



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

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

August 30, 2019

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating Part of a Public Right-of-Way of Deering Parkway, Mims

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-100, vacating part of public right-of-way of Deering Parkway, Mims as petitioned by Farmton 5A, LLC. Said Resolution was adopted by the Board of County Commissioners, in regular session on May 23, 2017.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/kp

Encls. (2)



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August 30, 2019

Glenn D. Storch, P.A.  
Attn: A. Joseph Posey  
420 South Nova Road  
Daytona Beach, FL 32114

Dear Mr. Posey:

Re: Resolution Vacating Part of a Public Right-of-Way of Deering Parkway, Mims

The Board of County Commissioners, in regular session on May 23, 2017, adopted Resolution No. 17-100, vacating part of a public right-of-way of Deering Parkway, Miims as petitioned by Farmton 5A, LLC. Said Resolution has been recorded in ORBK 8520, Pages 462 through 470. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

cc: Amber Holley, Public Works

RESOLUTION 2017 -100

**PARTIAL VACATING OF THE 200.0 FT. WIDE, PUBLIC RIGHT-OF-WAY OF DEERING  
PARKWAY PER ROAD PLAT BOOK 1, PAGE 2, MIMS, FLORIDA, LYING IN SECTION 41,  
TOWNSHIP 20G SOUTH, RANGE 34 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **FARMTON 5A, LLC** with the Board of County Commissioners to vacate a portion of the public right-of-way of Deering Parkway in Brevard County, Florida, described as follows:

**SEE ATTACHED BOUNDARY SURVEY**

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 partial vacating a portion of the public right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that the described public right-of-way is hereby vacated; and Brevard County renounces and disclaims any rights in and to said right-of-way. 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 23<sup>th</sup> day of May, 2017 A.D.

ATTEST:

  
SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

  
CURT SMITH, CHAIRMAN

As approved by the Board on:  
May 23, 2017

**BOUNDARY SURVEY**

SHEET 1 OF 6  
NOT VALID WITHOUT  
SHEETS 2-6

PART OF LOT 6, PABLO FONTAINE GRANT, DEED BOOK "D", PAGE 525, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN THE HEIRS OF THE JOSEPH DELESPINE GRANT, SECTION 41, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA.

PETITIONER'S ADJOINING PARCEL: 20G-34-41-00-6.5

PURPOSE OF SURVEY: TO VACATE A PORTION OF STUCKWAY ROAD

**LEGAL DESCRIPTION**

A PARCEL OF LAND LYING IN THE HEIRS OF THE JOSEPH DELESPINE GRANT, SECTION 41, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, BEING A PART OF LOT 6, PABLO FONTAINE GRANT, AS RECORDED IN DEED BOOK "D", PAGE 525, AND BEING A PART OF THE 200 FOOT WIDE RIGHT OF WAY OF STATE ROAD 5, ALSO KNOWN AS STUCKWAY ROAD, TRANSFERRED TO BREVARD COUNTY PER ROAD PLAT BOOK 1, PAGE 2, SAID DEED BOOK AND PLAT BOOK RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE CENTERLINE OF INTERSTATE NO. 95 (STATE ROAD NO. 9), A VARIABLE WIDTH RIGHT OF WAY AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION MAP NO. 406869 5, SHEET 19 OF 26, WITH THE CENTERLINE OF SAID STUCKWAY ROAD, A 200 FOOT RIGHT OF WAY, RUN S.46°46'41"W., ALONG THE CENTERLINE OF SAID STUCKWAY ROAD, A DISTANCE OF 700.04 FEET TO THE LIMITED ACCESS RIGHT OF WAY LINE OF SAID INTERSTATE NO. 95; THENCE S.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 73.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 26.90 FEET; THENCE S.46°46'41"W., ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STUCKWAY ROAD, A DISTANCE OF 403.18 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN N.17°45'44"W., ALONG THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JABEZ ROAD, AS RECORDED IN SAID ROAD PLAT BOOK 1, PAGE 2, A DISTANCE OF 95.34 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 4000.00 FEET, A CENTRAL ANGLE OF 5°15'32", A CHORD BEARING OF N.56°03'23"E., AND A CHORD DISTANCE OF 367.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 367.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.487 ACRES OR 21,213.7 SQUARE FEET.

(SEE SURVEYOR'S NOTES, SHEET 2)

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, F.A.C., PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

VALID WITH  
SIGNATURE &  
EMBOSSSED  
SEAL ONLY

  
KENNETH R. JONES, P.L.S. NO. 4914

MDAENG.COM  
KJONES@MDAENG.COM

 **MARK DOWST & ASSOCIATES, INC.**  
\* ENGINEERS PLANNERS SURVEYORS LB#4335 \*  
536 NORTH HALIFAX AVENUE, SUITE 100, DAYTONA BEACH, FLORIDA 32118 386-258-7999

BOUNDARY SURVEY - PARCEL B		FIELD DATE: 10-05-16	F.B. 168	PG(S) 73
DRAWN BY: KJ	CREW S,C,D	CHECKED BY: KJ	DATE: 10-26-16	SCALE: VARIES
PROJ. NO. 1122		FILE: BSVY	SHEET 1 OF 6	

# EXHIBIT B

## BOUNDARY SURVEY

SHEET 2 OF 6  
NOT VALID WITHOUT  
SHEETS 1 & 3-6

PART OF LOT 6, PABLO FONTAINE GRANT, DEED BOOK "D", PAGE 525, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN THE HEIRS OF THE JOSEPH DELESPINE GRANT, SECTION 41, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA.

