



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.5.

10/22/2019

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### Subject:

Petition to Vacate, Re: Public Utility and Drainage Easement - "Catalina Isle Estates Unit Six" Plat book 20, Page 119 - Merritt Island - Marsha K. Myers - 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 centered on Lot 98, Block 16, "Catalina Isle Estates Unit Six" 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 petitioner owns Lot 98, Block 16 and is requesting the vacating of a portion of the 5.00 ft. wide public utility and drainage easement to remove the existing pool deck and screened patio as encroachments into said easement. Easement to be vacated contains 36.75 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 Courtney Parkway and north of East Merritt Avenue.

Fiscal Impact: The petitioners are charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

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

745

**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 13, 2019

Marsha K. Myers  
1000 Dakar Drive  
Merritt Island, FL 32953

Dear Marsha K. Myers:

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

The Board of County Commissioners, in regular session on October 22, 2019, adopted Resolution No. 19-216, vacating part of a public utility and drainage easement in Catalina Isle Estates Unit Six Subdivision, Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 8585, Pages 2417 through 2421. 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



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 13, 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 Six Subdivision, Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-216, vacating part of a public utility and drainage easement in Catalina Isle Estates Unit Six Subdivision, Merritt Island, as petitioned by Marsha K. Myers. 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)

Resolution 2019 - 216

**Vacating a part of a public utility and drainage easement in "Catalina Isle Estates Unit Six" 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 **MARSHA K. MYERS** 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 22<sup>TH</sup> 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

SITUATED IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
PARENT PARCEL: #24-36-25-26-16-98  
PURPOSE OF SURVEY: VACATION OF P.U. & D EASEMENT

SHEET 1 OF 2  
NOT VALID WITHOUT SHEET 2 OF 2

## LEGAL: VACATIONING OF A PORTION OF A 5.00 FOOT PU&DE EASEMENT (BY SURVEYOR)

A PORTION OF THE 5.00 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 98, BLOCK 16 AS SHOWN ON THE PLAT OF CATALINA ISLE ESTATES, UNIT SIX, AS RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY 1.50 FEET OF THE NORTHERLY 5.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT (PU&DE) OF SAID LOT 98, BLOCK 16. LESS THE EASTERLY 15.00 FEET AND LESS THE WESTERLY 70.00 FEET THEREOF. CONTAINING 36.75 SQUARE FEET

### SURVEYORS NOTES & LEGEND:

1. BEARINGS BASED ON A ASSUMED BEARING OF S25°12'20"E, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DAKAR DRIVE.
2. THIS IS NOT A BOUNDARY SURVEY
3. IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY PRECISION LAND SURVEYING, INC., PROJECT #19-1783, DATED 07/19/2019.

☉ = CENTERLINE  
CH = CHORD  
CONC. = CONCRETE  
(D) = DEEDED  
FD = FOUND  
ID = IDENTIFICATION  
IR = IRON ROD  
L = LENGTH  
LB = LICENSE BUSINESS  
LS = LICENSE SURVEYOR  
(M) = MEASURED  
NO = NUMBER  
ON/OFF = ON SITE/OFF SITE  
ORB = OFFICIAL RECORDS BOOK  
PG = PAGE  
PC = POINT OF CURVATURE  
(P) = PLATTED  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
R = RADIUS  
WF = WOOD FENCE



PREPARED FOR AND CERTIFIED TO:

**BREVARD COUNTY BOARD  
OF COUNTY COMMISSIONERS**

MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085  
CERTIFICATE OF AUTHORIZATION LB. 6586  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: PRECISION LAND SURVEYING, INC.  
2600 LAKE WASHINGTON ROAD, SUITE 1  
MELBOURNE, FLORIDA 32935

DRAWN BY: J. PRESSMAN

CHECKED BY: M. BARKER

PROJECT NO. 19-1783

DATE: 07/23/2019

DRAWING: 19-1783.dwg

REVISIONS

DATE

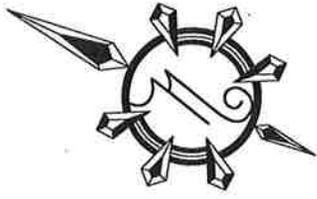
DESCRIPTION

SECTION 25  
TOWNSHIP 24 SOUTH  
RANGE 36 EAST

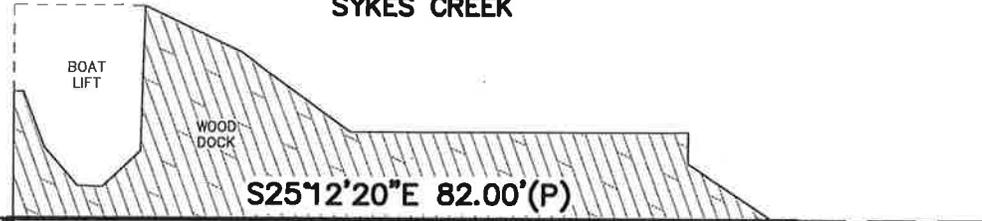
# SKETCH AND DESCRIPTION

SITUATED IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
 PARENT PARCEL: #24-36-25-26-16-98

SHEET 2 OF 2  
 NOT VALID WITHOUT SHEET 1 OF 2

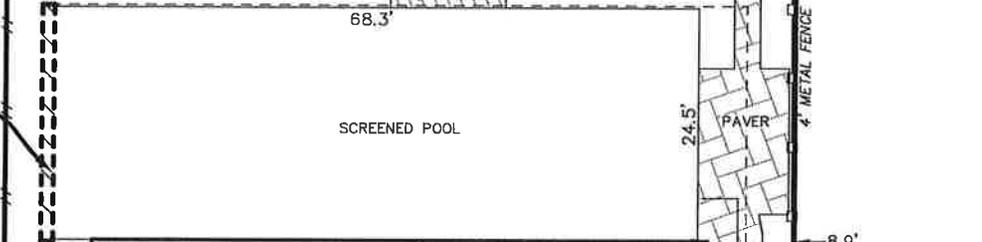


SYKES CREEK



**LOT 98  
 BLOCK 16**

THE SOUTHERLY 1.50 FEET OF  
 THE NORTHERLY 5.00 FOOT  
 PU&DE OF SAID LOT 98,  
 BLOCK 16, LESS THE  
 EASTERLY 15.00 FEET AND  
 THE WESTERLY 70.00 FEET.



