



Meeting Date
January 23, 2018

AGENDA	
Section	PUBLIC HEARING
Item No.	IV. A.

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: 2 - Public Utility and Drainage Easement & 1 - Public Utility Easement – Alamanda Court – “Rio Lindo” – Indialantic – Clement DiLoreto – District 5 (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 2 – 10 ft. wide public utility and drainage easements (“PU/DE”) and 1 – 10 ft. public utility easement (“PUE”) in Section 25, Township 27 South, Range 37 East. If approved, it is requested that the Board authorize 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 owns Lots 5 and 10, the West 42.5 ft. of Lot 6 and the West 47.5 ft. of Lot 9 and is requesting the vacating of the 10 ft. wide PU/DE centered along the common lines between the Lots 5 & 6 and Lots 9 & 10 and the 5 ft. wide PUE along the rear of Lots 5 and 10, the West 42.5 ft. of Lot 6 and the West 47.5 ft. of Lot 9 to allow for the re-division of the parcel into two, more usable and unencumbered building parcels; Parcel 1 being Lot 5 with the West 42.5 ft. and Parcel 2 being Lot 10 with the West 47.5 ft. of Lot 9. The total area of the easements being vacated is 3,225 square feet or 0.07 acres, more or less.

January 08, 2018, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

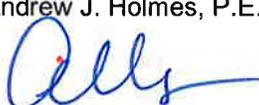
All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received; each of these easements has previously been vacated once before by the Board. The property is located in Indialantic as follows: Begin at the intersection of S. R. A-1-A and S.R. 518 (East Eau Gallie Boulevard); thence 1.07 miles west along S. R. 518; thence 2.13 miles south along North Riverside Drive; thence 0.05 miles west along Alamanda Court to the residence on the north (right).

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

Name: Marc.Cazessus@brevardcounty.us 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"/>
County Manager Frank Abbate 	Assistant County Manager John P. Denninghoff 	Department Director / Extension Andrew J. Holmes, P.E. / Ext. 57202 			
	Interim Assistant County Manager Jim Liesenfelt				



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

February 6, 2018

M E M O R A N D U M

TO: Andrew Holmes, Public Works Director Attn: Marc Cazessüs

RE: Advertising Bills for Resolution Vacating Two Public Utility and Drainage Easements and One Public Utility Easement on Alamanda Court in Rio Lindo, Indialantic

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 18-006, vacating two public utility and drainage easements and one public utility easement on Alamanda Court in Rio Lindo, Indialantic, as petitioned by Clement Diloreto. Said Resolution was adopted by the Board of County Commissioners, in regular session on January 23, 2018.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

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

February 6, 2018

Clement Diloreto
c/o Richard P. McNeight
253 Lansing Island Drive
Indian Harbor Beach, FL 32937

Dear Mr. Diloreto:

Re: Resolution Vacating Two Public Utility and Drainage Easements and One Public Utility Easement on Alamanda Court in Rio Lindo, Indialantic

The Board of County Commissioners, in regular session on January 23, 2018, adopted Resolution No. 18-006, vacating two public utility and drainage easements and one public utility easement on Alamanda Court in Rio Lindo, Indialantic, as petitioned by you. Said Resolution has been recorded in ORBK 8085, Pages 1709 through 1713. 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 TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS & A PUBLIC UTILITY EASEMENT IN "RIO LINDO" SUBDIVISION, INDIALANTIC, FLORIDA, LYING IN SECTION, 25, TOWNSHIP 27 SOUTH, RANGE 37 EAST

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **CLEMENT DILORETO** with the Board of County Commissioners to vacate two public utility and drainage easements and one public utility 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 the public drainage and utility easement and the public utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility and drainage easements and public utility 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.

CFN 2018026859, OR BK 8085 PAGE 1709,
Recorded 02/06/2018 at 10:18 AM, Scott Ellis, Clerk of Courts,
Brevard County
Pgs:5

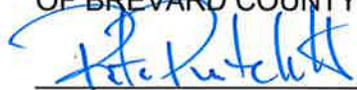
DONE, ORDERED AND ADOPTED, in regular session, this 23rd day of January, 2018 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



RITA PRITCHETT, CHAIR

As approved by the Board on:
January 23, 2018

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 25, TOWNSHIP 27 SOUTH, RANGE 37 EAST
PARCEL ID# 27-37-25-25-*--5

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

NOT A SURVEY

PURPOSE OF SKETCH:
VACATION OF EASEMENTS

LEGAL DESCRIPTION:

THAT CERTAIN 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT CENTERED ALONG THE COMMON SIDE LOT LINES BETWEEN LOTS 5 AND 6 AND LOTS 9 AND 10, TOGETHER WITH THAT PORTION OF THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING OVER THE SOUTH 5.00 FEET OF THE EAST 80.00 FEET OF SAID LOT 5, THE SOUTH 5.00 FEET OF THE WEST 42.50 FEET OF SAID LOT 6, THE NORTH 5.00 FEET OF THE WEST 47.50 FEET OF SAID LOT 9 AND THE NORTH 5.00 FEET OF THE EAST 95.00 FEET OF SAID LOT 10, ALL OF THE ABOVE BEING A PART OF THE FIRST ADDITION TO RIO LINDO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 111, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING IN TOTAL 3,225 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE SOUTH RIGHT-OF-WAY LINE OF ROSE MARIE LANE BEING S 89°04'46" E.
2. THIS IS NOT A SURVEY.
3. THIS SKETCH AND DESCRIPTION CONTAINS TWO SHEETS. EACH SHEET IS NOT FULL OR COMPLETE WITHOUT THE OTHER.
4. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER WHICH CAN BE FOUND ON SHEET 1 OF 2.
5. THE LOCATION OF THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY KANE SURVEYING, INC., PROJECT #37082, DATED 10/5/17.

