

Meeting Date
January 09, 2018



AGENDA	
Section	PUBLIC HEARING
Item No.	IV, A.

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: 7.50 ft. Public Utility and Drainage Easement – Wild Flower Street – “Citrus Isle”– Merritt Island – John Kaleugher & Mary Butler– District 2 (Fiscal Impact: \$640.00 Vacating Application Fee Paid by Petitioner)
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating a 7.50 ft. wide public utility and drainage easement at the south line of Lot 41, “Citrus Isle” in Section 03, Township 24 South, Range 36 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioners own Lot 41 and are requesting the vacating of the 7.50 ft. wide public utility and drainage easement along the south lot line to allow for the permitting and construction of a pool deck and enclosure extension. Easement to be vacated contains 300 square feet, more or less.

December 22, 2017 the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. The property is located on Merritt Island as follows: Begin at the intersection of S.R. 528 (Beeline Expressway) and S.R. 3 (North Courtenay Parkway); thence 2.00 miles north along S.R. 3; thence 0.61 miles west along West Hall Road; thence 0.40 miles south along North Tropical Trail; thence 0.19 miles east along Wild Flower Street to the residence on the north (left).

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

January 22, 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 a 7.50 Foot Wide Public Utility and Drainage Easement on Wild Flower Street in Citrus Isle, Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 18-003, vacating a 7.50 foot wide public utility and drainage easement on Wild Flower Street in Citrus Isle, Merritt Island, as petitioned by Mary Butler and John Kaleugher. Said Resolution was adopted by the Board of County Commissioners, in regular session on January 9, 2018.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

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

January 22, 2018

Mary Butler and John Kaleugher
741 Wild Flower Street
Merritt Island, FL 32953

Dear Ms. Butler and Mr. Kaleugher:

Re: Resolution Vacating a 7.50 Foot Wide Public Utility and Drainage Easement on Wild Flower Street in Citrus Isle, Merritt Island

The Board of County Commissioners, in regular session on January 9, 2018, adopted Resolution No. 18-003, vacating a 7.50 foot wide public utility and drainage easement on Wild Flower Street in Citrus Isle, Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 8074, Pages 644 through 648. 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

RESOLUTION 2018 - 003

VACATING A 7.50 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT IN "CITRUS ISLE" SUBDIVISION, MERRITT ISLAND, FLORIDA, LYING IN SECTION, 03, TOWNSHIP 24 SOUTH, RANGE 36 EAST

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JOHN KALEUGHER AND MARY BUTLER** with the Board of County Commissioners to vacate a public utility and drainage easement in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

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

THEREFORE BE IT RESOLVED that said portion of the public utility and drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easement. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 9TH 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 09, 2018

LEGAL DESCRIPTION

SITUATED IN SECTION 3, TOWNSHIP 24 SOUTH, RANGE 36 EAST

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PARCEL ID# 24-36-03-01-*--41

PURPOSE OF SURVEY: VACATING A PORTION OF A 7.5 FOOT WIDE
UTILITY & DRAINAGE EASEMENT

LEGAL DESCRIPTION:

THAT PORTION OF A 7.50 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT
DESCRIBED AS FOLLOWS:

THE EAST 40.00 FEET OF THE WEST 54.00 FEET OF THE SOUTH 7.50 FEET, OF
LOT 41, CITRUS ISLE, AS RECORDED IN PLAT BOOK 41, PAGE 48, OF THE PUBLIC
RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 300.00 SQUARE FEET, MORE
OR LESS.

