



AGENDA REPORT  
November 13, 2018

**Petition to Vacate Public Utility Easement-Satellite Beach-Virgil D.and Heidi  
K. Bon (District 4)**

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**SUBJECT:**

Petition to Vacate, Re: Public Utility and Drainage Easement – “Tortoise View Estates”  
Plat Book 28, Page 22 – Satellite Beach – Virgil D. and Heidi K. Bon – District 4

**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 utility and drainage easement on Lot 3, “Tortoise View Estates” Plat Book 28, Page 22 lying in Section 27, Township 26 South, Range 37 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 petitioners own Lot 3, Tortoise View Estates, Plat Book 28, Page 22 and are requesting the vacating of the South 2.5 ft. of the North 7.5 ft. wide public utility and drainage easement to remove the existing pool screened enclosure as an encroachment into said easement. Easement to be vacated contains 190 square feet, more or less.

October 29, 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 Satellite Beach as follows: Begin at the intersection of S.R. 404 (Pineda Causeway) and S. R. 513 (S. Patrick Drive); thence 1.14 miles south along S. R. 513 (S. Patrick Drive); thence 0.11 miles west along Tortoise View Circle to the residence on the North (right).

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**



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

November 28, 2018

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating a Portion of a Public Utility and Drainage Easement in Tortoise View Estates Subdivision, Satellite Beach

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 18-184, vacating a portion of a public utility and drainage easement in Tortoise View Estates Subdivision, Satellite Beach, as petitioned by Virgil D. and Heidi K. Bon. Said Resolution was adopted by the Board of County Commissioners, in regular session on November 13, 2018.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

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

November 28, 2018

Virgil D. and Heidi K. Bon  
408 Tortoise View Circle  
Satellite Beach, FL 32937

Dear Mr. & Mrs. Bon:

Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement in Tortoise View Estates Subdivision, Satellite Beach

The Board of County Commissioners, in regular session on November 13, 2018, adopted Resolution No. 18-184, vacating a portion of a public utility and drainage easement in Tortoise View Estates Subdivision, Satellite Beach, as petitioned by you. Said Resolution has been recorded in ORBK 8315, Pages 1644 through 1649. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Amber Holley, Public Works

RESOLUTION 2018 - 184

**VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN  
"TORTOISE VIEW ESTATES" SUBDIVISION, SATELLITE BEACH, FLORIDA, LYING IN  
SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by VIRGIL D. AND HEIDI K. BON with the Board of County Commissioners to vacate a portion of 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 a portion of the public drainage and utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of the 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 13<sup>TH</sup> day of November, 2018 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA



RITA PRITCHETT, CHAIR

As approved by the Board on:  
November 13, 2018

LEGAL DESCRIPTION

SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST

PARCEL ID NUMBER: 26-37-27-02-\*-3

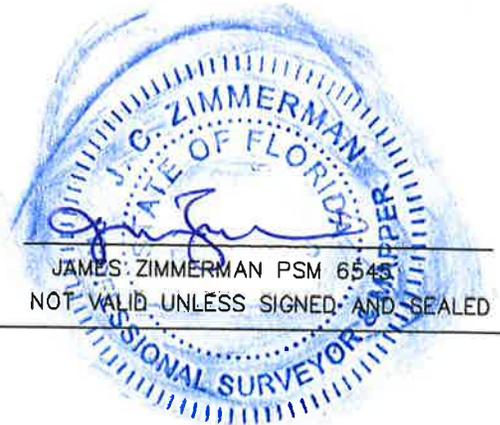
PURPOSE OF SKETCH AND DESCRIPTION: VACATING OF EASEMENT

LEGAL DESCRIPTION OF VACATING EASEMENT

THE SOUTH 2.5 FEET OF THE NORTH 7.5 FEET, LESS THE EAST AND WEST 7.5 FEET OF LOT 3, TORTOISE VIEW ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 22, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 190 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

- 1. Unless otherwise noted, only platted easements are shown hereon.
2. P.U.D.E. denotes Public Utilities and Drainage Easement. P.U.E. denotes Public Utilities Easement.
3. No underground utilities or improvements were located unless otherwise shown.
4. Bearings shown hereon are based on the Right of Way of Tortoise View Circle, being N 89°15'07" E according to the plat described hereon. and may not be a True North Azimuth.
5. This site appears to lie within F.I.R.M. Zone "X" per Community Panel Number 12009C 0528G, dated 03/17/14.
6. This is not a Survey.
7. Improvements shown hereon are based on a Boundary Survey prepared by Layout Services, Inc., dated 3/22/18. Project Number: 18-83.