LEGEND:

- A = ARC
- BLDG = BUILDING
- BRG = BEARING
- CLF = CHAIN LINK FENCE
- CONC = CONCRETE
- DA = DELTA ANGLE
- EOP = EDGE OF PAVEMENT
- ESMT = EASEMENT
- FP&L = FLORIDA POWER & LIGHT COMPANY
- LB = LICENSED BUSINESS NUMBER
- (P) = PLAT
- P.B. = PLAT BOOK
- P.C. = POINT OF CURVATURE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PUDE = PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT
- PUE = PUBLIC UTILITY EASEMENT
- R = RADIUS
- REF = REFERENCE
- R/W = RIGHT OF WAY
- TYP = TYPICAL

PREPARED FOR:

CLEM DILORETO AND DORA DILORETO

PROJECT NO. 37082

DRAWN BY: JED

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION WAS DONE UNDER MY DIRECTION AND MEETS THE STANDARDS AND PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE: 12/5/17

JOEL A. SEYMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER
STATE OF FLORIDA No. LS 6133

Kane Surveying, Inc.

FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448

SKETCH OF DESCRIPTION

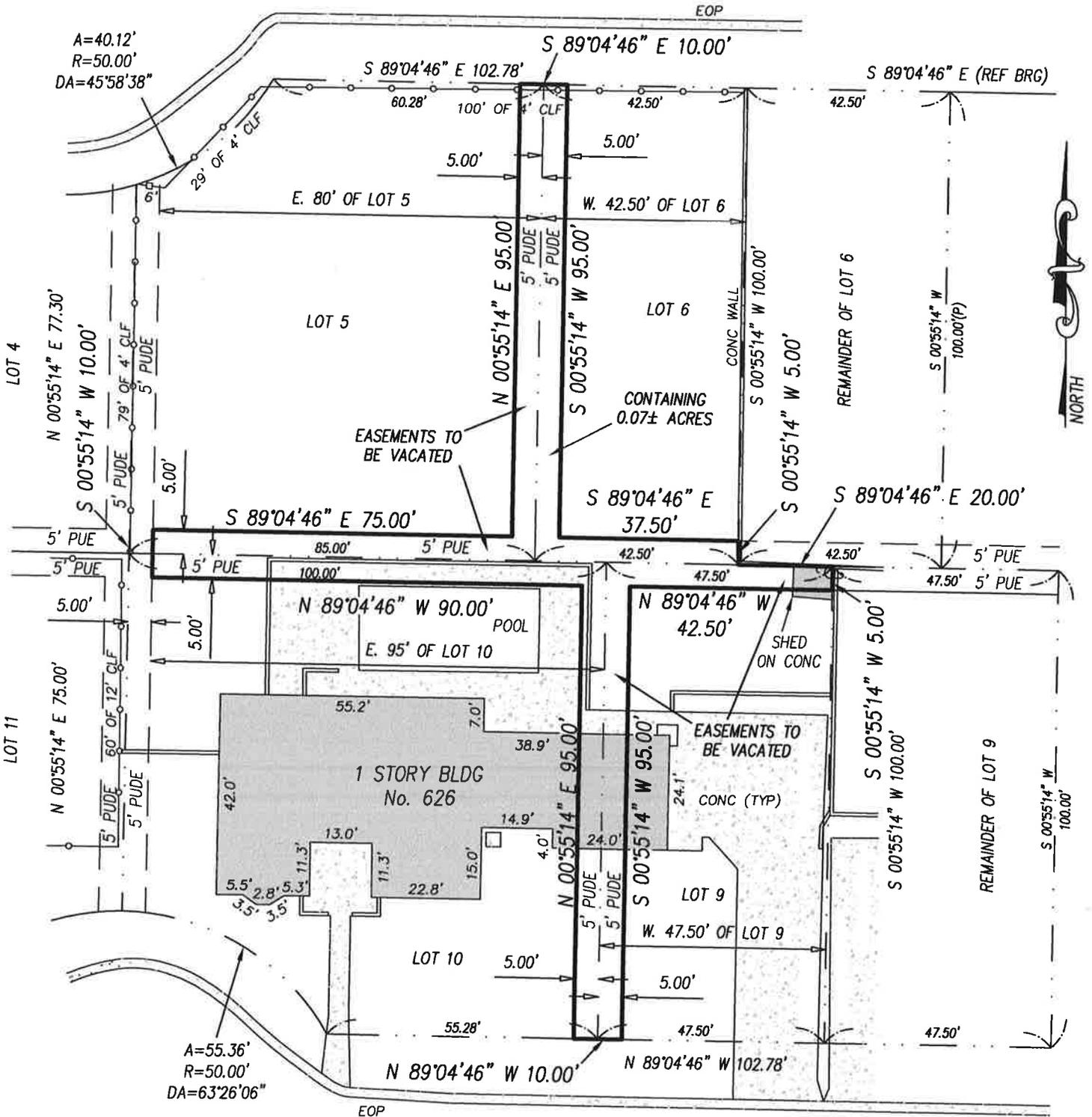
SHEET 2 OF 2

SECTION 25, TOWNSHIP 27 SOUTH, RANGE 37 EAST
 PARCEL ID# 27-37-25-25-*--5

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2

NOT A SURVEY

ROSE MARIE LANE PUBLIC R/W (WIDTH VARIES)



Kane Surveying, Inc.

FLORIDA LICENSED BUSINESS No. LB 7838
 505 DISTRIBUTION DRIVE
 MELBOURNE, FLORIDA 32904
 (321) 676-0427 FAX (321) 984-1448

ALAMANDA COURT

PUBLIC R/W (WIDTH VARIES)

DATE: 12/5/17

SCALE 1 INCH = 30 FEET

PROJECT NO. 37082



BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A 220
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

Legal Notices

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

01/08/18

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 8th of January 2018, by Becky Holland who is personally known to me

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

Publication Cost: \$249.76
Ad No: 0002643839
Customer No: BRE-6BR327



Adia Bell
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF954893
Expires 1/27/2020

LEGAL NOTICE
FOR THE VACATING OF TWO - 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS AND ONE - 10.0 FT. WIDE PUBLIC UTILITY EASEMENT ON ALAMANDA COURT, PLAT OF "THE FIRST ADDITION TO RIO LINDO" IN SECTION 25, TOWNSHIP 27 SOUTH, RANGE 37 EAST, INDIALANTIC, 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 CLEMENT D'LORETO 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 January 23, 2018 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.

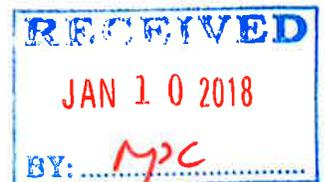
Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings 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"

THAT CERTAIN 10.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT CENTERED ALONG THE COMMON SIDE LOT LINES BETWEEN LOTS 5 AND 6 AND LOTS 9 AND 10, TOGETHER WITH THAT PORTION OF THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING OVER THE SOUTH 5.00 FEET OF THE EAST 80.00 FEET OF SAID LOT 5, THE SOUTH 5.00 FEET OF THE WEST 42.50 FEET OF SAID LOT 6, THE NORTH 5.00 FEET OF THE WEST 47.50 FEET OF SAID LOT 9 AND THE NORTH 5.00 FEET OF THE EAST 95.00 FEET OF SAID LOT 10, ALL OF THE ABOVE BEING A PART OF THE FIRST ADDITION TO RIO LINDO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 111, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING IN TOTAL 3,225 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.
