



AGENDA REPORT  
August 20, 2019

**Petition to Vacate Public Utility Easements-Barefoot bay-Billy Joe  
Vandaveer-(District 3)**

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**SUBJECT:**

Petition to Vacate, Re: Public Utility and Drainage Easement – 644 Marlin Circle–“Barefoot Bay Unit One”–Barefoot Bay–Billy Joe Vandaveer–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 utility and drainage easement centered along the common line between Lots 28 and 29, Block 11 “Barefoot Bay Unit One” in Section 15, 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 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements.

The petitioner owns Lots 28 and 29 and is requesting the vacating of the two 6.00 ft. wide public utility and drainage easements centered along the common line between the lots to allow for a garage to be built. Easement to be vacated contains 0.02 acres, more or less.

August 05, 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. The property is located in Barefoot Bay as follows: Begin at the intersection of U.S. 1 and Micco Road; thence 0.80 mile east along Micco Road; thence 177 feet south along Brown Road; thence 0.02 miles along N. Marlin Circle to the residence on the west (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

September 12, 2019

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating a Part of a Public Utility and Drainage Easement in Barefoot Bay Unit One Subdivision, Barefoot Bay

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-136, vacating a part of a public utility and drainage easement in Barefoot Bay Unit One Subdivision, Barefoot Bay, as petitioned by Bill J. Vandaveer. Said Resolution was adopted by the Board of County Commissioners, in regular session on August 20, 2019.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

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

September 12, 2019

Bill J. Vandaveer  
6370 N. State Highway H  
Springfield, MO 65803

Dear Mr. Vandaveer:

Re: Resolution Vacating a Part of a Public Utility and Drainage Easement in Barefoot Bay Unit One Subdivision, Barefoot Bay

The Board of County Commissioners, in regular session on August 20, 2019, adopted Resolution No. 19-136, vacating a part of a public utility and drainage easement in Barefoot Bay Unit One Subdivision, Barefoot Bay, as petitioned by you. Said Resolution has been recorded in ORBK 8531, Pages 2436 through 2440. 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

/kp

Encl. (1)

cc: Amber Holley, Public Works

COPY

Resolution 2019 - 136

**Vacating a part of a public utility and drainage easement in "Barefoot Bay Unit One" Subdivision,  
Barefoot Bay, Florida, lying in Section 15, Township 30 South, Range 38 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **BILLY JOE VANDAVEER** 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 20<sup>TH</sup> day of August, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:  
August 20, 2019

Resolution 2019 - 136

**Vacating a part of a public utility and drainage easement in "Barefoot Bay Unit One" Subdivision,  
Barefoot Bay, Florida, lying in Section 15, Township 30 South, Range 38 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **BILLY JOE VANDAVEER** 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 20<sup>TH</sup> day of August, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:  
August 20, 2019

**LEGAL DESCRIPTION:**

SECTION 15, TOWNSHIP 30 SOUTH RANGE 38 EAST

PARCEL I.D. NUMBER: 30-38-15-01-11-29

NOT A BOUNDARY SURVEY

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

PURPOSE OF SKETCH AND DESCRIPTION: TO VACATE A PORTION OF THE  
6.00 FOOT WIDE PUBLIC UTILITY EASEMENT ADJOINING LOTS 28 AND 29, BLOCK 11,  
BAREFOOT BAY UNIT ONE.

**LEGAL DESCRIPTION:**

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY 6.00 FEET OF LOT 28,  
AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY 6.00 FEET OF  
LOT 29, BLOCK 11, BAREFOOT BAY UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED  
IN PLAT BOOK 22, PAGES 100 THROUGH 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY  
FLORIDA, LESS AND EXCEPT THE WESTERLY 6.00 FEET AND THE EASTERLY 10.00 FEET  
OF SAID EASEMENT.

CONTAINING 0.02 ACRES, MORE OR LESS

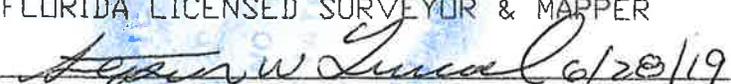
**SURVEYOR'S NOTES:**

- 1.) NO TITLE OR ABSTRACT RESEARCH  
WAS PERFORMED BY OR PROVIDED  
TO THE UNDERSIGNED SURVEYOR,  
LEGAL DESCRIPTION PROVIDED BY CLIENT.
- 2.) DIMENSIONS ARE AS PLATTED AND  
SURVEYED UNLESS OTHERWISE NOTED.
- 3.) NO IMPROVEMENTS LOCATED OR  
SURVEYED UNLESS SHOWN ON DRAWING.
- 6.) THIS SKETCH IS NOT A BOUNDARY SURVEY.

