-of-way centered along between Lot 1, Block C and Lot 1, Block B, "Section 3 Sunnyland Beach" in Section 25, Township 29 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 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 1, Block C and is requesting the vacating of the 50.00 ft. wide public road right-of-way to allow for the construction of an accessory building, to provide improved security and enhanced landscaping maintenance. Right-of-Way to be vacated contains 4,340.00 square feet, more or less.

September 24, 2018, 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. The property is located in Melbourne Beach as follows: Begin at the intersection of FL-510 and A1A; thence 12.61 miles north along A1A; thence 0.38 miles west along Beverly Court to the right-of-way on the south.



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

October 13, 2018

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

**TO:** Dan Jones, Interim Public Works Director    Attn: Amber Holley

**RE:** Advertising Bills for Resolution Vacating Part of a Public Right-of-Way Centered Along Between Lot 1, Block C and Lot 1, Block B, in Section 3 of Sunnyland Beach Subdivision on Waneta Way, Melbourne Beach

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 18-159, vacating part a public right-of-way centered along between Lot 1, Block C and Lot 1, Block B, in Section 3 of Sunnyland Beach Subdivision on Waneta Way, Melbourne Beach, as petitioned by Thomas M. and Elizabeth G. Vitella. Said Resolution was adopted by the Board of County Commissioners, in regular session on October 9, 2018.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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

October 23, 2018

Thomas M. and Elizabeth G. Vitella  
22728 Lawson Road  
Georgetown, DE 19947

Dear Mr. & Mrs. Vitella:

Re: Resolution Vacating Part of a Public Right-of-Way Centered Along Between Lot 1, Block C and Lot 1, Block B, in Section 3 of Sunnyland Beach Subdivision on Waneta Way, Melbourne Beach

The Board of County Commissioners, in regular session on October 9, 2018, adopted Resolution No. 18-159, vacating a part of a public right-of-way centered along between Lot 1, Block C and Lot 1, Block B, in Section 3 of Sunnyland Beach Subdivision on Waneta Way, Melbourne Beach, as petitioned by you. Said Resolution has been recorded in ORBK 8291, Pages 1701 through 1706. 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*

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Amber Holley, Public Works

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 revenue account for vacatings.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 57315

**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.

**ATTACHMENTS:**

**Description**

- Exhibits

RESOLUTION 2018 -159

**VACATING A PART OF A RIGHT-OF-WAY IN "SECTION 3 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 **THOMAS AND ELIZABETH VITELLA** with the Board of County Commissioners to vacate a portion of a public road right-of-way in Brevard County, Florida, described as follows:

**SEE ATTACHED BOUNDARY SURVEY**

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 a portion road right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of the public road right-of-way is hereby vacated; and Brevard County renounces and disclaims any rights in and to said right-of-way. 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 9<sup>TH</sup> day of October, 2018 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

  
RITA PRITCHETT, CHAIR

As approved by the Board on:  
October 9, 2018

# BOUNDARY SURVEY

SHEET 1 OF 2

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST  
PARCEL ID#:  
PURPOSE: VACATE A PUBLIC RIGHT-OF-WAY

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION:

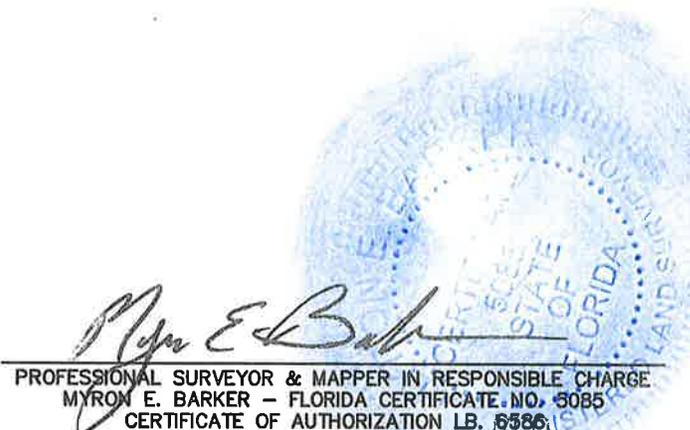
THAT PORTION OF THE 50 FOOT WIDE PUBLIC RIGHT OF WAY OF WANETA WAY, AS RECORDED IN THE PLAT OF SECTION 3, SUNNYLAND BEACH, PLAT BOOK 19, PAGE 1, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WHICH LIES SOUTHERLY OF BEVERLY COURT (A 50 FOOT RIGHT OF WAY) EASTERLY OF LOT 1, BLOCK C OF SAID PLAT BOOK 19, PAGE 1, WESTERLY OF LOT 1, BLOCK B OF SAID PLAT BOOK 19, PAGE 1, AND NORTHERLY OF AQUARINA P.U.D., STAGE 1, TRACTS C & D, STAGE 2, TRACTS B,D,& H, STAGE 3, STAGE 4, TRACTS B,I, & X, STAGE 5, PLAT BOOK 41, PAGES 88-92 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 20.00 FEET THEREOF, CONTAINING 4340 SQUARE FEET. MORE OR LESS