PETITIONER'S ADJOINING PARCEL: 20G-34-41-00-6.5

### SURVEYOR'S NOTES

1. BEARING STRUCTURE BASED ON THE FLORIDA STATE PLANE COORDINATE GRID, NORTH AMERICAN DATUM OF 1983 (2007 ADJUSTMENT), WITH THE BEARING ON THE EAST LINE OF LOT 6 BEING S11°37'33"E.
2. DIMENSIONS SHOWN ARE IN GROUND FEET AND DECIMALS THEREOF.
3. K-4 AND K-4 FIRST ADDITION REFER TO SECTIONS IN CAPE ATLANTIC ESTATES. THESE MAPS ARE CONSIDERED TO BE "SALES MAPS ONLY" BY BREVARD COUNTY.
4. THIS PROPERTY IS PART OF THE RIGHT OF WAY OF STUCKWAY ROAD, A PUBLIC RIGHT OF WAY IN BREVARD COUNTY, FLORIDA.
5. THIS PROPERTY FALLS IN FLOOD ZONE A, AS SCALED FROM FLOOD INSURANCE RATE MAP NUMBER 12009C0025G, DATED MARCH 17, 2014. BASE FLOOD ELEVATION NOT DETERMINED.
6. UNDERGROUND IMPROVEMENTS, IF ANY, NOT LOCATED.

MDA PROJECT NO. 1122

### LEGEND/ABBREVIATIONS

CL = CENTERLINE  
+00.00 = EXISTING ELEVATION  
● = 5/8" IRON ROD WITH CAP  
▲ = PERMANENT CONTROL POINT  
■ = 4" X 4" CONCRETE MONUMENT  
○ = NAIL WITH CAP  
Δ = CENTRAL ANGLE  
A/C = AIR CONDITIONER  
BK. = BOOK  
C.M. = CONCRETE MONUMENT  
(C) = CALCULATED  
CMP = CORRUGATED METAL PIPE  
C.R. = COUNTY ROAD  
C = CHORD  
CB = CHORD BEARING  
CONC. = CONCRETE  
COR. = CORNER  
( ) = DEED OR RECORD DATA  
(DESC) = DATA PER DESCRIPTION  
EL. = ELEVATION  
ELEC. = ELECTRICAL  
ESMT. = EASEMENT  
F.H. = FIRE HYDRANT  
F.S. = FLORIDA STATUTES  
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION  
FFE = FINISHED FLOOR ELEVATION

F.A.C. = FLORIDA ADMINISTRATIVE CODE  
FD. = FOUND  
GOV'T = GOVERNMENT  
I.P. = IRON PIPE  
I.R. = IRON ROD  
INV. = INVERT  
L = ARC LENGTH  
LB = LAND SURVEYOR BUSINESS  
L.S. = LAND SURVEYOR  
M.B. = MAP BOOK  
MAS. = MASONRY  
N & W = NAIL AND WASHER  
NO. = NUMBER  
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM  
(NTS) = NOT TO SCALE  
(NR) = NON-RADIAL  
OE = OVERHEAD ELECTRIC  
O.R. = OFFICIAL RECORDS  
(P) = PLAT DATA  
PED. = PEDESTAL  
P.O.B. = POINT OF BEGINNING  
PT = POINT OF TANGENCY  
PCC = POINT OF COMPOUND CURVATURE  
POC = POINT ON CURVE

PG. = PAGE  
P.R.M. = PERMANENT REFERENCE MONUMENT  
P.C.P. = PERMANENT CONTROL POINT  
PRC = POINT OF REVERSE CURVATURE  
PC = POINT OF CURVATURE  
P.L.S. = PROFESSIONAL LAND SURVEYOR  
P.B. = PLAT BOOK  
RES. = RESIDENCE  
R/W = RIGHT OF WAY  
(R) = RADIAL  
RNG. = RANGE  
R = RADIUS  
RCP = REINFORCED CONCRETE PIPE  
SAN. = SANITARY  
SUB. = SUBDIVISION  
S.R. = STATE ROAD  
SEC. = SECTION  
TEL. = TELEPHONE  
TWP. = TOWNSHIP  
T = TANGENT  
TRANS. = TRANSFORMER  
T.V. = TELEVISION  
U.S. = UNITED STATES  
W.V. = WATER VALVE  
D = DELTA OR CENTRAL ANGLE  
SRD = STATE ROAD DEPARTMENT