PREPARED FOR:  
**BILL VANDAVEER**  
**#644 MARLIN CIRCLE**  
**BAREFOOT BAY, FLORIDA 32976**

SHEET 1 OF 2

NOT VALID WITHOUT THE SIGNATURE  
AND ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR & MAPPER

  
Stephen W. Quesnel, P.L.S.  
Professional Surveyor and Mapper #5306

**Stephen W. Quesnel**  
Professional Land Surveyor

2417 Quimper Ave., SE  
Palm Bay, Florida 32909  
321-723-0702

6/4/19  
DATE

19-26-3  
MAP NUMBER

SECTION 15  
TOWNSHIP 30  
RANGE 38



A Daily Publication By:



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

AD#3712675 08/05/2019

LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF TWO 6.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "BAREFOOT BAY UNIT ONE", PLAT BOOK 22, PAGES 100-104, LYING IN SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, FL

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

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 BILLY JOE VANDAVEER with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY 6.00 FEET OF LOT 28, AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY 6.00 FEET OF LOT 29, BLOCK 11, BAREFOOT BAY UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THROUGH 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, LESS AND EXCEPT THE WESTERLY 6.00 FEET AND THE EASTERLY 0.02 ACRES, MORE OR LESS, PREPARED BY: STEPHEN W. QUESNEL, PSM.

Legal Notices

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

08/05/19

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.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on August 20, 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.

Sworn to and Subscribed before me this 5th of August 2019, by Shelly Hora who is personally known to me

[Signature of Shelly Hora]
Affiant

[Signature of Vicky Felty]
Notary State of Wisconsin County of Brown

9/19/21
My commission expires



Publication Cost: \$217.16
Ad No: 0003712675
Customer No: BRE-6BR327

A Daily Publication By:



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

AD#3749019 8/25/2019  
LEGAL NOTICE

RESOLUTION VACATING A PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN BAREFOOTBAY UNIT ONE SUBDIVISION LYING IN SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY - BILLY JOE VANDAVEER

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 20th day of August 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of a public utility and drainage easement in Barefoot Bay Unit One Subdivision, lying in Section 15, Township 30 South, Range 38 East, Barefoot Bay, as petitioned by Billy Joe Vandaveer.

SEE ATTACHED EXHIBIT "A"

LEGAL DESCRIPTION:

EXHIBIT "A"

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY 6.00 FEET OF LOT 28, AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY 6.00 FEET OF LOT 29, BLOCK 11, BAREFOOTBAY UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THROUGH 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, LESS AND EXCEPT THE WESTERLY 6.00 FEET AND THE EASTERLY 10.00 FEET OF SAID EASEMENT. CONTAINING 0.02 ACRES, MORE OR LESS. PREPARED BY: STEPHEN W. QUESNEL, PSM.

The Board further renounced and disclaimed 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 WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared Aura Rubel, 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:

08/25/19

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 coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 27th of August 2019, by Aura Rubel who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$215.50  
Ad No: 0003749019  
Customer No: BRE-6BR327



# Appraiser's Detail Sheet 1 of 2



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

Phone: (321) 264-0700  
<https://www.bcpao.us>

## PROPERTY DETAILS

Account	3007064
Owners	Billy Joe Vandaveer Trust
Mailing Address	6370 N Highway H Springfield MO 65803
Site Address	642 Marlin Cir Barefoot Bay FL 32976
Parcel ID	30-38-15-01-11-28
Property Use	0020 - Vacant Mobile Home Site (Platted)
Exemptions	None
Taxing District	3400 - Unincorp District 3
Total Acres	0.11
Subdivision	Barefoot Bay Unit 1
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0022/0100
Land Description	Barefoot Bay Unit 1 Lot 28 Blk 11



### VALUE SUMMARY

Category	2018	2017	2016
Market Value	\$13,000	\$12,500	\$5,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$4,380	\$3,990	\$3,630
Assessed Value School	\$13,000	\$12,500	\$5,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,380	\$3,990	\$3,630
Taxable Value School	\$13,000	\$12,500	\$5,000

### SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/12/2019	\$150,000	WD	Vacant	8416/0634
01/30/1994	\$15,800	WD	Vacant	3375/1040
11/15/1970	-	PT	-	1152/0219

No Data Found

Fig. 1: Copy of Brevard County Property Appraiser's detail sheet for Lot 28, Block 11, Barefoot Bay Unit One, Billy Joe Vandaveer, 642 Marlin Circle, Barefoot Bay, Section 15, Township 30 South, Range 38 East, District 3

# Appraiser's Detail Sheet 2 of 2



## Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

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

### PROPERTY DETAILS

Account	3007065
Owners	Billy Joe Vandaveer Trust
Mailing Address	6370 N Highway H Springfield MO 65803
Site Address	644 Marlin Cir Barefoot Bay FL 32976
Parcel ID	30-38-15-01-11-29
Property Use	0213 - Manufactured Housing - Double Wide
Exemptions	None
Taxing District	3400 - Unincorp District 3
Total Acres	0.11
Subdivision	Barefoot Bay Unit 1
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0022/0100
Land Description	Barefoot Bay Unit 1 Lot 29 Blk 11



### VALUE SUMMARY

Category	2018	2017	2016
Market Value	\$72,710	\$57,580	\$48,940
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$52,660	\$47,880	\$43,530
Assessed Value School	\$72,710	\$57,580	\$48,940
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$52,660	\$47,880	\$43,530
Taxable Value School	\$72,710	\$57,580	\$48,940

### SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/12/2019	\$150,000	WD	Improved	8416/0634
11/01/1991	\$14,500	NN	Improved	3178/2546
09/21/1984	\$7,000	WD	—	2545/2802
09/04/1984	\$5,000	WD	—	2545/2801
07/22/1982	\$5,200	WD	—	2382/0643

### BUILDINGS PROPERTY DATA CARD #1

Building Use: 0213 - Manufactured Housing - Double Wide

Materials		Details	
Exterior Wall:	Vinyl/Aluminum	Year Built	1985
Frame:	Wood Frame	Story Height	8
Roof:	Asph/Asb Shngl	Floors	1
Roof Structure:	Hip/Gable	Residential Units	1
		Commercial Units	0
<b>Sub-Areas</b>		<b>Extra Features</b>	
Base Area (1st)	1,296	Carport	532
Total Base Area	1,296	Screen Enclosure	280
Total Sub Area	1,296	Skirting - Simulated Stone/Brick	150
		Covered Patio	56
		Utility Room	144

Fig. 2: Copy of Brevard County Property Appraiser's detail sheet for Lot 29, Block 11, Barefoot Bay Unit One, Billy Joe Vandaveer, 644 Marlin Circle, Barefoot Bay, Section 15, Township 30 South, Range 38 East, District 3