## SURVEYOR'S NOTE:

1. THE BEARING SYSTEM SHOWN HEREON IS BASED ON A ASSUMED BEARING OF N.88°29'15"W., ALONG THE RIGHT-OF-WAY LINE OF BEVERLY COURT.
2. UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN.
3. LANDS SHOWN HEREIN WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, RESERVATION, AGREEMENT AND/OR EASEMENTS OF RECORD, SUCH INFORMATION IF DESIRED, SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION.
4. NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

## LEGEND:

- ☉ = CENTERLINE
- R = RADIUS
- DEL = DELTA
- L = LENGTH
- CH = CHORD
- IR = IRON ROD
- P = PLATTED
- M = MEASURED
- LS = LICENSED SURVEYOR
- CONC. = CONCRETE
- FD = FOUND



PREPARED BY: PRECISION LAND SURVEYING PHONE NUMBER: 321-259-4600 ADDRESS: 2900 LAKE WASHINGTON ROAD SUITE 1, MELBOURNE, FLORIDA 32935		PREPARED FOR: THOMAS VITELLA	
DRAWN BY: J. PRESSMAN DATE: 06/04/2018	CHECKED BY: M. BARKER SHEET 1 OF 2	DRAWING NO: 18-1411 REVISIONS:	SECTION: 25 TOWNSHIP 29 SOUTH RANGE 38 EAST

# BOUNDARY SURVEY

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST  
 PARCEL ID#:

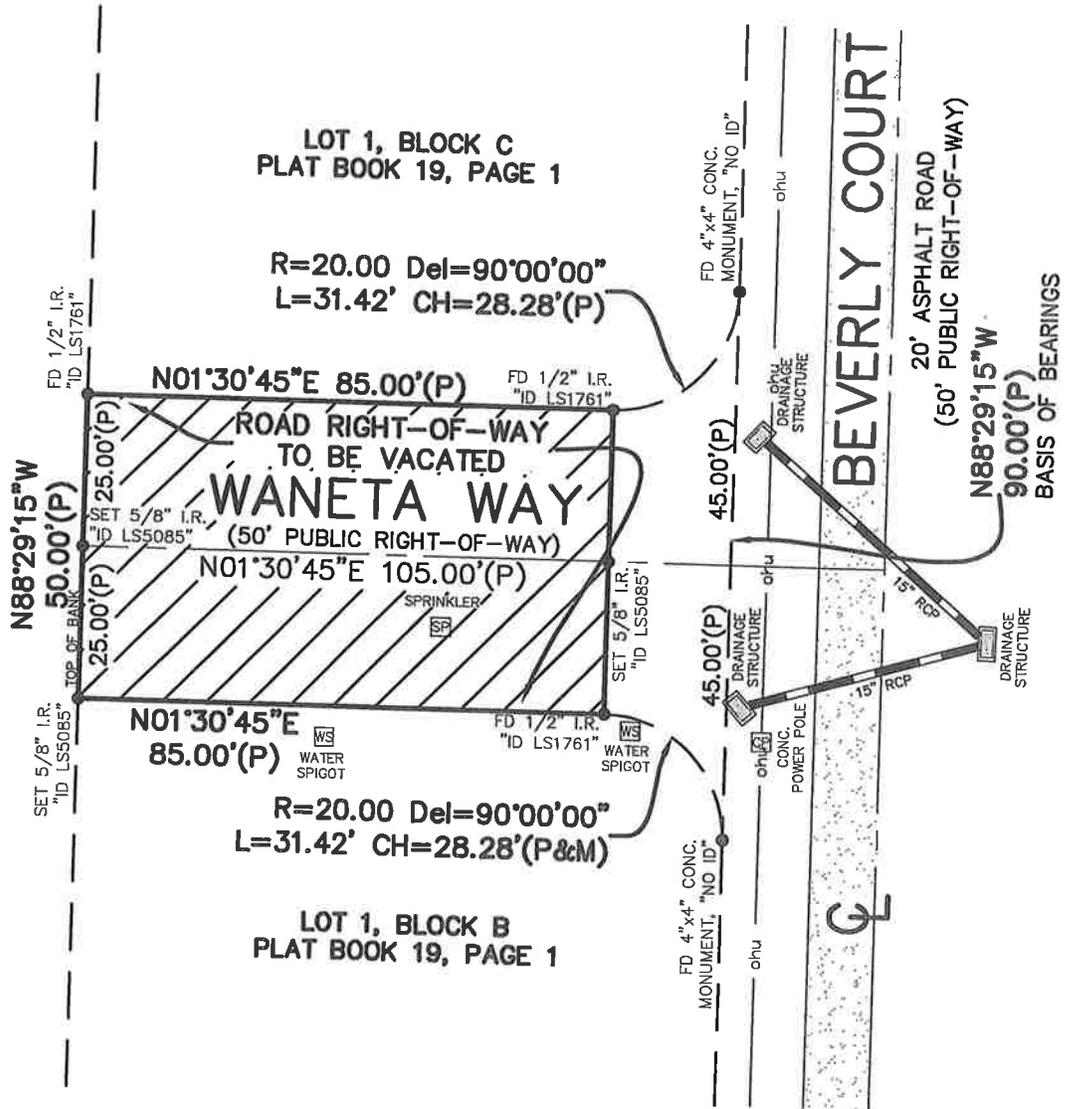
SHEET 2 OF 2

NOT VALID WITHOUT THE  
 LEGAL DESCRIPTION  
 ON SHEET 1 OF 2



SCALE: 1"=30'

AQUARINA P.U.D. STAGE 1, TRACTS C & D,  
 STAGE 2, TRACTS B,D, & H, STAGE 3,  
 STAGE 4, TRACTS B, I & X, STAGE 5  
 PLAT BOOK 41, PAGES 88-92



A Daily Publication By:



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

STATE OF FLORIDA COUNTY OF BREVARD:  
Before the undersigned authority personally appeared ,  
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) of:

**09/24/18**

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 24th of September  
2018, by who is personally known to me

*[Signature]*  
\_\_\_\_\_  
Affiant

*[Signature]*  
\_\_\_\_\_  
Notary



Publication Cost: \$233.46  
Ad No: 0003170746  
Customer No: BRE-6BR327

AD#3170746, 9/24/2018  
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF THE UNOPENED, 50.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF WANETA WAY, PLAT OF "SECTION 3 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 **THOMAS AND ELIZABETH VITELLA** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF THE 50 FOOT WIDE PUBLIC RIGHT OF WAY OF WANETA WAY, AS RECORDED IN THE PLAT OF SECTION 3, SUNNYLAND BEACH, PLAT BOOK 19, PAGE 1, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WHICH LIES SOUTHERLY OF BEVERLY COURT (A 50 FOOT RIGHT OF WAY) EASTERLY OF LOT 1, BLOCK C OF SAID PLAT BOOK 19, PAGE 1, WESTERLY OF LOT 1, BLOCK B OF SAID PLAT BOOK 19, PAGE 1, AND NORTHERLY OF AQUARINA P.U.D., STAGE 1, TRACTS C & D, STAGE 2, TRACTS B,D, & H, STAGE 3, STAGE 4, TRACTS B,I & X, STAGE 5, PLAT BOOK 41, PAGES 88-92 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 20.00 FEET THEREOF, CONTAINING 4340 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described right-of-way at 5:00 P.M. on October 9, 2018 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.





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

AD#3202149, 10/13/2018  
LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC RIGHT-OF-WAY CENTERED ALONG BETWEEN LOT 1, BLOCK C AND LOT 1, BLOCK B, IN SECTION 3 OF SUNNYLAND BEACH SUBDIVISION ON WANETA WAY, MELBOURNE BEACH - THOMAS & ELIZABETH VITELLA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 9th day of October 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of a public right-of-way centered along between Lot 1, Block C and Lot 1, Block B, in Section 3 of Sunnyland Beach on Waneta Way, Melbourne Beach, as petitioned by Thomas and Elizabeth Vitella.

