



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.4.

10/22/2019

Subject:

Petition to Vacate, Re: Public Utility and Drainage Easement - "Catalina Isle Estates Unit Five" Plat Book 20, Page 104 - Merritt Island - Michael Scott and Deborah Ann Phillips - District 2

Fiscal Impact:

\$640.00 Vacating Application Fee Paid by Petitioner

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 vacating part of a public utility and drainage easement along the rear line of Lot 12, Block 16, "Catalina Isle Estates Unit Five" in Section 25, Township 24 South, Range 36 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements.

The petitioners own Lot 12 and are requesting the vacating of part of the 15.00 ft. wide public utility and drainage easement along the rear line to allow for the construction of a pool. Easement to be vacated contains 350 square feet, more or less.

October 07, 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 Merritt Island, east of Courtenay Parkway and north of East Merritt Ave.

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.

732

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

Clerk to the Board Instructions:

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



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

November 14, 2019

M E M O R A N D U M

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

RE: Advertising Bills for Resolution Vacating Part of a Public Utility and Drainage Easement in Catalina Isle Estates Unit Five Subdivision, Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-215, vacating part of a public utility and drainage easement in Catalina Isle Estates Unit Five Subdivision, Merritt Island, as petitioned by Michael and Deborah Phillips. Said Resolution was adopted by the Board of County Commissioners, in regular session on October 22, 2019.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

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

November 14, 2019

Michael and Deborah Phillips
450 Mauna Loa Court
Merritt Island, FL 32953

Dear Michael and Deborah Phillips:

Re: Resolution Vacating Part of a Public Utility and Drainage Easement in Catalina Isle Estates Unit Five Subdivision, Merritt Island

The Board of County Commissioners, in regular session on October 22, 2019, adopted Resolution No. 19-215, vacating part of a public utility and drainage easement in Catalina Isle Estates Unit Five Subdivision, Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 8587, Pages 1862 through 1866. Enclosed is a certified copy of the recorded Resolution and easement for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

cc: Amber Holley, Public Works

Resolution 2019 - ... 215

**Vacating a part of a public utility and drainage easement in "Catalina Isle Estates Unit Five"
Subdivision, Merritt Island, Florida, lying in Section 25, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Michael Scott and Deborah Ann Phillips** 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 22TH day of October, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



Scott Ellis, Clerk



Kristine Isnardi, Chair

As approved by the Board on:
October 22, 2019

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID# 24-36-25-25-16-12

PURPOSE OF SURVEY: VACATE A PORTION OF PLATTED 15' EASEMENT

LEGAL DESCRIPTION TO BE VACATED:

A PORTION OF LAND LYING IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTHERLY 5.00 FEET OF THE PLATTED 15.00 FOOT PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 15.00 FEET OF LOT 12, BLOCK 16, CATALINA ISLE ESTATES UNIT 5 AS RECORDED IN PLAT BOOK 20, PAGE 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
CONTAINING 350.00 SQUARE FEET OF LAND.

SURVEYOR'S NOTES:

1. NOT A BOUNDARY SURVEY.
2. IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY LAND AND SEA SURVEYING CONCEPTS, INC. JOB NO. 2019-049, DATED 06/20/2019.
3. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
5. BEARINGS ARE BASED UPON THE NORTH LINE OF MAUNA LOA COURT, PLACE, SHOWN TO BEAR N89°54'00"E, AS RECORDED IN PLAT BOOK 20, PAGE 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
6. THIS PROPERTY IS WITHIN FLOOD ZONE "SHADED X", DETERMINED 3-17-14.
7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND

	CONC LIGHT POLE		TREE
IRC	IRON ROD & CAP		TELEPHONE RISER
	WOOD POWER POLE		AIR CONDITIONER
RAW	RIGHT OF WAY	CC	COVERED CONC
	WOOD PILING	CONG.	CONCRETE
CALC	CALCULATED		MAILBOX
	WATER METER		ELECTRIC METER
UDE	UTILITY DRAINAGE EASEMENT		OVERHEAD POWER TELEPHONE LINES

PREPARED FOR:
MICHAEL SCOTT & DEBORAH GRYN PHILLIPS
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

TIM CARLILE, PLS., FLORIDA, PLS. NO. 5170
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: LAND AND SEA SURVEYING CONCEPTS, INC.
ADDRESS: 1605 CHASE HAMMOCK ROAD, MERRITT ISLAND, FL 32953
PHONE: 321-454-6310 "CERTIFICATE OF AUTHORIZATION LB NO.6447"

