

Meeting Date
July 25, 2017



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.A

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate Re: 2-15.0 ft. wide Public Drainage Easements –Tax Parcels 13 & 3- Sections 23 & 26 respectively, T. 24 S., R. 35 E. – Cocoa – Wal-Mart Stores East, LP – District 2 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:
 It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider the vacating of 2-15.0 ft. wide public drainage easements at Tax Parcels 13 & 3, respectively of Sections 23 & 26 respectively, of Township 24 South, Range 35 East in Cocoa, Florida. If approved, it is requested that the Board authorizes the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & 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 as owner of Tax Parcels 13 and 3 is requesting the vacating of the 2-15.0 ft. wide, unused remaining public drainage easements to allow for the permitting and unhindered development of the parcels. Total area of easements to be vacated is 0.38 acres, more or less.

July 10, 2017, 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 and at this time, no objections have been received. The Board has previously vacated the middle portion of this 15.0 ft. wide drainage easement system per Resolution 1991-093. The subject parcel is located in Cocoa as follows: Begin at the intersection of Interstate 95 and State Road 524; thence 0.6 miles northeasterly along S.R. No. 524 to the North Easement to be vacated to the south (right); thence southerly along said North Easement for approximately 437 ft.; thence along the previously vacated drainage easement for approximately 1320 ft. to the South Easement to be vacated; thence continue southerly along the South Easement to be vacated for approximately 656 ft.

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 0002-30265-3699000, revenue account for vacatings. This action is in keeping with the County's efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year's budget.

Name: Marc.Cazessus@brevardfl.gov Phone: Ext. 57315

Exhibits Attached: Resolution, Appraisers detail sheet, vicinity map, aerial map, plat (if applicable), petitioner's deed, boundary survey (if available), boundary survey (right-of-way vacating) or sketch and description (easement vacating), comment summary sheet and legal notice of public hearing advertisement.

Clerk to the Board instruction: Advertise Approved Resolution Notice and Record Vacating Resolution Documents (as one, resolution type document which in sequence includes the proof of publication of the public hearing notice, the approved/signed resolution, and the proof of publication of the adopted resolution notice.

Contract / Agreement (If attached):		Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
Interim County Manager Frank Abbate	Assistant County Manager Venetta Valdengo	Interim Department Director / Extension  Andrew J. Homes, P.E. / Ext. 57202						
	Interim Assistant County Manager John Denninghoff							



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

August 9, 2017

M E M O R A N D U M

TO: Andrew Holmes, Interim Public Works Director Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating Two 15.00 Foot Wide Public Drainage Easements at Tax Parcels 13 and 3, Sections 23 and 26, Township 24 South, and Range 35 East, Cocoa

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-128, vacating two 15.00 foot wide public drainage easements at Tax Parcels 13 and 3, Sections 23 and 26, Township 24 South, and Range 35 East, Cocoa, as petitioned by Wal-Mart Stores East, LP. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on July 25, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

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

August 9, 2017

Brian Hooper
c/o Wal-Mart Stores East, LP
2001 S.E. 10th Street
Bentonville, AR 72716-5525

Dear Mr. Hooper:

Re: Resolution Vacating Two 15.00 Foot Wide Public Drainage Easements at Tax Parcels 13 and 3, Sections 23 and 26, Township 24 South, and Range 35 East, Cocoa

The Board of County Commissioners, in regular session on July 25, 2017, adopted Resolution No. 17-128, vacating two 15.00 foot wide public drainage easements at Tax Parcels 13 and 3, Sections 23 and 26, Township 24 South, and Range 35 East, Cocoa, as petitioned by Wal-Mart Stores East, LP. Said Resolution has been recorded in ORBK 7955, Pages 2584 through 2589. 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: Marc Cazessus, Public Works

VACATING OF 2 -15.0 FT. WIDE PUBLIC DRAINAGE EASEMENTS BEING PARTS OF TAX PARCELS 13 AND 3 OF SECTIONS 23 AND 26 RESPECTIVELY, AND LYING IN TOWNSHIP 24 SOUTH, RANGE 35 EAST COCOA, FLORIDA

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **WAL-MART STORES EAST, LP** with the Board of County Commissioners to vacate 2 - 15.0 ft. wide public drainage easements in Cocoa, Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH AND 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 the vacating the two public drainage easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public drainage easements are hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. 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 25th day of July, 2017 A.D.

ATTEST:


SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


CURT SMITH, CHAIRMAN

As approved by the Board on:
July 25, 2017

LEGAL DESCRIPTION

SHEET 1 OF 3

SECTION 23 & 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST
 PARCEL ID NUMBER: 24-35-23-00-13 & 24-35-26-00-3
 PURPOSE OF SKETCH AND DESCRIPTION: DRAINAGE EASEMENT VACATION

NOT VALID WITHOUT THE
 SKETCH ON SHEETS 2 AND 3

DESCRIPTION OF TWO PUBLIC DRAINAGE EASEMENTS TO BE VACATED

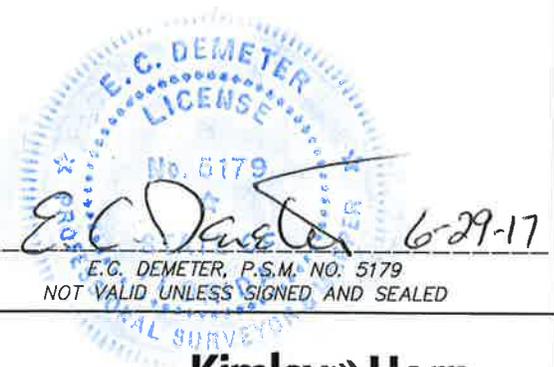
ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0875, PAGE 0123 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING OVER AND ACROSS THE EAST 15.0 FT. OF THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 24 SOUTH, RANGE 35 EAST WHICH LIES SOUTHERLY OF THE 200.0 FT. WIDE RIGHT-OF-WAY OF STATE ROAD NO. 524 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 70070-2501. CONTAINING 6,416.25 SQUARE FEET OR 0.15 ACRES, MORE OR LESS.

TOGETHER WITH:

ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0877, PAGE 0280, OFFICIAL RECORDS BOOK 0877, PAGE 0282, OFFICIAL RECORDS BOOK 0877, PAGE 0284 AND OFFICIAL RECORDS BOOK 0877, PAGE 0286, ALL AS RECORDED IN SAID PUBLIC RECORDS LYING OVER AND ACROSS THE WEST 15.0 FT. OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST. CONTAINING 9,946.56 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. REFER TO SURVEY PERFORMED BY KIMLEY-HORN AND ASSOCIATES FILE NO. 015476294, FIELD BOOK 474, PAGES 1-24.
2. THIS IS A SKETCH OF LEGAL DESCRIPTION ONLY, NOT A BOUNDARY RETRACEMENT SURVEY.
3. BEARING BASE: BEARINGS ARE BASED ON GRID NORTH, MORE SPECIFICALLY, THE SOUTH LINE OF SR 524, WHICH BEARS N53°23'03"E.



PREPARED FOR:
 CANAVERAL PORT AUTHORITY

PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.
 ADDRESS: 445 24TH STREET, SUITE 200
 VERO BEACH, FL 32960
 PHONE: 772-794-4100 LICENSED BUSINESS No. 696



DRAWN BY: DFD	CHECKED BY: ECD	DRAWING NO. 015476294	SECTION 23 & 26
DATE: 5-3-17	SHEET 1 OF 3	REVISIONS _____	TOWNSHIP 24 SOUTH
			RANGE 35 EAST