**MARK DOWST & ASSOCIATES, INC.**

\* ENGINEERS PLANNERS SURVEYORS LB#4335 \*

536 NORTH HALIFAX AVENUE, SUITE 100, DAYTONA BEACH, FLORIDA 32118 386-258-7999

# EXHIBIT B

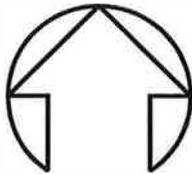
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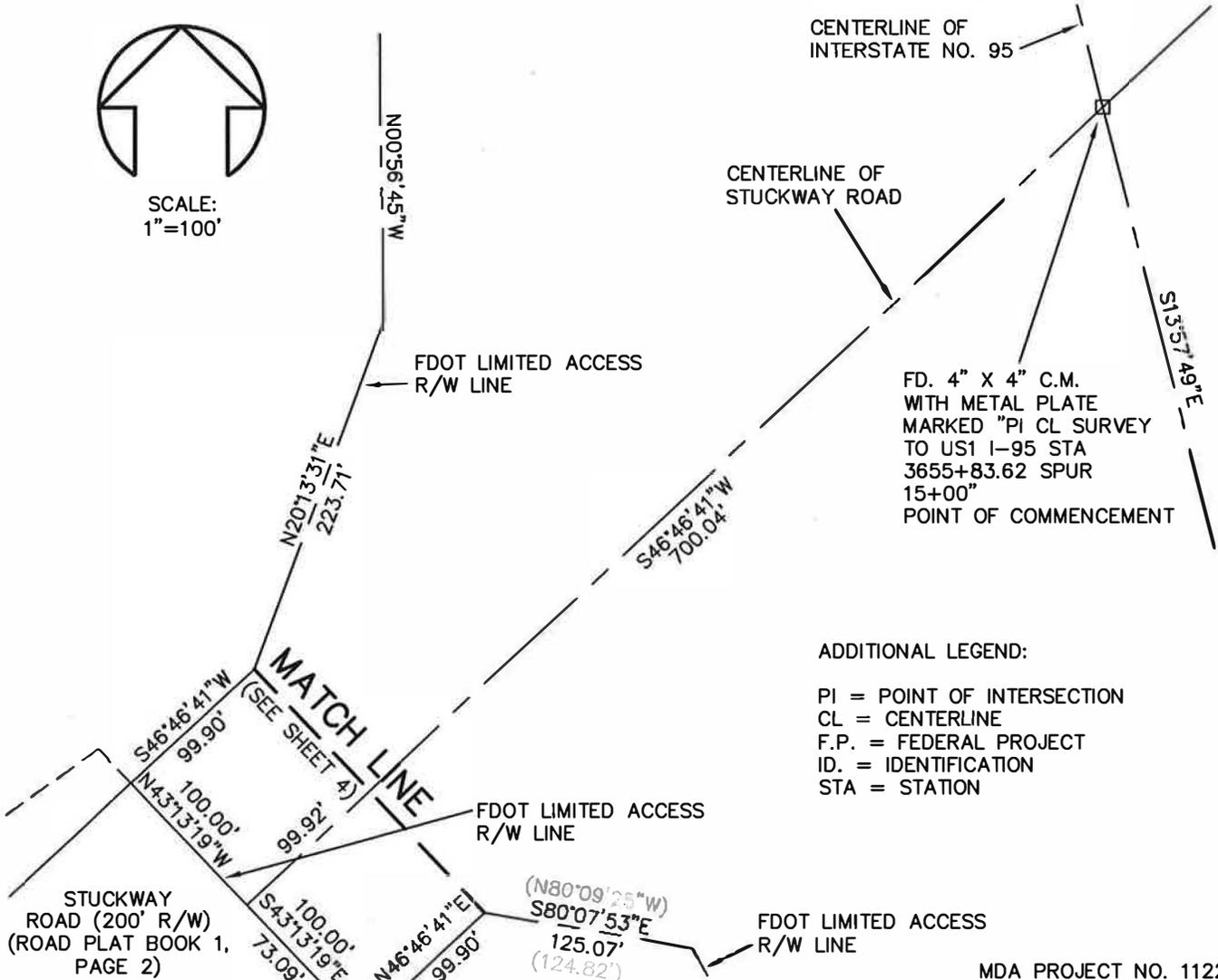
PETITIONER'S ADJOINING PARCEL: 20G-34-41-00-6.5

SHEET 3 OF 6  
NOT VALID WITHOUT  
SHEETS 1, 2 & 4-6

(PER F.D.O.T. R/W MAP F.P.ID.  
406869 5 SHEET 19 OF 26)  
N13°57'49"W  
INTERSTATE NO. 95  
(STATE ROAD NO. 9)  
(R/W VARIES)



SCALE:  
1"=100'



ADDITIONAL LEGEND:  
PI = POINT OF INTERSECTION  
CL = CENTERLINE  
F.P. = FEDERAL PROJECT  
ID. = IDENTIFICATION  
STA = STATION