LAND & SEA SURVEYING

DRAWN BY: MC

CHECKED BY: TC

DRAWING NO. 2019-049

SECTION 25

TOWNSHIP 24 SOUTH

DATE: 6-20-19

SHEET 1 OF 2

REVISIONS

RANGE 36 EAST

SKETCH OF DESCRIPTION

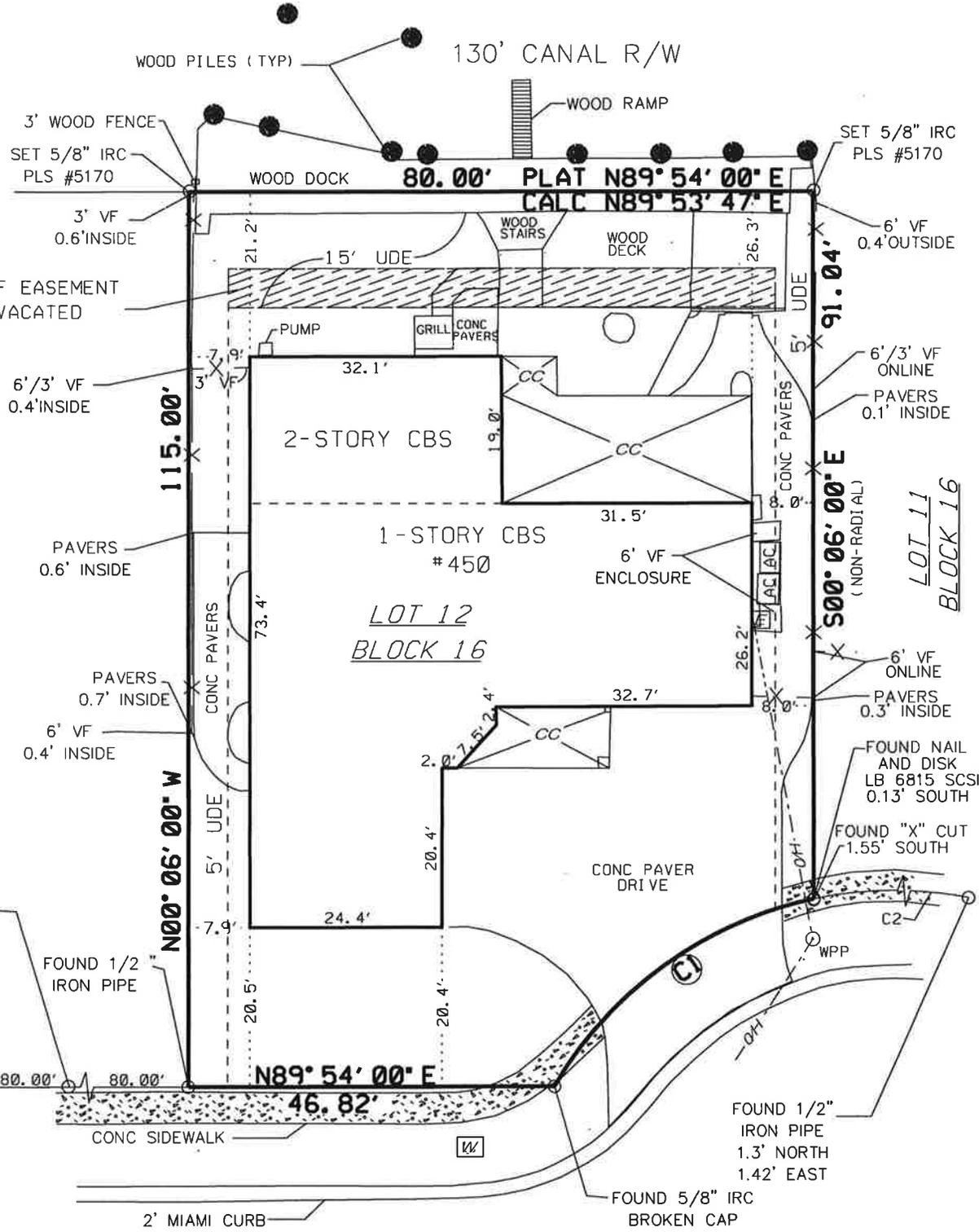
SHEET 2 OF 2

SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST

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

PARCEL ID# 24-36-25-25-16-12

SCALE: 1" = 20'



