



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

File #: 743, Version: 1

H.5.

### Subject:

Petition to Vacate Public Right-of-Way - Third Ave., Micco - James A. Culp, III (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 right-of-way centered adjacent to Lot 1, Block 27, "San Sebastian Plat No. 1" in Section 23, Township 30 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 8636, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements.

The petitioner owns Lot 1 and is requesting the vacating of the 70.00 ft. wide public right-of-way adjacent to the lot to allow for a shed and enhanced landscaping. Right-of-way to be vacated contains 0.232 acres, more or less.

September 02, 2019, 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.

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 000230265 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.



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 4, 2019

MEMORANDUM

TO: Corrina Gumm, Interim Public Works Director Attn: Amber Holley

RE: Advertising Bills for Resolution Vacating Part of a Public Right-of-Way in San Sebastian Plat No. 1 Subdivision, Micco

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-168, vacating part of a public right-of-way in San Sebastian Plat No.1 Subdivision, Micco, as petitioned by James A. Culp, III. Said Resolution was adopted by the Board of County Commissioners, in regular session on September 17, 2019.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Donna Scott*  
for Tammy Rowe, Deputy Clerk

/kp

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 4, 2019

James A. Culp, III  
3939 11<sup>th</sup> Street  
Micco, FL 32976

Dear James A. Culp, III:

Re: Resolution Vacating Part of a Public Right-of-Way in San Sebastian Plat No. 1  
Subdivision, Micco

The Board of County Commissioners, in regular session on September 17, 2019, adopted Resolution No. 19-168, vacating part of a public right-of-way in San Sebastian Plat No. 1 Subdivision, Micco, as petitioned by you. Said Resolution has been recorded in ORBK 8552, Pages 1026 through 1030; and two utility easements recorded in ORBK 8552, Pages 1031 through 1033 and ORBK 8552 through 1034 through 1036. Enclosed is a certified copy of the recorded Resolution and easements for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*for Danna Scott*  
Tammy Rowe, Deputy Clerk

/kp

Encl. (3)

cc: Amber Holley, Public Works

Resolution 2019 - 168

**Vacating a part of a public Right-of-Way in "San Sebastian Plat No. 1" Subdivision, Micco, Florida, lying  
in Section 23, Township 30 South, Range 38 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JAMES A. CULP, III** with the Board of County Commissioners to vacate a portion of a public 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 of the public right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of the public 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 17<sup>TH</sup> day of September, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:  
September 17, 2019

**BOUNDARY SURVEY**

SECTION 23, TOWNSHIP 30 SOUTH, RANGE 38 EAST

NOT VALID WITHOUT THE SKETCH  
ON SHEET 2 OF 2

PURPOSE  
OF SURVEY: VACATE PORTION OF RIGHT OF WAY

LEGAL DESCRIPTION:

THAT PORTION OF THIRD AVENUE (70' RIGHT OF WAY) AS SHOWN ON PLAT NO. 1 OF SAN SEBASTIAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING BOUND ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF 11TH STREET OF SAID PLAT, AND ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 27 OF SAID PLAT.  
CONTAINING 0.232 ACRES.

SURVEYORS NOTES:

- 1.) BEARINGS BASED ON THE ASSUMPTION THAT THE SOUTH RIGHT OF WAY LINE OF 11TH STREET BEARS S89°38'15"E PER PLAT NO. 1 OF SAN SEBASTIAN.
- 2.) NO ID DENOTES NO IDENTIFICATION.



WSUITER@ATT.NET WJSUITER.COM

PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE  
WILLIAM J. SUITER FLORIDA CERTIFICATE NO. 4210  
CERTIFICATE OF AUTHORIZATION #LB 5419



DATE OF SIGNATURE

NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: JAMES A. CULP, III

PREPARED BY: WILLIAM J. SUITER LAND SURVEYING, INC.  
ADDRESS: 1849 CANOVA STREET SE, PALM BAY, FLORIDA 32909  
PHONE: (321) 728-0553





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

AD #3766352 9/2/2019  
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF THE UNOPENED, 70.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF THIRD AVENUE, PLAT OF "PLAT NO. 1 OF SAN SEBASTIAN" PLAT BOOK 8, PAGE 15, IN SECTION 23, TOWNSHIP 30 SOUTH, RANGE 38 EAST, MICCO, 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 JAMES A. CULP, III with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF THIRD AVENUE (70' RIGHT OF WAY) AS SHOWN ON PLAT NO. 1 OF SAN SEBASTIAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING BOUND ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF 11TH STREET OF SAID PLAT, AND ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 27 OF SAID PLAT, CONTAINING 0.232 ACRES MORE OR LESS. PREPARED BY: WILLIAM J. SUITER, 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 9:00 A.M. on September 17, 2019 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.