PREPARED FOR: BREVARD COUNTY, FLORIDA VIRGIL BON

PREPARED BY: LAYOUT SERVICES, INC. LB7540 ADDRESS: 3380 S PARK AVENUE SUITE 7 TITUSVILLE, FL 32780 PHONE: 321-759-2779

Table with 4 columns: DRAWN BY (JZ), CHECKED BY (AR), DRAWING NO. (18-83), SECTION (27); DATE (10/23/18), SHEET (1 OF 2), REVISIONS (10/23/18), TOWNSHIP (26 SOUTH), RANGE (37 EAST)

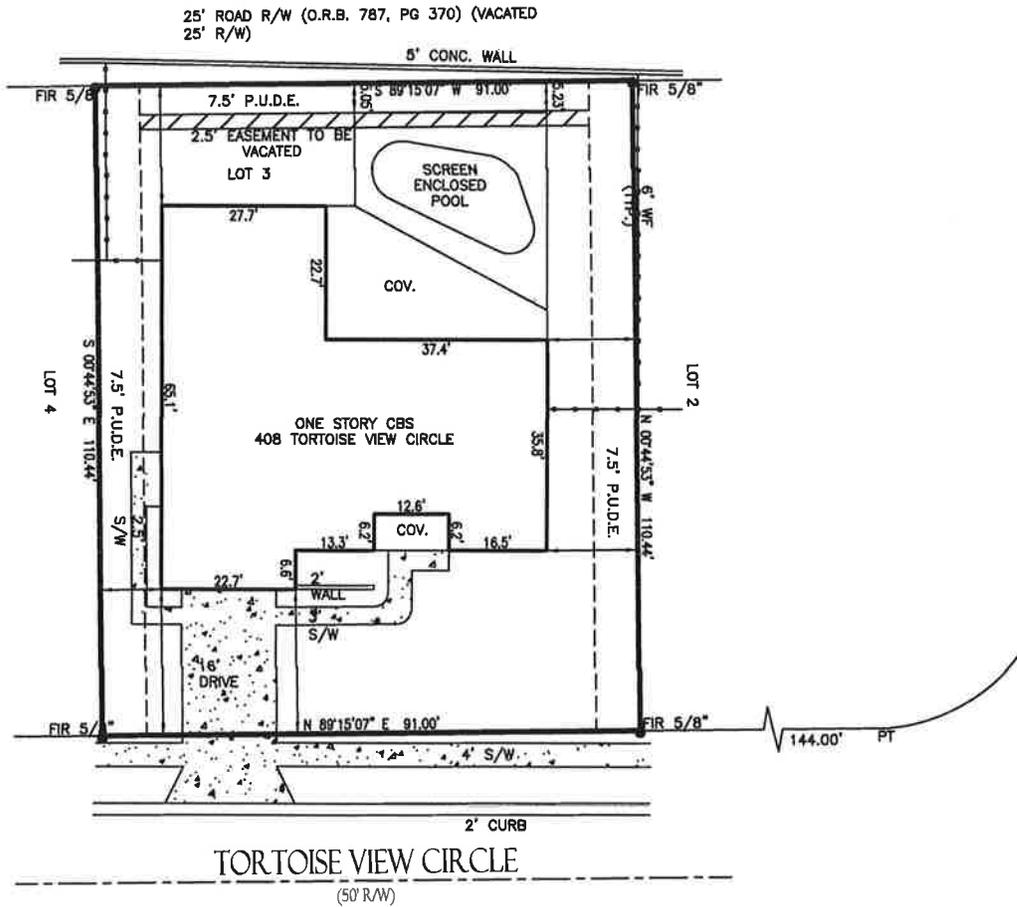
SKETCH OF DESCRIPTION

SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST

PARCEL ID NUMBER: 26-37-27-02-\*3



SCALE: 1" = 30'



LEGEND



DENOTES AREA TO BE VACATED

ABBREVIATIONS

PSM	PROFESSIONAL SURVEYOR & MAPPER
SIR	SET IRON ROD
FIR	FOUND IRON REBAR
R/W	RIGHT OF WAY
FIRM	FEDERAL INSURANCE RATE MAP
PUDE	PUBLIC UTILITIES AND/OR DRAINAGE EASEMENT
CBS	CONCRETE BLOCK STRUCTURE
WF	WOOD FENCE
S/W	SIDEWALK
A/C	AIR CONDITIONING
COV	COVERED
PT	POINT OF TANGENT
TYP	TYPICAL
INC	INCORPORATED
CONC	CONCRETE

