Agenda Report



2725 Judge Fran Jamieson Way Viera, FL 32940

Public Hearing

H.2. 3/7/2023

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement- 4650 Ashbury Road - "Port St. John Unit Eight" Plat Book 23, Page 70 - Cocoa - John C. & Jennifer A. Sabo - District 1

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a 10.00-foot wide public utility & drainage easement, "Port St. John Unit Eight" in Section 14, Township 23 South, Range 35 East. If approved, it is requested that the Board authorize the Chair 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 for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lot 8, Block 312, and are requesting the vacating of a 5.00 ft. portion of a 10.00 ft. wide public utility & drainage easement on Lot 8, Block 312, to allow for the construction of a pool. The easement to be vacated contains 355.00 square feet, more or less. The property is located in Cocoa North of Fay Boulevard and West of Grissom.

On February 20, 2023, 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.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in the 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.



FLORIDA'S SPACE COAST

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

Telephone: (321) 637-2001 Fax: (321) 264-6972 Kimberly.Powell@brevardclerk.us



March 27, 2023

John C. and Jennifer A. Sabo 4650 Ashbury Road Cocoa, FL 32927

Dear Sir/Madam:

Re:

Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Port St. John Unit Eight" Subdivision, Cocoa, Lying in Section 14, Township 23 South, Range 35 East

The Board of County Commissioners, in regular session on March 7, 2023, adopted Resolution No. 23-022, vacating a portion of a public utility and drainage easement in plat "Port St. John Unit Eight" subdivision, Cocoa, lying in Section 14, Township 23 South, Range 35 East, as petitioned by you. Said Resolution has been recorded in ORBK 9742, Pages 1999 through 2003. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works



FLORIDA'S SPACE COAST

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

Telephone: (321) 637-2001 Fax: (321) 264-6972 Kimberly.Powell@brevardclerk.us



March 27, 2023

MEMORANDUM

TO: Marc Bernath, Public Works Director Attn: Amber Holley

RE: Advertising Bills for Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Port St. John Unit Eight" Subdivision, Cocoa

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 23-022, vacating a portion of a public utility and drainage easement, in plat "Port St. John Unit Eight" subdivision, Cocoa, as petitioned by John C. and Jennifer A. Sabo. Said Resolution was adopted by the Board of County Commissioners, in regular session on March 7, 2023.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

Brevard County Property Appraiser Detail Sheet

Account 2303608

Owners SABO, JOHN C; SABO, JENNIFER A

Mailing Address 4650 ASHBURY ROAD COCOA FL 32927

Site Address 4650 ASHBURY RD COCOA FL 32927

Parcel ID 23-35-14-JZ-312-8

Property Use 0110 - SINGLE FAMILY RESIDENCE

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Taxing District 1900 - UNINCORP DISTRICT 1

Total Acres 0.24

Subdivision PORT ST JOHN UNIT 8

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0023/0070

Land Description PORT ST JOHN UNIT 8 LOT 8 BLK 312

VALUE SUMMARY

Category	2022	2021	2020
Market Value	\$288,510	\$238,740	\$216,430
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$116,600	\$113,210	\$111,650
Assessed Value School	\$116,600	\$113,210	\$111,650
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	\$66,600	\$63,210	\$61,650
Taxable Value School	\$91,600	\$88,210	\$86,650

SALES/TRANSFERS

Date	Price	Туре	Parcel	Deed
01/28/2005	\$243,000	WD		5419/0974
12/06/2002	\$147,700	WD		4761/2767
07/16/2002	\$17,000	WD	-	4645/2006