SKETCH OF DESCRIPTION

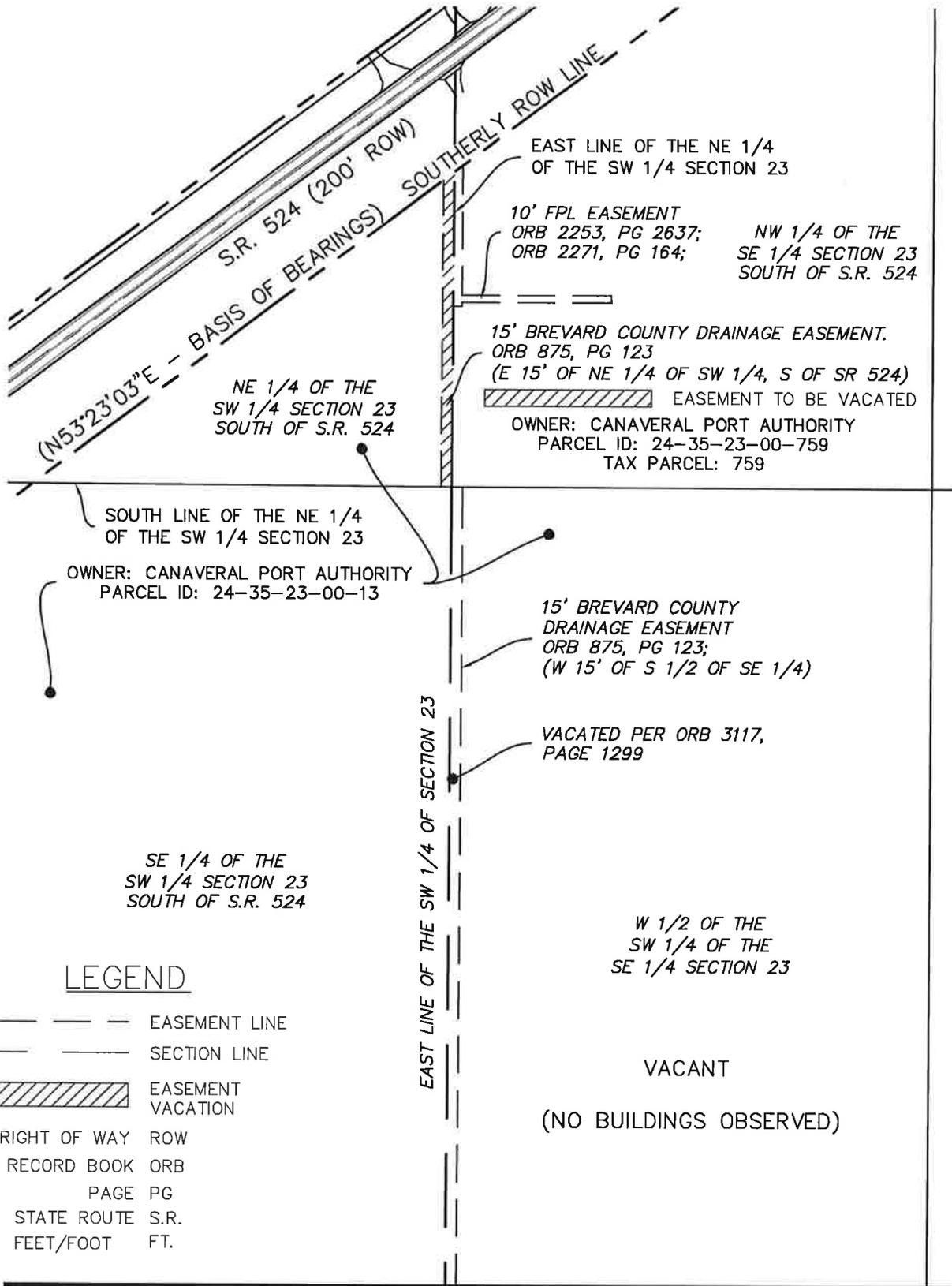
SHEET 2 OF 3

SECTION 23 & 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST
 PARCEL ID NUMBER: 24-35-23-00-13 & 24-35-26-00-3

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 3
 AND SKETCH ON SHEET 3 OF 3



SCALE: 1" = 200'



LEGEND

- EASEMENT LINE
- SECTION LINE
- EASEMENT VACATION
- RIGHT OF WAY ROW
- OFFICIAL RECORD BOOK ORB
- PAGE PG
- STATE ROUTE S.R.
- FEET/FOOT FT.

MATCHLINE SHEET 3 OF 3

SKETCH OF DESCRIPTION

SHEET 3 OF 3

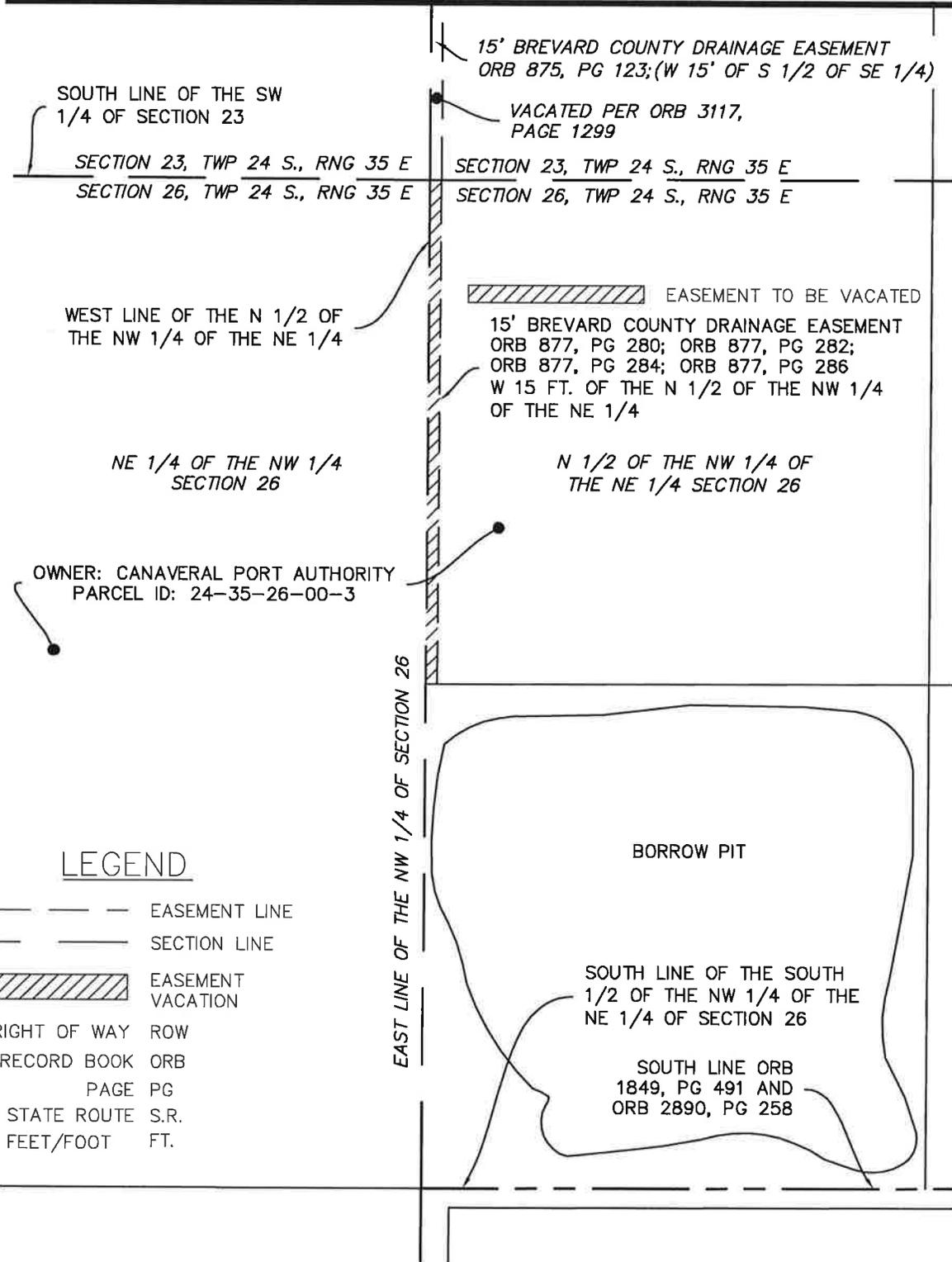
SECTION 23 & 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST
 PARCEL ID NUMBER: 24-35-23-00-13 & 24-35-26-00-3

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 3
 AND SKETCH ON SHEET 2 OF 3

MATCHLINE SHEET 2 OF 3



SCALE: 1"=200'



LEGEND

- EASEMENT LINE
- SECTION LINE
- EASEMENT VACATION
- RIGHT OF WAY ROW
- OFFICIAL RECORD BOOK ORB
- PAGE PG
- STATE ROUTE S.R.
- FEET/FOOT FT.



BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

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

07/10/17

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.

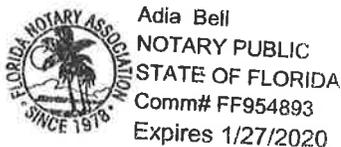
Sworn to and Subscribed before me this 10th of July
2017, by Becky Holland who is personally known to me

Handwritten signature of Adia Bell

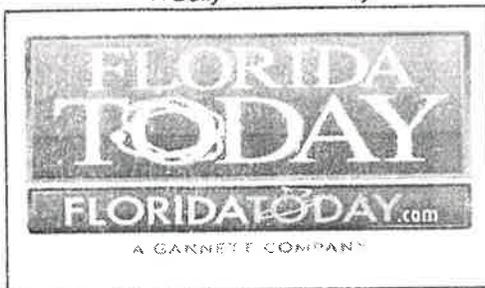
Adia Bell
Notary Public for the State of Florida
My Commission expires January 27, 2020

Publication Cost: \$269.32
Ad No: 00J2259167
Customer No: BRE-6BR327

LEGAL NOTICE
NOTICE FOR THE VACATING OF 2 - 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENTS
BEING PART OF TAX PARCELS 13 AND 3 OF SECTIONS 23 AND 26 RESPECTIVELY OF
TOWNSHIP 24 SOUTH, RANGE 35 EAST, COCOA, 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 WAL-MART EAST STORES, LP with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:
SEE EXHIBIT "A"
The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easements at 9:00 A.M. on July 25, 2017 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.
EXHIBIT "A"
ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0875, PAGE 0123 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING OVER AND ACROSS THE EAST 15.0 FT. OF THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 24 SOUTH, RANGE 35 EAST WHICH LIES SOUTHERLY OF THE 200.0 FT. WIDE RIGHT-OF-WAY OF STATE ROAD NO. 524 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 70070-2501. CONTAINING 6,416.25 SQUARE FEET OR 0.15 ACRES, MORE OR LESS, TOGETHER WITH: ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0877, PAGE 0280, OFFICIAL RECORDS BOOK 0877, PAGE 0282, OFFICIAL RECORDS BOOK 0877, PAGE 0284 AND OFFICIAL RECORDS BOOK 0877, PAGE 0286, ALL AS RECORDED IN SAID PUBLIC RECORDS LYING OVER AND ACROSS THE WEST 15.0 FT. OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, CONTAINING 9,946.56 SQUARE FEET OR 0.23 ACRES, MORE OR LESS, PREPARED BY: E. C. DEMETER, P.S.M.