MDA PROJECT NO. 1122

**MARK DOWST & ASSOCIATES, INC.**

\* ENGINEERS PLANNERS SURVEYORS LB#4335 \*  
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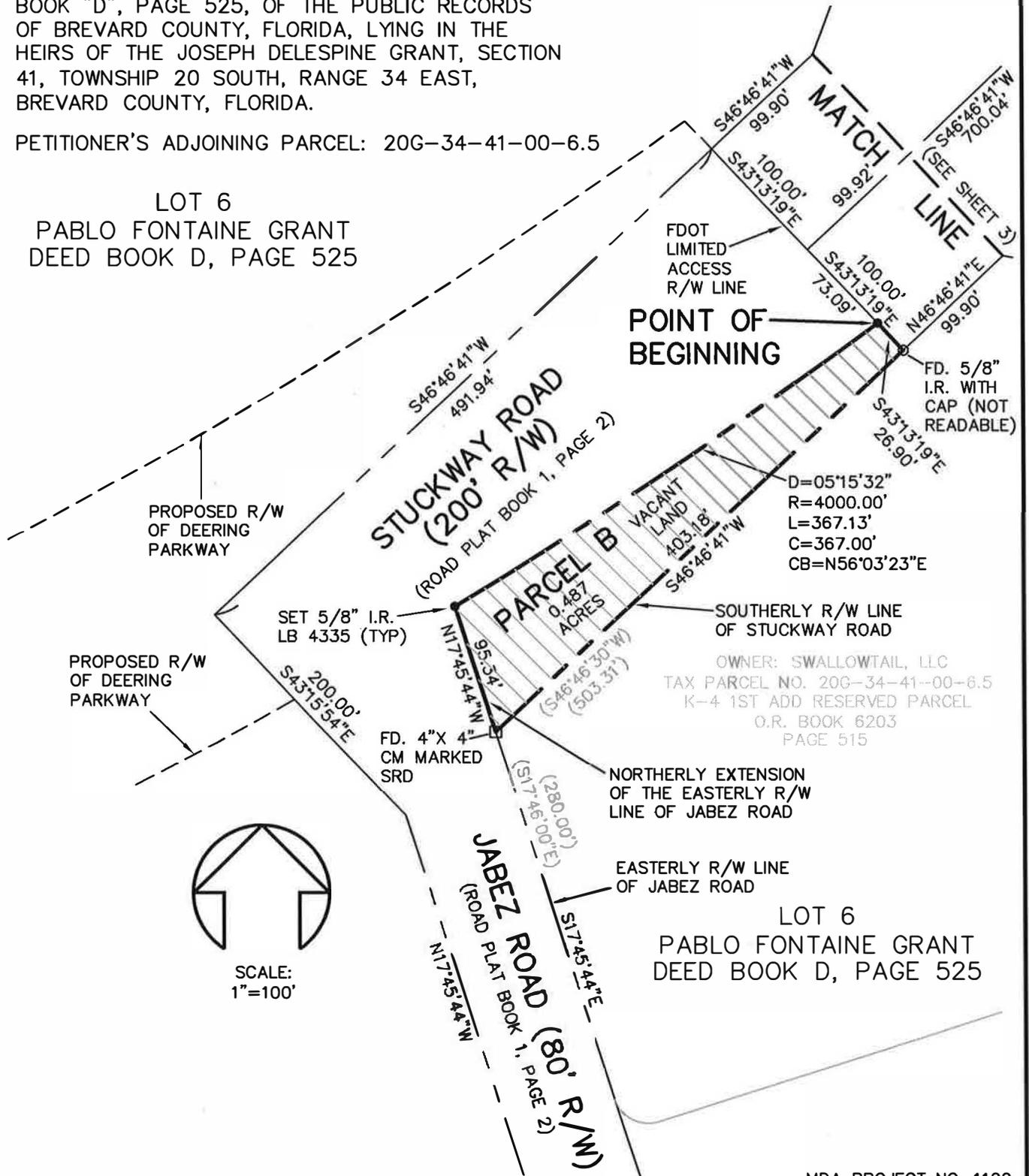
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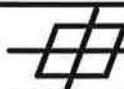
PETITIONER'S ADJOINING PARCEL: 20G-34-41-00-6.5