A Daily Publication By:



Attn: Amber Holley

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

AD#3226010, 10/29/2018  
LEGAL NOTICE

NOTICE TO VACATE A PORTION OF A 7.5 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, "TORTOISE VIEW ESTATES" IN SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST, SATELLITE BEACH, FL

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 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 **VIRGIL D. AND HEIDI K. BON** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**Notice Public Hearing**

THE SOUTH 2.5 FEET OF THE NORTH 7.5 FEET LESS THE EAST AND WEST 7.5 FEET OF LOT 3, TORTOISE VIEW ESTATES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 22, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 190 SQUARE FEET, MORE OR LESS, PREPARED BY: JAMES ZIMMERMAN, PSM.

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

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 November 13, 2018 at the Brevard County Government Center 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.

**10/29/18**

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.

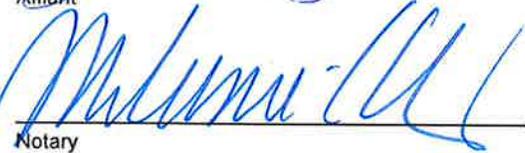
Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard 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.

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.

Sworn to and Subscribed before me this 29th of October 2018, by who is personally known to me

  
\_\_\_\_\_  
Affiant

  
\_\_\_\_\_  
Notary



Publication Cost: \$197.60  
Ad No: 0003226010  
Customer No: BRE-6BR327

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

Legal Notices

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

11/19/18

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
corporation 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 19th of November
2018, by who is personally known to me

[Signature]
Affiant

[Signature: Kristin A. Marano]
Notary



Publication Cost: \$295.40
Ad No: 0003257091
Customer No: BRE-6BR327

A Daily Publication By:



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

AD#3256148, 11/17/2018  
LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN TORTOISEVIEW ESTATE SUBDIVISION, IN SATELLITE BEACH - VIRGIL D. AND HEIDI K. BON

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 13th day of November 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in Tortoise View Estates Subdivision, in Satellite Beach, as petitioned by Virgil D. and Heidi K. Bon.

THE SOUTH 2.5 FEET OF THE NORTH 7.5 FEET, LESS THE EAST AND WEST 7.5 FEET OF LOT 3, TORTOISEVIEW ESTATES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 22, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 190 SQUARE FEET, MORE OR LESS, PREPARED BY: JAMES ZIMMERMAN, 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  
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:

**11/17/18**

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 corporation 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 19th of November 2018, by who is personally known to me

\_\_\_\_\_  
Affiant

\_\_\_\_\_  
Notary



Publication Cost: \$119.36  
Ad No: 0003256148  
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.:** 0003256148  
**Pynt Method** Invoice  
**Net Amt:** \$119.36

**Run Times:** 1

**No. of Affidavits:** 1

**Run Dates:** 11/17/18

**Text of Ad:**

AD#3256148, 11/17/2018  
LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN TORTOISE VIEW ESTATES SUBDIVISION, IN SATELLITE BEACH – VIRGIL D. AND HEIDI K. BON

**TO WHOM IT MAY CONCERN:**

NOTICE IS HEREBY GIVEN that on the 13th day of November 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in Tortoise View Estates Subdivision, in Satellite Beach, as petitioned by Virgil D. and Heidi K. Bon.

THE SOUTH 2.5 FEET OF THE NORTH 7.5 FEET, LESS THE EAST AND WEST 7.5 FEET OF LOT 3, TORTOISE VIEW ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 22, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 190 SQUARE FEET, MORE OR LESS. PREPARED BY: JAMES ZIMMERMAN, 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  
SCOTT ELLIS, CLERK  
BY: Tammy Rowe, Deputy Clerk

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE  
EASEMENT IN TORTOISE VIEW ESTATES SUBDIVISION, IN SATELLITE BEACH –  
VIRGIL D. AND HEIDI K. BON

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 13<sup>th</sup> day of November 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in Tortoise View Estates Subdivision, in Satellite Beach, as petitioned by Virgil D. and Heidi K. Bon.

**SEE ATTACHED EXHIBIT "A"**

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  
SCOTT ELLIS, CLERK  
BY: Tammy Rowe, Deputy Clerk

**Florida TODAY:**

Please advertise in the November 17, 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"**

THE SOUTH 2.5 FEET OF THE NORTH 7.5 FEET, LESS THE EAST AND WEST 7.5 FEET OF LOT 3, TORTOISE VIEW ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 22, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 190 SQUARE FEET, MORE OR LESS. PREPARED BY: JAMES ZIMMERMAN, PSM.