SURVEYOR'S NOTES:

1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIBED DESCRIPTION IS THE CENTER LINE
OF RIGHT OF WAY OF CALIPH AVENUE , BEING N 89°53'32" E AS PER PLAT OF CITRUS ISLE
2. THE SKETCH ON SHEET 2 OF 2 IS NOT A BOUNDARY SURVEY, IT IS A SKETCH ONLY TO
ACCOMPANY LEGAL DESCRIPTION.
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY
ERIC NIELSEN LAND SURVEYING, INC. DATED 10-06-2017

ABBREVIATION & SYMBOL LEGEND

C/L = CENTERLINE	I.R.C. = IRON ROD & CAP
R/W = RIGHT-OF-WAY	P.U.D.E.= PUBLIC UTILITY & DRAINAGE EASEMENT
FND = FOUND	A/C = AIR CONDITIONER
LB = LICENSED BUSINESS	CONC = CONCRETE
P = PLAT	WUP = WOOD UTILITY POLE
M = MEASURED	W/M = WATER METER
I.R. = IRON ROD	E.M. = ELECTRIC METER
L = LINE	



Eric Nielsen
10.10.17

SURVEYOR & MAPPER, PSM NO. 5386
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR:
MARY BUTLER AND JOHN KALEUGHER

PREPARED BY:
ERIC NIELSEN LAND SURVEYING, INC.
L.B. 6946, 12 STONE STREET, SUITE 4
COCOA, FL. 32922

DRAWN BY: T.N.
DATE: 10-06-2017

CHECKED BY: EN
SHEET 1 OF 2

DRAWING NO. 17-428-08
REVISIONS _____

SECTION 03
TOWNSHIP 24 SOUTH
RANGE 36 EAST

SKETCH OF DESCRIPTION

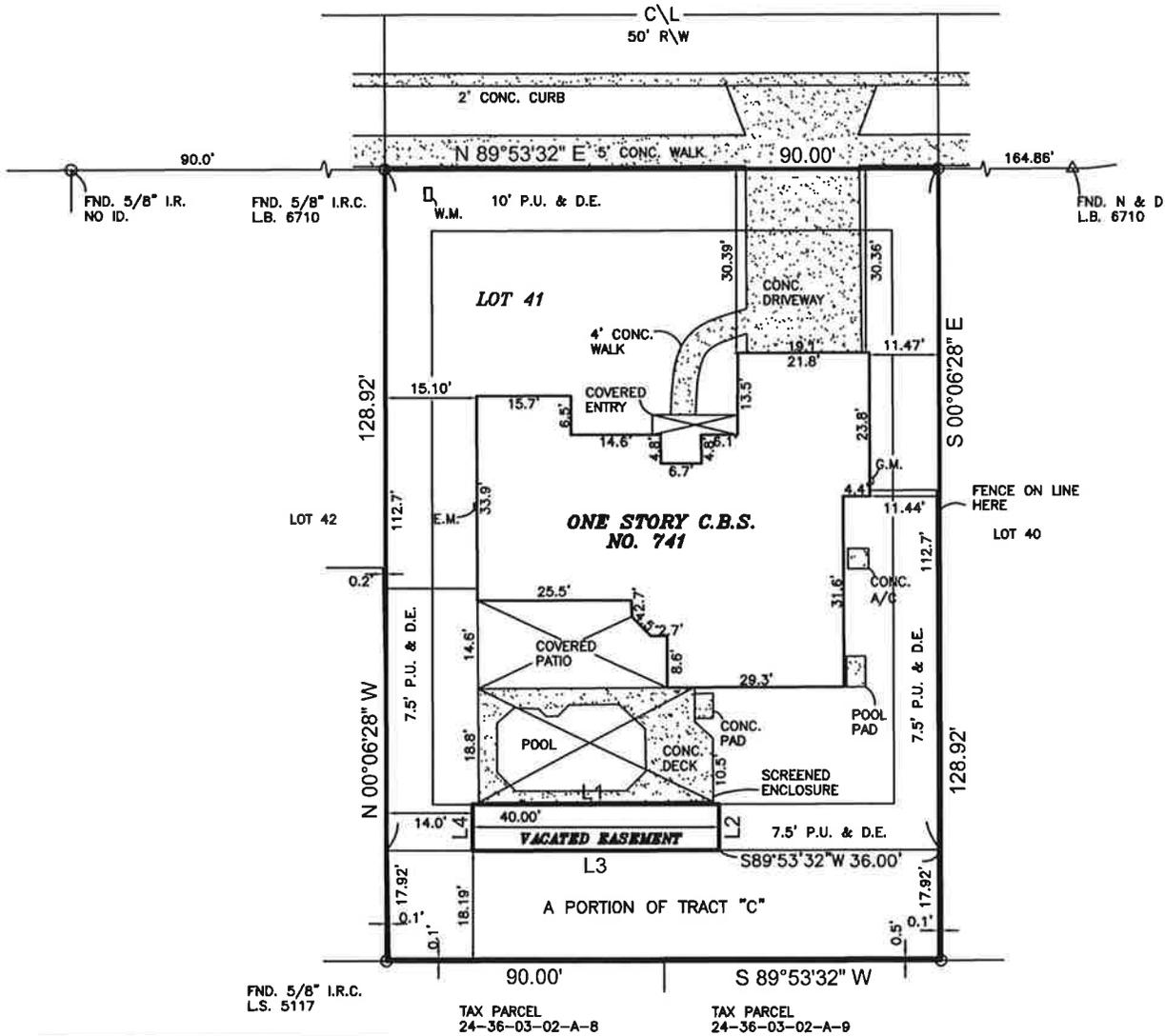
SHEET 2 OF 2

SITUATED IN SECTION 3, TOWNSHIP 24 SOUTH, RANGE 36 EAST
 PARCEL ID# 24-26-03-01-*41

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2

"THIS IS A SKETCH ONLY, NOT A BOUNDARY SURVEY"

WILD FLOWER STREET



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89° 53' 32" E	40.00'
L2	S 00° 06' 28" E	7.50'
L3	S 89° 53' 32" W	40.00'
L4	N 00° 06' 28" W	7.50'

PREPARED FOR:
 MARY BUTLER AND JOHN KALEUGHER

PREPARED BY:
 ERIC NIELSEN LAND SURVEYING, INC.
 L.B. 6946, 12 STONE STREET, SUITE 4
 COCOA, FL. 32922

DRAWN BY: T.N.
 DATE: 10-06-2017

CHECKED BY: EN
 SHEET 2 OF 2

DRAWING NO. 17-428-08
 REVISIONS

SECTION 3
 TOWNSHIP 24 SOUTH
 RANGE 36 EAST



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

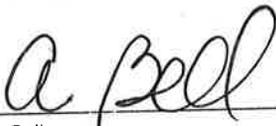