LOT 6  
PABLO FONTAINE GRANT  
DEED BOOK D, PAGE 525

SHEET 4 OF 6  
NOT VALID WITHOUT  
SHEETS 1-3, 5 AND 6



MDA PROJECT NO. 1122



**MARK DOWST & ASSOCIATES, INC.**

\* ENGINEERS PLANNERS SURVEYORS LB#4335 \*

536 NORTH HALIFAX AVENUE, SUITE 100, DAYTONA BEACH, FLORIDA 32118 386-258-7999

# EXHIBIT B

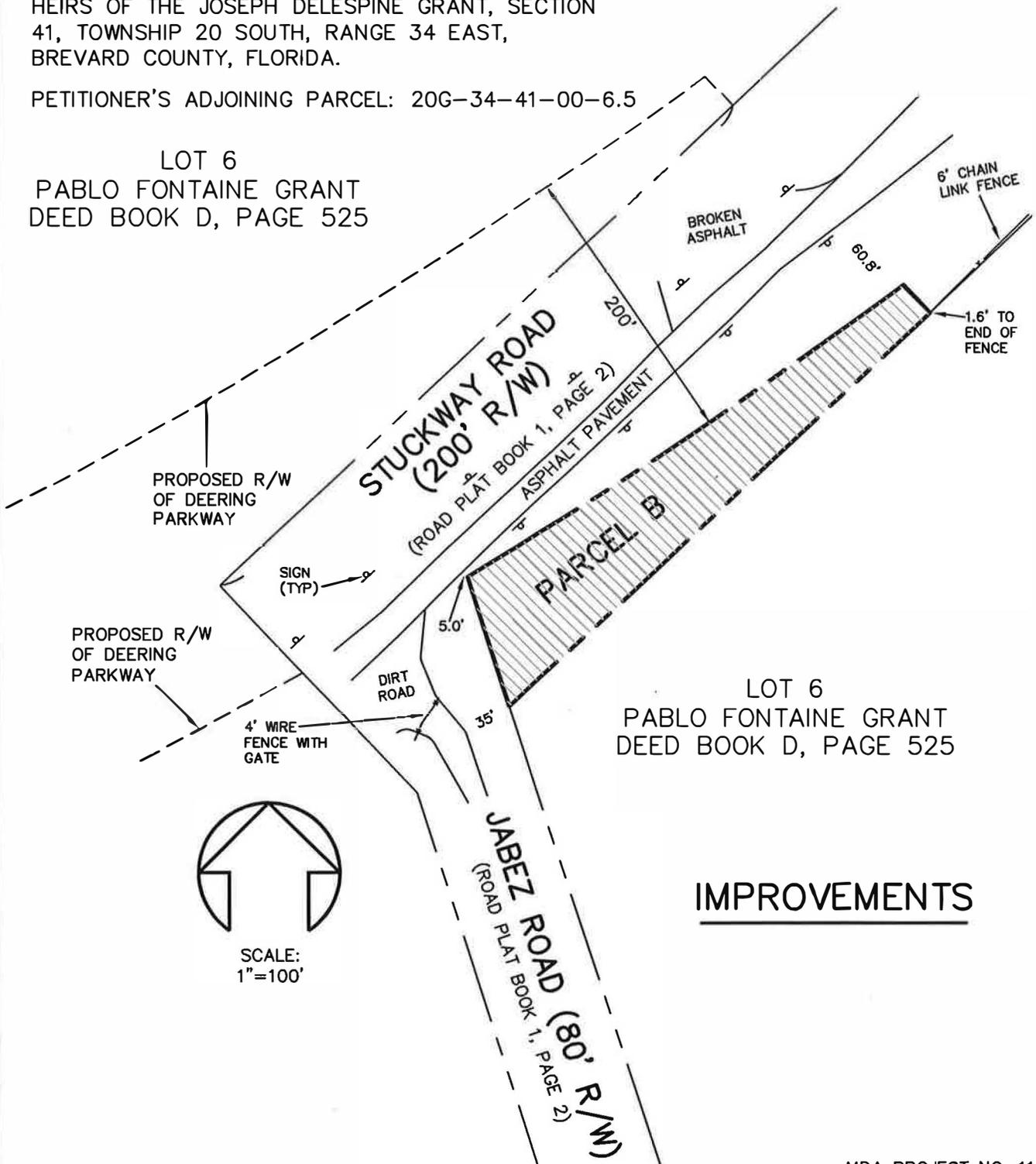
## BOUNDARY SURVEY

SHEET 5 OF 6  
NOT VALID WITHOUT  
SHEETS 1-4 & 6

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PETITIONER'S ADJOINING PARCEL: 20G-34-41-00-6.5

LOT 6  
PABLO FONTAINE GRANT  
DEED BOOK D, PAGE 525



LOT 6  
PABLO FONTAINE GRANT  
DEED BOOK D, PAGE 525

## IMPROVEMENTS

MDA PROJECT NO. 1122



**MARK DOWST & ASSOCIATES, INC.**

\* ENGINEERS PLANNERS SURVEYORS LB#4335 \*

536 NORTH HALIFAX AVENUE, SUITE 100, DAYTONA BEACH, FLORIDA 32118 386-258-7999



RECEIVED  
MAY 09 2017  
BY: *MPC*



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

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

Notice Public Hearing

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

05/05/17

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

Sworn to and Subscribed before me this 5th of May 2017, by Kim Curro who is personally known to me

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

Publication Cost: \$331.26  
Ad No: 0002114012  
Customer No: BRE-6BR327



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



AD# 2114012 5/5/2017  
LEGAL NOTICE  
NOTICE FOR THE PARTIAL VACATING OF THE 200.0 FT. WIDE RIGHT-OF-WAY OF DEERING PARKWAY (aka: STUCKWAY ROAD; aka: STATE ROAD NO. 5), PER ROAD PLAT BOOK 1, PAGE 2 IN SECTION 41, TOWNSHIP 20G SOUTH, RANGE 34 EAST, MIMS, 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 FARMTON 5A, LLC 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 right-of-way at 9:00 A.M. on May 23, 2017 at the Brevard County Government Center Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