**Donna Scott**

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**From:** LEGALS, BRE <BRELEGALS@gannett.com>  
**Sent:** Wednesday, November 14, 2018 3:15 PM  
**To:** Donna Scott  
**Subject:** RE: legal notice  
**Attachments:** LEGAL NOTICEOrderConf.pdf

Hello Donna,

Please see the attached proof.

Reference AD#3256148, scheduled to run 11/17 in Florida Today.

Thank you  
**Billy McCabe**  
Regional Legal Clerk

 **LOCALiQ**  
1-888-516-9220 ex.5416 | [wmccabe@localiq.com](mailto:wmccabe@localiq.com)

*\*\*Please note: An Affidavit of Publication (which is your notarized affidavit along with a digital copy of your notice, is proof that you legally published your notice in the newspaper) will be charged and automatically added to your invoice unless you let us know **in writing** that you do not wish to have one.*

Please include your account number when requesting legal notices to ensure proper billing.

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**From:** Donna Scott <[donna.scott@brevardclerk.us](mailto:donna.scott@brevardclerk.us)>  
**Sent:** Wednesday, November 14, 2018 1:31 PM  
**To:** LEGALS, BRE <BRELEGALS@gannett.com>  
**Subject:** legal notice

Attached is a legal notice to be published on Saturday, November 17; **billing the Public Works Department Account No. 6BR327, and Purchase Order No. 4500092228-10.**

Thank you.

Donna Scott  
Assistant Clerk to the Board  
(321) 637-2001 / Ext. 49120

 Brevard County, Florida  
**Clerk of the Court**  
Scott Ellis

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**Under Florida law, all correspondence sent to the Clerk's Office, which is not exempt or confidential pursuant to Chapter 119 of the Florida Statutes, is public record. If you do not want the public record contents of your e-mail address to be provided to the public in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing.**

## Donna Scott

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**From:** LEGALS, BRE <BRELEGALS@gannett.com>  
**Sent:** Wednesday, November 14, 2018 1:53 PM  
**To:** Donna Scott  
**Subject:** Brevard Classified Legal Auto Reply

**\*This is an Automatic Reply Message to let you know your email has been received. Below is general information that applies to both our invoiced customers with accounts as well as private citizens.**

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.



### AD SUBMISSION GUIDELINES

If you e-mail or fax Legal Ad(s) to us, please provide the following information:

- Legal Notice Account name and number
- Billing telephone number
- Contact person
- Preferred publishing dates
- Number of affidavits needed
- Address affidavit should be sent to, if different from billing.
- P.O. number (applicable to government accounts and agency advertisers)

Your notice will be published on the next available publication date unless otherwise requested.

Date of Publication:	Deadline:
Monday	Friday, 12noon
Tuesday	Friday, 4pm
Wednesday	Monday, 4pm
Thursday	Tuesday, 4pm
Friday	Wednesday, 4pm
Saturday	Thursday, 4pm
Sunday	Thursday, 4pm

We appreciate your business. If you have any questions please contact us @ 888-516-9220. Office hours Mon-Fri 8am-5pm.

**\*IF THIS SUBMISSION IS FOR A LEGAL DISPLAY PLEASE CONTACT US IMMEDIATELY AT 888-516-9220 SO WE CAN ACCURATELY PROCESS YOUR ORDER.**

LEGAL DESCRIPTION:

THE SOUTH 2.5 FEET OF THE NORTH 7.5 FEET, LESS THE EAST AND WEST 7.5 FEET OF LOT 3, TORTOISE VIEW ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 22, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 190 SQUARE FEET, MORE OR LESS. PREPARED BY: JAMES ZIMMERMAN, PSM.



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

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

Account 2609076  
 Owners Bon, Virgil D; Bon, Heidi K  
 Mailing Address 408 Tortoise View Cir Satellite Bch FL 32937  
 Site Address 408 Tortoise View Cir Satellite Beach FL 32937  
 Parcel ID 26-37-27-02-\*3  
 Property Use 0110 - Single Family Residence  
 Exemptions HEX1 - Homestead First  
 HEX2 - Homestead Additional  
 Taxing District 4100 - Unincorp District 4  
 Total Acres 0.23  
 Subdivision Tortoise View Estates  
 Site Code 0001 - No Other Code Appl.  
 Plat Book/Page 0028/0022  
 Land Description Tortoise View Estates Lot 3