PUBLICATION: 1/8/2018





BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A 220
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

Legal Notices

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

01/27/18

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 29th of January 2018, by Becky Holland who is personally known to me

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

Publication Cost: \$178.04
Ad No: 0002687059
Customer No: BRE-6BR327



Adia Bell
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF954893
Expires 1/27/2020

AD# 2687059, 1/27/2018
LEGAL NOTICE

RESOLUTION VACATING TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS AND ONE PUBLIC UTILITY EASEMENT ON ALAMANDA COURT IN RIO LINDO, INDIALANTIC - CLEMENT DILORETO.

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 23rd day of January, 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating two public utility and drainage easements and one public utility easement on Alamanda Court in Rio Lindo, Indialantic, as petitioned by Clement Diloreto.
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"

THAT CERTAIN 10.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT CENTERED ALONG THE COMMON SIDE LOT LINES BETWEEN LOTS 5 AND 6 AND LOTS 9 AND 10, TOGETHER WITH THAT PORTION OF THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING OVER THE SOUTH 5.00 FEET OF THE EAST 80.00 FEET OF SAID LOT 5, THE SOUTH 5.00 FEET OF THE WEST 42.50 FEET OF SAID LOT 6, THE NORTH 5.00 FEET OF THE WEST 47.50 FEET OF SAID LOT 9 AND THE NORTH 5.00 FEET OF THE EAST 95.00 FEET OF SAID LOT 10, ALL OF THE ABOVE BEING A PART OF THE FIRST ADDITION TO RIO LINDO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 111, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING IN TOTAL 3,225 SQUARE FEET OR 0.07 ACRES, MORE OR LESS, PREPARED BY JOEL A. SEYMOUR





**Classified Ad Receipt
(For Info Only - NOT A BILL)**

Customer: BREVARD CTY PUBLIC WORKS DEPT
Address: 2725 JUDGE FRAN JAMIESON WAY
VIERA FL 32940
USA

Ad No.: 0002687059
Pymt Method: Invoice
Net Amt: \$178.04

Run Times: 1

No. of Affidavits: 1

Run Dates: 01/27/18

Text of Ad:

AD# 2687059, 1/27/2018
LEGAL NOTICE

RESOLUTION VACATING TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS AND ONE PUBLIC UTILITY EASEMENT ON ALAMANDA COURT IN RIO LINDO, INDIANLANTIC - CLEMENT DILORETO

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 23rd day of January, 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating two public utility and drainage easements and one public utility easement on Alamanda Court in Rio Lindo, Indianlantic, as petitioned by Clement DiLoreto.