RECEIVED
AUG 08 2017
BY: MPC



PUBLIC WORKS
AUG 7 2017
RECEIVED

BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

AD# 2304394 8/3/2017
LEGAL NOTICE
RESOLUTION VACATING TWO 15.00 FOOT WIDE PUBLIC DRAINAGE EASEMENTS AT TAX PARCELS 13 & 3, SECTIONS 23 & 26 RESPECTIVELY, OF TOWNSHIP 24 SOUTH, RANGE 25 EAST, COCOA - WAL-MART STORES EAST, LP.

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 25th day of July, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating two 15.00 foot wide public drainage easements at Tax Parcels 13 and 3, Sections 23 and 26 respectively, of Township 24 South, Range 25 East, Cocoa, as petitioned by Wal-Mart Stores East, LP.

SEE ATTACHED EXHIBIT "A"

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

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

LEGAL DESCRIPTION:
EXHIBIT "A"

ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0875, PAGE 0123 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING OVER AND ACROSS THE EAST 15.0 FT. OF THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 24 SOUTH, RANGE 35 EAST WHICH LIES SOUTHERLY OF THE 200.0 FT. WIDE RIGHT-OF-WAY OF STATE ROAD NO. 524 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 70070-2501, CONTAINING 6,416.25 SQUARE FEET OR 0.15 ACRES, MORE OR LESS, TOGETHER WITH: ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0877, PAGE 0280, OFFICIAL RECORDS BOOK 0877, PAGE 0282, OFFICIAL RECORDS BOOK 0877, PAGE 0284 AND OFFICIAL RECORDS BOOK 0877, PAGE 0286, ALL AS RECORDED IN SAID PUBLIC RECORDS LYING OVER AND ACROSS THE WEST 15.0 FT. OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, CONTAINING 9,946.56 SQUARE FEET OR 0.23 ACRES, MORE OR LESS, PREPARED BY E. C. DEMETER, P.S.M.

Legal Notices

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

07/27/17, 08/03/17

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 August 2017, by Becky Holland who is personally known to me

Ruby Royer
Notary Public for the State of Florida
My Commission expires January 30, 2018

Publication Cost: \$190.64
Ad No: 0002304394
Customer No: BRE-6BR327



RUBY ROYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088043
Expires 1/30/2018

AD# 2304394 8/3/2017
LEGAL NOTICE
RESOLUTION VACATING TWO 15.00 FOOT WIDE PUBLIC DRAINAGE EASEMENTS AT TAX PARCELS 13 & 3, SECTIONS 23 & 26 RESPECTIVELY, OF TOWNSHIP 24 SOUTH, RANGE 25 EAST, COCOA - WAL-MART STORES EAST, LP.
TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the 25th day of July, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating two 15.00 foot wide public drainage easements at Tax Parcels 13 and 3, Sections 23 and 26 respectively, of Township 24 South, Range 25 East, Cocoa, as petitioned by Wal-Mart Stores East, LP.
SEE ATTACHED EXHIBIT "A"
The Board further renounced and disclaimed any right of the County in and to said public easements.
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk
LEGAL DESCRIPTION:
EXHIBIT "A"
ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0875, PAGE 0123 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING OVER AND ACROSS THE EAST 15.0 FT. OF THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 24 SOUTH, RANGE 35 EAST WHICH LIES SOUTHERLY OF THE 200.0 FT. WIDE RIGHT-OF-WAY OF STATE ROAD NO. 524 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 70070-2501, CONTAINING 6,416.25 SQUARE FEET OR 0.15 ACRES, MORE OR LESS, TOGETHER WITH: ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0877, PAGE 0280, OFFICIAL RECORDS BOOK 0877, PAGE 0282, OFFICIAL RECORDS BOOK 0877, PAGE 0284 AND OFFICIAL RECORDS BOOK 0877, PAGE 0286, ALL AS RECORDED IN SAID PUBLIC RECORDS LYING OVER AND ACROSS THE WEST 15.0 FT. OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, CONTAINING 9,946.56 SQUARE FEET OR 0.23 ACRES, MORE OR LESS, PREPARED BY E. C. DEMETER, P.S.M.

LEGAL NOTICE

RESOLUTION VACATING TWO 15.00 FOOT WIDE PUBLIC DRAINAGE EASEMENTS AT TAX PARCELS 13 & 3, SECTIONS 23 & 26 RESPECTIVELY, OF TOWNSHIP 24 SOUTH, RANGE 25 EAST, COCOA – WAL-MART STORES EAST, LP

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 25th day of July, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating two 15.00 foot wide public drainage easements at Tax Parcels 13 and 3, Sections 23 and 25 respectively, of Township 24 South, Range 25 East, Cocoa, as petitioned by Wal-Mart Stores East, LP.

SEE ATTACHED EXHIBIT "A"

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

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 August 3, 2017, issue of the Florida TODAY.

BILL THE PUBLIC WORKS DEPARTMENT OF BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ACCOUNT NO. 6BR327 AND PURCHASE ORDER NO. 4500092228-10, AND FORWARD INVOICE AND PROOF OF PUBLICATION TO:

**Marc Cazessüs, PLS
Public Works Department
Surveying and Mapping Program
2725 Judge Fran Jamieson Way, Bldg. A-220
Viera, FL 32940**

LEGAL DESCRIPTION:

EXHIBIT "A"

ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0875, PAGE 0123 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING OVER AND ACROSS THE EAST 15.0 FT. OF THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 24 SOUTH, RANGE 35 EAST WHICH LIES SOUTHERLY OF THE 200.0 FT. WIDE RIGHT-OF-WAY OF STATE ROAD NO. 524 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 70070-2501. CONTAINING 6,416.25 SQUARE FEET OR 0.15 ACRES, MORE OR LESS. TOGETHER WITH: ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0877, PAGE 0280, OFFICIAL RECORDS BOOK 0877, PAGE 0282, OFFICIAL RECORDS BOOK 0877, PAGE 0284 AND OFFICIAL RECORDS BOOK 0877, PAGE 0286, ALL AS RECORDED IN SAID PUBLIC RECORDS LYING OVER AND ACROSS THE WEST 15.0 FT. OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST. CONTAINING 9,946.56 SQUARE FEET OR 0.23 ACRES, MORE OR LESS. PREPARED BY E. C. DEMETER, P.S.M.



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account	2407075
Owners	Canaveral Port Authority
Mailing Address	445 Challenger Rd Ste 301 Cape Canaveral FL 32920
Site Address	4505 Highway 524 Cocoa FL 32926 Brevard County Fl
Parcel ID	24-35-23-00-13
Property Use	8050 - Canaveral Port Authority - Vacant
Exemptions	EXCO - County Owned Property
Taxing District	1300 - Cocoa
Total Acres	157.55
Subdivision	N/A
Site Code	0309 - State Road 524
Plat Book/Page	N/A
Land Description	Part Of SE 1/4 Of NE 1/4 & Part Of S 1/2 Of Sec All Lying South- Easterly Of St Rd 524 As Desc IN Orb 4749 Pg 2298 Exc Orb 2064 Pg 62 & Orb 2074 Pg 321 Pars 508, 508.1, 513, 750 Thru 754, 756 & 757

**NOW OWNED BY WAL-MART
PER ORB 7900, PG 2909**

VALUE SUMMARY

Category	2016	2015	2014
Total Market Value	\$1,134,360	\$1,134,360	\$1,134,360
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$1,134,360	\$1,134,360	\$1,134,360
Assessed Value School	\$1,134,360	\$1,134,360	\$1,134,360
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$1,134,360	\$1,134,360	\$0
Taxable Value Non-School	\$0	\$0	\$1,134,360
Taxable Value School	\$0	\$0	\$1,134,360

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/11/2014	\$1,950,000	WD	Vacant	7266/2505
08/12/2005	\$19,140,000	WD	Vacant	5529/3670
11/26/2002	--	QC	Vacant	4749/2283
11/22/2002	\$1,311,300	WD	Vacant	4749/2270
11/22/2002	--	QC	Vacant	4749/2298
11/22/2002	--	QC	Vacant	4749/2290
11/22/2002	--	QC	Vacant	4749/2278
11/22/2002	--	QC	Vacant	4749/2273
11/22/2002	--	QC	Vacant	4749/2266
11/22/2002	--	QC	Vacant	4749/2248
11/21/2002	--	QC	Vacant	4749/2262
11/20/2002	--	QC	Vacant	4749/2257
11/20/2002	--	QC	Vacant	4749/2252
09/01/1973	\$455,400	PT	--	1382/0044

BUILDINGS

No Data Found

APPRAISER'S DETAIL SHEET: TAX
PARCEL 13, SECTION 23, T 24 S, R 35 E



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account 2407968
 Owners Canaveral Port Authority
 Mailing Address 445 Challenger Rd Ste 301 Cape Canaveral FL 32920
 Site Address Brevard County Fl
 Parcel ID 24-35-26-00-3
 Property Use 8050 - Canaveral Port Authority - Vacant
 Exemptions EXCO - County Owned Property
 Taxing District 13D0 - Cocoa
 Total Acres 106.42
 Subdivision N/A
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page N/A
 Land Description The NW 1/4 Of NE 1/4 Of Sec & Part Of NW 1/4 Of NE 1/4 Of NE 1/4 & Part Of E 1/2 Of NW 1/4 Of Sec As Desc IN Orb 4749 Pg 2298 Pars 4, 5, 6, 15.1, 250.1 & 251