STATE OF WISCONSIN COUNTY OF BROWN:  
Before the undersigned authority personally appeared Shelly Hora, 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:

09/02/19

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 3th of September 2019, by Shelly Hora who is personally known to me

Shelly Hora  
Affiant

Vicky Felty  
Notary State of Wisconsin County of Brown

9-19-21

My commission expires

Publication Cost: \$213.90  
Ad No: 0003766352  
Customer No: BRE-6BR327





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

AD#3803535 9/25/2019
LEGAL NOTICE

RESOLUTION VACATING A PART OF A
PUBLIC UTILITY AND DRAINAGE EASE-
MENT IN SAN SEBASTIAN PLAT NO.1
SUBDIVISION, LYING IN SECTION 23,
TOWNSHIP 30 SOUTH, RANGE 38 EAST,
MICCO - JAMES A. CULP, III

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
17th day of September 2019, the Board
of County Commissioners of Brevard
County, Florida, adopted a Resolution
vacating a part of a public utility and
drainage easement in San Sebastian Plat
No. 1 Subdivision, lying in Section 23,
Township 30 South, Range 38 East,
Micco, as petitioned by James A. Culp,
III.

THAT PORTION OF THIRD AVENUE (70'
RIGHT OF WAY) AS SHOWN ON PLAT
NO. 1 OF SAN SEBASTIAN, ACCORDING
TO THE PLAT THEREOF AS RECORDED IN
PLAT BOOK 8, PAGE 16 OF THE PUBLIC
RECORDS OF BREVARD COUNTY, FLORIDA,
BEING BOUND ON THE NORTH BY
THE SOUTH RIGHT OF WAY LINE OF
11TH STREET OF SAID PLAT, AND ON
THE SOUTH BY THE EASTERLY EXTEN-
SION OF THE SOUTH LINE OF LOT 1,
BLOCK 27 OF SAID PLAT, CONTAINING
0.232 ACRES MORE OR LESS, PREPARED
BY: WILLIAM J. SUITER, P.S.M.

The Board further renounced and dis-
claimed any right of the County in and
to said 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
Joe Heynen 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 NOTICE

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

9/25/19

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 25th of
September 2019, by Joe Heynen who is personally
known to me

[Signature]

Affiant

[Signature: Nancy Heyrman]
Notary State of Wisconsin County of Brown
5-15-23

My commission expires

NANCY HEYRMAN
Notary Public
State of Wisconsin

Publication Cost \$142.18
Ad No: 0003803535
Customer No: BRE-6BR327

Work Request No. N/A  
Sec. 23, Twp 30 S, Rge 38 E

**EASEMENT  
(INDIVIDUAL)**

This Instrument Prepared By

CFN 2019214368, OR BK 8552 PAGE 1031  
Recorded 10/01/2019 at 11:43 AM, Scott Ellis, Clerk of  
Courts, Brevard County  
Doc D: \$0.70 # Pgs:3

Parcel I.D. 30-38-23-HH-27-1 Name: \_\_\_\_\_  
(Maintained by County Appraiser)

Name: Luis M. Beltran  
Co. Name: Florida Power & Light Co.  
Address: 9001 Ellis Rd  
Melbourne, FL 32904

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on August 3rd, 2019

Signed, sealed and delivered in the presence of:

Mary Claire Patterson  
(Witness' Signature)

Print Name: Mary Claire Patterson  
(Witness)

Maria Alderton  
(Witness' Signature)

Print Name: maria Alderton  
(Witness)