THAT PORTION OF THE 50 FOOT WIDE PUBLIC RIGHT OF WAY OF WANETA WAY, AS RECORDED IN THE PLAT OF SECTION 3, SUNNYLAND BEACH, PLAT BOOK 19, PAGE 1, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WHICH LIES SOUTHERLY OF BEVERLY COURT (A 50 FOOT RIGHT OF WAY) EASTERLY OF LOT 1, BLOCK C OF SAID PLAT BOOK 19, PAGE 1, WESTERLY OF LOT 1, BLOCK B OF SAID PLAT BOOK 19, PAGE 1, AND NORTHERLY OF AQUARINA P.U.D., STAGE 1, TRACTS C & D, STAGE 2, TRACTS B, D, & H, STAGE 3, STAGE 4, TRACTS B, I, & X, STAGE 5, PLAT BOOK 41, PAGES 88-92 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 20.00 FEET THEREOF, CONTAINING 4340 SQUARE FEET, MORE OR LESS, PREPARED BY: MYRON E. BARKER, PSM.

The Board further renounced and disclaimed any right of the County in and to said public right-of-way.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
BY: Tammy Rowe, Deputy Clerk

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

10/13/18

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 15th of October 2018, by who is personally known to me

*[Signature]*  
Affiant

*[Signature]*  
Notary



Publication Cost: \$168.26  
Ad No: 0003202149  
Customer No: BRE-6BR327



**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.:** 0003202149  
**Pymt Method:** Invoice  
**Net Amt:** \$168.26

**Run Times:** 1

**No. of Affidavits:** 1

**Run Dates:** 10/13/18

**Text of Ad:**

AD#3202149, 10/13/2018  
LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC RIGHT-OF-WAY CENTERED ALONG BETWEEN LOT 1, BLOCK C AND LOT 1, BLOCK B, IN SECTION 3 OF SUNNYLAND BEACH SUBDIVISION ON WANETA WAY, MELBOURNE BEACH - THOMAS & ELIZABETH VITELLA

**TO WHOM IT MAY CONCERN:**

NOTICE IS HEREBY GIVEN that on the 9th day of October 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of a public right-of-way centered along between Lot 1, Block C and Lot 1, Block B, in Section 3 of Sunnyland Beach on Waneta Way, Melbourne Beach, as petitioned by Thomas and Elizabeth Vitella.

THAT PORTION OF THE 50 FOOT WIDE PUBLIC RIGHT OF WAY OF WANETA WAY, AS RECORDED IN THE PLAT OF SECTION 3, SUNNYLAND BEACH, PLAT BOOK 19, PAGE 1, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WHICH LIES SOUTHERLY OF BEVERLY COURT (A 50 FOOT RIGHT OF WAY) EASTERLY OF LOT 1, BLOCK C OF SAID PLAT BOOK 19, PAGE 1, WESTERLY OF LOT 1, BLOCK B OF SAID PLAT BOOK 19, PAGE 1, AND NORTHERLY OF AGUARINA P.U.D., STAGE 1, TRACTS C & D, STAGE 2, TRACTS B,D,& H, STAGE 3, STAGE 4, TRACTS B,I, & X, STAGE 5, PLAT BOOK 41, PAGES 88-92 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 20.00 FEET THEREOF, CONTAINING 4340 SQUARE FEET, MORE OR LESS, PREPARED BY: MYRON E. BARKER, PSM.

The Board further renounced and disclaimed any right of the County in and to said public right-of-way.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
BY: Tammy Rowe, Deputy Clerk

LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC RIGHT-OF-WAY CENTERED ALONG BETWEEN LOT 1, BLOCK C AND LOT 1, BLOCK B, IN SECTION 3 OF SUNNYLAND BEACH SUBDIVISION ON WANETA WAY, MELBOURNE BEACH – THOMAS & ELIZABETH VITELLA

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 9<sup>th</sup> day of October 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of a public right-of-way centered along between Lot 1, Block C and Lot 1, Block B, in Section 3 of Sunnyland Beach on Waneta Way, Melbourne Beach, as petitioned by Thomas and Elizabeth Vitella.

**SEE ATTACHED EXHIBIT "A"**

The Board further renounced and disclaimed any right of the County in and to said public right-of-way.

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 October 13, 2018, issue of the Florida TODAY.