**NOW OWNED BY WAL-MART
 PER ORB 7900, PG 2909**

VALUE SUMMARY

Category	2016	2015	2014
Total Market Value	\$851,360	\$851,360	\$851,360
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$851,360	\$851,360	\$851,360
Assessed Value School	\$851,360	\$851,360	\$851,360
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$851,360	\$851,360	\$0
Taxable Value Non-School	\$0	\$0	\$851,360
Taxable Value School	\$0	\$0	\$851,360

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/11/2014	\$1,950,000	WD	Vacant	7266/2505
08/12/2005	\$19,140,000	WD	Vacant	5529/3670
11/27/2002	--	QC	Vacant	4749/2273
11/27/2002	--	QC	Vacant	4749/2266
11/26/2002	--	QC	Vacant	4749/2283
11/22/2002	\$500,000	WD	Vacant	4749/2286
11/22/2002	--	QC	Vacant	4749/2298
11/22/2002	--	QC	Vacant	4749/2290
11/22/2002	--	QC	Vacant	4749/2278
11/22/2002	--	QC	Vacant	4749/2248
11/21/2002	--	QC	Vacant	4749/2262
11/20/2002	--	QC	Vacant	4749/2257
11/20/2002	--	QC	Vacant	4749/2252
12/01/1998	\$228,900	01	Vacant	3945/0045
01/01/1998	\$175,000	PT	Vacant	3767/1937
02/19/1990	\$184,000	WD	--	3044/3505
12/21/1989	--	WD	--	3034/4427

BUILDINGS

No Data Found

APPRAISER'S DETAIL SHEET: TAX
PARCEL 03, SECTION 26, T 24 S, R 35 E

This document prepared by
and upon recordation return to:
Terry W. Pool
Kulak Rock LLP
234 East Millsap Road, Suite 200
Fayetteville, AR 72703

Mail tax statements to:
Wal-Mart Stores, Inc.
Property Tax Department
P.O. Box 8050
Bentonville, AR 72712-8050

Tax Id. No. 24-35-23-00-13; 24-35-23-00-758; 24-35-26-00-1;
24-35-23-00-759 and 24-35-26-00-3

1978014087

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 26th day of May, 2017, between **CANAVERAL PORT AUTHORITY**, a body politic and body corporate of the State of Florida with an address of 445 Challenger Road, Cape Canaveral, Florida 32920 ("Grantor"), and **WAL-MART STORES EAST, LP**, a Delaware limited partnership with an address of 2001 Southeast 19th Street, Bentonville, Arkansas 72716-0550 ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby forever grant, bargain, sell, convey, and confirm unto Grantee, and unto Grantee's successors and assigns forever, all of Grantor's right, title, and interest in and to the real property situated in the County of Brevard, State of Florida, together with all improvements and of any kind thereon and all tenements, appurtenances, and hereditaments thereunto belonging (the "Property"), being more particularly described as set forth in Exhibit "A", attached hereto and incorporated herein for all purposes by this reference.

TO HAVE AND TO HOLD said Property unto Grantee, and Grantee's successors and assigns, in fee simple forever, with all tenements, appurtenances, and hereditaments thereunto belonging.

Grantor hereby covenants with said Grantee that Grantor will forever warrant and defend the title to said Property against the lawful claims of all persons claiming by, through, or under Grantor, but none other, subject to all matters set forth on Exhibit "B", attached hereto and incorporated herein for all purposes by this reference (the "Permitted Exceptions").

[Signature Page Follows]

Return To:
Fidelity National Title Co.
2400 Maitland Center Parkway STE-200
Maitland, FL 32751
Attention: Sabrina McDonald
File No. 4016000415

IN WITNESS WHEREOF, Grantor has executed and delivered this instrument the 25th day of May, 2017.

Signed, sealed and delivered in our presence:

WITNESSES:

Melanie Bradford
Printed Name: Melanie Bradford

Craig Langley
Printed Name: CRAIG LANGLEY

GRANTOR:

**CANAVERAL PORT AUTHORITY, a
body politic and body corporate of the State
of Florida**

By: [Signature]
Name: Thomas W. Weinberg
Title: Chairman

By: [Signature]
Name: Wayne L. Justice
Title: Vice Chairman

ACKNOWLEDGEMENT

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 Thomas W. Weinberg, the Chairman of Canaveral Port Authority, a body politic and body corporate of the State of Florida, on behalf of the said entity, (X) who is personally known to me or () who produced _____ as identification to be the person described in and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid on May 25th, 2017.

Melanie L. Bradford
Notary Public

My Commission Expires:
08-27-19



ACKNOWLEDGEMENT

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 Wayne E. Justice, the Vice Chairman of Canaveral Port Authority, a body politic and body corporate of the State of Florida, on behalf of the said entity, (X) who is personally known to me or () who produced _____ as identification to be the person described in and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid on May 25th, 2017.

Melanie L. Bradford
Notary Public

My Commission Expires:
8-27-19

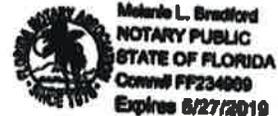


EXHIBIT A**The Property**

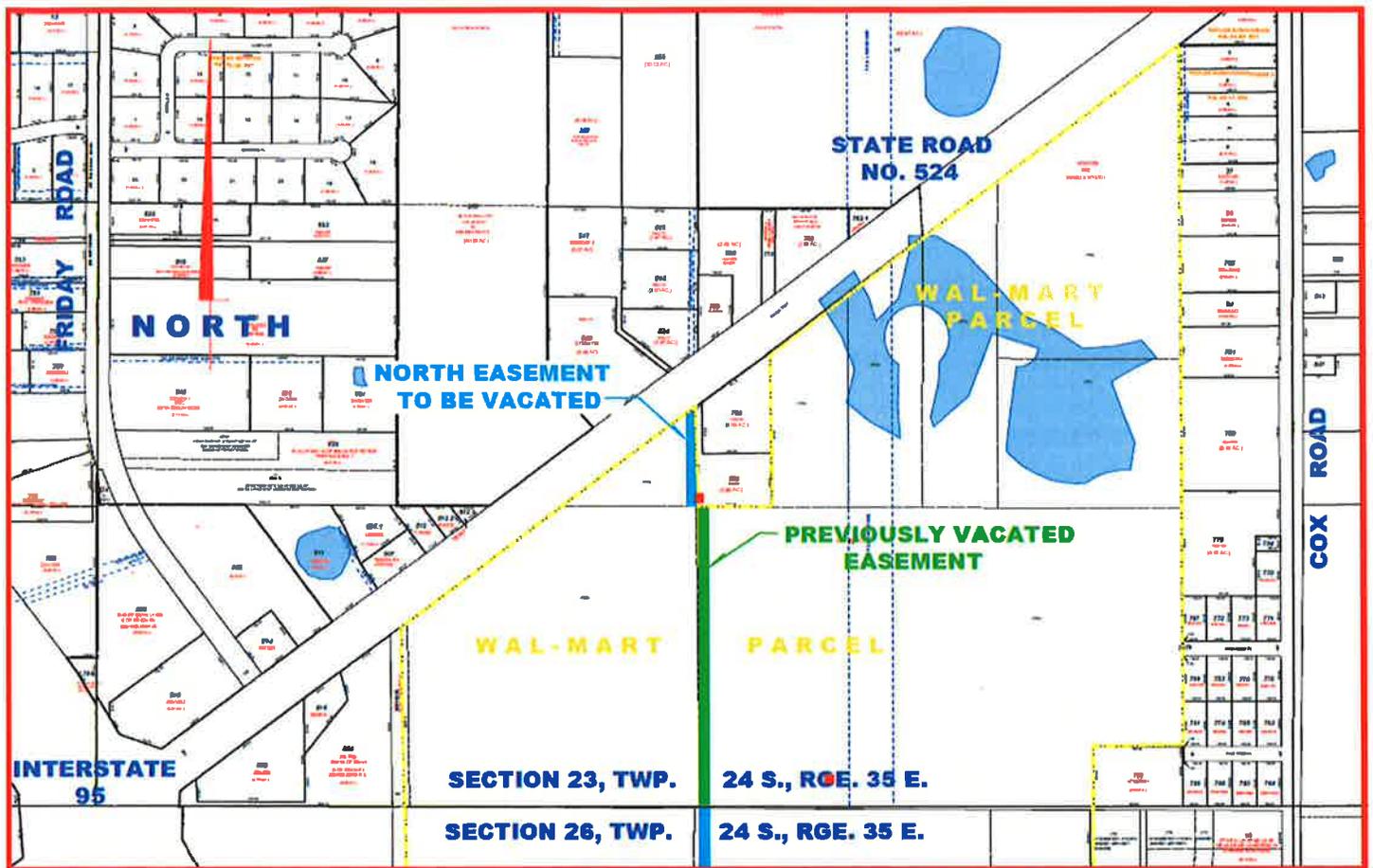
A parcel of land lying in the East 1/2 of the Southwest 1/4, the Southeast 1/4, and the Northeast 1/4 of Section 23, Township 24 South, Range 35 East, all lying Southerly of State Road No. 524, a 200.00 foot wide right-of-way per Right of Way Map Section 70220.2402, being a portion of lands as described in Official Records Book 1382, Page 44, which lie Westerly of the East 486.00 feet of said Southeast 1/4 and of said Northeast 1/4, and all of the lands as described in Official Records Book 1390, Page 1010, Official Records Book 1397, Page 476, Official Records Book 1446, Page 565, Official Records Book 2074, Page 321, Official Records Book 3577, Page 2205, Official Records Book 3499, Page 4221, and Official Records Book 4091, Page 2774, all as recorded in the Public Records of Brevard County, Florida, together with a parcel of land lying in the Northeast 1/4, and the Northwest 1/4 of Section 26, Township 24 South, Range 35 East, being all those lands as described in Official Records Book 1849, Page 491, Official Records Book 2890, Page 258, Official Records Book 3455, Page 4431, Official Records Book 3633, Page 4027, Official Records Book 3945, Page 45, and a portion of those lands as described in Official Records Book 3034, Page 4427, all being recorded in said Public Records, said overall parcel being more fully described as follows:

Commence at the Southeast corner of said Southeast 1/4 corner of Section 23, thence South 89°56'20" West along the South line of said Southeast 1/4, a distance of 885.00 feet to the Northeast corner of said lands per Official Records Book 3945, Page 45 and to the Point of Beginning of the lands herein described, thence South 00°17'58" West along the East line of said lands per Official Records Book 3945, Page 45 and parallel with the East line of said Northeast 1/4 of Section 26, a distance of 265.61 feet to a point 66.00 feet North, by right angle measure, of the fifth (5th) course of said lands per Official Records Book 3945, Page 45, thence North 89°56'20" East, parallel with said fifth (5th) course, a distance of 840.00 feet to the West right-of-way line of the 45.00 foot wide right-of-way of Cox Road as described in Official Records Book 587, Page 595, of said Public Records, thence South 00°17'58" West along said West right-of-way line, a distance of 66.00 feet to an intersection with the Easterly projection of the fifth (5th) course of said lands as described in Official Records Book 3945, Page 45, thence departing said West right-of-way line, South 89°56'20" West along said Easterly projection, a distance of 618.11 feet to the East line of the Northwest 1/4 of the Northeast 1/4 of said Northeast 1/4 of Section 26 and to said East line of the lands per Official Records Book 3945, Page 45, thence South 00°19'45" West, along said East lines, a distance of 331.62 feet to the South line of said Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 and of said lands per Official Records Book 3945, Page 45, thence South 89°56'21" West, along said South lines, a distance of 663.28 feet to the East line of the South 1/2 of the Northwest 1/4 of said Northeast 1/4 of Section 26 and of the said lands described per Official Records Book 1849, Page 491, thence South 00°21'33" West, along said East lines, a distance of 663.23 feet to the South line of said South 1/2 and of said lands per Official Records Book 1849, Page 491, thence South 89°56'22" West along said South lines and along the South line of said lands described per Official Records Book 2890, Page 258, a distance of 1327.25 feet to the East line of said Northwest 1/4 of Section 26 and of said lands described per Official Records Book 3633, Page 4027, thence South 00°25'07" West along said East lines, a distance of 611.43 feet to the South line of said lands per Official Records Book 3633, Page 4027, thence South 89°56'25" West, along said South line, a distance of 1258.55 feet to the Easterly right-of-way line of a 60.00 foot wide right of way per Official

Records Book 1531, Page 691 and Official Records Book 1531, Page 693 of said Public Records and the Westerly line of said lands per Official Records Book 3633, Page 4027, thence along said Easterly right-of-way line and said Westerly line of said lands per Official Records Book 3633, Page 4027 the following three (3) courses to wit: North 30°14'02" West a distance of 34.29 feet to a point of curvature of a 120.00 foot radius circular curve concave to the East, Northerly along an arc of said curve, through a central angle of 30°40'13", an arc distance of 64.24 feet to a point of tangency, North 00°26'11" East a distance of 1858.02 feet to the South line of said Southwest 1/4 of Section 23, thence North 89°33'59" West along said South line of the Southwest 1/4, a distance of 5.00 feet to the East right-of-way line of a 50.00 foot wide service road (a.k.a. Tract #126) as shown on said Map Section 70220-2402 and to the West line of said lands per Official Records Book 3499, Page 4221, thence North 00°24'30" East, along said East right-of-way line and said West of the lands per Official Records Book 3499, Page 4221, a distance of 795.86 feet to the Southerly right-of-way line of State Road No. 524, thence North 53°28'30" East along said Southerly right-of-way line and the Northerly lines of said lands as described in Official Records Book 3499, Page 4221, Official Records Book 1446, Page 565, Official Records Book 1382, Page 44, Official Records Book 3577, Page 2205, Official Records Book 2074, Page 321, Official Records Book 1390, Page 1010, Official Records Book 4091, Page 2774, and Official Records Book 1397, Page 476, a combined distance of 4322.62 feet to the West line of said East 486.00 feet of the Northeast 1/4 of Section 23, thence South 00°17'16" West, along said West line of the East 486.00 feet, a distance of 718.66 feet to the North line of said Southeast 1/4 of Section 23, thence South 00°16'36" West along the West line of said East 486.00 feet of the Southeast 1/4, a distance of 2391.43 feet to the Westerly projection of the North line of the 66.00 foot wide right-of-way of Pine Tree Place as described in Official Records Book 2568, Page 2856 of said Public Records, thence departing said West line of the East 486.00 feet of the Southeast 1/4, North 89°56'20" West along said Westerly projection and parallel with said South line of the Southeast 1/4, a distance of 398.89 feet to the Northerly projection of said East of the lands per Official Records Book 3945, Page 45, thence departing said Westerly projection, South 00°17'58" West, along said Northerly projection, a distance of 266.00 feet to the Point of Beginning.

PETITIONER'S DEED: SHEET 5 OF 5

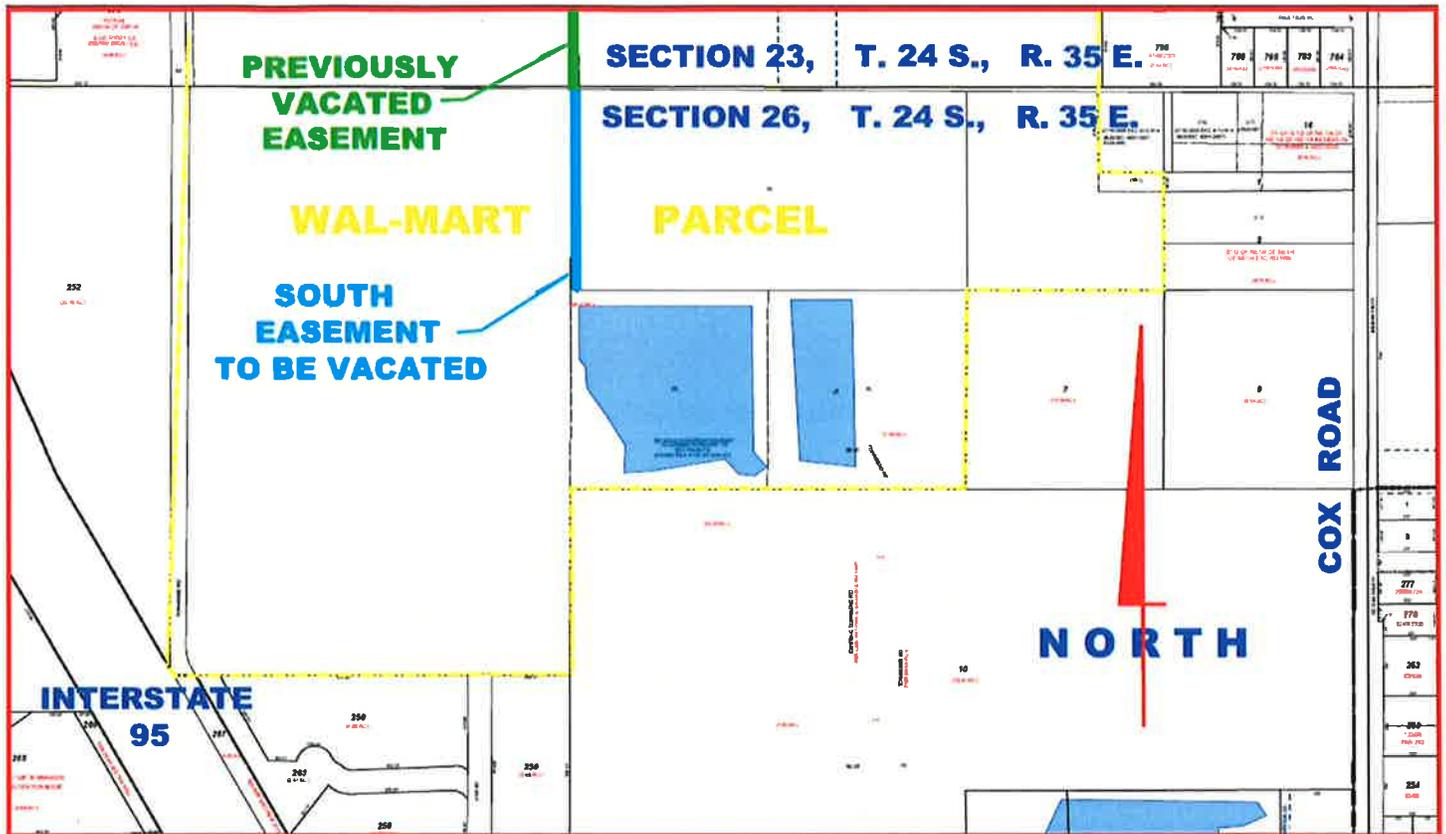
**(NOTE: EXHIBIT B BEING SHEETS 6 – 8 OF 8 OF DEED
NOT INCLUDED)**