## Vicinity Map

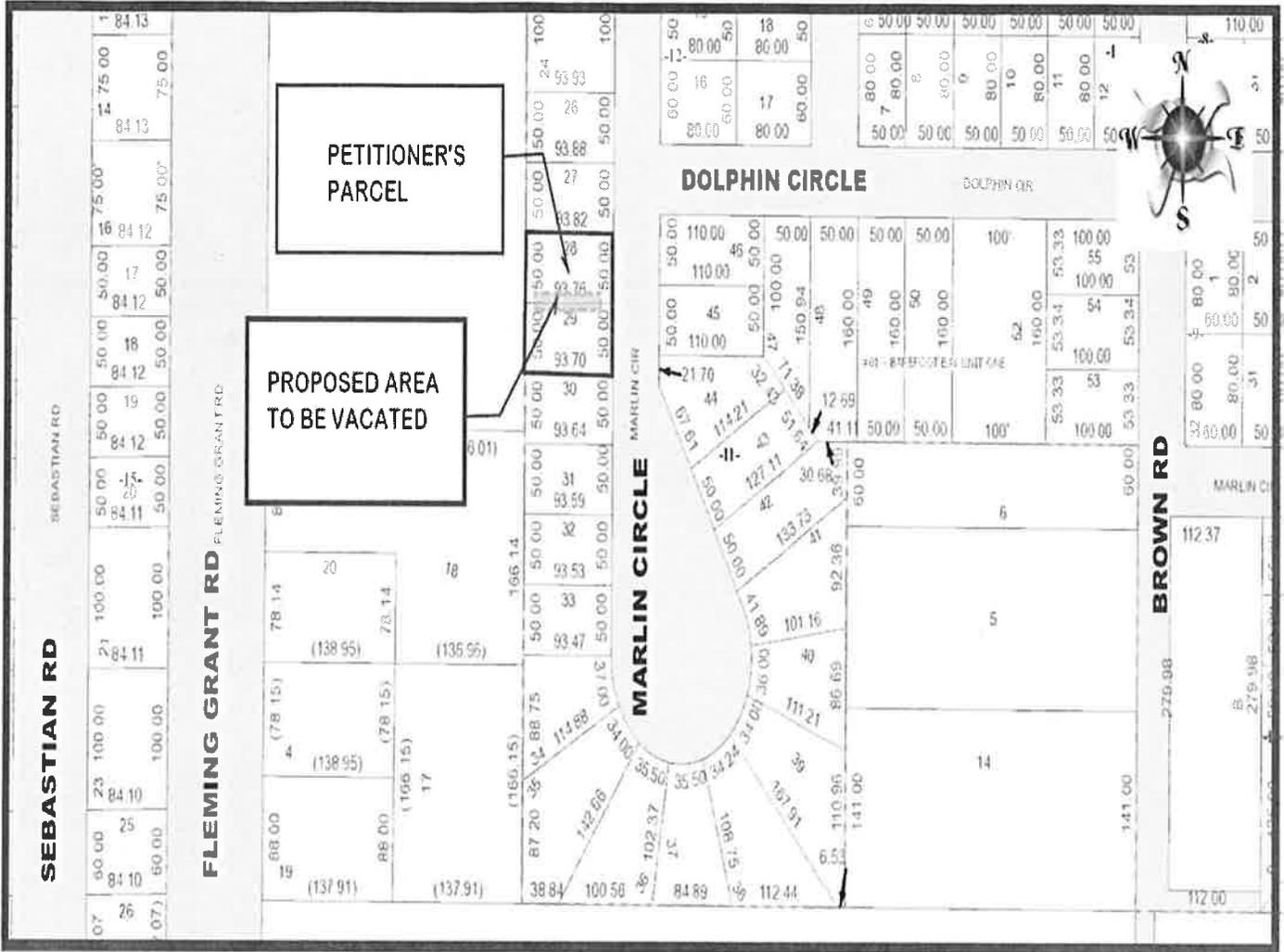


Fig. 3: Map of Lots 28 & 29, Block 11, Barefoot Bay Unit One, 642 & 644 Marlin Circle

**Billy Joe Vandaveer – Lots 28 & 29, Block 11,  
 “Barefoot Bay Unit One” (Plat Book 22, Page 100) –  
 642 & 644 Marlin Circle – Section 15, Township 30  
 South, Range 38 East – District 3 – Proposed Vacating  
 of two 6.0 ft. Wide Public Utility and Drainage  
 Easements along the Common Lot Line**