Vicinity Map

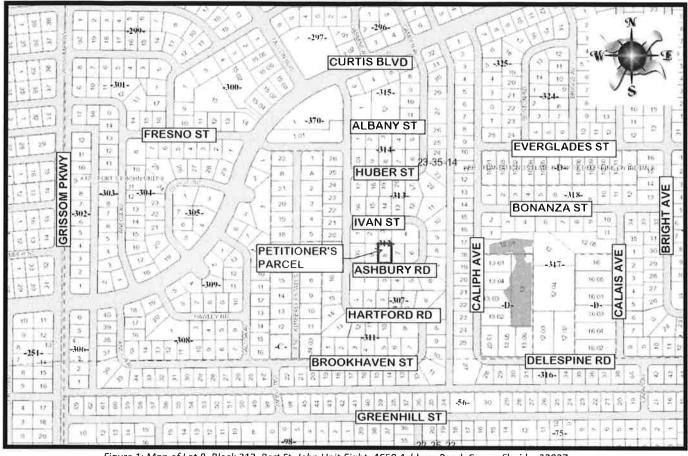


Figure 1: Map of Lot 8, Block 312, Port St. John Unit Eight, 4650 Ashbury Road, Cocoa, Florida, 32927,

John C. & Jennifer A. Sabo – 4650 Ashbury Road – Cocoa, FL, 32927 – Lot 8, Block 312, plat of "Port St. John Unit Eight" - Plat Book 23, Page 70 – Section 14, Township 23 South, Range 35 East – District 1 – Proposed Vacating of a 5.0 ft. portion of a 10.0 ft. Wide Public Utility & Drainage Easement

Aerial Map



Figure 2: Aerial Map of Lot 8, Block 312, Port St. John Unit Eight, 4650 Ashbury Road, Cocoa, Florida, 32927.

John C. & Jennifer A. Sabo – 4650 Ashbury Road – Cocoa, FL, 32927 – Lot 8, Block 312, plat of "Port St. John Unit Eight" – Plat Book 23, Page 70 – Section 14, Township 23 South, Range 35 East – District 1 – Proposed Vacating of a 5.0 ft. portion of a 10.0 ft. Wide Public Utility & Drainage Easement

Plat Reference

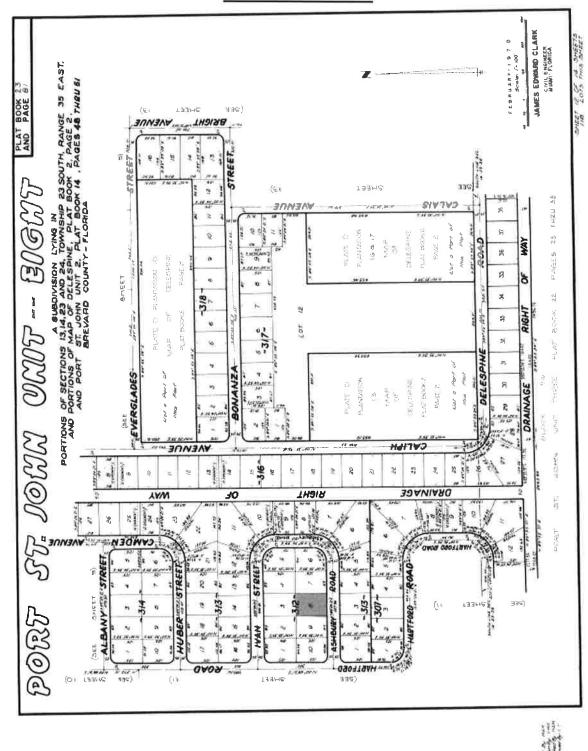


Figure 3: Copy of plat map "Port St. John Unit Eight" dedicated to Brevard County on September 30, 1970.