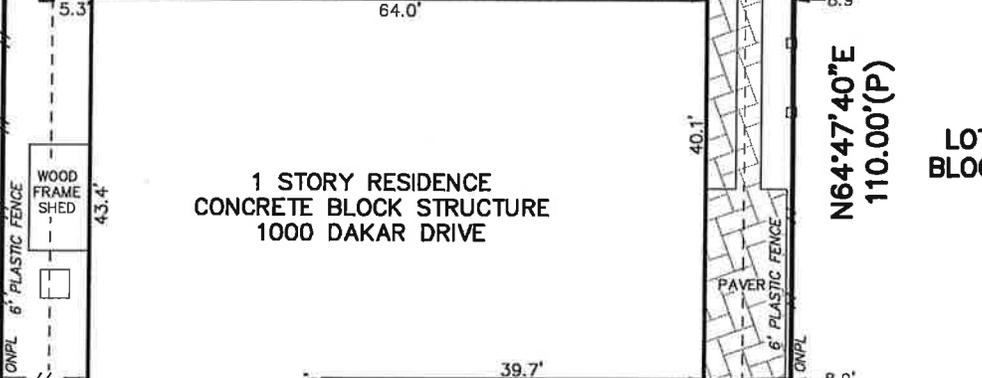
**LOT 99  
 BLOCK 16**

**N64°47'40"E  
 110.00'(P)**

**1 STORY RESIDENCE  
 CONCRETE BLOCK STRUCTURE  
 1000 DAKAR DRIVE**

**LOT 97  
 BLOCK 16**

**N64°47'40"E  
 110.00'(P)**

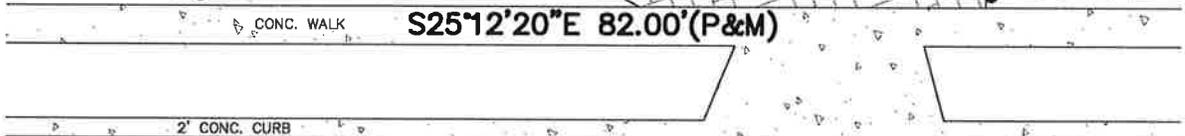


FD 5/8" I.R., "NO ID"  
 AT PC OF LOT 99

38.40'(P&M)

FD 3/4" I.R.  
 "NO ID"

FD 5/8" I.R.  
 "NO ID"



**S25°12'20"E 82.00'(P&M)**

**DAKAR DRIVE**

ASPHALT ROAD  
 (50' PUBLIC RIGHT-OF-WAY)

PREPARED BY: PRECISION LAND SURVEYING, INC.  
 2600 LAKE WASHINGTON ROAD, SUITE 1  
 MELBOURNE, FLORIDA 32935

SCALE: 1"=20'  
 PROJECT NO.: 19-1783

SECTION 25  
 TOWNSHIP 24 SOUTH  
 RANGE 36 EAST



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

AD #3825616 10/7/2019
LEGAL NOTICE

NOTICE FOR THE PARTIAL
VACATING OF THE 5.0 FT. WIDE
PUBLIC UTILITY & DRAINAGE
EASEMENT, PLAT OF "CATALINA
ISLE ESTATES, UNIT SIX" IN SEC-
TION 25, TOWNSHIP 24 SOUTH,
RANGE 36 EAST, MERRITT
ISLAND, FL

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

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 MARSHA
K. MYERS with the Board of County
Commissioners of Brevard County,
Florida, to request vacating the fol-
lowing described property, to wit:

LEGAL NOTICES

A PORTION OF THE 5.00 FOOT
PUBLIC UTILITY & DRAINAGE
EASEMENT (PU&DE) LYING
WITHIN LOT 98, BLOCK 16, AS
SHOWN ON THE PLAT OF CATALI-
NA ISLE ESTATES, UNIT SIX, AS
RECORDED IN PLAT BOOK 20,
PAGE 119 OF THE PUBLIC RE-
CORDS OF BREVARD COUNTY,
FLORIDA AND BEING MORE PAR-
TICULARLY DESCRIBED AS FOL-
LOWS:

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

10/07/2019

THE NORTHERLY 5.00 FEET OF
THE 5.00 FOOT PU & DE OF SAID
LOT 98, BLOCK 16, LESS THE EAST-
ERLY 15.00 FEET, CONTAINING
465.77 SQUARE FEET, MORE OR
LESS. PREPARED BY: MYRON E.
BARKER, PSM.

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.

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.

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

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 re-
cord includes the testimony and evi-
dence upon which the appeal is based.

Persons seeking to preserve a verba-
lim 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 wish-
ing assistance.

[Signature]

Affiant

[Signature]

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:

10/25/2019

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 1ST of NOVEMBER 2019, by Joe Heynen who is personally known to me

[Handwritten signature]

Affiant

[Handwritten signature of Vicky Felty]

Notary State of Wisconsin County of Brown

9-19-21

My commission expires



AD#3862862 10/25/2019
LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN CATALINA ISLE ESTATES UNIT SIX - MARSHA K. MEYERS

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 Six, lying in Section 25, Township 24 South, Range 36 East, Merritt Island, as petitioned by Marsha K. Meyers.