Legal Notices

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

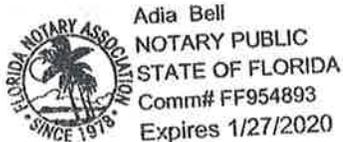
12/22/17

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 22th of December 2017, 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: \$230.20
Ad No: 0002617430
Customer No: BRE-6BR327



LEGAL NOTICE
NOTICE FOR THE VACATING OF A 7.5 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "CITRUS ISLE" IN SECTION 03, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **MARY BUTLER & JOHN KALEUGHER** 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 easement at 5:00 P.M. on January 09, 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.

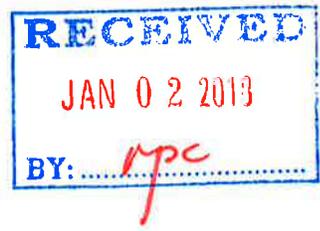
Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings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

LEGAL DESCRIPTION:
THAT PORTION OF A 7.50 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS: THE EAST 40.00 FEET OF THE WEST 54.00 FEET OF THE SOUTH 7.50 FEET, OF LOT 41, CITRUS ISLE, AS RECORDED IN PLAT BOOK 41, PAGE 48, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 300.00 SQUARE FEET, MORE OR LESS. ERIC NIELSEN, PSM





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:

01/13/18

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 16th 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: \$148.70
Ad No: 0002658597
Customer No: BRE-6BR327



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

AD# 2658597 1/13/2018
LEGAL NOTICE

RESOLUTION VACATING A 7.50 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON WILD FLOWER STREET IN CITRUS ISLE, MERRITT ISLAND - MARY BUTLER & JOHN KALEUGHER

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 9th day of January, 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 7.50 ft. wide public utility and drainage easement on Wild Flower Street in Citrus Isle, Merritt Island, as petitioned by Mary Butler & John Kaleugher.