**VALUE SUMMARY**

Category	2017	2016	2015
Total Market Value	\$293,760	\$263,200	\$246,650
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$177,970	\$174,310	\$173,100
Assessed Value School	\$177,970	\$174,310	\$173,100
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	\$127,970	\$124,310	\$123,100
Taxable Value School	\$152,970	\$149,310	\$148,100

**SALES/TRANSFERS**

Date	Price	Type	Parcel	Deed
07/01/1984	\$138,500	WD	-	2526/1095

**BUILDINGS**

**PROPERTY DATA CARD #1**

Building Use	Year Built	Story Height	Floors	Residential Units	Commercial Units
0110 - Single Family Residence	1984	8	1	1	0

**Materials**

Exterior Wall: Stucco  
 Frame: Masonry/conc  
 Roof: Asph/Asb Shngl  
 Roof Structure: Hip/Gable

**Sub Areas**

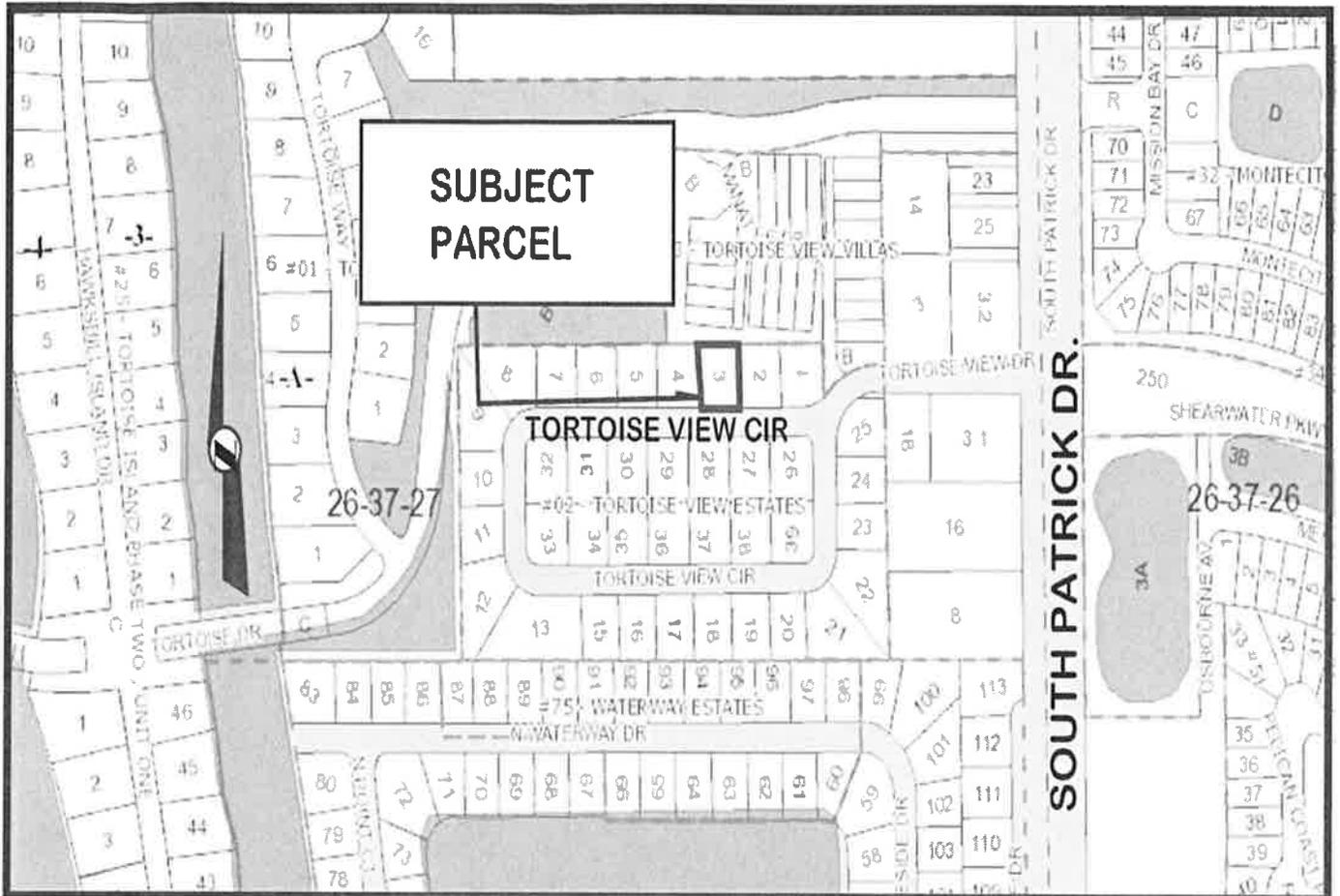
Base Area (1st) 2562  
 Garage 483  
 Open Porch 72  
 Screen Porch 542  
 Total Base Area 2562  
 Total Sub Area 3659