## Aerial Map

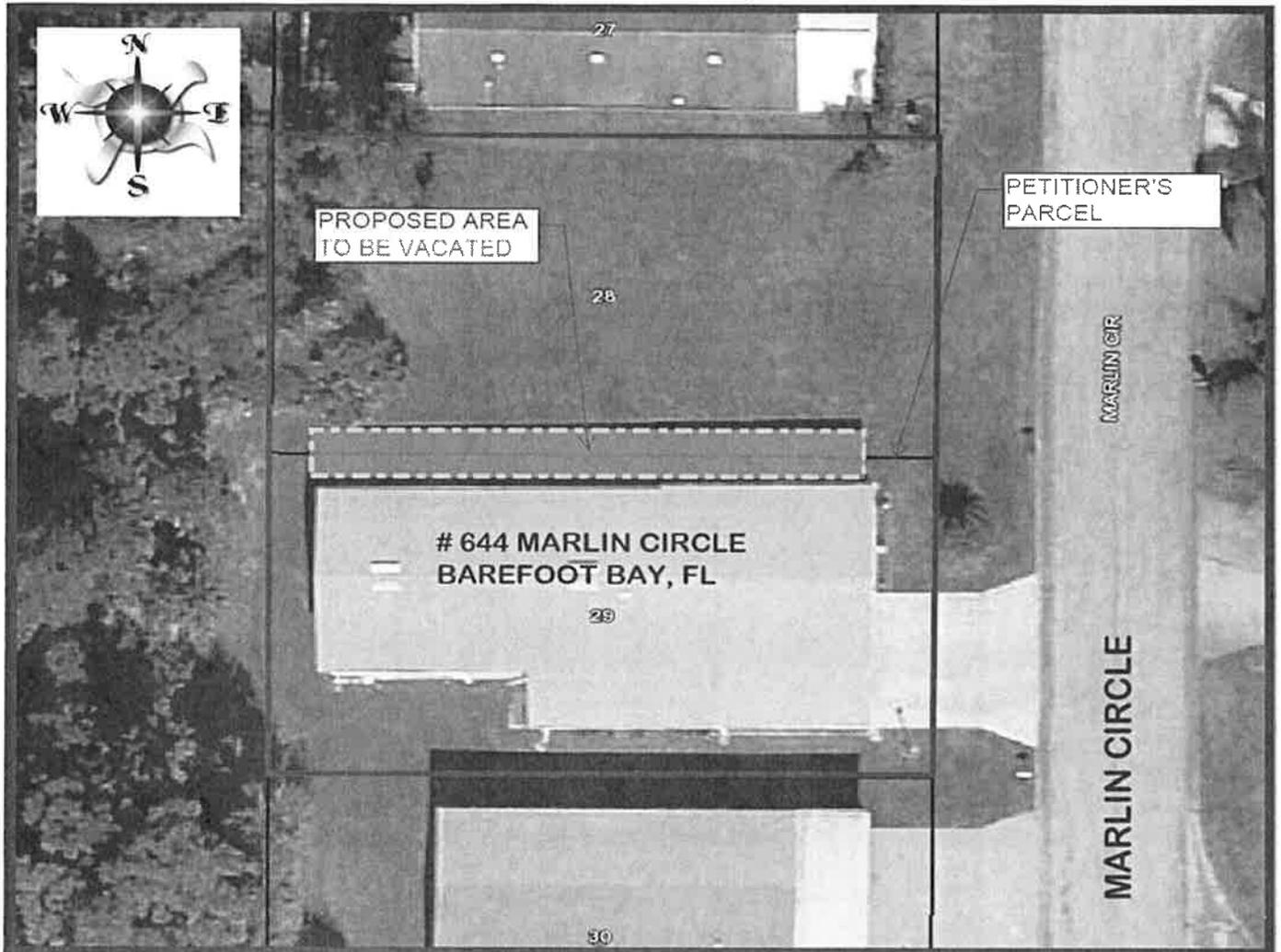


Fig. 4: Map of aerial view of lots 28 & 29, Block 11, Barefoot Bay Unit One, 642 & 644 Marlin Circle

Billy Joe Vandaveer – Lots 28 & 29, Block 11,  
“Barefoot Bay Unit One” (Plat Book 22, Page 100) –  
642 & 644 Marlin Circle – Section 15, Township 30  
South, Range 38 East – District 3 – Proposed Vacating  
of two 6.0 ft. Wide Public Utility and Drainage  
Easements along the Common Lot Line