By: \_\_\_\_\_

Print Name: James A Culp III

Print Address: 3939 11th St  
Mico, FL 32976

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

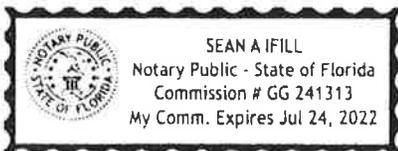
Print Address: \_\_\_\_\_

STATE OF Florida AND COUNTY OF Indian River. The foregoing instrument was acknowledged before me this 3rd day of August, 2019, by James A Culp III, and \_\_\_\_\_ who is (are) personally known to me or has (have) produced Florida Driver Lic as identification, and who did (did-not) take an oath.  
(Type of Identification)

My Commission Expires:

Sean A. Ifill  
Notary Public, Signature

Print Name Sean A. Ifill



LEGAL DESCRIPTION

SECTION 23, TOWNSHIP 30 SOUTH, RANGE 38 EAST

NOT VALID WITHOUT THE SKETCH  
ON SHEET 2 OF 2

PURPOSE OF SURVEY: FLORIDA POWER AND LIGHT COMPANY (FPL) EASEMENT

LEGAL DESCRIPTION:

THAT PORTION (HATCHED) OF THE FOLLOWING DESCRIBED EASEMENT LYING WITHIN THE WEST 1/2 OF THIRD AVENUE (70' RIGHT OF WAY) AS SHOWN ON PLAT NO. 1 OF SAN SEBASTIAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

AN EASEMENT 10.00 FOOT IN WIDTH LYING WITHIN THIRD AVENUE (70' RIGHT OF WAY) AS SHOWN ON PLAT NO. 1 OF SAN SEBASTIAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING BOUND ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF 11TH STREET OF SAID PLAT, ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 27 OF SAID PLAT AND ON THE EAST BY THE EAST RIGHT OF WAY LINE OF SAID THIRD AVENUE, THE CENTERLINE OF SAID 10.00 FOOT EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF SAID 11TH STREET WITH THE CENTERLINE OF SAID THIRD AVENUE; THENCE S89°38'15"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 11.20 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF THE 10.00 FOOT WIDE EASEMENT DESCRIBED HEREIN; THENCE S07°04'06"E ALONG SAID CENTERLINE A DISTANCE OF 115.60 FEET; THENCE N85°47'39"W CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 18.86 FEET; THENCE S85°47'39"E CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 18.86 FEET; THENCE S07°04'06"E CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 17.52 FEET TO THE SAID EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 27; THENCE N07°04'06"W CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 17.52 FEET; THENCE S86°52'40"E CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 51.52 FEET TO THE EAST RIGHT OF WAY LINE OF SAID THIRD AVENUE AND THE TERMINUS OF THE 10.00 FOOT WIDE EASEMENT DESCRIBED HEREIN.

SURVEYORS NOTES:

- 1.) BEARINGS BASED ON THE ASSUMPTION THAT THE SOUTH RIGHT OF WAY LINE OF 11TH STREET BEARS S89°38'15"E PER PLAT NO. 1 OF SAN SEBASTIAN.



WSUITER@ATT.NET WJSUITER.COM

PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE  
WILLIAM J. SUITER FLORIDA CERTIFICATE NO. 4210  
CERTIFICATE OF AUTHORIZATION #LB 5419

8-2-19

DATE OF SIGNATURE

NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: JAMES A. CULP, III

PREPARED BY: WILLIAM J. SUITER LAND SURVEYING, INC.  
ADDRESS: 1849 CANOVA STREET SE, PALM BAY, FLORIDA 32909  
PHONE: (321) 728-0553

DATE: 8-1-19

SECTION 23, TOWNSHIP 30 SOUTH, RANGE 38 EAST

DRAWING NO. 19-117FPLW(1)



Work Request No. N/A

Sec. 23, Twp 30 S, Rge 38 E

Parcel I.D. 30-38-23-NH-2B-13  
(Maintained by County Appraiser)

### EASEMENT (INDIVIDUAL)

This Instrument Prepared By

Name: Luis M. Beltran  
Co. Name: Florida Power & Light Co.  
Address: 9001 Ellis Rd  
Melbourne, FL 32904

CFN 2019214369, OR BK 8552 PAGE 1034,  
Recorded 10/01/2019 at 11:43 AM, Scott Ellis, Clerk of  
Courts, Brevard County  
Doc D: \$0.70 # Pgs.3

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on August 3rd, 2019

Signed, sealed and delivered in the presence of:

Mary Claire Patterson  
(Witness' Signature)