**Bill the Board of County Commissioners Account Number 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**

LEGAL DESCRIPTION:

**EXHIBIT "A"**

THAT PORTION OF THE 50 FOOT WIDE PUBLIC RIGHT OF WAY OF WANETA WAY, AS RECORDED IN THE PLAT OF SECTION 3, SUNNYLAND BEACH, PLAT BOOK 19, PAGE 1, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WHICH LIES SOUTHERLY OF BEVERLY COURT (A 50 FOOT RIGHT OF WAY) EASTERLY OF LOT 1, BLOCK C OF SAID PLAT BOOK 19, PAGE 1, WESTERLY OF LOT 1, BLOCK B OF SAID PLAT BOOK 19, PAGE 1, AND NORTHERLY OF AQUARINA P.U.D., STAGE 1, TRACTS C & D, STAGE 2, TRACTS B,D,& H, STAGE 3, STAGE 4, TRACTS B,I, & X, STAGE 5, PLAT BOOK 41, PAGES 88-92 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE NORTHERLY 20.00 FEET THEREOF, CONTAINING 4340 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, PSM.



**Brevard County Property Appraiser**  
 Titusville • Merritt Island • Viera • Melbourne • Palm Bay  
 PROPERTY DETAILS

Phone: (321) 264-6700  
<https://www.bcpao.us>

Account	2956445
Owners	Vitella, Thomas M; Vitella, Elizabeth G
Mailing Address	22728 Lawson Rd Georgetown DE 19947
Site Address	305 Beverly CT Melbourne Beach FL 32951
Parcel ID	29-38-25-77-C-1
Property Use	0110 - Single Family Residence
Exemptions	None
Taxing District	3400 - Unincorp District 3
Total Acres	0.27
Subdivision	Sunnyland Beach Sec 3
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0019/0001
Land Description	Sunnyland Beach Sec 3 Lot 1 Blk C



**VALUE SUMMARY**

Category	2017	2016	2015
Total Market Value	\$210,110	\$200,270	\$188,630
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$210,110	\$200,270	\$182,440
Assessed Value School	\$210,110	\$200,270	\$188,630
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$210,110	\$200,270	\$182,440
Taxable Value School	\$210,110	\$200,270	\$188,630