MAUNA LOA COURT
RIGHT-OF-WAY VARIES (OPEN)

CURVE DATA

#	RADIUS	DELTA	ARC
C1	50.00'	48° 19' 19"	42.17'
C2	50.00'	59° 35' 20"	52.00'

SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PROJECT NO: 2019-049

PREPARED BY: MC



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

AD#3824249 10/7/2019
LEGAL NOTICE

STATE OF WISCONSIN COUNTY OF BROWN

NOTICE FOR THE PARTIAL
VACATING OF THE 15.0 FT. WIDE
PUBLIC DRAINAGE EASEMENT,
PLAT OF "CATALINA ISLE ES-
TATES UNIT 5" IN SECTION 25,
TOWNSHIP 24 SOUTH, RANGE 36
EAST, MERRITT ISLAND, FL

Before the undersigned authority personally appeared Joe
Heynen who on oath says that he or she is a Legal
Advertising Representative of the FLORIDA TODAY, a daily
newspaper published in Brevard County, Florida that the
attached copy of advertisement, being a Legal Ad in the
matter of

NOTICE IS HEREBY GIVEN THAT
pursuant to Chapter 336.09, Florida
Statutes, and Chapter 86, Article 11,
Section 86.36, Brevard County Code, a
petition has been filed by MICHAEL
SCOTT PHILLIPS AND DEBORAH
ANN PHILLIPS with the Board of
County Commissioners of Brevard
County, Florida, to request vacating
the following described property, to
wit:

LEGAL NOTICES

A PORTION OF LAND LYING IN
SECTION 25, TOWNSHIP 24 SOUTH,
RANGE 36 EAST, BREVARD COUN-
TY, FLORIDA, AND BEING MORE
PARTICULARLY DESCRIBED AS
FOLLOWS:
THE SOUTHERLY 5.00 FEET OF
THE PLATTED 15.00 FOOT PUBLIC
DRAINAGE EASEMENT WHICH
ENCUMBERS THE NORTH 15.00
FEET OF LOT 12, BLOCK 16, CATA-
LINA ISLE ESTATES UNIT 5, AS
RECORDED IN PLAT BOOK 20,
PAGE 104, OF THE PUBLIC RE-
CORDS OF BREVARD COUNTY,
FLORIDA, CONTAINING 350.00
SQUARE FEET, MORE OR LESS.
PREPARED BY: TIM CARLILE,
PSM.

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

10/07/2019

The Board of County Commissioners
will hold a public hearing to deter-
mine the advisability of such vacating
of the above-described easement at
9:00 A.M. on October 22, 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 be-
fore final action is taken.

Affiant further says that the said FLORIDA TODAY is a
newspaper in said Brevard County, Florida and that the
said newspaper has heretofore been continuously
published in said Brevard County, Florida each day and
has been entered as periodicals matter at the post office
in MELBOURNE in said Brevard County, Florida, for a
period of one year next preceding the first publication of
the attached copy of advertisement; and affiant further
says that he or she has never paid nor promised any
person, firm or corporation any discount, rebate,
commission or refund for the purpose of securing this
advertisement for publication in the said newspaper.

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 rec-
ord includes the testimony and evi-
dence upon which the appeal is based.

Sworn to and Subscribed before me this 1ST of
NOVEMBER 2019, by Joe Heynen who is personally
known to me

Persons seeking to preserve a verba-
tim transcript of the record must
make those arrangements at their
own expense.

[Handwritten signature]

Affiant

The needs of hearing or visually im-
paired persons shall be met if the de-
partment sponsoring the
meeting/hearing is contacted at least
48 hours prior to the public
meeting/hearing by any person wish-
ing assistance.

[Handwritten signature: Vicky Felty]

Notary State of Wisconsin County of Brown



9-19-21

My commission expires



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

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared Joe Heynen who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

LEGAL NOTICES

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

11/6//2019

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 6th of NOVEMBER 2019, by Joe Heynen who is personally known to me

[Handwritten signature]

Affiant

[Handwritten signature of Melissa Rome]

Notary State of Wisconsin County of Brown

1/12/2021

My commission expires



AD#3883983 11/6/2019
LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN CATALINA ISLE ESTATES UNIT FIVE - MICHAEL SCOTT AND DEBORAH ANN PHILLIPS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 22nd day of October 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of a public utility and drainage easement in Catalina Isle Estates Unit Five, lying in Section 25, Township 24 South, Range 36 East, Merritt Island, as petitioned by Michael Scott and Deborah Ann Phillips.