**Extra Features**

All Screen - 1 Story 752  
 Pool - Residential 1  
 Pool Deck 392

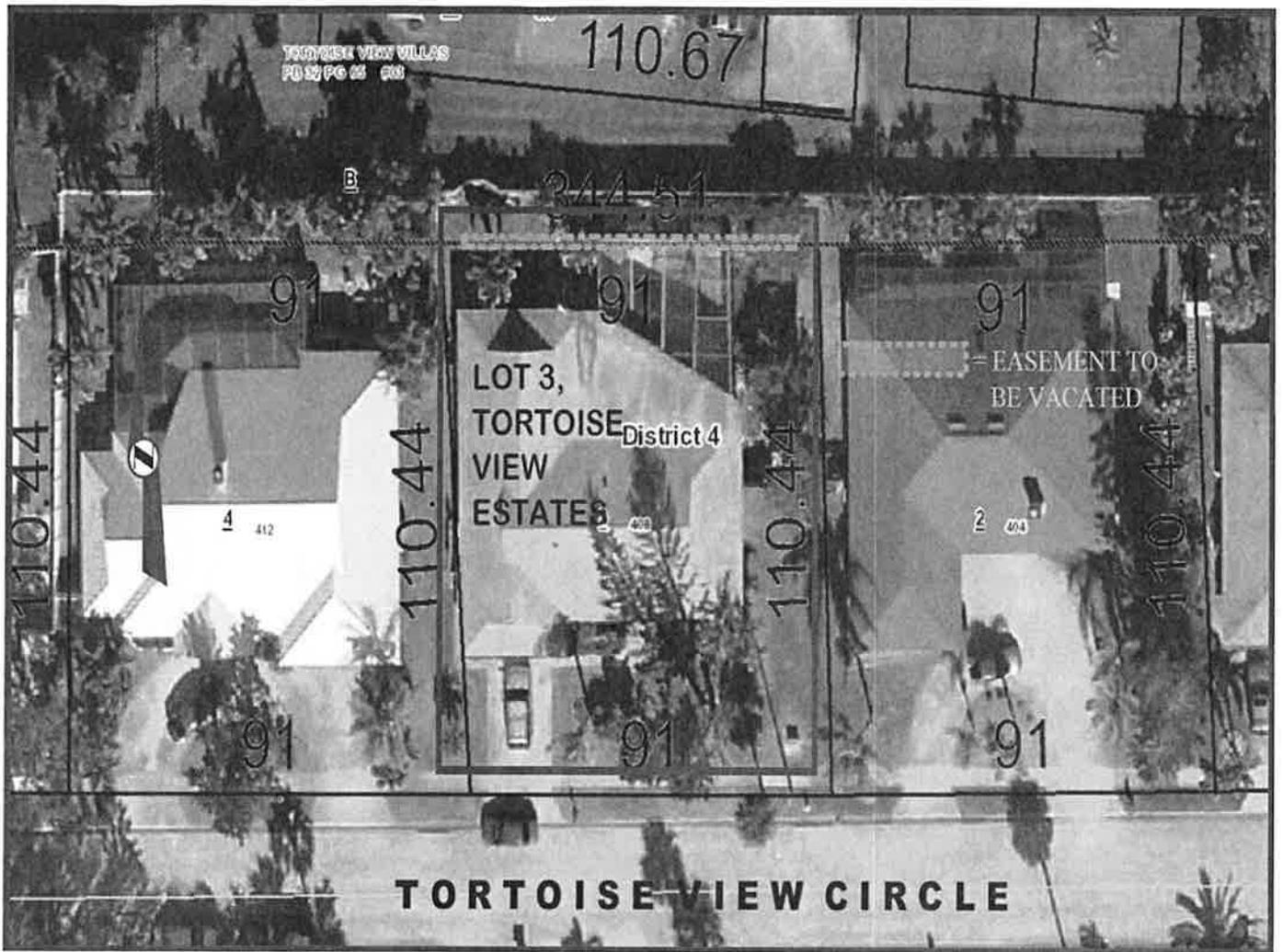
**Additional Extra Features**

No Data Found



VICINITY MAP

Virgil & Heidi Bon – 408 Tortoise View Circle, Satellite Beach, FL – Lot 3, Tortoise View Estates (Plat Book 28, Page 22) – Section 27, Township 26 South, Range 37 East – District 4 – Proposed Easement Vacating