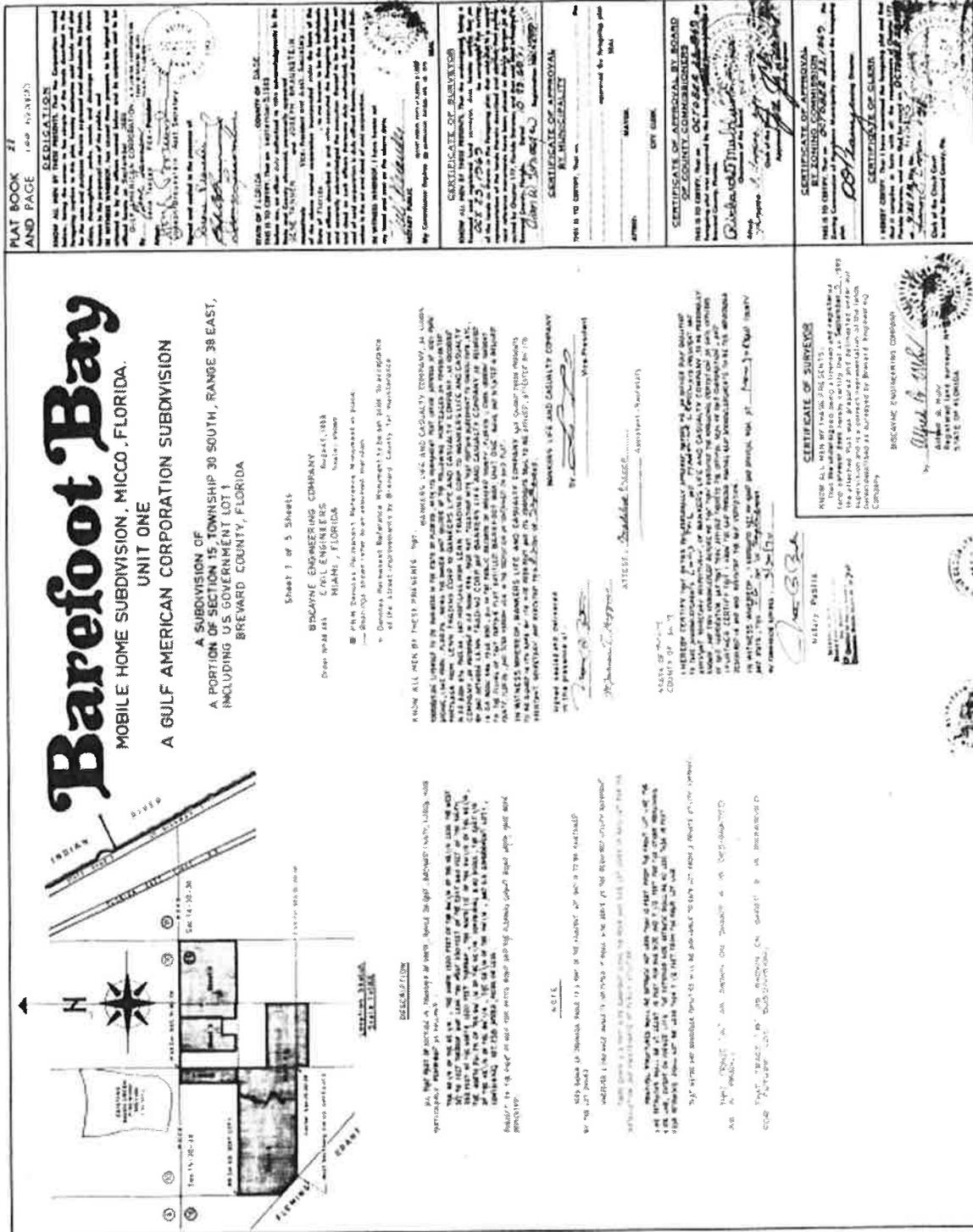


Fig. 5: Copy of plat map "Barefoot Bay Unit One" dedicated to Brevard County September 5, 1969



# Petitioner's Deed

CFN 2019079857, OR BK 8416 Page 634, Recorded 04/17/2019 at 01:59 PM Scott Ellis, Clerk of Courts, Brevard County Doc. D: \$1050.00

This Instrument Prepared by and Return to  
Michelle McClure  
Alliance Title of the Treasure Coast, LLC  
725 Commerce Center Drive  
816 A  
Sebastian, FL 32958  
as a necessary incident to the fulfillment of conditions  
contained in a title insurance commitment issued by it

File No.: 1902894

## WARRANTY DEED

This Warranty Deed, Made the 12<sup>th</sup> day of April, 2019, by Dolores Basler, an unmarried individual whose post office address is 20 Lydia Dr., Plymouth, MA 02360, hereinafter called the "Grantor", to Billy Joe Vandaveer, Trustee of the Billy Joe Vandaveer Trust dated 11/12/2013, whose post office address is: 6370 N Highway H, Springfield, MO 65803, hereinafter called the "Grantee".

**WITNESSETH:** That said Grantor, for and in consideration of the sum of **One Hundred Fifty Thousand Dollars and No Cents (\$150,000.00)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in **Brevard County, Florida**, to wit:

Lot 28, Block 11, Unit 1, Barefoot Bay Subdivision, according to map or plat thereof as recorded in Plat Book 22, Page 100, of the Public Records of Brevard County, Florida.

Lot 29, Block 11, Unit 1, Barefoot Bay Subdivision, according to map or plat thereof as recorded in Plat Book 22, Page 100, of the Public Records of Brevard County, Florida.