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST		EET 1 OF 2			
PARCEL ID NUMBER: 23-35-14-JZ-312-8		CH ON SHEET 2 OF 2			
PURPOSE OF DESCRIPTION: VACATE PORTION OF 10'	PUBLIC DRAINAGE AND UT	LITY EASEMENT.			
LEGAL DECODIDEION		I			
LEGAL DESCRIPTION:					
PART OF A 10' WIDE PUBLIC UTILITY AND DRAINAGE EAST FOLLOWS:	SEMENT, BEING MORE PARTICUL	ARLY DESCRIBED AS			
THE SOUTH 5 FEET OF THE NORTH 10 FEET OF LOT 8	, BLOCK 312, PORT ST. JOHN	UNIT EIGHT,			
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN P OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORID	LAT BOOK 23, PAGES 70 THRO A	OGH 83, INCLUSIVE,			
LESS & EXCEPT THE EAST 8.00 FEET AND THE WEST 8					
CONTAINING 355 SQUARE FEET, 0.008 ACRES, MORE OF	R LESS _®				
SURVEYOR'S NOTES:					
I Z. THE UNDERSIGNED SURVEYOR HAS NOT BEEN PROVIDED A CUE	1. THE INTENDED PURPOSE OF THIS SURVEY IS TO SHOW PROPOSED VACATED EASEMENT ONLY, AS SHOWN HEREON. 2. THE UNDERSIONED SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING				
TITLE OR BOUNDARY TO THE SUBJECT PROPERTY. IT IS POSSIBLE DEEDS, EASEMENTS OR OTHER INSTRUMENTS THAT COULD AFFECT	THAT THERE ARE DOCUMENTS OF A	ECORD, UNRECORDED PROPERTY			
THIS SKETCH DOES NOT REFLECT OR DETERMINE OWNERSHIP. THIS SKETCH MEETS OR EXCEEDS THE MINIMAL HORIZONTAL CO					
5. MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN FEET AND 6. BEARINGS ARE REFERENCED TO THE NORTH RIGHT OF WAY UN	DECIMAL PARTS THEREOF.				
7. ADAMS, KISER & COUTS, LLC 0/8/A GAGE INDUSTRIES RESER OBTAINED IN THE PREPARATION OF THIS SKETCH INCLUDING THIS	VES THE RIGHT TO UTILIZE ANY AND	ALL INFORMATION			
8. THIS SKETCH MAY NOT BE REPRODUCED IN WHOLE OR IN PAR	T WITHOUT THE PERMISSION OF ADA	MS, KISER & COUTS, LLC			
D/9/A GAGE INDUSTRIES. 9. THIS DRAWING IS NOT VALID UNLESS BEARING AN ORIGINAL SIG	DNATURE AND LAND SURVEYOR'S SEA	AL.			
	NATURE AND DANG SURVEYOR'S SE	0.000m			
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	V DR.	VZASEEDOQO #707-Fre-Roger O			
PREPARED FOR:					
BREVARD COUNTY BOARD OF COUNTY CONNISSIONERS SURVEYOR & MARREOF PSN 6056104					
NOT VALLE STREET AND SEALED					
PREPARED BY: ADAMS, KISER & COUTS, LLC, ADDRESS: 1996 ROBI CIRCLE, TITUSVILLE, FL 32796					
PHONE: 321-684-0073					
DRAWN BY: SEC CHECKED BY: RDK	DRAWING NO.: 22-020	SECTION 14			
		TOWNSHIP 23 SOUTH			
DATE: 11/28/2022 SHEET 1 OF 2	REVISIONS: 1/9/2023	RANGE <u>J5</u> EAST			

Figure 4: Legal Description. Sheet 1 of 2. Section 14, Township 23 South, Range 35 East.

Petitioner's Sketch & Description Sheet 2 of 2

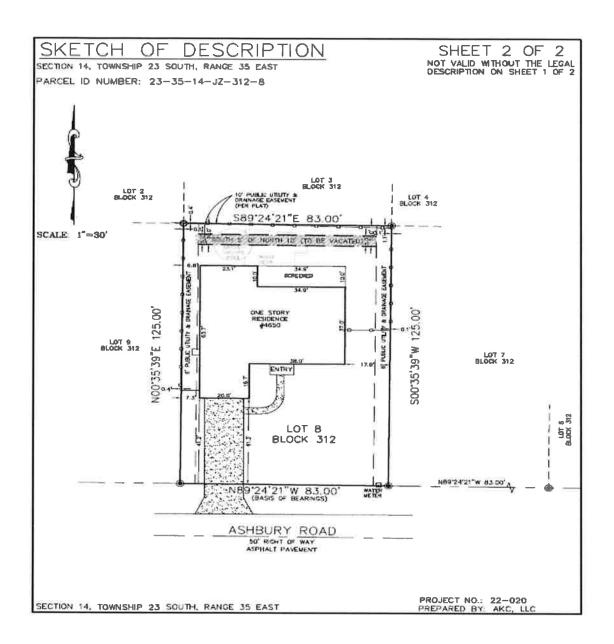


Figure 5: Sketch of description. Sheet 2 of 2. Section 14, Township 23 South, Range 35 East.