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"

THAT CERTAIN 10.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT CENTERED ALONG THE COMMON SIDE LOT LINES BETWEEN LOTS 5 AND 6 AND LOTS 9 AND 10, TOGETHER WITH THAT PORTION OF THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING OVER THE SOUTH 5.00 FEET OF THE EAST 80.00 FEET OF SAID LOT 5, THE SOUTH 5.00 FEET OF THE WEST 42.50 FEET OF SAID LOT 6, THE NORTH 5.00 FEET OF THE WEST 47.50 FEET OF SAID LOT 9 AND THE NORTH 5.00 FEET OF THE EAST 95.00 FEET OF SAID LOT 10, ALL OF THE ABOVE BEING A PART OF THE FIRST ADDITION TO RIO LINDO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 111, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING IN TOTAL 3,225 SQUARE FEET OR 0.07 ACRES, MORE OR LESS, PREPARED BY JOEL A. SEYMOUR

Donna Scott

From: LEGALS, BRE <BRELEGALS@gannett.com>
Sent: Wednesday, January 24, 2018 9:38 AM
To: Donna Scott
Subject: RE: legal notice
Attachments: OrderConf.pdf

Thank you for your business. Attached please find the order confirmation for the legal ad that you requested we publish.

If you have any questions or need to make modifications, please contact us at 888-516-9220 between the hours of 8:00 am and 5:00 pm.

Nancy Dawson
Regional Legal Notice Advisor



Office: 888-516-9220 ext. 3158
(Fax: 800-560-7434
ndawson@gannett.com

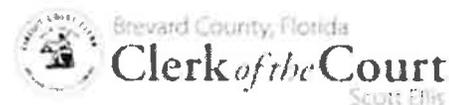
***Please note: An Affidavit of Publication (which is your notarized proof that you legally published your notice in the newspaper) will be charged and automatically added to your invoice unless you let us know **in writing** that you do not wish to have one.*

Please include your account number when requesting legal notices to ensure proper billing.

From: Donna Scott [<mailto:donna.scott@brevardclerk.us>]
Sent: Wednesday, January 24, 2018 8:57 AM
To: LEGALS, BRE <BRELEGALS@gannett.com>
Subject: legal notice

Attached is legal notice to be published on Saturday, January 27; billing the Public Works Department Account No. 6BR327, and Purchase Order No. 4500092228-10.

Donna Scott
Assistant Clerk to the Board
(321) 637-2001 / Ext. 49120



LEGAL NOTICE

RESOLUTION VACATING TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS AND
ONE PUBLIC UTILITY EASEMENT ON ALAMANDA COURT IN RIO LINDO, INDIALANTIC
– CLEMENT DILORETO

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 23rd day of January, 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating two public utility and drainage easements and one public utility easement on Alamanda Court in Rio Lindo, Indialantic, as petitioned by Clement DiLoreto.

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 January 27, 2018, issue of the Florida TODAY.