SEE ATTACHED EXHIBIT "A"

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
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk

LEGAL DESCRIPTION:

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PREPARED BY ERIC NIELSEN, PSM





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.: 0002658597
Pymt Method Invoice
Net Amt: \$148.70

Run Times: 1

No. of Affidavits: 1

Run Dates: 01/13/18

Text of Ad:

AD# 2658597 1/13/2018
LEGAL NOTICE

RESOLUTION VACATING A 7.50 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON WILD FLOWER STREET IN CITRUS ISLE, MERRITT ISLAND - MARY BUTLER & JOHN KALEUGHER

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PREPARED BY ERIC NIELSEN, PSM

Donna Scott

From: LEGALS, BRE <BRELEGALS@gannett.com>
Sent: Wednesday, January 10, 2018 4:38 PM
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

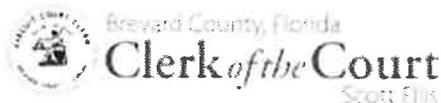
***Please note: An Affidavit of Publication (which is your notarized proof that you legally published your notice in the newspaper) will be charged and automatically added to your invoice unless you let us know **in writing** that you do not wish to have one.*

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

From: Donna Scott [<mailto:donna.scott@brevardclerk.us>]
Sent: Wednesday, January 10, 2018 3:15 PM
To: LEGALS, BRE <BRELEGALS@gannett.com>
Subject: legal notice

Attached is legal notice to be published on Saturday, January 13; 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



Under Florida law, all correspondence sent to the Clerk's Office, which is not exempt or confidential pursuant to Chapter 119 of the Florida Statutes, is public record. If you do not want the public record contents of your e-mail address to be provided to the public in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

LEGAL NOTICE

RESOLUTION VACATING A 7.50 FT. WIDE PUBLIC UTILITY AND DRAINAGE
EASEMENT ON WILD FLOWER STREET IN CITRUS ISLE, MERRITT ISLAND –
MARY BUTLER & JOHN KALEUGHER

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 9th day of January, 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 7.50 ft. wide public utility and drainage easement on Wild Flower Street in Citrus Isle, Merritt Island, as petitioned by Mary Butler & John Kaleugher.

SEE ATTACHED EXHIBIT "A"

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
SCOTT ELLIS, CLERK
BY: Tammy Rowe, Deputy Clerk

Florida TODAY:

Please advertise in the January 13, 2018, issue of the Florida TODAY.