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

LEGAL DESCRIPTION:

EXHIBIT "A"
A PORTION OF THE 5.00 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 98, BLOCK 16, AS SHOWN ON THE PLAT OF CATALINA ISLE ESTATES, UNIT SIX, AS RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTHERLY 5.00 FEET OF THE 5.00 FOOT PU & DE OF SAID LOT 98, BLOCK 16, LESS THE EASTERLY 15.00 FEET, CONTAINING 465.77 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, PSM.

Resolution 2019 - 216

**Vacating a part of a public utility and drainage easement in "Catalina Isle Estates Unit Six" 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 **MARSHA K. MYERS** 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

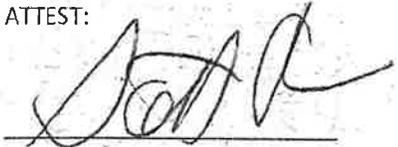
WHEREAS, the Board finds that vacating a portion of the public drainage and utility easement will not be detrimental to Brevard County or the public.

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 22<sup>TH</sup> 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  
NOT VALID WITHOUT SHEET 2 OF 2

SITUATED IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
PARENT PARCEL: #24-36-25-26-16-98  
PURPOSE OF SURVEY: VACATION OF P.U. & D EASEMENT

## LEGAL: VACATIONING OF A PORTION OF A 5.00 FOOT PU&DE EASEMENT (BY SURVEYOR)

A PORTION OF THE 5.00 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 98, BLOCK 16 AS SHOWN ON THE PLAT OF CATALINA ISLE ESTATES, UNIT SIX, AS RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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### SURVEYORS NOTES & LEGEND:

1. BEARINGS BASED ON A ASSUMED BEARING OF S25°12'20"E, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DAKAR DRIVE.
2. THIS IS NOT A BOUNDARY SURVEY
3. IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY PRECISION LAND SURVEYING, INC., PROJECT #19-1783, DATED 07/19/2019.

CL	= CENTERLINE
CH	= CHORD
CONC.	= CONCRETE
(D)	= DEEDED
FD	= FOUND
ID	= IDENTIFICATION
IR	= IRON ROD
L	= LENGTH
LB	= LICENSE BUSINESS
LS	= LICENSE SURVEYOR
(M)	= MEASURED
NO	= NUMBER
ON/OFF	= ON SITE/OFF SITE
ORB	= OFFICIAL RECORDS BOOK
PG	= PAGE
PC	= POINT OF CURVATURE
(P)	= PLATTED
PU&DE	= PUBLIC UTILITY & DRAINAGE EASEMENT
R	= RADIUS
WF	= WOOD FENCE



PREPARED FOR AND CERTIFIED TO:  
**BREVARD COUNTY BOARD  
OF COUNTY COMMISSIONERS**

MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085  
CERTIFICATE OF AUTHORIZATION LB. 6586  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

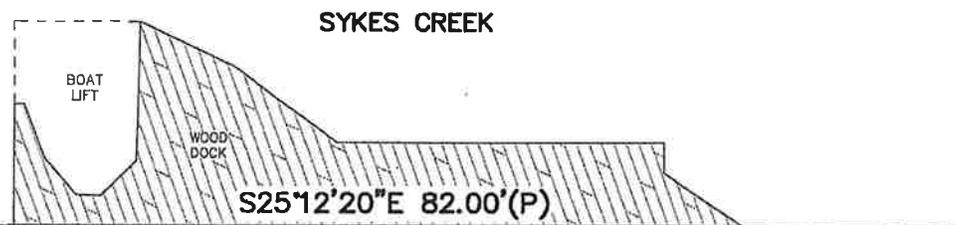
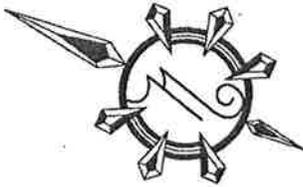
PREPARED BY: PRECISION LAND SURVEYING, INC.  
2600 LAKE WASHINGTON ROAD, SUITE 1  
MELBOURNE, FLORIDA 32935

DRAWN BY: J. PRESSMAN	CHECKED BY: M. BARKER	PROJECT NO. 19-1783		SECTION 25 TOWNSHIP 24 SOUTH RANGE 36 EAST
		REVISIONS	DATE	
DATE: 07/23/2019	DRAWING: 19-1783.dwg			

# SKETCH AND DESCRIPTION

SITUATED IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
 PARENT PARCEL: #24-36-25-26-16-98

SHEET 2 OF 2  
 NOT VALID WITHOUT SHEET 1 OF 2

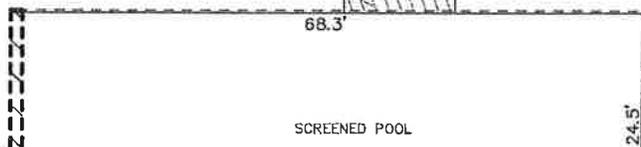


SET NAIL&DISC "ID LS5085" (0.5'OFFSET) 0.1' ON 1' CONG. SEAWALL 0.4' ON SET NAIL&DISC "ID LS5085" (0.5'OFFSET)

**LOT 98  
 BLOCK 16**

WOOD DECK 15' MAINTENANCE & PUBLIC UTILITY EASEMENT

THE SOUTHERLY 1.50 FEET OF THE NORTHERLY 5.00 FOOT PU&DE OF SAID LOT 98, BLOCK 16, LESS THE EASTERLY 15.00 FEET AND THE WESTERLY 70.00 FEET.