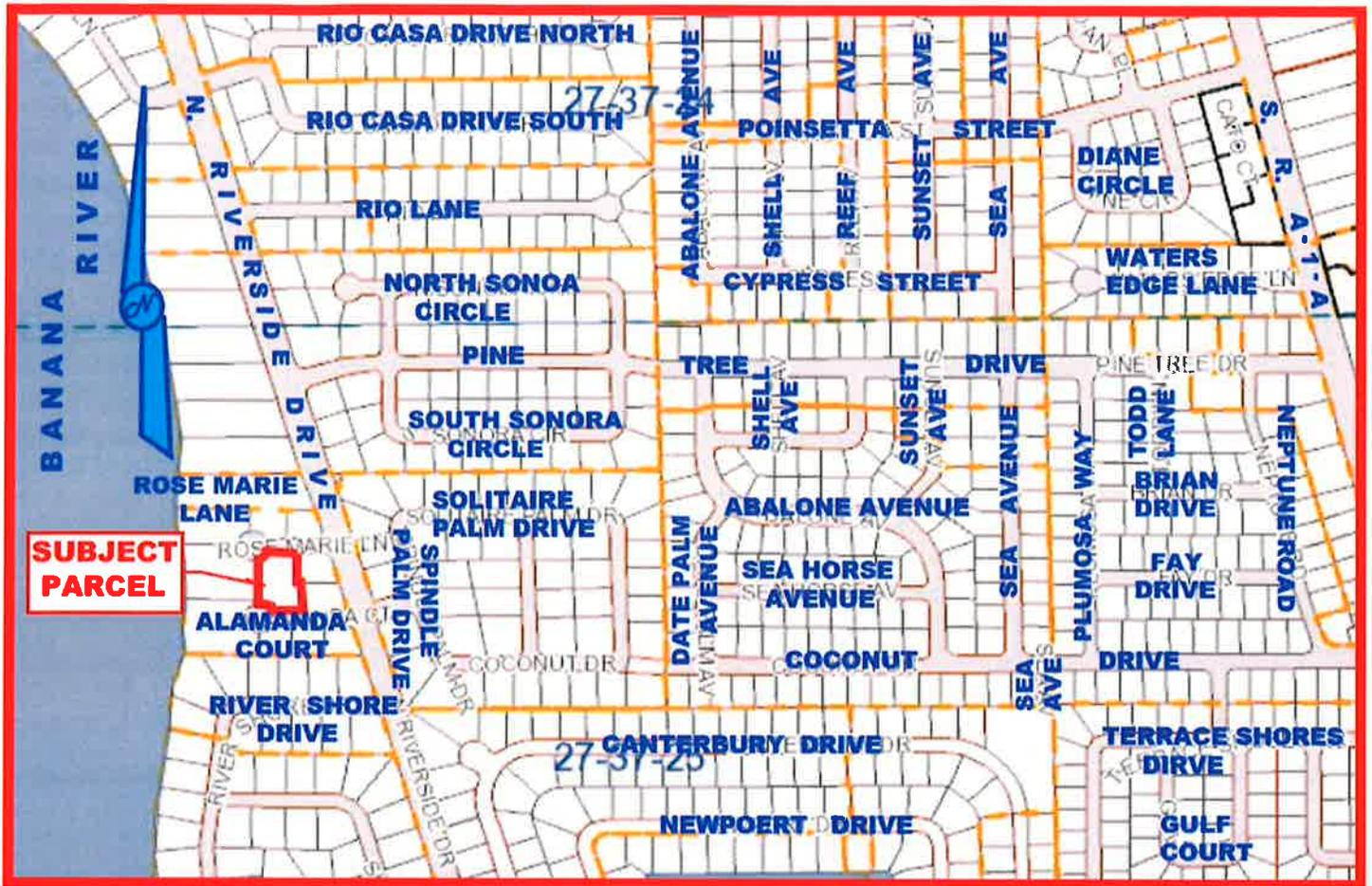
**Bill the Board of County Commissioners Account Number 6BR327
and forward bill and proof of publication to:**

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

LEGAL DESCRIPTION:

EXHIBIT "A"

THAT CERTAIN 10.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT CENTERED ALONG THE COMMON SIDE LOT LINES BETWEEN LOTS 5 AND 6 AND LOTS 9 AND 10, TOGETHER WITH THAT PORTION OF THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING OVER THE SOUTH 5.00 FEET OF THE EAST 80.00 FEET OF SAID LOT 5, THE SOUTH 5.00 FEET OF THE WEST 42.50 FEET OF SAID LOT 6, THE NORTH 5.00 FEET OF THE WEST 47.50 FEET OF SAID LOT 9 AND THE NORTH 5.00 FEET OF THE EAST 95.00 FEET OF SAID LOT 10, ALL OF THE ABOVE BEING A PART OF THE FIRST ADDITION TO RIO LINDO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 111, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING IN TOTAL 3,225 SQUARE FEET OR 0.07 ACRES, MORE OR LESS. PREPARED BY JOEL A. SEYMOUR



VICINITY MAP

Clement DiLoreto – 626 Alamanda Court –
Indialantic – Lot 5, the West 42.5 ft. of Lot 6,
the West 47.5 ft. of Lot 9 & Lot 10, Plat of “Rio
Lindo” (Plat Book 19, Page 111) – Section 25,
Township 27 South, Range 37 East – District 5
– Proposed Vacating of 2 – 10 ft. Wide Public
Utility & Drainage Easements along the
Common Side Lot Lines and 1 – 10 ft. Wide
Public Utility Easement at Rear Lot Lines



AERIAL MAP

Clement DiLoreto – 626 Alamanda Court –
 Indialantic – Lot 5, the West 42.5 ft. of Lot 6,
 the West 47.5 ft. of Lot 9 & Lot 10, Plat of “Rio
 Lindo” (Plat Book 19, Page 111) – Section 25,
 Township 27 South, Range 37 East – District 5
 – Proposed Vacating of 2 – 10 ft. Wide Public
 Utility & Drainage Easements along the
 Common Side Lot Lines and 1 – 10 ft. Wide
 Public Utility Easement at Rear Lot Lines



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2727455
 Owners Diloreto, C D; Diloreto, Dora R
 Mailing Address 364 Intrepid Way Indialantic FL 32903-1822
 Site Address 626 Alamanda CT Indialantic FL 32903
 Parcel ID 27-37-25-25-*5
 Property Use 0110 - Single Family Residence
 Exemptions HEX1 - Homestead First
 HEX2 - Homestead Additional
 Taxing District 5300 - Unincorp District 5
 Total Acres 0.63
 Subdivision Rio Lindo 1St Addn To
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0019/0111
 Land Description Rio Lindo 1St Addn To Lots 5, 10, W 42.5 Ft Of Lot 6 & W 47.5 Ft Of Lot 9