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

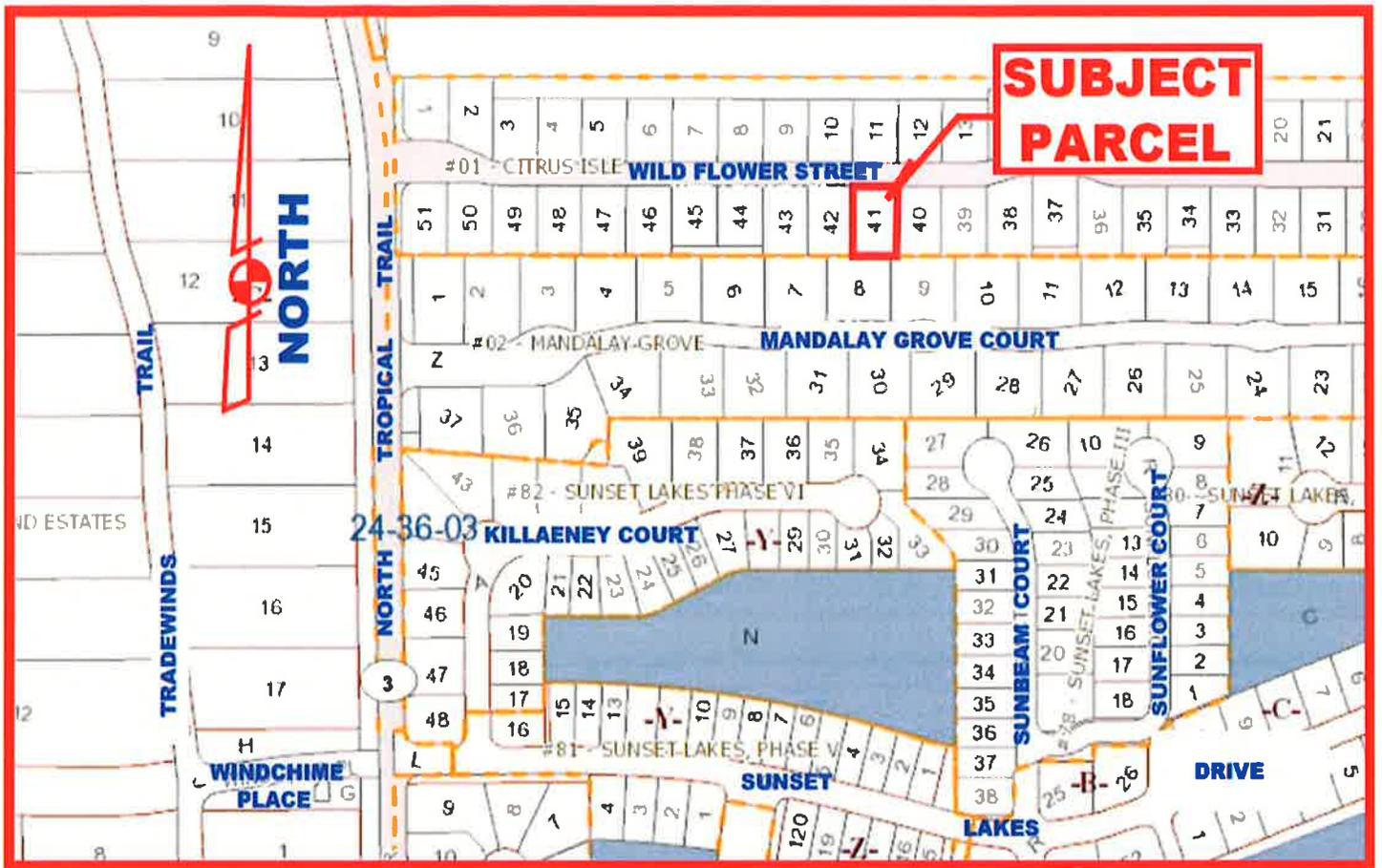
**Marc Cazessüs, Public Works Department
2725 Judge Fran Jamieson Way, Bldg. A-220
Viera, FL 32940**

LEGAL DESCRIPTION:

EXHIBIT "A"