**LOT 99  
 BLOCK 16**

N64°47'40"E  
 110.00'(P)

1 STORY RESIDENCE  
 CONCRETE BLOCK STRUCTURE  
 1000 DAKAR DRIVE

**LOT 97  
 BLOCK 16**

N64°47'40"E  
 110.00'(P)

WOOD FRAME SHED 6" PLASTIC FENCE UNPL 6" PLASTIC FENCE

PAVER 4" METAL FENCE 6" PLASTIC FENCE UNPL

FD 5/8" I.R., "NO ID" AT PC OF LOT 99

38.40'(P&M)

FD 3/4" I.R., "NO ID"

FD 5/8" I.R., "NO ID"

5' PU&DE 26.9'

43.4'

5.3'

0.1' ON

0.1' ON

CONC. WALK

S25°12'20"E 82.00'(P&M)

2' CONG. CURB

**DAKAR DRIVE**

ASPHALT ROAD  
 (50' PUBLIC RIGHT-OF-WAY)

PREPARED BY: PRECISION LAND SURVEYING, INC.  
 2600 LAKE WASHINGTON ROAD, SUITE 1  
 MELBOURNE, FLORIDA 32935

SCALE: 1"=20'  
 PROJECT NO.: 19-1783

SECTION 25  
 TOWNSHIP 24 SOUTH  
 RANGE 36 EAST

A Daily Publication By:



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:

10/07/2019

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 1ST of NOVEMBER 2019, by Joe Heynen who is personally known to me

[Signature]
Affiant

[Signature]
Notary State of Wisconsin County of Brown

My commission expires 9-19-21



AD #3825616 10/7/2019
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF THE 5.0 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "CATALINA ISLE ESTATES, UNIT SIX" 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 11, Section 86-36, Brevard County Code, a petition has been filed by MARSHA K. MYERS with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF THE 5.00 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 98, BLOCK 16, AS SHOWN ON THE PLAT OF CATALINA ISLE ESTATES, UNIT SIX, AS RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHERLY 5.00 FEET OF THE 5.00 FOOT PU & DE OF SAID LOT 98, BLOCK 16, LESS THE EASTERLY 15.00 FEET, CONTAINING 465.77 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, 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 of 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.



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:

10/25/2019

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 1ST of NOVEMBER 2019, by Joe Heynen who is personally known to me

[Handwritten signature]

Affiant

[Handwritten signature]

Notary State of Wisconsin County of Brown

9/19/21

My commission expires



AD#3862862 10/25/2019
LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN CATALINA ISLE ESTATES UNIT SIX - MARSHA K. MEYERS

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 Six, lying in Section 25, Township 24 South, Range 36 East, Merritt Island, as petitioned by Marsha K. Meyers.

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

LEGAL DESCRIPTION:

EXHIBIT "A"
A PORTION OF THE 5.00 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 9B, BLOCK 16, AS SHOWN ON THE PLAT OF CATALINA ISLE ESTATES, UNIT SIX, AS RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTHERLY 5.00 FEET OF THE 5.00 FOOT PU & DE OF SAID LOT 9B, BLOCK 16, LESS THE EASTERLY 15.00 FEET, CONTAINING 465.77 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, PSM.

LEGAL NOTICE

RESOLUTION VACATING PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN  
CATALINA ISLE ESTATES UNIT SIX - MARSHA K. MEYERS

TO WHOM IT MAY CONCERN:

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**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 THE 5.00 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 98, BLOCK 16, AS SHOWN ON THE PLAT OF CATALINA ISLE ESTATES, UNIT SIX, AS RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHERLY 5.00 FEET OF THE 5.00 FOOT PU & DE OF SAID LOT 98, BLOCK 16, LESS THE EASTERLY 15.00 FEET, CONTAINING 465.77 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, PSM.

# Appraiser's Detail Sheet



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

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

Account	2418760
Owners	Marsha K Myers Revocable Living Trust
Mailing Address	1000 Dakar Dr Merritt Island FL 32953
Site Address	1000 Dakar Dr Merritt Island FL 32953
Parcel ID	24-36-25-26-16-98
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 6
Site Code	0110 - River Front
Plat Book/Page	0020/0119
Land Description	Catalina Isle Estates Unit 6 Lot 98 Blk 16



### VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$400,870	\$393,640	\$357,290
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$325,530	\$319,470	\$312,900
Assessed Value School	\$325,530	\$319,470	\$312,900
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	\$275,530	\$269,470	\$262,900
Taxable Value School	\$300,530	\$294,470	\$287,900

### SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
11/15/2018	-	WD	Improved	8309/0755
05/26/2015	\$440,000	WD	Improved	7378/2940
04/27/2006	\$585,000	WD	Improved	5651/6633
12/09/2005	\$585,000	WD	Improved	5651/6631
03/30/1994	\$183,900	WD	Improved	3372/4705
05/26/1989	\$165,000	WD	-	2998/3705
01/01/1973	\$33,000	-	-	1309/0304

### BUILDINGS

#### PROPERTY DATA CARD #1

Building Use: 0110 - Single Family Residence

Materials	Details	
Exterior Wall:	Stucco	Year Built 1967
Frame:	Masnryconc	Story Height 8
Roof:	Asph/Asb Shngl	Floors 1
Roof Structure:	Hip/Gable	Residential Units 1
		Commercial Units 0
<b>Sub-Areas</b>	<b>Extra Features</b>	
Base Area (1st)	1,188	Pool - Residential 1
Enclosed Por	896	Patio - Concrete 144

Figure 1: Copy of Brevard County Property Appraiser's detail sheet for lot 98, block 16, Catalina Isle Estates Unit Six, Marsha Myers, 1000 Dakar Drive, Merritt Island, Section 25, Township 24 South, Range 36 East, District 2.