NORTH VICINITY

MAP

Wal-Mart – Tax Parcel 13, Section 23 & Tax Parcel 3 Section 26, of Township 24 South, Range 35 East – 4505 Highway 524, Cocoa, FL, 32926 – District 1 - Proposed Vacating of 2 – 15.0 ft. Wide Public Drainage Easements



SOUTH VICINITY

MAP

Wal-Mart – Tax Parcel 13, Section 23 & Tax Parcel 3, Section 26, of Township 24 South, Range 35 East – 4505 Highway 524, Cocoa, FL, 32926 – District 1 - Proposed Vacating of 2 – 15.0 ft. Wide Public Drainage Easements



OVERALL AERIAL MAP

Wal-Mart – Tax Parcel 13, Section 23 & Tax Parcel 3, Section 26, of Township 24 South, Range 35 East – 4505 Highway 524, Cocoa, FL, 32926 – District 1 - Proposed Vacating of 2 – 15.0 ft. Wide Public Drainage Easements



NORTH AERIAL MAP

Wal-Mart – Tax Parcel 13, Section 23 & Tax Parcel 3, Section 26, of Township 24 South, Range 35 East – 4505 Highway 524, Cocoa, FL, 32926 – District 1 - Proposed Vacating of 2 – 15.0 ft. Wide Public Drainage Easements



SOUTH AERIAL MAP

Wal-Mart – Tax Parcel 13, Section 23 & Tax Parcel 3, Section 26, of Township 24 South, Range 35 East – 4505 Highway 524, Cocoa, FL, 32926 – District 1 - Proposed Vacating of 2 – 15.0 ft. Wide Public Drainage Easements

304

EASEMENT

THIS INDENTURE, made this 6th day of June A.D. 1966,

between WUESTHOFF COMPANY OF FLORIDA, INC., a Florida corporation,
as the first party, and Brevard County, as the second party, for the use and
benefit of Brevard County, Florida.

WITNESSETH: That the first party in consideration of the sum of one
dollar and other valuable considerations paid, the receipt of which is hereby
acknowledged, hereby grant, bargain, and sell unto the second party, its
successors and assigns a perpetual drainage easement, commencing on the above
date, for the purpose of constructing, using and maintaining a drainage ^{ditch}~~canal~~
and other allied uses pertaining thereto with full right of ingress and egress
to construct, maintain, repair, and do everything necessary in the construction
and maintenance of said ^{ditch}~~canal~~.

The land affected by the granting of this easement is located in the
County of Brevard, State of Florida, and is more particularly described
as follows:

**THIS PORTION OF EASEMENT
VACATED PER 3117@1299**

The West fifteen (15) feet of the South half (S $\frac{1}{2}$) of the
Southeast quarter (SE $\frac{1}{4}$), and the East fifteen (15) feet
of that portion of the Northeast quarter (NE $\frac{1}{4}$) of the
Southwest quarter (SW $\frac{1}{4}$) lying South of State Road No. 528
Right-of-Way, all being in Section 23, Township 24 South,
Range 35 West, being situated in Brevard County, Florida.

In the event of abandonment by Brevard County of the above described
property as a drainage ^{ditch}~~canal~~, the easement rights hereby granted shall cease
and revert to the party of the first part, free and clear of any right, title
or interest of the party of the second part.

TO HAVE AND TO HOLD said easement unto the County of Brevard and unto
its successors and assigns together with immunity unto the second party, its
successors or assigns, from all claims for damage, if any, arising from or
growing out of such construction and/or maintenance to the lands, if any,

BREVARD
COUNTY



EASEMENT DEEDS TO
BREVARD COUNTY: 1 OF 10

owned by the first party, lying adjacent or contiguous to the lands herein above described.

The grantors do hereby covenant with the grantees that they are lawfully seized and possessed of the lands above described, that they have a good and lawful right to convey it, or any part thereof.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be duly executed in its name by its _____ President, and its corporate seal to be hereto affixed, attested by its _____ Secretary, on the date first above written.

Signed, sealed and delivered in the presence of:

Wuesthoff Company of Fla., Inc.

[Signature]
[Signature]

By Robert N. [Signature] President



RECORDED
BREVARD COUNTY F.C.A.
V. [unclear]
ATTEST
1966 JUN 7 AM 10 52
522401
[unclear]

[Signature]
[Signature]

STATE OF Florida
COUNTY OF Brevard

Before me, the undersigned authority, this day personally appeared Robert N. [Signature] and Jessie J. [Signature] to me well known and known to me to be the individuals described in and who executed the foregoing instrument as president and secretary, respectively, of the Corporation named in the foregoing instrument, and they severally acknowledged to and before me that they executed said instrument on behalf of and in the name of said corporation as such officers; that the seal affixed to said instrument is the corporate seal of said corporation and that it was affixed thereto by due and regular corporate authority; that they are duly authorized by said corporation to execute said instrument and that said instrument is the free act and deed of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal this 6 day of June, A. D. 1966.

My commission expires:
Notary Public, State of Florida at large
My Commission Expires Aug. 26, 1969

[Signature]
Notary Public in and for the County
and State aforesaid.



S. 2802

3.25
30
30

[Signature]
Brevard County

EASEMENT DEEDS TO BREVARD COUNTY: 2 OF 10

EASEMENT

THIS INDENTURE, made this 10th day of June, 19 66 between WILLIAM N. LAUBACH and ELIZABETH R. LAUBACH, his wife, as their interests may appear, as the part 1st of the first part, and BREVARD COUNTY, a political subdivision of the State of Florida, as the party of the second part, for the use and benefit of Brevard County, Florida.

WITNESSETH: That the part 1st of the first part in consideration of the sum of one dollar and other good and valuable considerations to them in hand paid, the receipt of which is hereby acknowledged, do they hereby grant, bargain, and sell unto the party of the second part, its successors and assigns, a perpetual drainage easement, commencing on the above date, for the purpose of constructing, using and maintaining, a drainage ditch and other uses pertaining thereto with full right of ingress and egress to construct, maintain, repair, and do everything necessary in the construction and maintenance of said ditch.

The land affected by the granting of this easement is located in the County of Brevard, State of Florida, and is more particularly described as follows:

The West fifteen (15) feet of the North half (N 1/2) of the Northwest quarter (NW 1/4) of the Northeast quarter (NE 1/4) of Section 26, Township 24 South, Range 35 East, being situated in Brevard County, Florida.

In the event of abandonment by Brevard County of the above described property as a drainage easement, the easement rights hereby granted shall cease and revert to the part 1st of the first part, their heirs or assigns, free and clear of any right, title or interest of the party of the second part.



EASEMENT DEEDS TO
BREVARD COUNTY: 3 OF 10

RECORDING
FLA. DOC. STAMPS
U.S. DOC. STAMPS
TOTAL
0.25
3.00
3.25
523725

TO HAVE AND TO HOLD said easement unto the County of Brevard and unto its successors and assigns together with immunity unto the party of the second part, its successors or assigns, from all claims for damage, if any, arising from or growing out of such construction and/or maintenance to the lands, if any, owned by the part ies of the first part lying adjacent or contiguous to the lands herein above described.

The grantors do hereby covenant with the grantee that they are lawfully seized and possessed of the lands above described, that they have a good and lawful right to convey it, or any part thereof.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals

this day and year first above written.

Signed, sealed and delivered in the presence of:

Thomas R. [Signature]
Ronald K. [Signature]

William H. Laubach (SEAL)
Elizabeth R. Laubach (SEAL)

523725
JUN 16 10 56
CLERK CHIEF CLERK

BILL - BREVARD CO.
Return to
Sect. of Bl. of Co. Comm.

STATE OF PENNSYLVANIA
COUNTY OF NORTHAMPTON

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, WILLIAM H. LAUBACH and ELIZABETH R. LAUBACH his wife, to me well known to be the person described in and who executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Easton, Pennsylvania County of Northampton, and State of Pennsylvania, this 10th day of June, 19 66.

My commission expires:

William H. Laubach
Notary Public
MATHEKA
NOTARY PUBLIC
Easton Northampton County, Pa.
My Commission expires July 12, 1969

EASEMENT DEEDS TO BREVARD COUNTY: 4 OF 10

EASEMENT

THIS INDENTURE, made this 10th day of June, 19 66.

between ALFRED A. LAUBACH and NORMA M. LAUBACH, his wife, as their interests may appear, as the parties of the first part, and BREVARD COUNTY, a political subdivision of the State of Florida, as the party of the second part, for the use and benefit of Brevard County, Florida.

WITNESSETH: That the parties of the first part in consideration of the sum of one dollar and other good and valuable considerations to them in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, and sell unto the party of the second part, its successors and assigns, a perpetual drainage easement, commencing on the above date, for the purpose of constructing, using and maintaining, a drainage ditch and other uses pertaining thereto with full right of ingress and egress to construct, maintain, repair, and do everything necessary in the construction and maintenance of said ditch.

The land affected by the granting of this easement is located in the County of Brevard, State of Florida, and is more particularly described as follows:

The West fifteen (15) feet of the North half (N 1/2) of the Northwest quarter (NW 1/4) of the Northeast quarter (NE 1/4) of Section 26, Township 24 South, Range 35 East, being situated in Brevard County, Florida.

In the event of abandonment by Brevard County of the above described property as a drainage easement, the easement rights hereby granted shall cease and revert to the parties of the first part, their heirs or assigns, free and clear of any right, title or interest of the party of the second part.