The sketch illustrates a 5.00-foot portion of a 10.00-foot wide public utility & drainage easement on Lot 8, Block 312, Port St. John Unit Eight, Cocoa, Florida. The coordinate of the North line depicted is as follows. North boundary – South 89°24′21″ East 83.00′; East boundary – South 00°35′39″ West 125.00′; South boundary – South 89°24′21″ West 83.00′; West boundary – North 00°35′39″ East 125.00′. Prepared by: Roger D. Kiser, PSM.

Boundary Survey with Proposed Pool

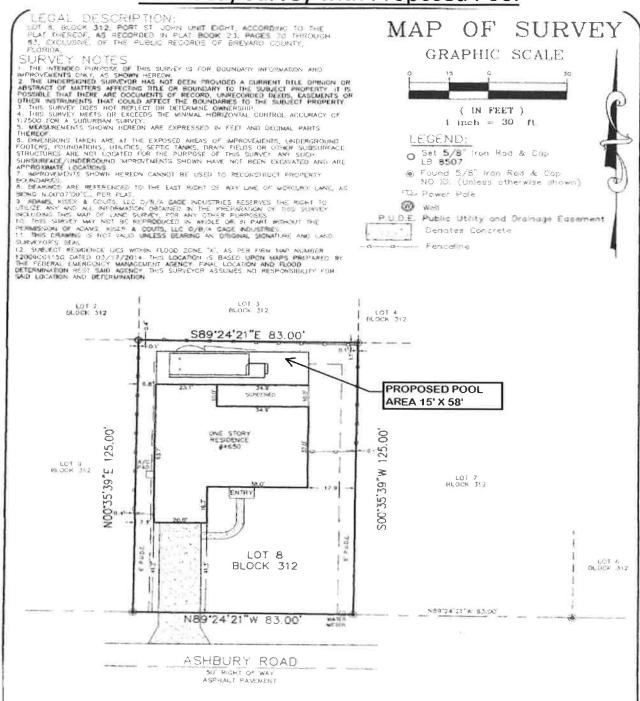


Figure 6: Boundary Survey with proposed pool on Lot 8, Block 312, Port St. John Unit Eight, 4650 Ashbury Road, Cocoa, FL, 32927.

The sketch illustrates a detail of the pool proposed to be constructed within the 5.00-foot portion to be vacated of a 10.00-foot wide public utility & drainage easement on Lot 8, Block 312, Port St. John Unit Eight, Cocoa, Florida.

Comment Sheet

Applicant: Sabo

Updated by: Amber Holley 20230131 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20230112	20230112	Yes	No objections
FL Power & Light	20230112	20230119	Yes	No objections
At&t	20230112	20230117	Yes	No objections
Charter/Spectrum	20230112	20230112	Yes	No objections
City of Cocoa	20230112	20230113	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20230112	20230131	Yes	No objections
Land Planning	20230112	20230125	Yes	No objections
Utility Services	20230112	20230117	Yes	No objections
Storm Water	20230112	20230112	Yes	No objections
Zoning	20230112	20230125	Yes	No objections

Public Hearing Legal Advertisement

AD#5597538

2/20/2023 LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "PORT ST. JOHN UNIT - EIGHT" IN SECTION 14. TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by JOHN C. & JENNIFER A. SABO with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

PART OF A 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, BE-ING MORE PARTICULARLY DESCRIBED AS **FOLLOWS:**

THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF LOT 8, BLOCK 312, PORT ST. JOHN UNIT EIGHT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 70 THROUGH 83, INCLUSIVE, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS & EX-CEPT THE EAST 6.00 FEET AND THE WEST 6.00 FEET THEREFROM. CONTAINING 355 SQUARE FEET, 0.008 ACRES, MORE OR LESS. PREPARED BY: ROGER D. KISER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on March 7, 2023, 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 im-paired 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 7: Copy of public hearing advertisement as published on February 20, 2023. See the next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "PORT ST. JOHN UNIT - EIGHT" IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FL

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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.