## Vicinity Map

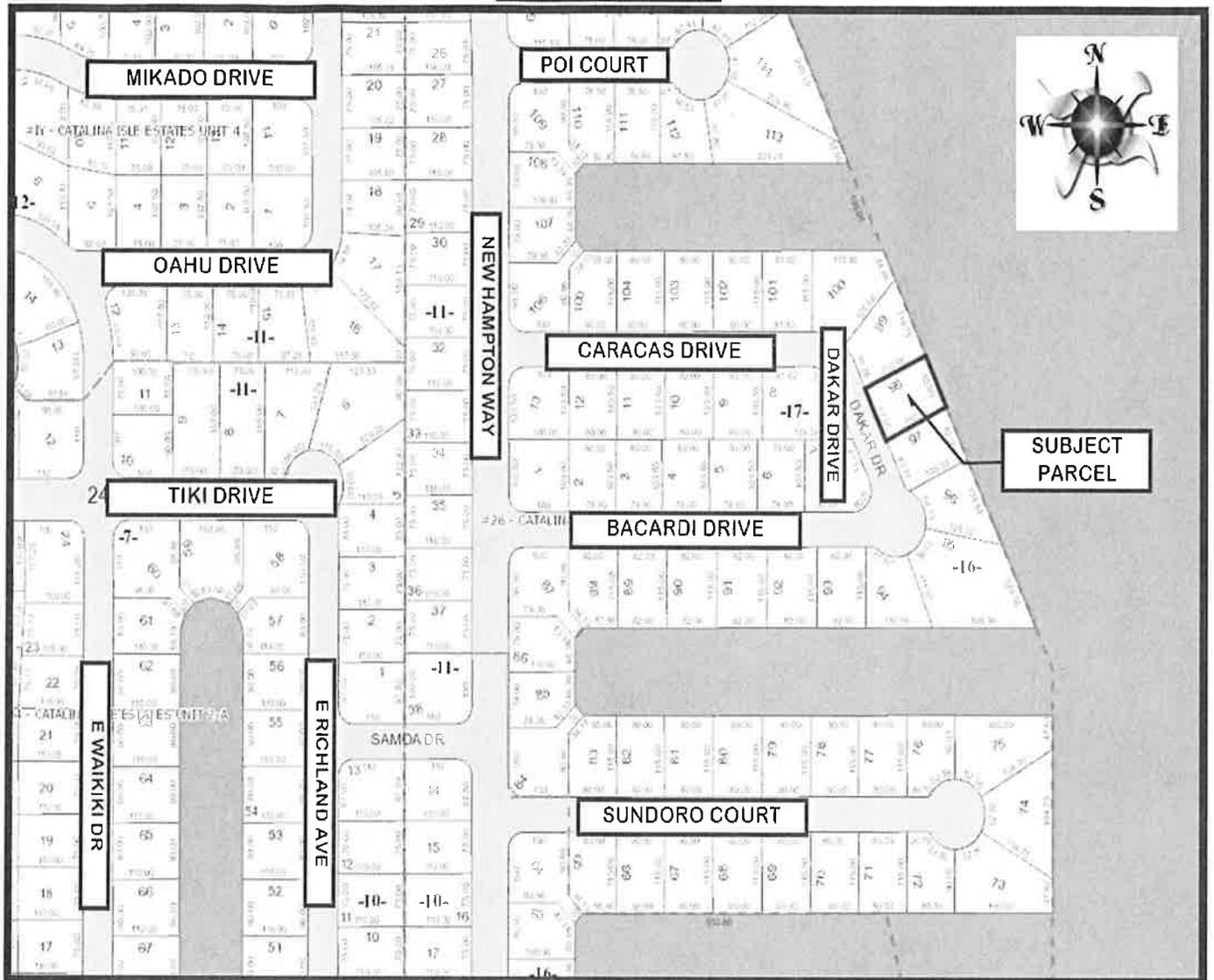


Figure 2: Map of lot 98, block 16, Catalina Isle Estates Unit Six, 1000 Dakar Drive, Merritt Island, FL.

Marsha K. Myers – Lot 98, Block 16, “Catalina Isle Estates Unit Six” (Plat Book 20, Page 119) – 1000 Dakar Drive – Section 25, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a portion of a 5.0 ft. Wide Public Utility and Drainage Easement