Together with said Mobile Home under ID numbers TW252PK17758A and B. Titles have been retired in OR Book 8415, Page 2585, Brevard County, FL. The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

**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.

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 2018, reservations, restrictions and easements of record, if any.

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

**IN WITNESS WHEREOF**, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES  
**TWO SEPARATE DISINTERESTED WITNESSES REQUIRED**

Witness Signature: \_\_\_\_\_  
Printed Name: Michelle McClure

Dolores Basler

Witness Signature: \_\_\_\_\_  
Printed Name: Jeff McClure

State of Florida  
County of Indian River

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of April, 2019 by Dolores Basler, an unmarried individual, who is/are personally known to me or has/have produced driver license(s) as identification.

Notary Public Signature \_\_\_\_\_  
Printed Name: Michelle McClure

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

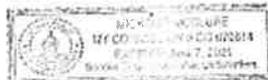


Fig. 7: Copy of deed of sale for lots 28 and 29, Block 11, Barefoot Bay Unit One, 642 & 644 Marlin Circle, Barefoot Bay, FL to Billy Joe Vandaveer on April 12, 2019.



# Petitioner's Sketch & Description Sheet 1 of 2

**LEGAL DESCRIPTION:**

SECTION 15, TOWNSHIP 30 SOUTH RANGE 38 EAST

PARCEL I.D. NUMBER: 30-38-15-01-11-29

NOT A BOUNDARY SURVEY  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

PURPOSE OF SKETCH AND DESCRIPTION: TO VACATE A PORTION OF THE  
6.00 FOOT WIDE PUBLIC UTILITY EASEMENT ADJOINING LOTS 28 AND 29, BLOCK 11,  
BAREFOOT BAY UNIT ONE.

**LEGAL DESCRIPTION:**

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY 6.00 FEET OF LOT 28,  
AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY 6.00 FEET OF  
LOT 29, BLOCK 11, BAREFOOT BAY UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED  
IN PLAT BOOK 22, PAGES 100 THROUGH 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY  
FLORIDA, LESS AND EXCEPT THE WESTERLY 6.00 FEET AND THE EASTERLY 10.00 FEET  
OF SAID EASEMENT.

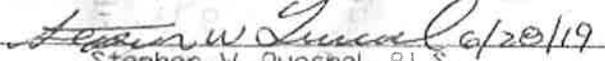
CONTAINING 0.02 ACRES, MORE OR LESS

**SURVEYOR'S NOTES:**

- 1.) NO TITLE OR ABSTRACT RESEARCH  
WAS PERFORMED BY OR PROVIDED  
TO THE UNDERSIGNED SURVEYOR,  
LEGAL DESCRIPTION PROVIDED BY CLIENT.
- 2.) DIMENSIONS ARE AS PLATTED AND  
SURVEYED UNLESS OTHERWISE NOTED.
- 3.) NO IMPROVEMENTS LOCATED OR  
SURVEYED UNLESS SHOWN ON DRAWING.
- 6.) THIS SKETCH IS NOT A BOUNDARY SURVEY.

PREPARED FOR:  
**BILL VANDAVEEP**  
#644 MARLIN CIRCLE  
BAREFOOT BAY, FLORIDA 32976

NOT VALID WITHOUT THE SIGNATURE  
AND ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR & MAPPER

  
Stephen W. Quesnel, P.L.S.  
Professional Surveyor and Mapper #5306

SHEET 1 OF 2

Stephen W. Quesnel Professional Land Surveyor 2417 Quimper Ave., SE Palm Bay, Florida 32909 321-723-0702		
6/4/19 DATE	19-26-3 MAP NUMBER	SECTION 15 TOWNSHIP 30 RANGE 38

Fig. 9: Copy of legal description sheet 1 of 2 for lots 28 and 29, Block 11, Barefoot Bay Unit One.