VALUE SUMMARY

Category	2017	2016	2015
Total Market Value	\$332,780	\$322,880	\$308,350
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$216,370	\$211,920	\$210,450
Assessed Value School	\$216,370	\$211,920	\$210,450
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	\$166,370	\$161,920	\$160,450
Taxable Value School	\$191,370	\$186,920	\$185,450

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/01/1967	\$4,200	-	-	0964/0907

BUILDINGS

PROPERTY DATA CARD #1					
Building Use	Year Built	Story Height	Floors	Residential Units	Commercial Units
0110 - Single Family Residence	1968	8	1	1	0
Materials			Sub Areas		
Exterior Wall:	Stucco		Base Area (1st)	2466	
Frame:	Masnryconc		Garage	576	
Roof:	Cem/Cly/Mtl Tile		Total Base Area	2466	
Roof Structure:	Hip/Gable		Total Sub Area	3042	
Extra Features			Additional Extra Features		
Pool Deck	1535		No Data Found		
Patio: Concrete	224				
Pool: Residential	1				

APPRAISER'S DETAIL SHEET

12-60

WARRANTY DEED

Pub 964 NCE 907

BLANKED FORM 02

This Warranty Deed Made the 18th day of July A. D. 1967 by

SIDNEY M. BOSKIND and ETHELWYN F. BOSKIND, his wife

hereinafter called the grantor, to

CLEMENT D. DILORENTO and DORA R. DILORENTO, his wife

whose postoffice address is 2335 Reef Avenue, Indianalantic, Florida

hereinafter called the grantees:

Witnesseth: That the grantor, he and he, in consideration of the sum of \$10.00 and other

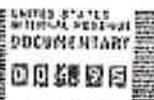
valuable considerations, a receipt whereof is hereby acknowledged, hereby grants, conveys, sells, assigns, conveys, releases, conveys and confirms unto the grantees, all that certain land situate in Brevard County, Florida, to-wit:

Lot Five (5) and the West 42.5 feet of Lot Six (6) First Addition to Rio Verde as recorded in Plat Book 18, Page 111, Public Records of Brevard County, Florida.

STATE OF FLORIDA, COUNTY OF BREVARD
I HEREBY CERTIFY that the foregoing is a true copy of the original filed in this office and may contain redactions as required by law.

SCOTT ELLIS, Clerk of the Circuit Court

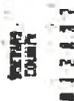
Date 11/22/19 By *h. Johnson*



Together with all the easements, benefits and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same to the grantees forever.

And the grantor hereby covenants with said grantees that the grantor is lawfully seized of said land by fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whatsoever; and that said land is free of all encumbrances, except taxes remaining subsequent to December 31, 1966.



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

Signed, sealed and delivered in our presence:

Angela Owens

Sidney M. Boskind and *Ethelwyn F. Boskind*

STATE OF Florida
COUNTY OF Brevard

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida and in the County aforesaid to take acknowledgments, personally appeared

Sidney M. Boskind and Ethelwyn F. Boskind, his wife



person I described to me who executed the foregoing instrument, and they acknowledged before me that they

executed the same as their free act and deed on this 22nd day of November, A. D. 1967.

Angela Owens



PETITIONER'S DEED: LOT 5 & WEST 42.5 FT LOT 6

12.00

WARRANTY DEED
FORM NO. 10 (REVISED)

PL 964 MAR 906

BRANCO FORM 01

This Warranty Deed made the 18th day of July A. D. 1967 by

SIDNEY M. BOSKIND and ETHELWYN F. BOSKIND, his wife,

hereinafter called the grantor, to

CLEMENT D. DILORESTO and NORA R. DILORESTO, his wife

whose postoffice address is 2335 Reef Avenue, Indialantic, Florida

hereinafter called the grantees:

Witnesseth: That the grantor, for and to confirmation of the sum of \$ 10.00 and other

valuable considerations, events referred to hereby acknowledged, hereby grants, conveys, sells, alien, re-
leases, conveys and confirms unto the grantees all that certain land situate in Brevard
County, Florida, to-wit:

Lot Ten (10) and the West 47.5 feet of Lot Nine (9),
First Addition to Rio Lindo, as recorded in Plat Book 18,
Page 111, Public Records of Brevard County, Florida.



Together with all the instruments, accretions and appurtenances thereto belonging or in any
wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby warrants both until granted that the grantor is lawfully seized of said land
in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the
grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of
all persons whatsoever; and that said land is free of all encumbrances, except taxes necessary preincurred
to December 31, 1966.