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

Persons seeking to present 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"  
A PARCEL OF LAND LYING IN THE HEIRS OF THE JOSEPH DELESPINE GRANT, SECTION 41, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, BEING A PART OF LOT 5, PABLO FONTAINE GRANT, AS RECORDED IN DEED BOOK "D", PAGE 525, AND BEING A PART OF THE 200 FOOT WIDE RIGHT OF WAY OF STATE ROAD 5, ALSO KNOWN AS STUCKWAY ROAD, TRANSFERRED TO BREVARD COUNTY PER ROAD PLAT BOOK 1, PAGE 2, SAID DEED BOOK AND PLAT BOOK RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE INTERSECTION OF THE CENTERLINE OF INTERSTATE NO. 95 (STATE ROAD NO. 9) A VARIABLE WIDTH RIGHT OF WAY AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION MAP NO. 406869 5, SHEET 19 OF 26, WITH THE CENTERLINE OF SAID STUCKWAY ROAD, A 200 FOOT RIGHT OF WAY, RUN 5.46°46'41"W., ALONG THE CENTERLINE OF SAID STUCKWAY ROAD, A DISTANCE OF 700.04 FEET TO THE LIMITED ACCESS RIGHT OF WAY LINE OF SAID INTERSTATE NO. 95, THENCE 5.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 73.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE 5.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 26.90 FEET; THENCE 5.46°46'41"W., ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STUCKWAY ROAD, A DISTANCE OF 403.18 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN N.17°45'44"W., ALONG THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JABEZ ROAD, AS RECORDED IN SAID ROAD PLAT BOOK 1, PAGE 2, A DISTANCE OF 95.34 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 4000.00 FEET, A CENTRAL ANGLE OF 5°15'32", A CHORD BEARING OF N.56°03'23"E., AND A CHORD DISTANCE OF 367.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 367.13 FEET TO THE POINT OF BEGINNING, CONTAINING 0.487 ACRES OR 21,213.7 SQUARE FEET. PREPARED BY: KENNETH R. JONES, PLS



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

AD#2171749 6/1/2017  
LEGAL NOTICE  
RESOLUTION OF PARTIAL VACATING OF THE 200.00 FT. WIDE PUBLIC RIGHT-OF-WAY OF DEERING PARKWAY, PER ROAD PLAT BOOK 1, PAGE 2, MIMS - FARMTON 5A, LLC

TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on the 23rd day of May, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution of partial vacating of the 200.00 ft wide public right-of-way of Deering Parkway, per road plat Book 1, page 2, Mims, as petitioned by Farmton 5A, LLC.

SEE ATTACHED EXHIBIT "A"  
The Board further renounced and disclaimed any right of the County in and to said public right-of-way.

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 PARCELOF LAND LYING IN THE HEIRS OF THE JOSEPH DELESPIEGRANT, SECTION 41, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, BEING A PART OF LOT 6, PABLO FONTAINE GRANT, AS RECORDED IN DEED BOOK "D", PAGE 525, AND BEING A PART OF THE 200 FOOT WIDE RIGHT OF WAY OF STATE ROAD 5, ALSO KNOWN AS STUCKWAY ROAD, TRANSFERRED TO BREVARD COUNTY PER ROAD PLAT BOOK 1, PAGE 2, SAID DEED BOOK AND PLAT BOOK RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE INTERSECTION OF THE CENTERLINE OF INTERSTATE NO. 95 (STATE ROAD NO. 9), A VARIABLE WIDTH RIGHT OF WAY AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION MAP NO. 406869 5, SHEET 19 OF 26, WITH THE CENTER LINE OF SAID STUCKWAY ROAD, A 200 FOOT RIGHT OF WAY, RUN S.46°46'41"W., ALONG THE CENTERLINE OF SAID STUCKWAY ROAD, A DISTANCE OF 700.04 FEET TO THE LIMITED ACCESS RIGHT OF WAY LINE OF SAID INTERSTATE NO. 95; THENCE S.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 73.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 26.90 FEET; THENCE S.46°46'41"W., ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STUCKWAY ROAD, A DISTANCE OF 403.18 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN N.17°45'44"W., ALONG THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JABEZ ROAD, AS RECORDED IN SAID ROAD PLAT BOOK 1, PAGE 2, A DISTANCE OF 95.34 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 4000.00 FEET, A CENTRAL ANGLE OF 5°15'32". A CHORD BEARING OF N.56°03'23"E., AND A CHORD DISTANCE OF 367.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 367.13 FEET TO THE POINT OF BEGINNING, CONTAINING 0.487 ACRES OR 21,213.7 SQUARE FEET. PREPARED BY: KENNETH R. JONES, PLS