## Aerial Map

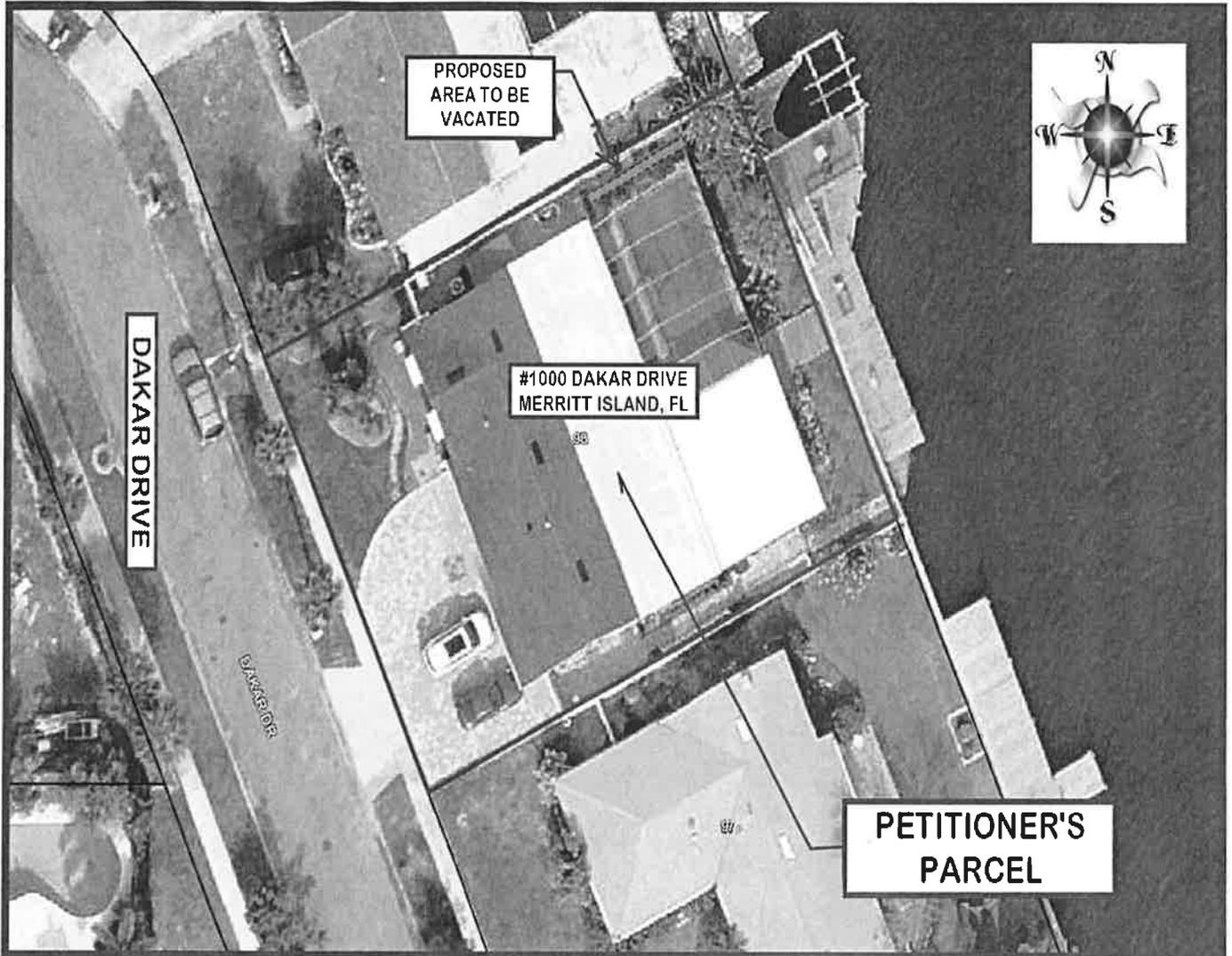


Figure 3: Map of lot 98, block 16, Catalina Isle Estates Unit Six, 1000 Dakar Drive, Merritt Island, FL.

Marsha K. Myers – Lot 98, Block 16, “Catalina Isle Estates Unit Six” (Plat Book 20, Page 119) – 1000 Dakar Drive – Section 25, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a portion of a 5.0 ft. Wide Public Utility and Drainage Easement

# Plat Reference

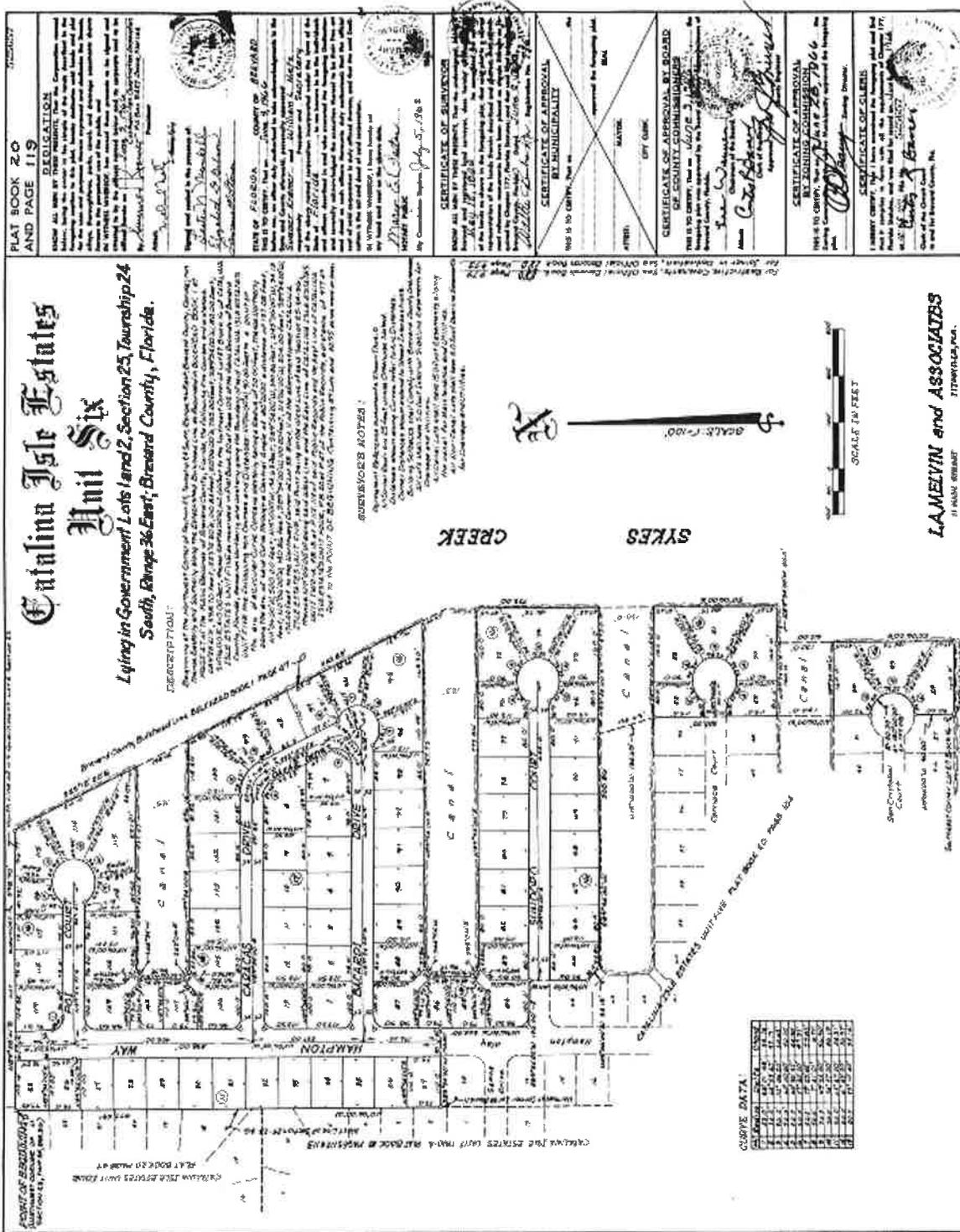


Figure 4: Copy of plat map "Catalina Isle Estates Unit Six" dedicated to Brevard County June 5, 1966.