Resolution 2023 - 022

Vacating a portion of a public utility & drainage easement in plat "Port St. John Unit Eight" Subdivision, Cocoa, Florida, lying in Section 14, Township 23 South, Range 35 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JOHN C. & JENNIFER A. SABO** with the Board of County Commissioners to vacate a public 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, a 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 easement(s) will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easement(s) are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title, or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. 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.

#Pgs:5

DONE, ORDERED, AND ADOPTED, in regular session, this 7TH day of March, 2023 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Rita Pritchett, Chair

As approved by the Board on: March 7, 2023

CFN 2023054302, OR BK 9742 PAGE 1999, Recorded 03/20/2023 at 03:48 PM, Rachel M. Sadoff, Clerk of Courts, Brevard County

350

DESCRIPTION

SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: 23-35-14-JZ-312-8

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PURPOSE OF DESCRIPTION: VACATE PORTION OF 10' PUBLIC DRAINAGE AND UTILITY EASEMENT.

LEGAL DESCRIPTION:

PART OF A 10' WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 5 FEET OF THE NORTH 10 FEET OF LOT 8, BLOCK 312, PORT ST. JOHN UNIT EIGHT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 70 THROUGH 83, INCLUSIVE, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

LESS & EXCEPT THE EAST 6.00 FEET AND THE WEST 6.00 FEET THEREFROM.

CONTAINING 355 SQUARE FEET, 0.008 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

- 1. THE INTENDED PURPOSE OF THIS SURVEY IS TO SHOW PROPOSED VACATED EASEMENT ONLY, AS SHOWN HEREON. 2. THE UNDERSIGNED SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR BOUNDARY TO THE SUBJECT PROPERTY. IT IS POSSIBLE THAT THERE ARE DOCUMENTS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS THAT COULD AFFECT THE BOUNDARIES TO THE SUBJECT PROPERTY.
- 3. THIS SKETCH DOES NOT REFLECT OR DETERMINE OWNERSHIP.
 4. THIS SKETCH MEETS OR EXCEEDS THE MINIMAL HORIZONTAL CONTROL ACCURACY OF 1:7500 FOR A SUBURBAN SURVEY.

- 3. THIS SKETCH DOLL
 4. THIS SKETCH MEETS OR EXCELD
 5. MEASUREMENTS SHOWN HEREON ARE EXPRESS.
 6. BEARINGS ARE REFERENCED TO THE NORTH RIGHT OF WAY LINE.
 7. ADAMS, KISER & COUTS, LLC D/B/A GAGE INDUSTRIES RESERVES THE RIGHT TO OBTAINED IN THE PREPARATION OF THIS SKETCH INCLUDING THIS SKETCH OF DESCRIPTION, FUR THIS SKETCH MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE PERMISSION OF ADAMS, KISER & D/B/A GAGE INDUSTRIES.
 9. THIS DRAWING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARD SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID UNLESS BEARD SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID SIGNATURE AND LAND SURVEYOR'S SEAL MINING IS NOT VALID SIGNATURE AND LAND SURVEYOR'S SEAL MINING SIGNATURE AND LAND SURVEYOR'S SEAL MINING SIGNATURE AND LAND SURVEY S

PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SURVEYOR & MAPPER, PSM NO. 6104 NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: ADAMS, KISER & COUTS, LLC,