Print Name: Mary Claire Patterson  
(Witness)

Maria Alderton  
(Witness' Signature)

Print Name: Maria Alderton  
(Witness)

By: Salvatore Costantini

Print Name: SALVATRICE COSTANTINI

Print Address: 3955 11 ST  
MICCO, FL 32976

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

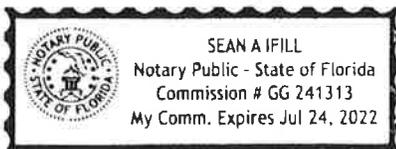
Print Address: \_\_\_\_\_

STATE OF Florida AND COUNTY OF Indian River. The foregoing instrument was acknowledged before me this 3rd day of August, 2019, by Costantini Salvatrice, and \_\_\_\_\_ who is (are) personally known to me or has (have) produced Florida Driver License as identification, and who did (did not) take an oath.  
(Type of Identification)

My Commission Expires:

Sean Ifill  
Notary Public, Signature

Print Name Sean Ifill



LEGAL DESCRIPTION

SECTION 23, TOWNSHIP 30 SOUTH, RANGE 38 EAST

NOT VALID WITHOUT THE SKETCH  
ON SHEET 2 OF 2

PURPOSE OF SURVEY: FLORIDA POWER AND LIGHT COMPANY (FPL) EASEMENT

LEGAL DESCRIPTION:

THAT PORTION (HATCHED) OF THE FOLLOWING DESCRIBED EASEMENT LYING WITHIN THE EAST 1/2 OF THIRD AVENUE (70' RIGHT OF WAY) AS SHOWN ON PLAT NO. 1 OF SAN SEBASTIAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

AN EASEMENT 10.00 FOOT IN WIDTH LYING WITHIN THIRD AVENUE (70' RIGHT OF WAY) AS SHOWN ON PLAT NO. 1 OF SAN SEBASTIAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING BOUND ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF 11TH STREET OF SAID PLAT, ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 27 OF SAID PLAT AND ON THE EAST BY THE EAST RIGHT OF WAY LINE OF SAID THIRD AVENUE, THE CENTERLINE OF SAID 10.00 FOOT EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF SAID 11TH STREET WITH THE CENTERLINE OF SAID THIRD AVENUE; THENCE S89°38'15"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 11.20 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF THE 10.00 FOOT WIDE EASEMENT DESCRIBED HEREIN; THENCE S07°04'06"E ALONG SAID CENTERLINE A DISTANCE OF 115.60 FEET; THENCE N85°47'39"W CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 18.86 FEET; THENCE S85°47'39"E CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 18.86 FEET; THENCE S07°04'06"E CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 17.52 FEET TO THE SAID EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 27; THENCE N07°04'06"W CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 17.52 FEET; THENCE S86°52'40"E CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 51.52 FEET TO THE EAST RIGHT OF WAY LINE OF SAID THIRD AVENUE AND THE TERMINUS OF THE 10.00 FOOT WIDE EASEMENT DESCRIBED HEREIN.

SURVEYORS NOTES:

- 1.) BEARINGS BASED ON THE ASSUMPTION THAT THE SOUTH RIGHT OF WAY LINE OF 11TH STREET BEARS S89°38'15"E PER PLAT NO. 1 OF SAN SEBASTIAN.



WSUITER@ATT.NET WJSUITER.COM

PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE  
WILLIAM J. SUITER FLORIDA CERTIFICATE NO. 4210  
CERTIFICATE OF AUTHORIZATION #LB 5419