# Petitioner's Deed: 1 of 2

CFN 2018255584, OR BK 8309 Page 755, Recorded 11/15/2018 at 03:38 PM Scott Ellis, Clerk of Courts, Brevard County Doc. D: \$0.70

THIS WARRANTY DEED, Executed this 15 day of November 2018, by MARSHA K. MYERS, a single woman, Grantor(s) to: MARSHA K. MYERS, Trustee(s), therein, to THE MARSHA K. MYERS REVOCABLE LIVING TRUST, U.T.D. February 19, 2014 whose post office address is 1000 DAKAR DR., MERRITT ISLAND, FL 32953, referred to as GRANTEE. The Trustee(s) shall have the power and authority under the Trust to protect, conserve and to sell or convey, or to lease, or to encumber, or otherwise to manage and dispose of the real property described in the deed. A duly appointed Successor Trustee, shall have the same aforementioned powers.

WITNESSETH, That the said Grantor(s), for and in consideration of the sum of \$10.00 in hand paid by the said Grantee(s), the receipt whereof is hereby acknowledged, has granted, bargained, and sold to said GRANTEE and GRANTEE's Successors, and assigns forever the following described land situate in Brevard County, State of Florida, to wit:

Lot 98, Block 16, CATALINA ISLES ESTATES UNIT SIX, according to the Plat thereof, as recorded in Plat Book 20, Page 119, of the Public Records of Brevard County, Florida.

Parcel ID Number: 25-36-25-26-00016.0-0098.00

TITLE TO THE ABOVE-DESCRIBED PROPERTY HAS BEEN NEITHER EXAMINED NOR APPROVED BY ROBERT A. DOHERTY, ATTORNEY.

(This is a deed of convenience given for nominal consideration as recited above; only minimum documentary stamps are required.)

This conveyance is subject to restrictions, reservations, limitations, and easements of record, taxes for the current year and subsequent years, and all mortgages of record which the Grantee(s) herein assume and agree to pay.

In Witness Whereof, The said Grantors have signed and sealed these presents the day and year first above written.

  
Robert A. Doherty      Witness

  
MARSHA K. MYERS

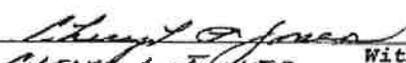
  
Charles E. Jones      Witness

Figure 5: Copy of deed of sale for lot 98, block 16, Catalina Isle Estates Unit Six to Marsha Myers on November 15, 2018.



# Petitioner's Sketch & Description Sheet 1 of 2

## LEGAL DESCRIPTION

SITUATED IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
 PARENT PARCEL: #24-36-25-28-16-98  
 PURPOSE OF SURVEY: VACATION OF P.U. & D EASEMENT

SHEET 1 OF 2  
 NOT VALID WITHOUT SHEET 2 OF 2

### LEGAL: VACATIONING OF A PORTION OF A 5.00 FOOT PU&DE EASEMENT (BY SURVEYOR)

A PORTION OF THE 5.00 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 98, BLOCK 16 AS SHOWN ON THE PLAT OF CATALINA ISLE ESTATES, UNIT SIX, AS RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY 1.50 FEET OF THE NORTHERLY 5.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT (PU&DE) OF SAID LOT 98, BLOCK 16, LESS THE EASTERLY 15.00 FEET AND LESS THE WESTERLY 70.00 FEET THEREOF, CONTAINING 36.75 SQUARE FEET

### SURVEYORS NOTES & LEGEND:

1. BEARINGS BASED ON A ASSUMED BEARING OF S25°12'20"E, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DAKAR DRIVE.
2. THIS IS NOT A BOUNDARY SURVEY
3. IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY PRECISION LAND SURVEYING, INC., PROJECT #19-1783, DATED 07/19/2019.

- E = CENTERLINE
- CH = CHORD
- CONC. = CONCRETE
- (D) = DEEDED
- FD = FOUND
- ID = IDENTIFICATION
- IR = IRON ROD
- L = LENGTH
- LB = LICENSE BUSINESS
- LS = LICENSE SURVEYOR
- (M) = MEASURED
- NO = NUMBER
- ON/OFF = ON SITE/OFF SITE
- ORB = OFFICIAL RECORDS BOOK
- PG = PAGE
- PC = POINT OF CURVATURE
- (P) = PLATTED
- PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT
- R = RADIUS
- WF = WOOD FENCE

  
*Myron E. Barker*  
 MYRON E. BARKER - FLORIDA, CERTIFICATE NO. 5085  
 CERTIFICATE OF AUTHORIZATION LB. 6586  
 PROFESSIONAL SURVEYOR & MAPPER  
 NOT VALID UNLESS SIGNED AND SEALED