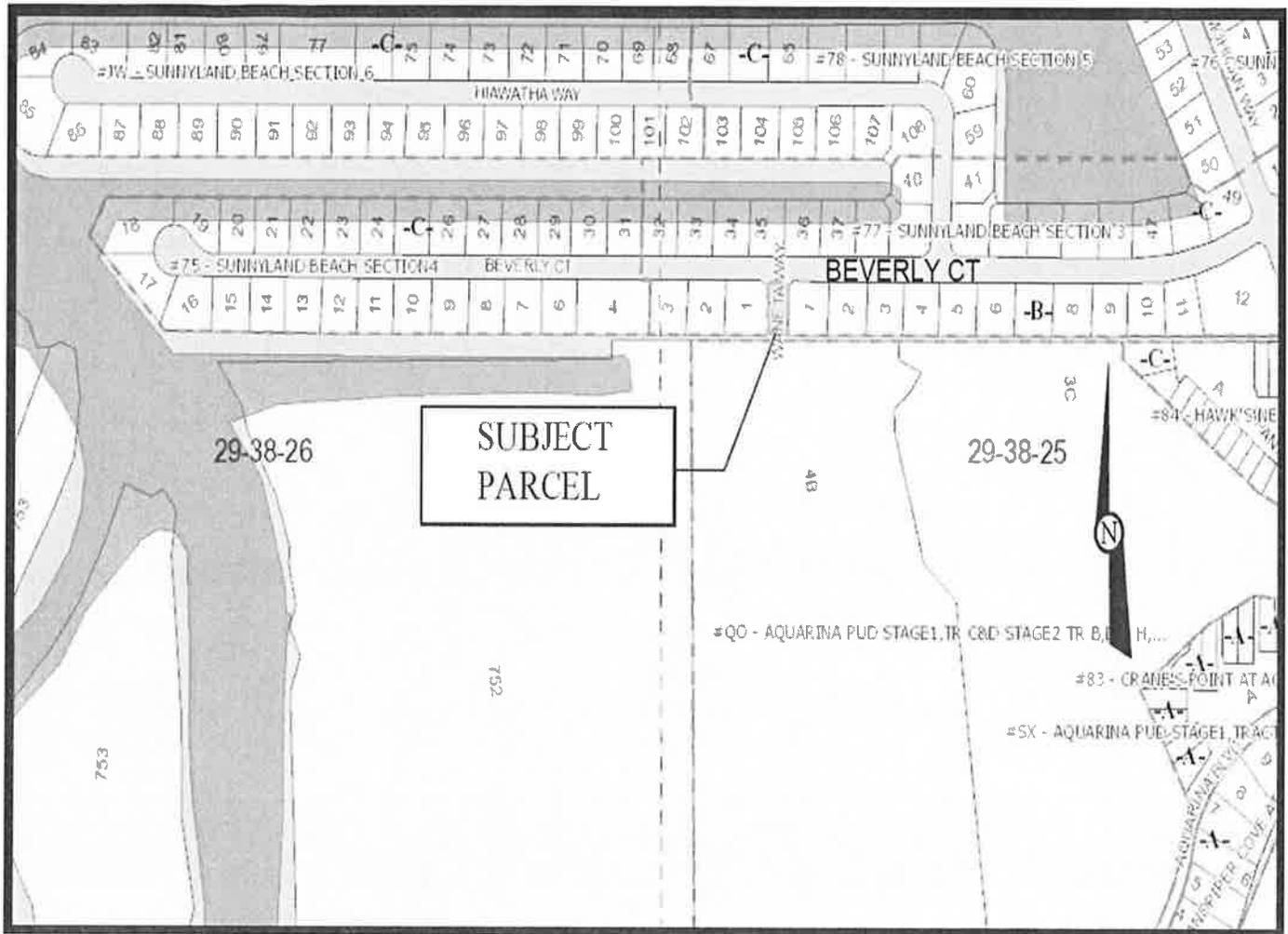
**SALES/TRANSFERS**

Date	Price	Type	Parcel	Deed
01/30/2018	\$289,000	WD	Improved	8082/2345
06/19/2017	\$212,000	WD	Improved	7927/2863
06/19/2017	-	WD	Improved	7927/2861
09/01/1985	\$18,000	WD	-	2636/2067
06/01/1975	\$4,500	-	-	1543/0723

**BUILDINGS**

PROPERTY DATA CARD #1					
Building Use	Year Built	Story Height	Floors	Residential Units	Commercial Units
0110 - Single Family Residence	1988	8	1	1	0
<b>Materials</b>		<b>Sub Areas</b>			
Exterior Wall:	Stucco	Base Area (1st)	1431		
Frame:	Wood Frame	Garage	462		
Roof:	Asph/Asb Shngl	Open Porch	120		
Roof Structure:	Hip/Gable	Screen Porch	150		
		Total Base Area	1431		
		Total Sub Area	2163		
<b>Extra Features</b>		<b>Additional Extra Features</b>			
Wood Deck	260	No Data Found			

**APPRAISER'S DETAIL SHEET**



## VICINITY MAP

Thomas & Elizabeth Vitella – Lot 1, Block C, “Section 3 Sunnyland Beach” (Plat Book 19, Page 01) – Waneta Way – Section 25, Township 29 South, Range 38 East – District 3 – Proposed Vacating of a 50.0 ft. Wide Public Road Right-of-Way (Unopened)



## AERIAL MAP

Thomas & Elizabeth Vitella – Lot 1, Block C, “Section 3 Sunnyland Beach” (Plat Book 19, Page 01) – Waneta Way – Section 25, Township 29 South, Range 38 East – District 3 – Proposed Vacating of a 50.0 ft. Wide Public Road Right-of-Way (Unopened)



Prepared by and return to  
Karen S. Solomon, an employee of  
PRECISE TITLE, INC.  
201 Sixth Ave.  
Indianatic, FL 32903  
(321)984-0986  
Incidental to the issuance of a  
title insurance commitment/policy.  
File Number: 23890

### General Warranty Deed

Made this February 1, 2018 A.D. By Ronald E. Coleman, hereinafter called the grantor, to Thomas M. Vitella and Elizabeth G. Vitella, husband and wife, whose post office address is:

2272-8 Lawson Rd Georgetown DE 19947  
hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alien, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz:

Lot 1, Block C, Section 3 Sunnyland Beach, according to the map or plat thereof, as recorded in Plat Book 19, Page(s) 1, of the Public Records of Brevard County, Florida.

Said property is not, nor has it ever been the constitutional homestead, nor contiguous to the homestead of the Grantor or any members of the household of Grantor ever resided on the above described property as their legal domicile.