# Petitioner's Sketch & Description Sheet 2 of 2

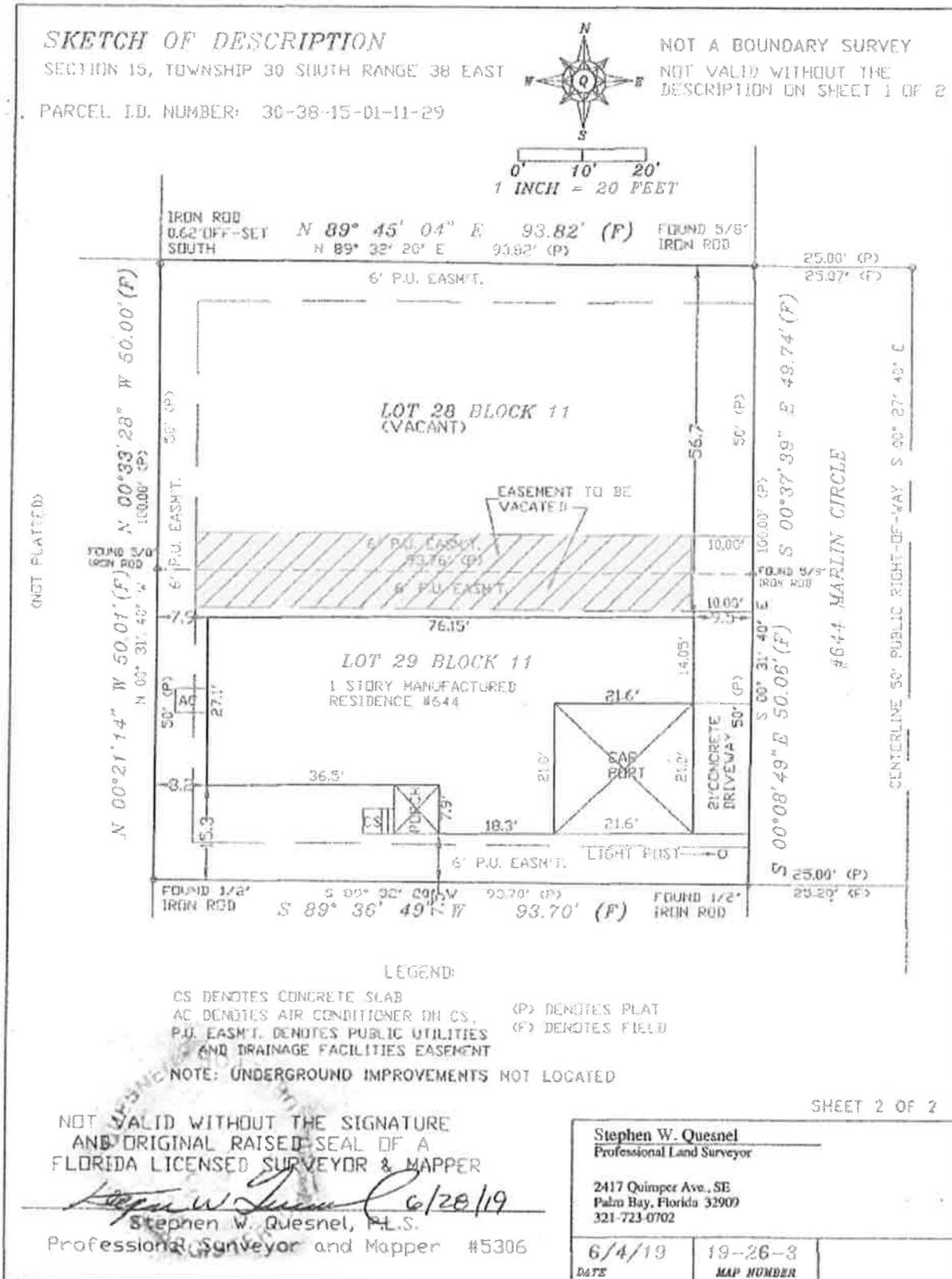


Fig. 10: Copy of sketch sheet 2 of 2 of lots 28 and 29, Block 11, Barefoot Bay Unit One.



## Public Hearing Legal Advertisement

Florida Today | Legal Notices

AD#3712675 08/05/2019 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF TWO 6.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "BAREFOOT BAY UNIT ONE", PLAT BOOK 22, PAGES 100-104, LYING IN SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, 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 BILLY JOE VANDAVEER with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY 6.00 FEET OF LOT 28, AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY 6.00 FEET OF LOT 29, BLOCK 11, BAREFOOT BAY UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THROUGH 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, LESS AND EXCEPT THE WESTERLY 6.00 FEET AND THE EASTERLY 10.00 FEET OF SAID EASEMENT, CONTAINING 0.02 ACRES, MORE OR LESS. PREPARED BY: STEPHEN W. QUESNEL, PSM. The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on August 20, 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.

Fig. 12: Copy of public hearing advertisement as published on August 5, 2019.