ADDRESS: 1996 ROBI CIRCLE, TITUSVILLE, FL 32796

PHONE: 321-684-0073

DRAWN BY: SEC

CHECKED BY: RDK

DRAWING NO.: 22-020

SECTION 14

Gammonn

DATE: 11/28/2022

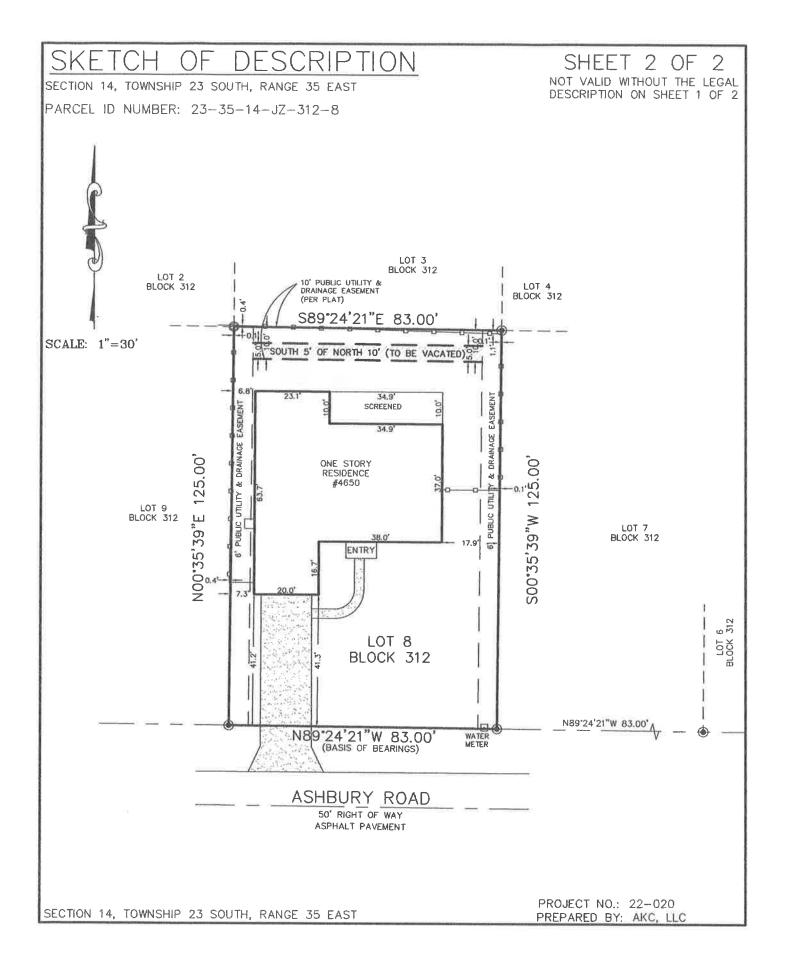
SHEET 1 OF 2

REVISIONS: 1/9/2023

TOWNSHIP 23 SOUTH

67

RANGE 35 EAST





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 said legal clerk, 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) dated: or by publication on the newspaper's website, if authorized, on

02/20/2023

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 20th of February 2023, by legal clerk who is personally known to me

AD#5597538

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF
A 10.0 FT. WIDE PUBLIC UTILITY &
DRAINAGE EASEMENT, PLAT OF "PORT
ST. JOHN UNIT - EIGHT" IN SECTION 14,
TOWNSHIP 23 SOUTH, RANGE 35 EAST,
OCCOA B.

TOWNSHIP 23 SOUTH, RANGE 35 EAST, COCOA, FI.

NOTICE 15 HERREY GIVEN that pursuant to Chapter 33.6.95; Horida Statutes, and Chapter 88, Arricle II, Section 88-36, Brevard County Code, a petition has been filed by JOHN C. & JENNIER R. A. SABO with the Board of County Commissioners of Brevard County, Florida, to request wasting the following described property, to wit:

ty, to wit: PART OF A 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, BE-ING MORE PARTICULARLY DESCRIBED AS

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PSM.

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Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

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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 med if the department of the protocoping of the recording to the protocoping of the protocoping of

partnent sponsoring the meeting/flearing is contacted at least 48 hours prior to the public meeting/flearing by any person wishing assistance.