## AERIAL MAP

Virgil & Heidi Bon – 408 Tortoise View Circle, Satellite Beach, FL – Lot 3, Tortoise View Estates (Plat Book 28, Page 22) – Section 27, Township 26 South, Range 37 East – District 4 – Proposed Easement Vacating



**This Warranty Deed** Made and executed the 11th day of July A. D. 19 84 by  
SATELLITE DEVELOPMENT CORPORATION, a Florida Corporation

a corporation existing under the laws of the State of Florida, and having its principal place of  
business at 675 Hedgecock Square, Satellite Beach, Florida 32937  
hereinafter called the grantor, to

VIRGIL D. BON and HEIDI K. BON, his wife  
whose postoffice address is 408 Tortoise View Circle North, Satellite Beach, Florida  
32937  
hereinafter called the grantees:

(Wherever used herein the terms "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 \$ 10.00 and other  
valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell,  
alien, remise, release, convey and confirm unto the grantees, all that certain land situate in Brevard  
County, Florida, viz:

Lot 3, TORTOISE VIEW ESTATES, according to the Plat  
thereof, as recorded in Plat Book 28, Page 22, Public  
Records of Brevard County, Florida.

Subject to taxes and assessments for the year 1984 and subsequent years.  
Subject to restrictions, easements and covenants of record.  
Subject to applicable zoning rules and regulations.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any-  
wise appertaining.

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

**And** the grantor hereby covenants with said grantees that it is lawfully seized of said land in fee  
simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully war-  
rants 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 those taxes and assessments accruing  
subsequent to December 31, 1983.

REC FEE	\$ 5.00	RECO PAYMENT AS
DOC ST	\$ 23.25	INDICATES FIP CLASS
INT TAX	\$	INTANGIBLE & SEC
SER CHG	\$	CHANGABLE SCHED
REFUND	\$	

**In Witness Whereof,** the grantor has caused these presents to  
be executed in its name, and its corporate seal to be hereunto affixed, by its  
proper officers thereunto duly authorized, the day and year first above written.



ATTEST \_\_\_\_\_ Secretary

SATELLITE DEVELOPMENT CORPORATION

Signed, sealed and delivered in the presence of:

Donathey R. Allen

By Frank Pangallo President

STATE OF FLORIDA  
COUNTY OF BREVARD

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State and County aforesaid to take acknowledgments,  
personally appeared Frank Pangallo

well known to me to be the President and  
in the foregoing deed, and that they solemnly acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily  
under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal on the County and State last aforesaid this 11th day of July, A. D. 1984.

This Instrument prepared by:  
Address  
RETURN TO:  
STATE TITLE AND GUARANTY CO., INC  
25 WEST NEW HAVEN AVENUE  
P. O. BOX 2405  
MELBOURNE, FL 32901

[Signature]  
Notary Public, State of Florida  
My Commission Expires Dec. 18, 1984

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# LEGAL DESCRIPTION

SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST

PARCEL ID NUMBER: 26-37-27-02-\*3

PURPOSE OF SKETCH AND DESCRIPTION: VACATING OF EASEMENT

SHEET 1 OF 2

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION OF VACATING EASEMENT

THE SOUTH 2.5 FEET OF THE NORTH 7.5 FEET,  
LESS THE EAST AND WEST 7.5 FEET OF LOT 3,  
TORTOISE VIEW ESTATES, ACCORDING TO THE  
PLAT THEREOF, AS RECORDED IN PLAT BOOK 28,  
PAGE 22, OF THE PUBLIC RECORDS OF BREVARD  
COUNTY, FLORIDA,  
CONTAINING 190 SQUARE FEET, MORE OR LESS.

## SURVEYOR'S NOTES

1. Unless otherwise noted, only platted easements are shown hereon.
2. P.U.D.E. denotes Public Utilities and Drainage Easement. P.U.E. denotes Public Utilities Easement.
3. No underground utilities or improvements were located unless otherwise shown.
4. Bearings shown hereon are based on the Right of Way of Tortoise View Circle, being N 89°15'07" E according to the plat described hereon, and may not be a True North Azimuth.
5. This site appears to lie within F.I.R.M. Zone "X" per Community Panel Number 12009C 05286, dated 03/17/14.
6. This is not a Survey.
7. Improvements shown hereon are based on a Boundary Survey prepared by Layout Services, Inc., dated 3/22/18, Project Number: 18-83.