AD#2171749 6/1/2017  
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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 PARCEL OF LAND LYING IN THE HEIRS OF THE JOSEPH DELESPIEGRANT, SECTION 41, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, BEING A PART OF LOT 6, PABLO FONTAINE GRANT, AS RECORDED IN DEED BOOK "D", PAGE 525, AND BEING A PART OF THE 200 FOOT WIDE RIGHT OF WAY OF STATE ROAD 5, ALSO KNOWN AS STUCKWAY ROAD, TRANSFERRED TO BREVARD COUNTY PER ROAD PLAT BOOK 1, PAGE 2, SAID DEED BOOK AND PLAT BOOK RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE INTERSECTION OF THE CENTERLINE OF INTERSTATE NO. 95 (STATE ROAD NO. 9), A VARIABLE WIDTH RIGHT OF WAY AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION MAP NO. 406869 5, SHEET 19 OF 26, WITH THE CENTERLINE OF SAID STUCKWAY ROAD, A 200 FOOT RIGHT OF WAY, RUN S.46°46'41"W., ALONG THE CENTERLINE OF SAID STUCKWAY ROAD, A DISTANCE OF 700.04 FEET TO THE LIMITED ACCESS RIGHT OF WAY LINE OF SAID INTERSTATE NO. 95; THENCE S.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 73.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 26.90 FEET; THENCE S.46°46'41"W., ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STUCKWAY ROAD, A DISTANCE OF 403.18 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN N.17°45'44"W., ALONG THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JABEZ ROAD, AS RECORDED IN SAID ROAD PLAT BOOK 1, PAGE 2, A DISTANCE OF 95.34 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 4000.00 FEET, A CENTRAL ANGLE OF 5°15'32". A CHORD BEARING OF N.56°03'23"E., AND A CHORD DISTANCE OF 367.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 367.13 FEET TO THE POINT OF BEGINNING, CONTAINING 0.487 ACRES OR 21,213.7 SQUARE FEET. PREPARED BY: KENNETH R. JONES, PLS

STATE OF FLORIDA COUNTY OF BREVARD:  
Before the undersigned authority personally appeared **Kim Curro**, 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:

06/01/17

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

Sworn to and Subscribed before me this 1th of June 2017, by Kim Curro who is personally known to me

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

Publication Cost: \$206.36  
Ad No: 0002171749  
Customer No: BRE-6BR327

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



**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.:** 0002171749  
**Pymt Method:** Invoice  
**Net Amt:** \$206.36

**Run Times:** 1

**No. of Affidavits:** 1

**Run Dates:** 06/01/17

**Text of Ad:**

AD#2171/49 6/1/2017  
LEGAL NOTICE  
RESOLUTION OF PARTIAL VACATING OF THE 200.00 FT. WIDE PUBLIC RIGHT-OF-WAY OF DEERING PARKWAY, PER ROAD PLAT BOOK 1, PAGE 2, MIMS FARMTON SA, LLC

TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on the 2nd day of May, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution of partial vacating of the 200.00 ft. wide public right-of-way of Deering Parkway, per road plat Book 1, page 2, Mims, as petitioned by Farmton SA, LLC.

SEE ATTACHED EXHIBIT "A"  
The Board further renounced and disclaimed any right of the County in and to said public right-of-way.

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 PARCEL OF LAND LYING IN THE HEIRS OF THE JOSEPH DELESPINE GRANT, SECTION 41, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, BEING A PART OF LOT 6, PABLO FONIAINE GRANT, AS RECORDED IN DEED BOOK "B", PAGE 525, AND BEING A PART OF THE 200 FOOT WIDE RIGHT OF WAY OF STATE ROAD 5, ALSO KNOWN AS STUCKWAY ROAD, TRANSFERRED TO BREVARD COUNTY PER ROAD PLAT BOOK 1, PAGE 2, SAID DEED BOOK AND PLAT BOOK RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE INTERSECTION OF THE CENTERLINE OF INTERSTATE NO. 95 (STATE ROAD NO. 9), A VARIABLE WIDTH RIGHT OF WAY AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION MAP NO. 406869 S, SHEET 19 OF 26, WITH THE CENTERLINE OF SAID STUCKWAY ROAD, A 200 FOOT RIGHT OF WAY, RUN S 46°46'41"W, ALONG THE CENTERLINE OF SAID STUCKWAY ROAD, A DISTANCE OF 700.04 FEET TO THE LIMITED ACCESS RIGHT OF WAY LINE OF SAID INTERSTATE NO. 95; THENCE S 43°13'19"E, ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 73.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 43°13'19"E, ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 26.90 FEET; THENCE S 46°46'41"W, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STUCKWAY ROAD, A DISTANCE OF 103.18 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN N 17°45'44"W, ALONG THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JABEZ ROAD, AS RECORDED IN SAID ROAD PLAT BOOK 1, PAGE 2, A DISTANCE OF 95.34 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 4000.00 FEET, A CENTRAL ANGLE OF 5°15'32". A CHORD BEARING OF N 56°03'23"E, AND A CHORD DISTANCE OF 367.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 367.13 FEET TO THE POINT OF BEGINNING, CONTAINING 0.487 ACRES OR 21,213.7 SQUARE FEET. PREPARED BY: KENNETH R. JONES, PLS

LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF THE 200.00 FT. WIDE PUBLIC RIGHT-OF-WAY OF DEERING PARKWAY, PER ROAD PLAT BOOK 1, PAGE 2, MIMS – FARMTON 5A, LLC

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 23<sup>rd</sup> day of May, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution of partial vacating of the 200.00 ft. wide public right-of-way of Deering Parkway, per road plat Book 1, page 2, Mims, as petitioned by Farmton 5A, LLC.

**SEE ATTACHED EXHIBIT "A"**

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

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 June 1, 2017, issue of the *Florida TODAY*.