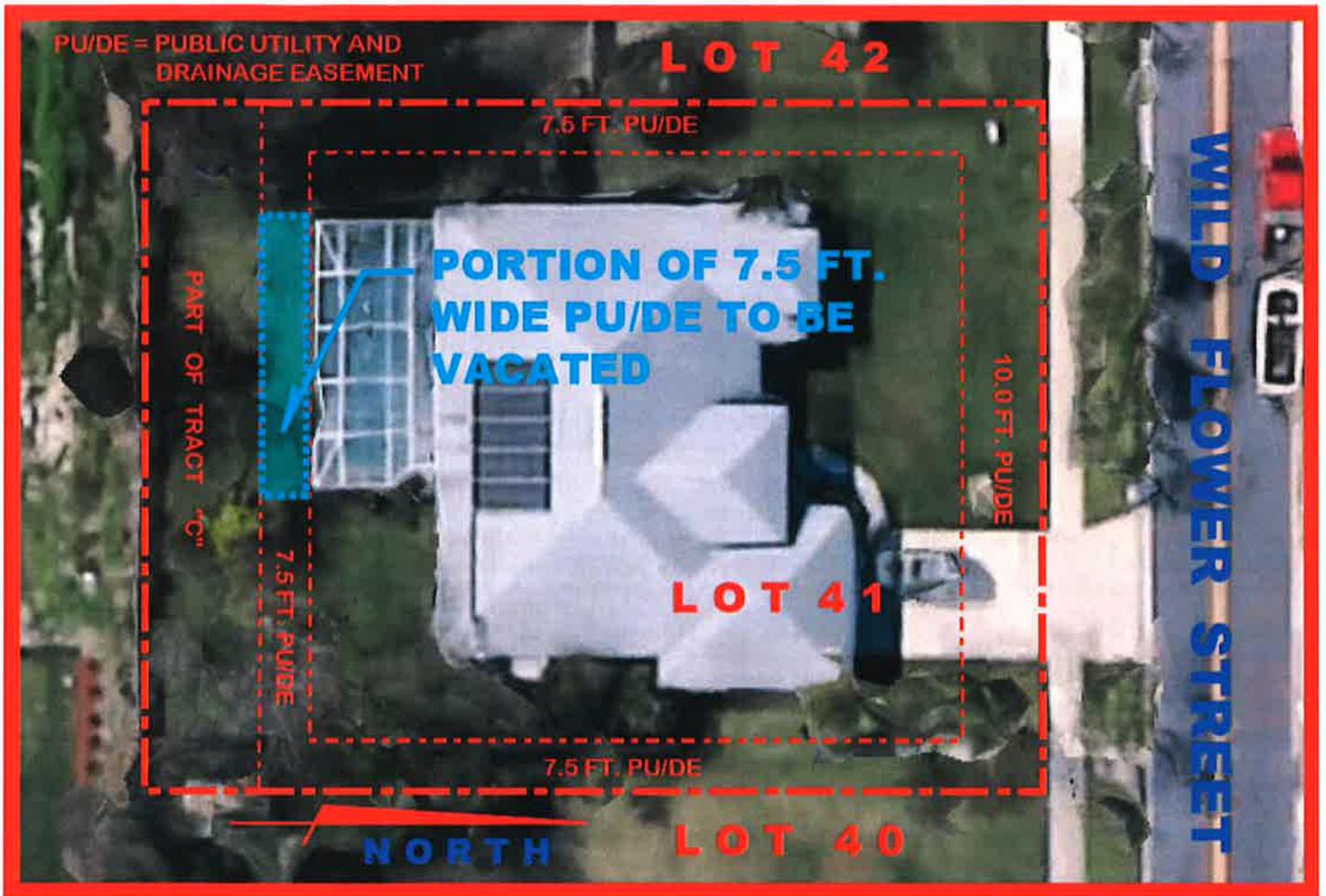
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VICINTY MAP

Mary Butler & John Kaleugher – 741 Wild Flower Street, Merritt Island – Lot 41
“Citrus Isle” – Plat Book 41 @ Pg. 48 –
Section 03, Township 24 South, Range 36 East – District 2 – Partial Vacating of 7.5 ft. Wide Public Utility Easement



AERIAL MAP

Mary Butler & John Kaleugher – 741 Wild Flower Street, Merritt Island – Lot 41
“Citrus Isle” – Plat Book 41 @ Pg. 48 –
Section 03, Township 24 South, Range 36 East – District 2 – Partial Vacating of 7.5 ft. Wide Public Utility Easement