BREVARD COUNTY



EASEMENT DEEDS TO
BREVARD COUNTY: 5 OF 10

RECORDING 3.25
P.L. DOC. STAMPS 30
U.S. DOC. STAMPS
TOTAL
523726
Bic

BILL - BREVARD CO.
Return to
Sect. of Bd. of Co. Comm.

TO HAVE AND TO HOLD said easement unto the County of Brevard and unto its successors and assigns together with immunity unto the party of the second part, its successors or assigns, from all claims for damage, if any, arising from or growing out of such construction and/or maintenance to the lands, if any, owned by the part 1st of the first part lying adjacent or contiguous to the lands herein above described.

The grantors do hereby covenant with the grantee that they are lawfully seized and possessed of the lands above described, that they have a good and lawful right to convey it, or any part thereof.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals

this day and year first above written.

Signed, sealed and delivered in the presence of:

Thomas J. ...

Franklin K. ...

Alfred A. Laurach (SEAL)

Norma M. Laurach (SEAL)

523726
JUN 10 1966
COUNTY OF BREVARD

STATE OF PENNSYLVANIA
COUNTY OF NORTHAMPTON

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, ALFRED A. LAURACH and NORMA M. LAURACH, his wife, to me well known to be the person described in and who executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Easton, Pennsylvania County of Northampton, and State of Pennsylvania, this 10th day of June, 1966.

Alfred A. Laurach
Notary Public
Easton Northampton County, Pa.
My Commission expires July 17, 1967

My commission expires:

EASEMENT DEEDS TO BREVARD COUNTY: 6 OF 10

EASEMENT

THIS INDENTURE, made this 10th day of June, 1966, between KATHLEEN N. CLOSE and REUBEN CLOSE, her husband, as their interests may appear, as the parties of the first part, and BREVARD COUNTY, a political subdivision of the State of Florida, as the party of the second part, for the use and benefit of Brevard County, Florida.

WITNESSETH: That the parties of the first part in consideration of the sum of one dollar and other good and valuable considerations to _____ in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, and sell unto the party of the second part, its successors and assigns, a perpetual drainage easement, commencing on the above date, for the purpose of constructing, using and maintaining, a drainage ditch and other uses pertaining thereto with full right of ingress and egress to construct, maintain, repair, and do everything necessary in the construction and maintenance of said ditch.

The land affected by the granting of this easement is located in the County of Brevard, State of Florida, and is more particularly described as follows:

The West fifteen (15) feet of the North half (N 1/2) of the Northwest quarter (NW 1/4) of the Northeast quarter (NE 1/4) of Section 26, Township 24 South, Range 35 East, being situated in Brevard County, Florida.

In the event of abandonment by Brevard County of the above described property as a drainage easement, the easement rights hereby granted shall cease and revert to the parties of the first part, their heirs or assigns, free and clear of any right, title or interest of the party of the second part.

BREVARD COUNTY



EASEMENT DEEDS TO
BREVARD COUNTY: 7 OF 10

523727

TO HAVE AND TO HOLD said easement unto the County of Brevard and unto its successors and assigns together with immunity unto the party of the second part, its successors or assigns, from all claims for damage, if any, arising from or growing out of such construction and/or maintenance to the lands, if any, owned by the part _____ of the first part lying adjacent or contiguous to the lands herein above described.

The grantors do hereby covenant with the grantee that they are lawfully seized and possessed of the lands above described, that they have a good and lawful right to convey it, or any part thereof.

IN WITNESS WHEREOF, the said part ies of the first part have hereunto set their hands and seals

this day and year first above written.

Signed, sealed and delivered in the presence of:

_____ (SEAL)

Russell Kowalsky

Kathleen N. Close (SEAL)

STATE OF PENNSYLVANIA
COUNTY OF NORTHAMPTON

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, KATHLEEN N. CLOSE and RUSSEL KLOSE, her husband, to me well known to be the person described in and who executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Exeter, Pennsylvania County of Northampton, and State of Pennsylvania, this 10th day of June, 19 56.

My commission expires:

Alonius V. Marheka
Notary Public
ALONIUS V. MARHEKA
NOTARY PUBLIC
Exeter Northampton County, Pa.
My Commission expires July 17, 1959

EASEMENT DEEDS TO
BREVARD COUNTY: 8 OF 10

RECORDING
FLA. DOC. STAMPS
U.S. DOC. STAMPS
30
Bill

BILL - BREVARD CO.
Return to
Sec'y of Bd. of Co. Comm.

523727
JUN 10 1956
COUNTY OF NORTHAMPTON

201

EASEMENT

HW 877 REC 286

THIS INDENTURE, made this 10th day of June, 19 66, between CHRISTINE H. STUMP and JOHN STUMP, her husband, as their interests may appear, as the part les of the first part, and BREVARD COUNTY, a political subdivision of the State of Florida, as the party of the second part, for the use and benefit of Brevard County, Florida.

WITNESSETH: That the part les of the first part in consideration of the sum of one dollar and other good and valuable considerations to them in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, and sell unto the party of the second part, its successors and assigns, a perpetual drainage easement, commencing on the above date, for the purpose of constructing, using and maintaining, a drainage ditch and other uses pertaining thereto with full right of ingress and egress to construct, maintain, repair, and do everything necessary in the construction and maintenance of said ditch.

The land affected by the granting of this easement is located in the County of Brevard, State of Florida, and is more particularly described as follows:

The West fifteen (15) feet of the North half (N 1/2) of the Northwest quarter (NW 1/4) of the Northeast quarter (NE 1/4) of Section 26, Township 28 South, Range 35 East, being situated in Brevard County, Florida.

In the event of abandonment by Brevard County of the above described property as a drainage easement, the easement rights hereby granted shall cease and revert to the part les of the first part, their heirs or assigns, free and clear of any right, title or interest of the party of the second part.



EASEMENT DEEDS TO

BREVARD COUNTY: 9 OF 10

LEGAL DESCRIPTION

SHEET 1 OF 3

SECTION 23 & 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST
 PARCEL ID NUMBER: 24-35-23-00-13 & 24-35-26-00-3
 PURPOSE OF SKETCH AND DESCRIPTION: DRAINAGE EASEMENT VACATION

NOT VALID WITHOUT THE SKETCH ON SHEETS 2 AND 3

DESCRIPTION OF TWO PUBLIC DRAINAGE EASEMENTS TO BE VACATED

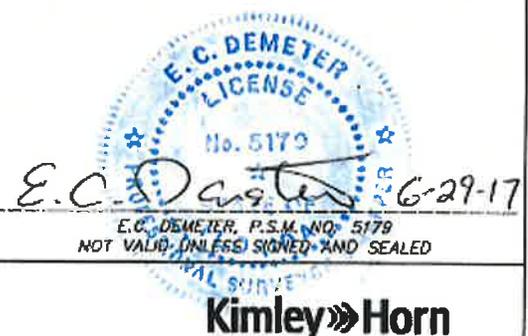
ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0875, PAGE 0123 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING OVER AND ACROSS THE EAST 15.0 FT. OF THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 24 SOUTH, RANGE 35 EAST WHICH LIES SOUTHERLY OF THE 200.0 FT. WIDE RIGHT-OF-WAY OF STATE ROAD NO. 524 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 70070-2501. CONTAINING 6,416.25 SQUARE FEET OR 0.15 ACRES, MORE OR LESS.

TOGETHER WITH:

ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0877, PAGE 0280, OFFICIAL RECORDS BOOK 0877, PAGE 0282, OFFICIAL RECORDS BOOK 0877, PAGE 0284 AND OFFICIAL RECORDS BOOK 0877, PAGE 0286, ALL AS RECORDED IN SAID PUBLIC RECORDS LYING OVER AND ACROSS THE WEST 15.0 FT. OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST. CONTAINING 9,946.56 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. REFER TO SURVEY PERFORMED BY KIMLEY-HORN AND ASSOCIATES FILE NO. 015476294, FIELD BOOK 474, PAGES 1-24.
2. THIS IS A SKETCH OF LEGAL DESCRIPTION ONLY, NOT A BOUNDARY RETRACEMENT SURVEY.
3. BEARING BASE: BEARINGS ARE BASED ON GRID NORTH, MORE SPECIFICALLY, THE SOUTH LINE OF SR 524, WHICH BEARS N53°23'03"E.