Parcel ID Number: 29-38-25-77-C-1

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

PETITIONER'S DEED:  
SHEET 1 OF 2

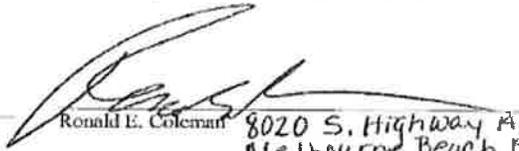
Prepared by and return to  
Karen S. Solomon, an employee of  
PRECISE TITLE, INC.  
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Indialantic, FL 32903  
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File Number: 23890

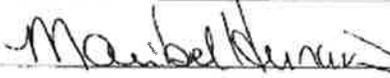
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2017.

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:

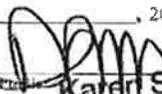
  
\_\_\_\_\_  
Witness Printed Name: **Karen S. Solomon**

 (Seal)  
\_\_\_\_\_  
Witness Printed Name: **Ronald E. Coleman** 8020 S. Highway A1A  
Melbourne Beach, FL 32951

  
\_\_\_\_\_  
Witness Printed Name: **MARIBEL HERNANDEZ**

State of Florida  
County of Brevard

The foregoing instrument was acknowledged before me 1-30, 2018, by Ronald E. Coleman, who is/are personally known to me or who has produced drivers license as identification.

  
\_\_\_\_\_  
Notary Public  
Print Name: **Karen S. Solomon**

My Commission Expires: \_\_\_\_\_  
(SEAL)

 KAREN S. SOLOMON  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF146813  
Expires 8/4/2018

PETITIONER'S DEED:  
SHEET 2 OF 2

# BOUNDARY SURVEY

SHEET 1 OF 2

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST  
PARCEL ID#:  
PURPOSE: VACATE A PUBLIC RIGHT-OF-WAY

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

### LEGAL DESCRIPTION:

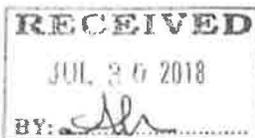
THAT PORTION OF THE 50 FOOT WIDE PUBLIC RIGHT OF WAY OF WANETA WAY, AS RECORDED IN THE PLAT OF SECTION 3, SUNNYLAND BEACH, PLAT BOOK 19, PAGE 1, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WHICH LIES SOUTHERLY OF BEVERLY COURT (A 50 FOOT RIGHT OF WAY) EASTERLY OF LOT 1, BLOCK C OF SAID PLAT BOOK 19, PAGE 1, WESTERLY OF LOT 1, BLOCK B OF SAID PLAT BOOK 19, PAGE 1, AND NORTHERLY OF AQUARINA P.U.D., STAGE 1, TRACTS C & D, STAGE 2, TRACTS B,D,& H, STAGE 3, STAGE 4, TRACTS B,I, & X, STAGE 5, PLAT BOOK 41, PAGES 88-92 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 20.00 FEET THEREOF, CONTAINING 4340 SQUARE FEET. MORE OR LESS

### SURVEYOR'S NOTE:

1. THE BEARING SYSTEM SHOWN HEREON IS BASED ON A ASSUMED BEARING OF N.88°29'15"W., ALONG THE RIGHT-OF-WAY LINE OF BEVERLY COURT.
2. UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN.
3. LANDS SHOWN HEREIN WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, RESERVATION, AGREEMENT AND/OR EASEMENTS OF RECORD, SUCH INFORMATION IF DESIRED, SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION.
4. NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

### LEGEND:

- ⊙ = CENTERLINE
- R = RADIUS
- DEL = DELTA
- L = LENGTH
- CH = CHORD
- IR = IRON ROD
- P = PLATTED
- M = MEASURED
- LS = LICENSED SURVEYOR
- CONC. = CONCRETE
- FD = FOUND



*[Signature]*  
PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE  
MYRON E. BARKER - FLORIDA CERTIFICATE NO. 6065  
CERTIFICATE OF AUTHORIZATION LB-6566

PREPARED BY: PRECISION LAND SURVEYING PHONE NUMBER: 321-259-4600 ADDRESS: 2900 LAKE WASHINGTON ROAD SUITE 1, MELBOURNE, FLORIDA 32935		PREPARED FOR: THOMAS VITELLA	
DRAWN BY: J. PRESSMAN DATE: 06/04/2018	CHECKED BY: M. BARKER SHEET 1 OF 2	DRAWING NO: 18-1411 REVISIONS:	SECTION: 25 TOWNSHIP 29 SOUTH RANGE 38 EAST