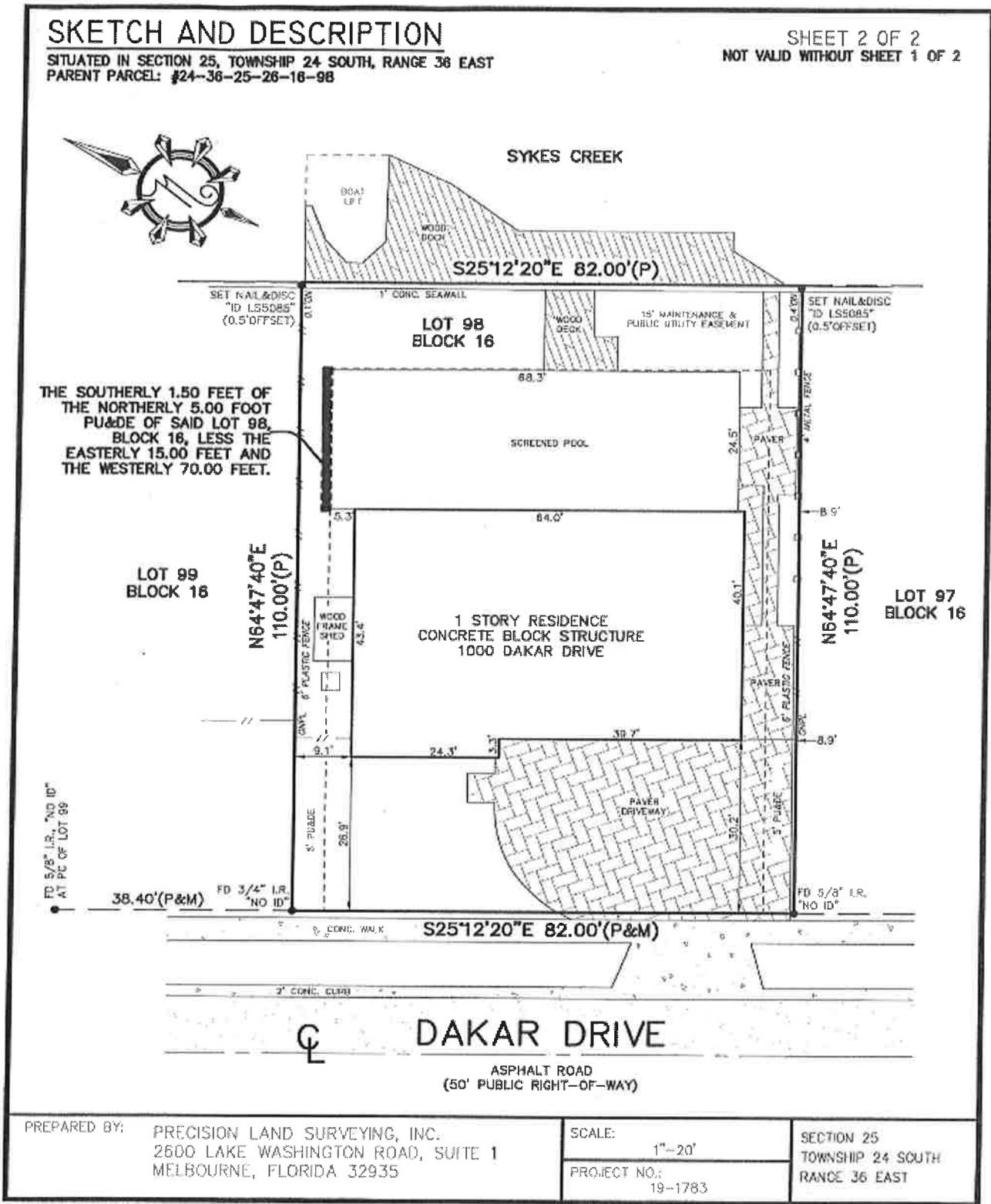
PREPARED FOR AND CERTIFIED TO:  
**BREVARD COUNTY BOARD  
 OF COUNTY COMMISSIONERS**

PREPARED BY: PRECISION LAND SURVEYING, INC.  
 2600 LAKE WASHINGTON ROAD, SUITE 1  
 MELBOURNE, FLORIDA 32935

DRAWN BY: J. PRESSMAN	CHECKED BY: M. BARKER	PROJECT NO. 19-1783	SECTION 25
DATE: 07/23/2019	DRAWING: 19-1783.dwg	REVISIONS	TOWNSHIP 24 SOUTH
		DATE	RANGE 36 EAST
		DESCRIPTION	

Figure 7: Copy of legal description sheet 1 of 2 of lot 98, block 16, Catalina Isle Estates Unit Six.

# Petitioner's Sketch & Description Sheet 2 of 2



# Comment Sheet

## COMMENT SUMMARY

APPLICANT: Marsha K. Myers

UPDATED / BY: Amber Holley 20190819 @ 12:00 hours

COMPANIES	NOTIFIED	COMMENTS		STIPULATIONS/REMARKS
		RECEIVED	APPROVED	
<b>UTILITIES</b>				
Florida City Gas Co.	20190809	20190811	YES	NO OBJECTIONS
Florida Power & Light Co.	20190809	20190819	YES	NO OBJECTIONS
AT & T	20190809	20190812	YES	NO OBJECTIONS
City of Cocoa	20190809	20190814	YES	NO OBJECTIONS
Charter Communications	20190809	20190909	YES	NO RESPONSE
<b>COUNTY STAFF</b>				
Road & Bridge	20190809	20190819	YES	NO OBJECTIONS-SUSAN JACKSON
Land Planning	20190809	20190910	YES	NO OBJECTIONS-REBECCA RAGAIN
Utility Services	20190809	20190809	YES	NO OBJECTIONS-TAMMY HURLEY
NRMD / Storm Water	20190909	20190909	YES	NO OBJECTIONS-HARVEY WHEELER
Zoning	20190809	20190812	YES	NO OBJECTIONS-PAUL BODY

Figure 9: Copy of comment sheet for utility review.

## Public Hearing Legal Advertisement

AD #3825616 10/7/2019 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF THE 5.0 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "CATALINA ISLE ESTATES, UNIT SIX" 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 MARSHA K. MYERS with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: A PORTION OF THE 5.00 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT (PU&DE) LYING WITHIN LOT 98, BLOCK 16, AS SHOWN ON THE PLAT OF CATALINA ISLE ESTATES, UNIT SIX, AS RECORDED IN PLAT BOOK 20, PAGE 119 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTHERLY 5.00 FEET OF THE 5.00 FOOT PU & DE OF SAID LOT 98, BLOCK 16, LESS THE EASTERLY 15.00 FEET, CONTAINING 465.77 SQUARE FEET, MORE OR LESS. PREPARED BY: MYRON E. BARKER, 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.

*Figure 10: 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

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Florida Today:

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

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***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 5.0 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "CATALINA ISLE ESTATES, UNIT SIX" IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL**

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