Affiant

Notary

State of Wisconsin County

My commission expires Publication Cost: \$194.34

Ad No: 0005597538

Customer No: BRE-6BR327 This is not an invoice

of Affidavits1

NANCY HEYRMAN Notary Public State of Wisconsin



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 said

legal clerk, 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) dated: or by publication on the newspaper's website, if authorized, on

03/15/2023

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 15th of March 2023, by legal clerk who is personally known to me

Affiant

State of Wis

My commission expires Publication Cost: \$170.73

Ad No: 0005628484

Customer No: BRE-6BR327 This is not an invoice

of Affidavits 1

Ad#5628484 3/15/2023 LEGAL NOTICE

RESOLUTION VACATING A PUBLIC UTILITY AND DRAINAGE EASEMENT IN PLAT "PORT ST. JOHN UNIT EIGHT" SUBDIVISION, COCOA, LYING IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST – JOHN C. AND JENNIFER A, SABO

TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the
71H day of March, 2023, the Board of
County Commissioners of Brevard County, Florida, adopted a Resolution
vacating a public utility and drainage
easement in plat "Port St. John Unit
Eight" subdivision, Cocca, Jiving in Section 14, Township 23 South, Range 35
East, as petitioned by John C and Jennifer A. Sabo.

LEGAL DESCRIPTION:

PART OF A 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, BE-ING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF LOT 8, BLOCK 312, PORT ST. JOHN UNIT EIGHT, ACCORDING TO THE PILAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 70 THROUGH 83, INCLUSING. OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS. & EXCEPT THE EAST 6.00 FEET AND THE WEST 6.00 FEET THEREFROM, CONTAINING 355 SQUARE FEET, 0.008 ACRES, MORE OR LESS. PREPARED BY: ROGER D. KISER, PSM.

The Board further renounced and dis-claimed any right of the County in and to said public easement.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA RACHEL M. SADOFF, CLERK BY: Kimberly Powell, Clerk to the Board

> NANCY HEYRMAN Notary Public State of Wisconsin

Samantha McDaniel

From:

Holley, Amber < Amber. Holley@brevardfl.gov>

Sent:

Wednesday, March 8, 2023 9:44 AM

To:

Samantha McDaniel; Nicole Summers; Deborah Thomas; Priyanka Patel

Cc:

Donna Scott; Kimberly Powell

Subject:

March 7, 2023 Commission Meeting

Attachments:

legal description-Sabo.docx; LEGAL DESCRIPTION-BROZNY.docx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Ladies, please find attached the legal description from the approval on the 3/7 meeting.

Owner information:



H.2. John C. & Jennifer A. Sabo, 4650 Ashbury Road, Cocoa, FL 32927.

H.3. Steven & Carrie Ann Brozny, 2004 Blue Heron Drive, Melbourne, FL 32940.

Sincerely, **Amber Holley** Public Works/ Survey Dept. 321-350-8346

"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."

This email was scanned by Bitdefender

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LEGAL NOTICE

RESOLUTION VACATING A PUBLIC UTILITY AND DRAINAGE EASEMENT IN PLAT "PORT ST. JOHN UNIT EIGHT" SUBDIVISION, COCOA, LYING IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 35 EAST – JOHN C. AND JENNIFER A. SABO

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 7TH day of March, 2023, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a public utility and drainage easement in plat "Port St. John Unit Eight" subdivision, Cocoa, lying in Section 14, Township 23 South, Range 35 East, as petitioned by John C. and Jennifer A. Sabo.

LEGAL DESCRIPTION:

PART OF A 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF LOT 8, BLOCK 312, PORT ST. JOHN UNIT EIGHT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 70 THROUGH 83, INCLUSIVE, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS & EXCEPT THE EAST 6.00 FEET AND THE WEST 6.00 FEET THEREFROM. CONTAINING 355 SQUARE FEET, 0.008 ACRES, MORE OR LESS. PREPARED BY: ROGER D. KISER, PSM.

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

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA RACHEL M. SADOFF, CLERK

BY: Kimberly Powell, Clerk to the Board

Florida TODAY:

Please advertise in the March 15, 2023, issue of the Florida TODAY. Bill the Board of County Commissioners Account Number BRE-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.