# PETITIONER'S BOUNDARY SURVEY

## SHEET 1 OF 2



**COMMENT SUMMARY**

APPLICANT: Thomas M. and Elizabeth G. Vitella

UPDATED / BY: Amber Holley 20180710 @ 17:30 hours

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
<b>UTILITIES</b>				
Florida City Gas Co.	20180622	20180622	YES	NO OBJECTIONS
Florida Power & Light Co.	20180622	20180709	YES	NO OBJECTIONS
AT & T	20180622	20180627	YES	NO OBJECTIONS
Florida Gas Transmission Co.	20180622	20180626	YES	NO OBJECTIONS
Charter Communications	20180622	20180627	YES	NO OBJECTIONS
<b>COUNTY STAFF</b>				
Road & Bridge	20180622	20180710	YES	NO OBJECTIONS - SUSAN JACKSON
Traffic Engineering	20180622	20180709	YES	NO OBJECTIONS - DEVIN SWANSON
Land Acquisition	20180622	20180625	YES	NO OBJECTIONS - BLAISE MANCINI
Land Planning	20180622	20180709	YES	NO OBJECTIONS - REBECCA RAGAIN
Utility Services	20180622	20180622	YES	NO OBJECTIONS - TAMMY HURLEY
NRMD / Storm Water	20180622	20180625	YES	NO OBJECTIONS - HARVEY WHEELER
Zoning	20180622	20180627	YES	NO OBJECTIONS - PAUL BODY
Chief Bill Burns	20180622			
Chief Mark Schollmeyer	20180622			
Chief Frank Scates	20180622			
Chief Doug Carter	20180622	20180625	YES	NO OBJECTIONS - DOUGLAS CARTER
Paula Fickle	20180622			

**COMMENT SHEET**

AD#3170746, 9/24/2018 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF THE UNOPENED, 50.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF WANETA WAY, PLAT OF "SECTION 3 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 THOMAS AND ELIZABETH VITELLA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THAT PORTION OF THE 50 FOOT WIDE PUBLIC RIGHT OF WAY OF WANETA WAY, AS RECORDED IN THE PLAT OF SECTION 3, SUNNYLAND BEACH, PLAT BOOK 19, PAGE 1, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WHICH LIES SOUTHERLY OF BEVERLY COURT (A 50 FOOT RIGHT OF WAY) EASTERLY OF LOT 1, BLOCK C OF SAID PLAT BOOK 19, PAGE 1, WESTERLY OF LOT 1, BLOCK B OF SAID PLAT BOOK 19, PAGE 1, AND NORTHERLY OF AQUARINA P.U.D., STAGE 1, TRACTS C & D, STAGE 2, TRACTS B,D,& H, STAGE 3, STAGE 4, TRACTS B,I, & X, STAGE 5, PLAT BOOK 41, PAGES 88-92 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE NORTHERLY 20.00 FEET THEREOF, CONTAINING 4340 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, PSM. The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described right-of-way at 5:00 P.M. on October 9, 2018 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.

## PUBLIC HEARING LEGAL ADVERTISEMENT

THAT PORTION OF THE 50 FOOT WIDE PUBLIC RIGHT OF WAY OF WANETA WAY, AS RECORDED IN THE PLAT OF SECTION 3, SUNNYLAND BEACH, PLAT BOOK 19, PAGE 1, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, WHICH LIES SOUTHERLY OF BEVERLY COURT (A 50 FOOT RIGHT OF WAY) EASTERLY OF LOT 1, BLOCK C OF SAID PLAT BOOK 19, PAGE 1, WESTERLY OF LOT 1, BLOCK B OF SAID PLAT BOOK 19, PAGE 1, AND NORTHERLY OF AQUARINA P.U.D., STAGE 1, TRACTS C & D, STAGE 2, TRACTS B,D,& H, STAGE 3, STAGE 4, TRACTS B,I, & X, STAGE 5, PLAT BOOK 41, PAGES 88-92 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE NORTHERLY 20.00 FEET THEREOF, CONTAINING 4340 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, PSM.

## Donna Scott

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**From:** LEGALS, BRE <BRELEGALS@gannett.com>  
**Sent:** Wednesday, October 10, 2018 4:13 PM  
**To:** Donna Scott  
**Subject:** Brevard Classified Legal Auto Reply

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Thank you for e-mailing the Brevard Classified Legal Advertising Department. Ads placed by private individuals will be accepted on a payment-in advance basis only.



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