PREPARED FOR: CANAVERAL PORT AUTHORITY		E.C. DEMETER, P.S.M. NO. 5179 NOT VALID UNLESS SIGNED AND SEALED	
PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.			
ADDRESS: 445 24TH STREET, SUITE 200 VERO BEACH, FL 32960			
PHONE: 772-794-4100		LICENSED BUSINESS No. 696	
DRAWN BY: DFD	CHECKED BY: ECD	DRAWING NO. 015476294	SECTION 23 & 26
DATE: 5-3-17	SHEET 1 OF 3	REVISIONS _____	TOWNSHIP 24 SOUTH
			RANGE 35 EAST

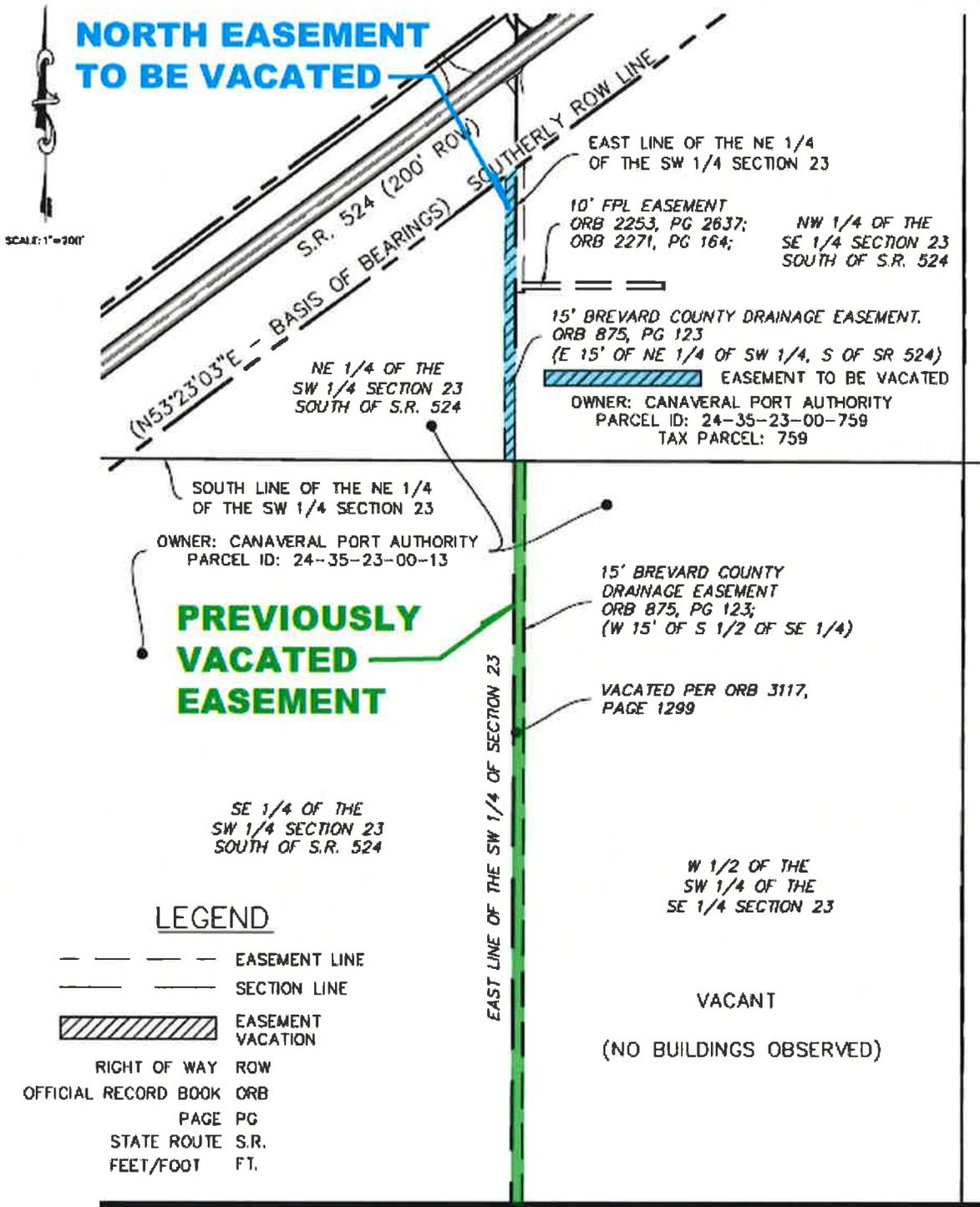
PETITIONER'S SKETCH &
DESCRIPTION: SHEET 1 OF 3

SKETCH OF DESCRIPTION

SHEET 2 OF 3

SECTION 23 & 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST
PARCEL ID NUMBER: 24-35-23-00-13 & 24-35-26-00-3

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 3
AND SKETCH ON SHEET 3 OF 3



MATCHLINE SHEET 3 OF 3

SECTION 23 & 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST

PROJECT NO. 015476294
PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.

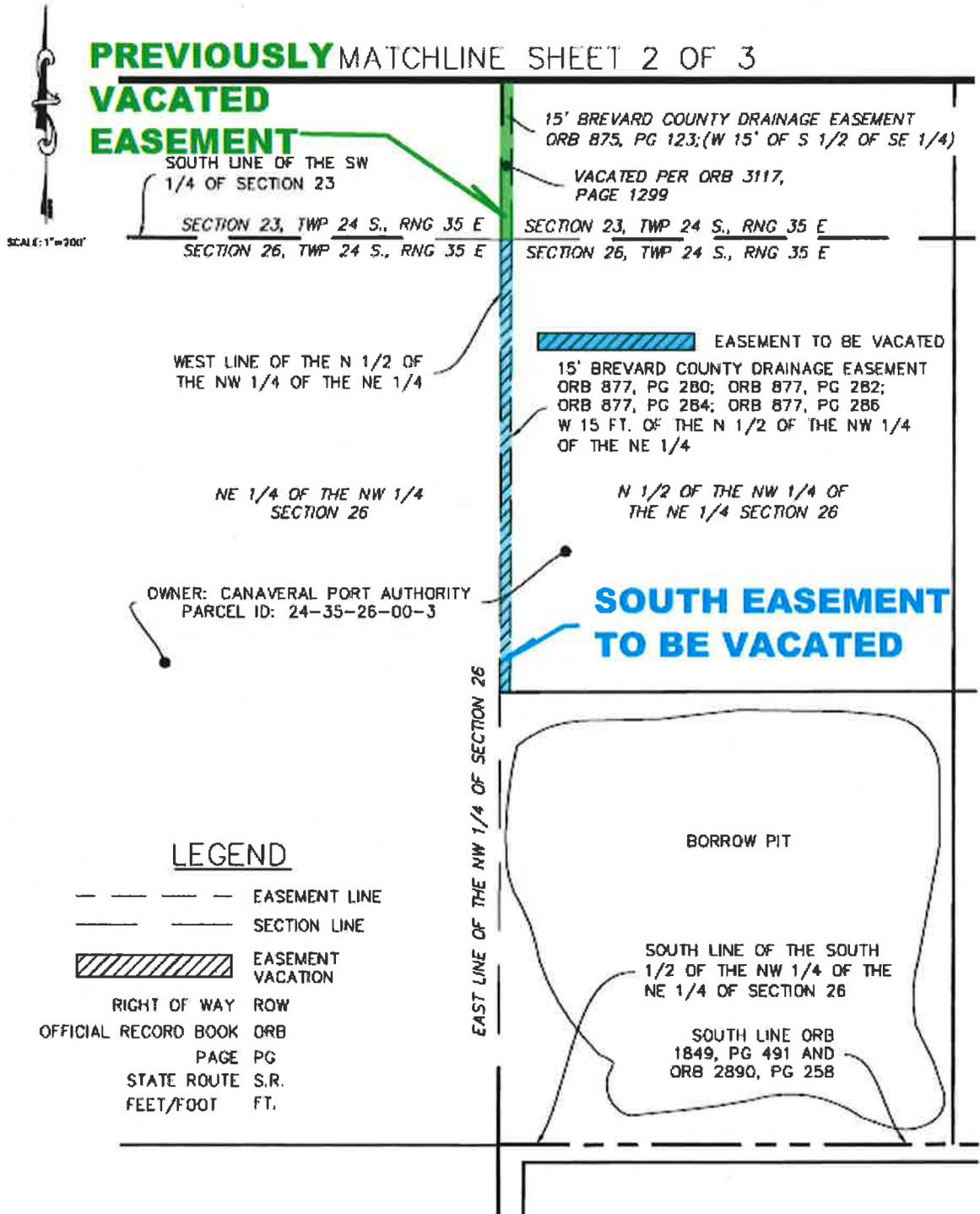
PETITIONER'S SKETCH & DESCRIPTION: SHEET 2 OF 3

SKETCH OF DESCRIPTION

SHEET 3 OF 3

SECTION 23 & 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST
 PARCEL ID NUMBER: 24-35-23-00-13 & 24-35-26-00-3

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 3
 AND SKETCH ON SHEET 2 OF 3



SECTION 23 & 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST

PROJECT NO. 015476294
 PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.

PETITIONER'S SKETCH &
DESCRIPTION: SHEET 3 OF 3

AD# 2259167 7/10/2017 LEGAL NOTICE NOTICE FOR THE VACATING OF 2 - 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENTS BEING PART OF TAX PARCELS 13 AND 3 OF SECTIONS 23 AND 26 RESPECTIVELY OF TOWNSHIP 24 SOUTH, RANGE 35 EAST, COCOA, 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 **WAL-MART EAST STORES, LP** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: SEE EXHIBIT "A" The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easements at 9:00 A.M. on July 25, 2017 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. EXHIBIT "A" ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0875, PAGE 0123 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING OVER AND ACROSS THE EAST 15.0 FT. OF THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 24 SOUTH, RANGE 35 EAST WHICH LIES SOUTHERLY OF THE 200.0 FT. WIDE RIGHT-OF-WAY OF STATE ROAD NO. 524 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 70070-2501. CONTAINING 6,416.25 SQUARE FEET OR 0.15 ACRES, MORE OR LESS. TOGETHER WITH: ALL OF THAT CERTAIN 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 0877, PAGE 0280, OFFICIAL RECORDS BOOK 0877, PAGE 0282, OFFICIAL RECORDS BOOK 0877, PAGE 0284 AND OFFICIAL RECORDS BOOK 0877, PAGE 0286, ALL AS RECORDED IN SAID PUBLIC RECORDS LYING OVER AND ACROSS THE WEST 15.0 FT. OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST. CONTAINING 9,946.56 SQUARE FEET OR 0.23 ACRES, MORE OR LESS. PREPARED BY: E. C. DEMETER, P.S.M.

PUBLIC HEARING LEGAL
ADVERTISEMENT