PREPARED FOR: VINCENT COSTANTINI  
SALLY COSTANTINI

DATE OF SIGNATURE

NOT VALID UNLESS SIGNED AND SEALED

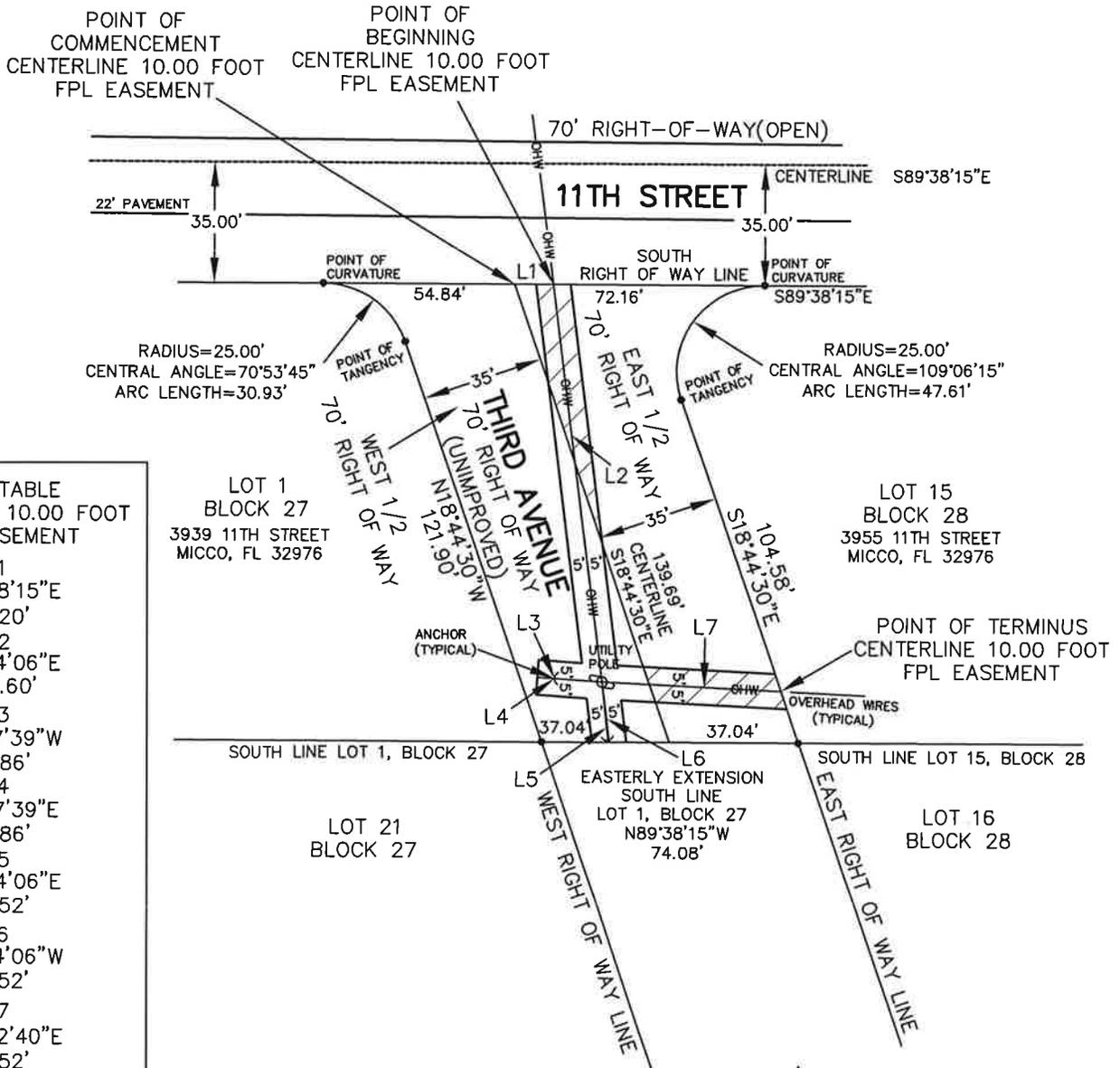
PREPARED BY: WILLIAM J. SUITER LAND SURVEYING, INC.  
ADDRESS: 1849 CANOVA STREET SE, PALM BAY, FLORIDA 32909  
PHONE: (321) 728-0553

DATE: 8-1-19	SECTION 23, TOWNSHIP 30 SOUTH, RANGE 38 EAST	DRAWING NO.19-117FPLE(1)
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SKETCH OF DESCRIPTION

SECTION 23, TOWNSHIP 30 SOUTH, RANGE 38 EAST

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2



**WJS** WILLIAM J. SUITER  
**LAND SURVEYING, INC.**

WSUITER@ATT.NET WJSUITER.COM



SCALE: 1"=50'  
 F.A.C.  
 CHAPTER 5J-17

PROJECT NO.: 19-117FPLE(2)

PREPARED BY: WILLIAM J. SUITER  
 LAND SURVEYING, INC.