EXHIBIT "A"

A PORTION OF LAND LYING IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTHERLY 5.00 FEET OF THE PLATTED 15.00 FOOT PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 15.00 FEET OF LOT 12, BLOCK 16, CATALINA ISLE ESTATES UNIT 5, AS RECORDED IN PLAT BOOK 20, PAGE 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 350.00 SQUARE FEET, MORE OR LESS, PREPARED BY: TIM GARLILE, 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

LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN CATALINA ISLE ESTATES UNIT FIVE - MICHAEL SCOTT AND DEBORAH ANN PHILLIPS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 22nd day of October 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of a public utility and drainage easement in Catalina Isle Estates Unit Five, lying in Section 25, Township 24 South, Range 36 East, Merritt Island, as petitioned by Michael Scott and Deborah Ann Phillips.

SEE ATTACHED EXHIBIT "A"

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

Florida TODAY:

Please advertise in the October 25, 2019, issue of the Florida TODAY.

Bill the Board of County Commissioners Account Number 6BR327 and forward bill and proof of publication to:

**Amber Holley, Public Works Department
2725 Judge Fran Jamieson Way, Bldg. A-220
Viera, FL 32940**

LEGAL DESCRIPTION:

EXHIBIT "A"

A PORTION OF LAND LYING IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY 5.00 FEET OF THE PLATTED 15.00 FOOT PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 15.00 FEET OF LOT 12, BLOCK 16, CATALINA ISLE ESTATES UNIT 5, AS RECORDED IN PLAT BOOK 20, PAGE 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 350.00 SQUARE FEET, MORE OR LESS. PREPARED BY: TIM CARLILE, PSM.

Appraiser's Detail Sheet



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-8700

<https://www.bcpao.us>

PROPERTY DETAILS

Account	2418661
Owners	Phillips, Michael Scott; Phillips, Michael Scott; Dalrymple, Deborah Gryn
Mailing Address	450 Mauna Loa CT Merritt Island FL 32953
Site Address	450 Mauna Loa CT Merritt Island FL 32953
Parcel ID	24-36-25-25-16-12
Property Use	0110 - Single Family Residence
Exemptions	HEX1 - Homestead First HEX2 - Homestead Additional
Taxing District	2200 - Unincorp District 2
Total Acres	0.21
Subdivision	Catalina Isle Estates Unit 5
Site Code	0130 - Canal Front
Plat Book/Page	0020/0104
Land Description	Catalina Isle Estates Unit 5 Lot 12 Blk 16



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$378,470	\$374,890	\$350,960
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$321,260	\$315,270	\$308,790
Assessed Value School	\$321,260	\$315,270	\$308,790
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$271,260	\$265,270	\$258,790
Taxable Value School	\$296,260	\$290,270	\$283,790

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
06/15/2016	\$130,000	WD	Improved	7643/0525
03/14/2013	\$93,000	WD	Improved	6830/2998
08/30/2001	\$114,000	WD	Improved	4418/1500
02/10/1981	—	WD	—	2282/1900
02/06/1981	—	WD	—	2282/1899
12/01/1979	—	—	—	2209/1651

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - Single Family Residence

Materials	Details
Exterior Wall: Stucco	Year Built 1966
Frame: Masnryconc	Story Height 8
Roof: Asph/Asb Shngl	Floors 2
Roof Structure: Hip/Gable	Residential Units 1
	Commercial Units 0
Sub-Areas	Extra Features
Base Area (1st) 1,917	Synthetic Deck 784
Base Area (2nd) 608	

Figure 1: Copy of Brevard County Property Appraiser's detail sheet for lot 12, block 16, Catalina Isle Estates Unit 5, 450 Mauna Loa Court, Merritt Island, FL 32953.