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

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

LEGAL DESCRIPTION:

**EXHIBIT "A"**

A PARCEL OF LAND LYING IN THE HEIRS OF THE JOSEPH DELESPINE GRANT, SECTION 41, TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, BEING A PART OF LOT 6, PABLO FONTAINE GRANT, AS RECORDED IN DEED BOOK "D", PAGE 525, AND BEING A PART OF THE 200 FOOT WIDE RIGHT OF WAY OF STATE ROAD 5, ALSO KNOWN AS STUCKWAY ROAD, TRANSFERRED TO BREVARD COUNTY PER ROAD PLAT BOOK 1, PAGE 2, SAID DEED BOOK AND PLAT BOOK RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE INTERSECTION OF THE CENTERLINE OF INTERSTATE NO. 95 (STATE ROAD NO. 9), A VARIABLE WIDTH RIGHT OF WAY AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION MAP NO. 406869 5, SHEET 19 OF 26, WITH THE CENTERLINE OF SAID STUCKWAY ROAD, A 200 FOOT RIGHT OF WAY, RUN S.46°46'41"W., ALONG THE CENTERLINE OF SAID STUCKWAY ROAD, A DISTANCE OF 700.04 FEET TO THE LIMITED ACCESS RIGHT OF WAY LINE OF SAID INTERSTATE NO. 95; THENCE S.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 73.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.43°13'19"E., ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 26.90 FEET; THENCE S.46°46'41"W., ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STUCKWAY ROAD, A DISTANCE OF 403.18 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN N.17°45'44"W., ALONG THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JABEZ ROAD, AS RECORDED IN SAID ROAD PLAT BOOK 1, PAGE 2, A DISTANCE OF 95.34 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 4000.00 FEET, A CENTRAL ANGLE OF 5°15'32", A CHORD BEARING OF N.56°03'23"E., AND A CHORD DISTANCE OF 367.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 367.13 FEET TO THE POINT OF BEGINNING. CONTAINING 0.487 ACRES OR 21,213.7 SQUARE FEET. PREPARED BY: KENNETH R. JONES, PLS

IV. A

**Donna Scott**

**From:** Cazessus, Marc <marc.cazessus@brevardfl.gov>  
**Sent:** Wednesday, May 24, 2017 7:43 AM  
**To:** Donna Scott  
**Cc:** Sweeney, Michael; Vitale, Anthony  
**Subject:** Farmton 5A, LLC - 05-23-17 IV. A.; Berndsen - 05-23-17 IV.B. - Weiss - 05-23-17 IV.C.:  
 Second Legal Ads  
**Attachments:** 20161102\_LEGAL FOR ADS-PARCEL B-FARMTON 5A.DOC; 20170315\_WORD DOC  
 LEGAL FOR ADS-BERNDSEN.DOCX; 20170315\_WORD DOC FOR ADS-WEISS.DOCX

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

*per Marc, Farmton 5A, LLC  
 has to build the road before  
 recordation.*

Donna:



*Public Works has original Resolution.*

Good morning. The following petitions were approved by the Board during the May 23, 2017 public hearing and are approved for the adopted resolution legal advertisement (please see attached pdf files). Below are the petitioners' contact information for your use in providing the copies of the recorded vacating document:

1. Item 04-25-17 IV. A.: Farmton 5A, LLC c/o Glenn D. Storch, Esq., Glenn D. Storch, P.A., 420 South Nova Road, Daytona Beach, FL, 32114
2. Item 04-25-17 IV. B.: Richard and Lori Berndsen c/o Mr. Troy Douglas, 4298 Gardenwood Circle, Grant, FL, 32949
3. Item 04-25-17 IV. C.: Judy Weiss c/o Ms. Leann Schneider, Grand Star Realty, 1110 Highway A-1-A, Suite 106, Satellite Beach, FL, 32937

Thank you for your time and continued cooperation; please contact me if you have any questions.

Respectfully,

*Marc*

Marc Cazessus, PLS  
 Vacating & Acquisition Review Specialist  
 Tel: (321) 617-7315 Fax: (321) 633-2083  
 Email: [marc.cazessus@brevardfl.gov](mailto:marc.cazessus@brevardfl.gov)  
 Brevard County Public Works Dept.  
 2725 Judge Fran Jamieson Way, Bldg. A-220  
 Viera, FL 32940

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."



**BOARD OF COUNTY COMMISSIONERS**

August 23, 2019

Donna Scott, Assistant  
Clerk to the Board  
PO Box 999  
Titusville, FL 32781

Re: Recorded Resolution for Farmton 5A, LLC Approved May 23, 2017

Dear Donna:

Please find enclosed the originals for the recorded resolution 2017-100 (IV.A.) approved May 23, 2017 for part of the 200.0 ft. right-of-way of Deering Parkway, Mims, Florida. The certified copy should be mailed to:

- Glenn D. Storch, P.A., Attn: A. Joseph Posey, 420 South Nova Road, Daytona Beach, FL 32114

If you have any other questions feel free to call me.

Sincerely,  
Amber Holley  
Public Works Department/Surveying  
Vacating and Acquisition Review Specialist