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

Signed, sealed and delivered in our presence:

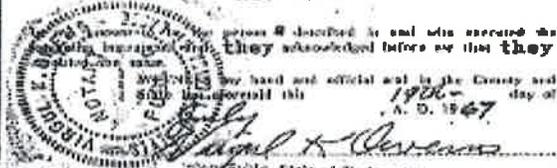
Agnes Downing
Maguel K. Owens

Sidney M. Boskind OS
Ethelwyn F. Boskind OS

STATE OF Florida
COUNTY OF Brevard

I HEREBY CERTIFY that on this day, before me, an officer duly
authorized in the State aforesaid and in the County aforesaid to take
acknowledgments, personally appeared

Sidney M. Boskind and Ethelwyn F. Boskind
his wife



STATE OF FLORIDA, COUNTY OF BREVARD

HEREBY CERTIFY that the foregoing is a true copy of
the original filed in this office and may contain redactions
as required by law.

SCOTT ELLIS, Notary Public

Date NOV 27 1967

Betty Martinez
City of Brevard

**PETITIONER'S DEED: LOT
10 & WEST 47.5 FT. LOT 9**

LEGAL DESCRIPTION

SECTION 25, TOWNSHIP 27 SOUTH, RANGE 37 EAST
PARCEL ID# 27-37-25-25-*--5

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

NOT A SURVEY

PURPOSE OF SKETCH:
VACATE OF EASEMENTS

LEGAL DESCRIPTION:

A PORTION OF LOTS 5, 6, 9, AND 10, THE FIRST ADDITION TO RIO LINDO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 111, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE EAST 5.00 FEET AND THE SOUTH 5.00 FEET OF LOT 5, LESS AND EXCEPT THE WEST 5.00 FEET; THE WEST 5.00 FEET AND THE SOUTH 5.00 OF THE WEST 42.50 FEET OF LOT 6; THE WEST 5.00 FEET AND THE NORTH 5.00 FEET OF THE WEST 47.50 FEET OF LOT 9; THE EAST 5.00 FEET AND THE NORTH 5.00 FEET OF LOT 10, LESS AND EXCEPT THE WEST 5.00 FEET. CONTAINING 0.07 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE SOUTH RIGHT-OF-WAY LINE OF ROSE MARIE LANE BEING S 88°04'46" E.
2. THIS IS NOT A SURVEY.
3. THIS SKETCH AND DESCRIPTION CONTAINS TWO SHEETS. EACH SHEET IS NOT FULL OR COMPLETE WITHOUT THE OTHER.
4. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER WHICH CAN BE FOUND ON SHEET 1 OF 2.

LEGEND:

- A = ARC
- BLDG = BUILDING
- BRG = BEARING
- CLF = CHAIN LINK FENCE
- CONC = CONCRETE
- DA = DELTA ANGLE
- EOP = EDGE OF PAVEMENT
- ESMT = EASEMENT
- FP&L = FLORIDA POWER & LIGHT COMPANY
- P.B. = PLAT BOOK
- P.C. = POINT OF CURVATURE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PUDE = PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT
- PUE = PUBLIC UTILITY EASEMENT
- R = RADIUS
- REF = REFERENCE
- R/W = RIGHT OF WAY
- TYP = TYPICAL

PREPARED FOR:
CLEM DILORETO AND DORA DILORETO

PROJECT NO. 37082

DRAWN BY: JED

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION WAS DONE UNDER MY DIRECTION AND MEETS THE STANDARDS AND PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER SJ-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE: 12/3/17

JOEL A. SEYMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER
STATE OF FLORIDA No. LS 6133

Kane Surveying, Inc.

FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448

PETITIONER'S SKETCH &
DESCRIPTION SHEET 1 OF 2

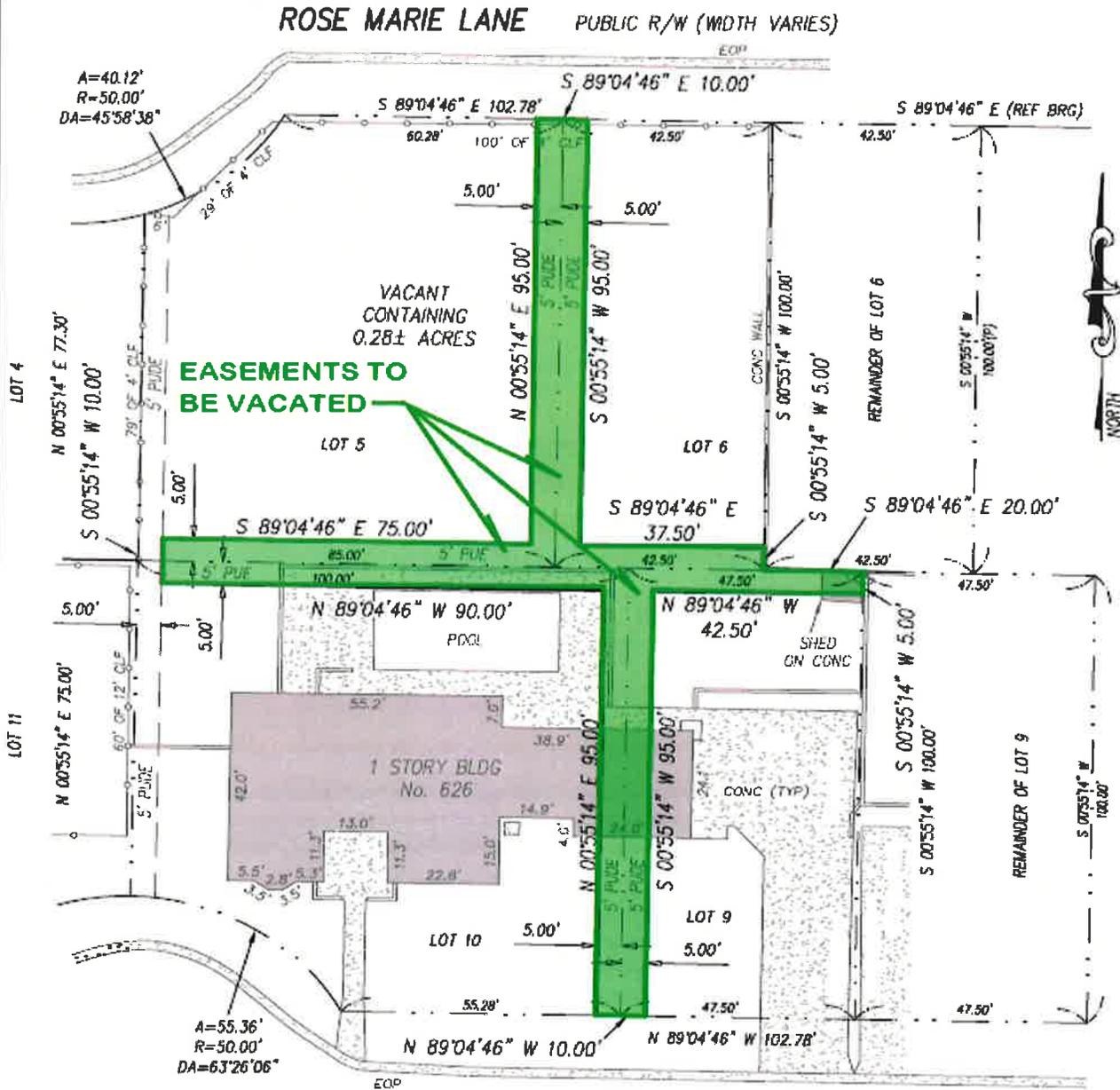
SKETCH OF DESCRIPTION

SECTION 25, TOWNSHIP 27 SOUTH, RANGE 37 EAST
PARCEL ID# 27-37-25-25-*--5

NOT A SURVEY

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2



Kane Surveying, Inc.

FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448

ALAMANDA COURT

PUBLIC R/W (WIDTH VARIES)

DATE: 12/5/17

SCALE 1 INCH = 30 FEET

PROJECT NO. 37082

**PETITIONER'S SKETCH &
DESCRIPTION SHEET 2 OF 2**

LEGAL NOTICE FOR THE VACATING OF TWO - 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS AND ONE - 10.0 FT. WIDE PUBLIC UTILITY EASEMENT ON ALAMANDA COURT, PLAT OF "THE FIRST ADDITION TO RIO LINDO" IN SECTION 25, TOWNSHIP 27 SOUTH, RANGE 37 EAST, INDIALANTIC, 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 CLEMENT DILORETO 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 January 23, 2018 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" THAT CERTAIN 10.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT CENTERED ALONG THE COMMON SIDE LOT LINES BETWEEN LOTS 5 AND 6 AND LOTS 9 AND 10, TOGETHER WITH THAT PORTION OF THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING OVER THE SOUTH 5.00 FEET OF THE EAST 80.00 FEET OF SAID LOT 5, THE SOUTH 5.00 FEET OF THE WEST 42.50 FEET OF SAID LOT 6, THE NORTH 5.00 FEET OF THE WEST 47.50 FEET OF SAID LOT 9 AND THE NORTH 5.00 FEET OF THE EAST 95.00 FEET OF SAID LOT 10, ALL OF THE ABOVE BEING A PART OF THE FIRST ADDITION TO RIO LINDO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 111, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING IN TOTAL 3,225 SQUARE FEET OR 0.07 ACRES, MORE OR LESS. PUBLICATION: 1/8/2018

PUBLIC HEARING LEGAL

ADVERTISEMENT

THAT CERTAIN 10.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT CENTERED ALONG THE COMMON SIDE LOT LINES BETWEEN LOTS 5 AND 6 AND LOTS 9 AND 10, TOGETHER WITH THAT PORTION OF THE 5.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING OVER THE SOUTH 5.00 FEET OF THE EAST 80.00 FEET OF SAID LOT 5, THE SOUTH 5.00 FEET OF THE WEST 42.50 FEET OF SAID LOT 6, THE NORTH 5.00 FEET OF THE WEST 47.50 FEET OF SAID LOT 9 AND THE NORTH 5.00 FEET OF THE EAST 95.00 FEET OF SAID LOT 10, ALL OF THE ABOVE BEING A PART OF THE FIRST ADDITION TO RIO LINDO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 111, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING IN TOTAL 3,225 SQUARE FEET OR 0.07 ACRES, MORE OR LESS. PREPARED BY JOEL A. SEYMOUR