Vicinity Map

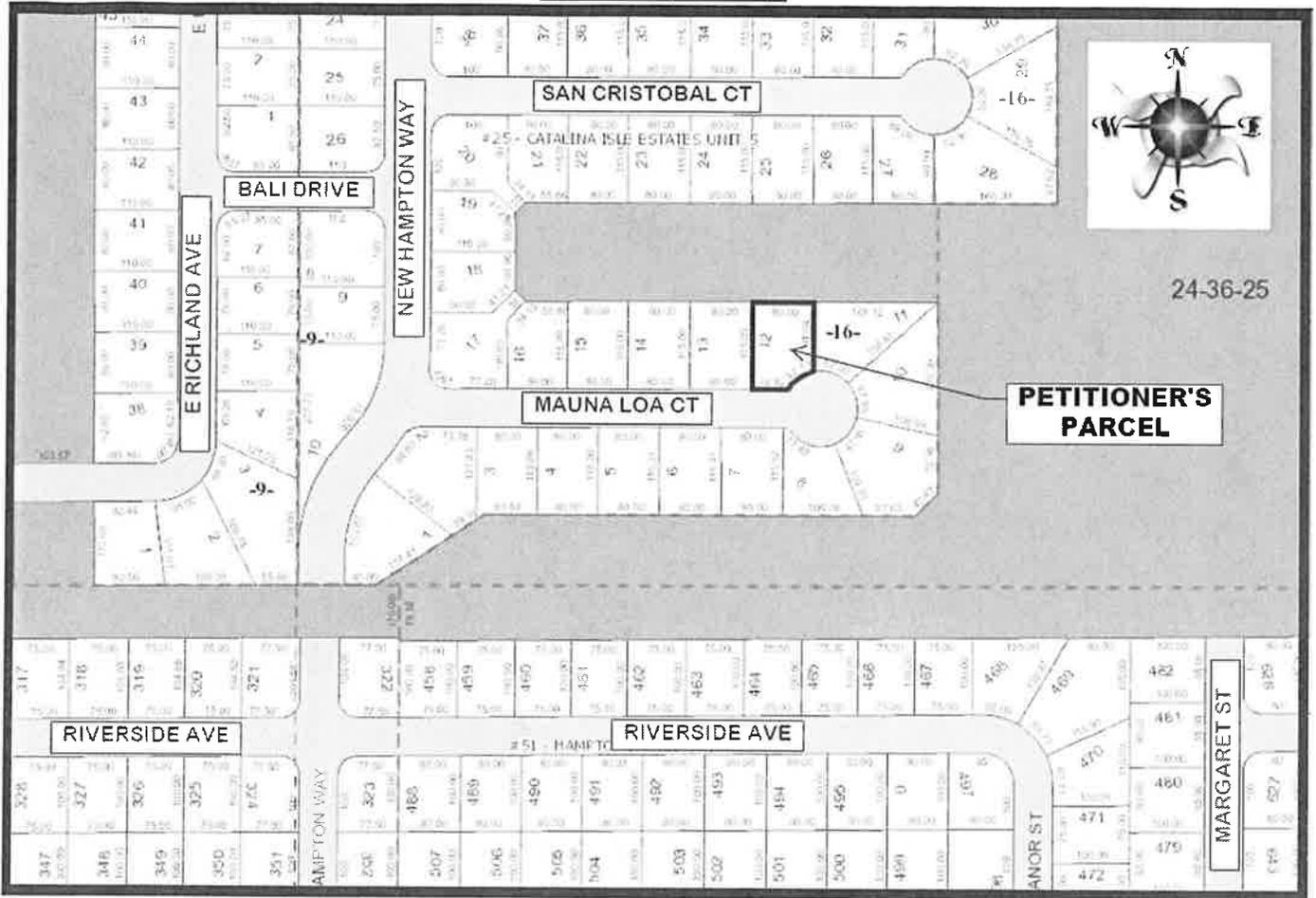


Figure 2: Map of Lot 12, Block 16, Catalina Isle Estates Unit Five, 450 Mauna Loa Court, Merritt Island, FL 32953.

Michael Scott & Deborah Ann Phillips – Lot 12, Block 16, “Catalina Isle Estates Unit Five” (Plat Book 20, Page 104) – 450 Mauna Loa Court – Section 25, Township 24 South, Range 36 East – District 2 – Proposed Vacating of part of a 15.0 ft. Wide Public Utility and Drainage Easement along the rear lot line

Aerial Map



Figure 3: Map of aerial view of lot 12, block 16, Catalina Isle Estates Unit 5, 450 Mauna Loa Court, Merritt Island, FL 32953.