PREPARED FOR: BREVARD COUNTY, FLORIDA  
VIRGIL BON

PREPARED BY: LAYOUT SERVICES, INC. LB7540  
ADDRESS: 3380 S PARK AVENUE SUITE 7  
TITUSVILLE, FL 32780  
PHONE: 321-759-2779



DRAWN BY: JZ

CHECKED BY: AR

DRAWING NO. 18-83

SECTION 27

DATE: 10/23/18

SHEET 1 OF 2

REVISIONS 10/23/18

TOWNSHIP 26 SOUTH

RANGE 37 EAST

PETITIONER'S SKETCH & DESCRIPTION  
SHEET 1 OF 2

# SKETCH OF DESCRIPTION

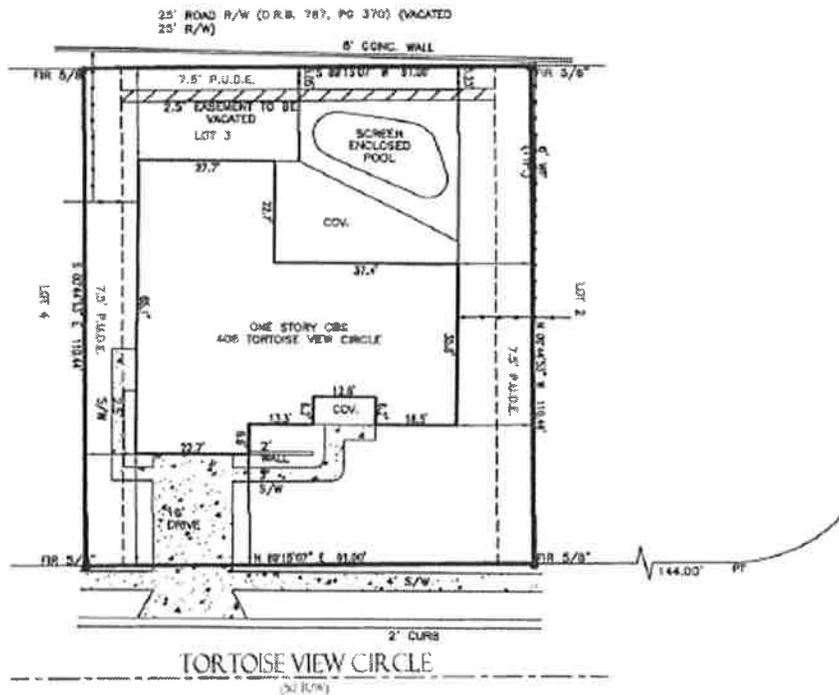
SHEET 2 OF 2  
NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2

SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST

PARCEL ID NUMBER: 26-37-27-02-A-3



SCALE: 1" = 30'



### LEGEND



DENOTES AREA TO BE VACATED

### ABBREVIATIONS

- P/S/M PROFESSIONAL SURVEYOR & MAPPER
- S/R 3/4" IRON ROD
- F/R FOLDED IRON REINFORCING
- R/W RIGHT OF WAY
- F/R/M FEDERAL INSURANCE RATE MAP
- P/U/D/E PUBLIC UTILITIES AND/OR DRAINAGE EASEMENT
- CBS CONCRETE BLOCK STRUCTURE
- BSF BLOCK SURFACE FINISH
- S/W SIDEWALK
- A/C AIR CONDITIONING
- COV COVERED
- T/P TYPICAL
- INC INCORPORATED
- CONC CONCRETE

SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST

PROJECT NO. 18-83  
PREPARED BY : LAYOUT SERVICES, INC.

# PETITIONER'S SKETCH & DESCRIPTION

## SHEET 2 OF 2



AD#3226010, 10/29/2018 LEGAL NOTICE NOTICE TO VACATE A PORTION OF A 7.5 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, "TORTOISE VIEW ESTATES" IN SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST, SATELLITE 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 VIRGIL D. AND HEIDI K. BON with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THE SOUTH 2.5 FEET OF THE NORTH 7.5 FEET, LESS THE EAST AND WEST 7.5 FEET OF LOT 3, TORTOISE VIEW ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 22, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 190 SQUARE FEET, MORE OR LESS. PREPARED BY: JAMES ZIMMERMAN, 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 November 13, 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**