Michael Scott & Deborah Ann Phillips – Lot 12, Block 16, “Catalina Isle Estates Unit Five” (Plat Book 20, Page 104) – 450 Mauna Loa Court – Section 25, Township 24 South, Range 36 East – District 2 – Proposed Vacating of part of a 15.0 ft. Wide Public Utility and Drainage Easement along the rear lot line

Petitioner's Deed

CFN 2016118247, OR BK 7643 Page 525, Recorded 06/20/2016 at 01:51 PM, Scott Ellis, Clerk of Courts, Brevard County Doc. #: 9910.00

WARRANTY DEED
REC'D TO BE HLD

Recited and Return to:
Name: International Title and Escrow Co., LLC
Address: 235 North Atlantic Avenue
 Cocoa Beach, Florida 32931
File Number: 2016-173

This instrument prepared by:
Att: DONNA HARRIS
Name: International Title and Escrow Co., LLC
Address: 235 North Atlantic Avenue
 Cocoa Beach, Florida 32931

SPACE BELOW THIS LINE FOR PROCESSING DATA SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed, Made and executed the 15th day of June, 2016, by **GEORGE MELVIN PHILLIPS, Married**, whose past office address is **278 Pineda Dr. Merritt Island, FL 32953**, hereinafter called the Grantor, to **MICHAEL SCOTT PHILLIPS and DEBORAH GRYN DALRYMPLE, RS** joint tenants with full rights of survivorship, whose past office address is **450 MAUNA LOA COURT, MERRITT ISLAND, FL 32953**, hereinafter called the Grantee.

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and its heirs, legal representatives, and assigns of the estate, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the Grantor, for and in consideration of the sum of \$10,000 (Ten and 00/100 Dollars) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alien, conveys, releases, conveys and confirms unto the Grantee, all that certain land, situate in **Brevard County, State of Florida**, viz:

Lot 12, Block 16, Catalina Isle Estates Unit Five, according to the Plat thereof as recorded in Plat Book 20, page 104, of the Public Records of Brevard County, Florida.

THIS PROPERTY IS NOT THE HOMESTEAD OF GEORGE MELVIN PHILLIPS

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; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whatsoever; and that said land is free of all encumbrances, except Taxes for 2016 and subsequent years; restrictions recorded in the public records as of the date hereof; reservations and easements of record; and county zoning regulations

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

<p>Witness Signature <i>Donna Harris</i></p> <p>Witness Signature <i>W. Troy Harris</i></p> <p>Witness Signature _____</p> <p>Witness Signature _____</p>	<p>Signature <i>George Melvin Phillips</i></p> <p>GEORGE MELVIN PHILLIPS</p> <p>Printed Name</p> <p>Signature _____</p> <p>Printed Name _____</p>
---	--

STATE OF FLORIDA)
 COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me this 15th day of June, 2016, by GEORGE MELVIN PHILLIPS. (Check one) Said person(s) is/are personally known to me. Said person(s) provided the following type of identification:

NOTARY RUBBER STAMP SEAL

Notary Public State of Florida
 D. HARRIS
 My Commission: 12-055013B
 Expires 11/01/2017

Notary Signature *D. Harris*

Print Name _____

Figure 5: Copy of deed of sale for lot 12, block 16, Catalina Isle Estates Unit 5, 450 Mauna Loa Court, Merritt Island, FL to Michael and Deborah Phillips on June 15, 2016.

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PARCEL ID# 24-36-25-25-16-12

PURPOSE OF SURVEY: VACATE A PORTION OF
PLATTED 15' EASEMENT

LEGAL DESCRIPTION TO BE VACATED:

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SURVEYOR'S NOTES:

1. NOT A BOUNDARY SURVEY.
2. IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY LAND AND SEA SURVEYING CONCEPTS, INC., JOB NO. 2019-049, DATED 06/20/2019.
3. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
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5. BEARINGS ARE BASED UPON THE NORTH LINE OF MAUNA LOA COURT, PLACE, SHOWN TO BEAR N89°54'00"E, AS RECORDED IN PLAT BOOK 20, PAGE 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
6. THIS PROPERTY IS WITHIN FLOOD ZONE "SHADED X", DETERMINED 3-17-14, BY FLOOD INSURANCE RATE MAP, PANEL NUMBER 1200920435G.
7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND

	CONC LIGHT POLE		TREE
	IRON ROD & CAP		TELEPHONE RISER
	WOOD POWER POLE		WIR. CONDITIONER
	RIGHT OF WAY		COVERED CONC
	WOOD PILING		CONC. CONCRETE
	CALCULATED		MAILBOX
	WATER METER		ELECTRIC METER
	UTILITY DRAINAGE EASEMENT		OVERHEAD POWER TELEPHONE LINES

PREPARED FOR:
MICHAEL SCOTT & DEBORAH GRYN PHILLIPS
BREVARD COUNTY BOARD OF COUNTY
COMMISSIONERS

TIM CARLILE, PLS., FLORIDA PLS. NO. 5170
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: LAND AND SEA SURVEYING CONCEPTS, INC.
ADDRESS: 1605 CHASE HAMMOCK ROAD, MERRITT ISLAND, FL 32953
PHONE: 321-454-6310 "CERTIFICATE OF AUTHORIZATION LB NO.6447"

**LAND & SEA
SURVEYING**

DRAWN BY: <u>MC</u>	CHECKED BY: <u>TC</u>	DRAWING NO. <u>2019--049</u>	SECTION <u>25</u>
DATE: <u>6-20-19</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS _____	TOWNSHIP <u>24</u> SOUTH
			RANGE <u>36</u> EAST

Figure 6: Copy of legal description sheet 1 of 2 for lot 12, block 16, Catalina Isle Estates Unit 5.

Petitioner's Sketch & Description Sheet 2 of 2

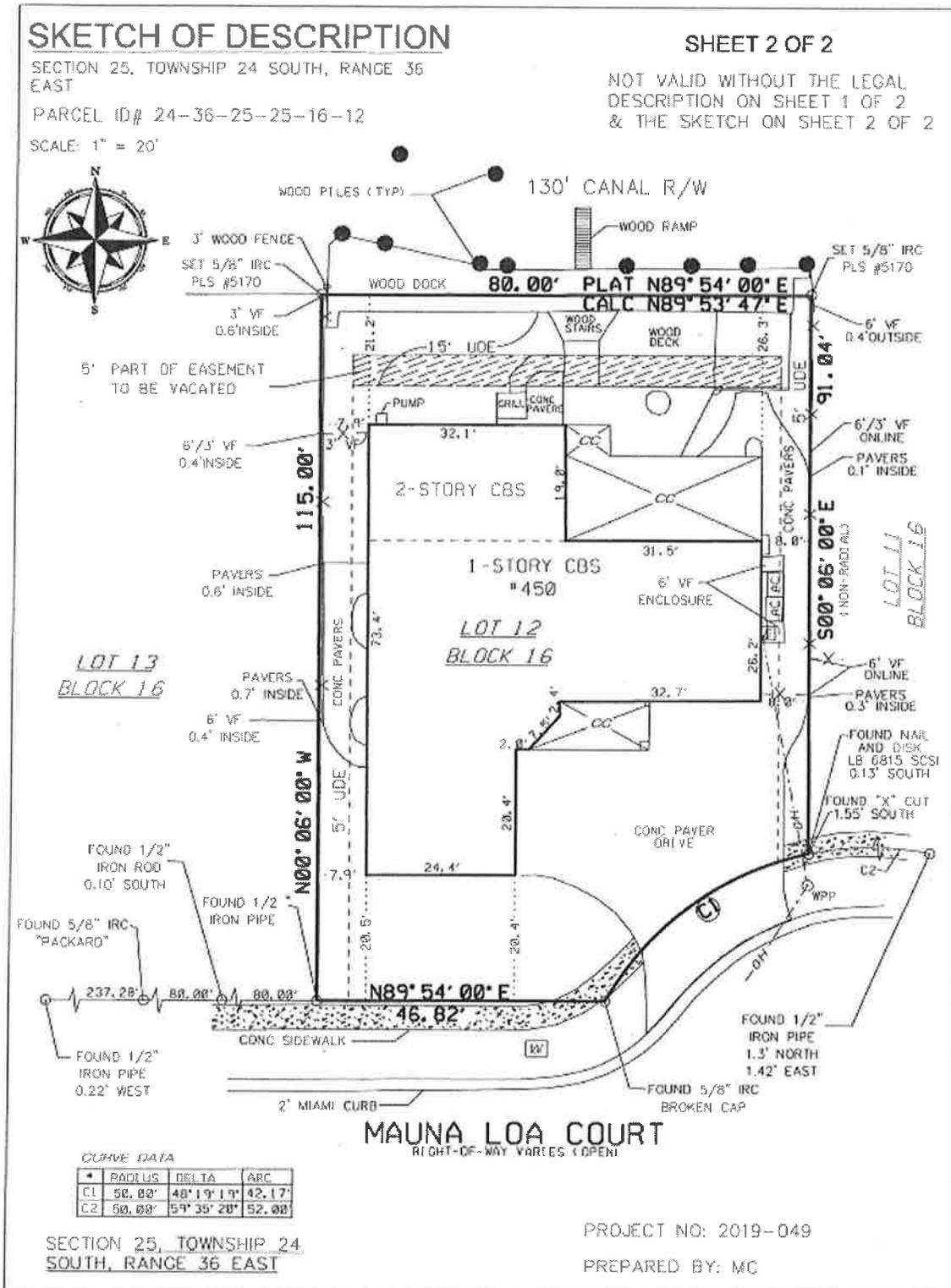


Figure 7: Copy of sketch sheet 2 of 2 for lot 12, block 16, Catalina Isle Estates Unit 5.

Public Hearing Legal Advertisement

AD#3824249 10/7/2019
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF
THE 15.0 FT. WIDE PUBLIC DRAINAGE
EASEMENT, PLAT OF "CATALINA ISLE ES-
TATES UNIT 5" IN SECTION 25,
TOWNSHIP 24 SOUTH, RANGE 36 EAST,
MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant
to Chapter 336.09, Florida Statutes, and
Chapter 86, Article II, Section B6-36, Bre-
vard County Code, a petition has been
filed by MICHAEL SCOTT PHILLIPS AND
DEBORAH ANN PHILLIPS with the Board
of County Commissioners of Brevard
County, Florida, to request vacating the
following described property, to wit:

A PORTION OF LAND LYING IN SECTION
25, TOWNSHIP 24 SOUTH, RANGE 36
EAST, BREVARD COUNTY, FLORIDA, AND
BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

THE SOUTHERLY 5.00 FEET OF THE PLAT-
TED 15.00 FOOT PUBLIC DRAINAGE
EASEMENT WHICH ENCUMBERS THE
NORTH 15.00 FEET OF LOT 12, BLOCK 16,
CATALINA ISLE ESTATES UNIT 5, AS RE-
CORDED IN PLAT BOOK 20, PAGE 104,
OF THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA, CONTAINING 350.00
SQUARE FEET, MORE OR LESS. PRE-
PARED BY: TIM CARLILE, 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 October 22, 2019 at the Brevard
County Government Center Board
Room, Building C., 2725 Judge Fran Ja-
mieson Way, Viera, Florida, at which
time and place all those for or against
the same may be heard before final ac-
tion 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 pur-
pose, he or she may need to ensure that
a verbatim record of the proceedings is
made, which record includes the testi-
mony and evidence upon which the ap-
peal 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 im-
paired persons shall be met if the de-
partment sponsoring the
meeting/hearing is contacted at least 48
hours prior to the public
meeting/hearing by any person wishing
assistance.

Figure 9: Copy of public hearing advertisement as published on October 7, 2019.

Legal Notice Text

Requested by: Public Works Department of Brevard County, Florida

Corrina Gumm / Interim Director

By: Amber Holley / Vacating Acquisition & Review Specialist

Florida Today:

Please advertise in the October 07, 2019 issue of Florida TODAY.

PLEASE NOTE! Please use account #BRE-6BR327 and Purchase Order No. 4500092228-10, forward invoice and proof of publication to Amber Holley, Brevard County Public Works Dept., Surveying & Mapping Program, 2725 Judge Fran Jamieson Way, Room A-220, Viera, FL, 32940

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF THE 15.0 FT. WIDE PUBLIC DRAINAGE EASEMENT, PLAT OF "CATALINA ISLE ESTATES UNIT 5" IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, 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 **MICHAEL SCOTT PHILLIPS AND DEBORAH ANN PHILLIPS** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF LAND LYING IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY 5.00 FEET OF THE PLATTED 15.00 FOOT PUBLIC DRAINAGE EASEMENT WHICH ENCUMBERS THE NORTH 15.00 FEET OF LOT 12, BLOCK 16, CATALINA ISLE ESTATES UNIT 5, AS RECORDED IN PLAT BOOK 20, PAGE 104, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 350.00 SQUARE FEET, MORE OR LESS. PREPARED BY: TIM CARLILE, 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 October 22, 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.