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2443470
 Owners Kaleugher, John; Butler, Mary
 Mailing Address 741 Wild Flower Merritt Island FL 32953
 Site Address 741 Wild Flower St Merritt Island FL 32953
 Parcel ID 24-36-03-01-*41
 Property Use 0110 - Single Family Residence
 Exemptions HEX1 - Homestead First
 HEX2 - Homestead Additional
 Taxing District 2200 - **Unincorp District 2**
 Total Acres 0.27
 Subdivision Citrus Isle
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0041/0048
 Land Description Citrus Isle Lot 41 & Part Of Tract C Lying Southerly & Adjacent



VALUE SUMMARY

Category	2017	2016	2015
Total Market Value	\$243,790	\$237,190	\$219,930
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$145,280	\$142,300	\$141,320
Assessed Value School	\$145,280	\$142,300	\$141,320
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	\$95,280	\$92,300	\$91,320
Taxable Value School	\$120,280	\$117,300	\$116,320

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
02/28/1998	\$24,000	WD	Vacant	3794/0157

BUILDINGS

PROPERTY DATA CARD #1					
Building Use	Year Built	Story Height	Floors	Residential Units	Commercial Units
0110 - Single Family Residence	1998	8	1	1	0

Materials	Sub Areas	
Exterior Wall: Stucco	Base Area (1st)	1952
Frame: Masnryconc	Garage	483
Roof: Asph/Asb Shngl	Open Porch	77
Roof Structure: Hip/Gable	Open Porch	403
	Total Base Area	1952
	Total Sub Area	2915

Extra Features	Additional Extra Features
Pool Deck 334	No Data Found
All Screen: 1 Story 665	
Pool: Residential 1	

APPRAISER'S DETAIL SHEET

Return to:
John Kaleugher
211 Caroline Street Apt. J 18
Cape Canaveral, FL. 32920



CFN 98026894 02-16-98 07:59 am
OR Book/Page: 3794 / 0157

Property Appraisers Parcel No.
24 36 03 01 41

Sandy Crawford

Clerk Of Courts, Brevard County

#Pgs: 1 #Names: 3
Trust: 1.00 Rec: 5.00 Serv 0.00
Debt: 188.00 Exclae: 0.00
Mtg: 0.00 nt Tax: 0.00

THIS WARRANTY DEED made this 12th day of February, 1998 by

The Sasso Corporation

a Florida corporation, hereinafter called Grantor, with its post office address,
1765 Rochelle Parkway Merritt Island, FL. 32952 to:

John Kaleugher and Mary Butler

hereinafter called the Grantee, whose post office address is,
211 Caroline Street Apt. J 18 Cape Canaveral, FL. 32920

WITNESSED: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in Brevard County, Florida, viz:

Lot 41, CITRUS ISLE, according to the Plat thereof recorded in Plat Book 41, Page 48, of the Public Records of Brevard County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that the land is free of all encumbrances, except taxes for the current year and subsequent years, restrictions, limitations, covenants, and easements of record, if any.

(CORPORATE SEAL) **IN WITNESS WHEREOF** The Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Witnessed By:
TAMELA J. JONES
Printed name of witness

The Sasso Corporation
By: Michael A. DiChristopher Pres.
Address of corporation:

1765 Rochelle Parkway
Merritt Island, FL. 32952

MICHELE BRENNER
Printed name of witness

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me this 12th day of February, 1998, by Michael A. DiChristopher as President of The Sasso Corporation, a Florida corporation who is personally known to me or who produced _____ as identification.

Michele Salick
Notary Public
Printed name of notary:
My commission expires:



PETITIONER'S DEED:

LOT 41

Scott Ellis

Clerk Of Courts, Broward County

FPgs: 2 Alarms: 3
Trak: 1.50 Rec: 9.00 Serv: 0.00
Deed: 3.50 Copies: 0.00
Mfg: 0.00 IN Tax: 0.00

**CORPORATE
QUITCLAIM DEED**



CFW-2002200838 05-19-2002 12:47 pm
OR Book/Page: 4862 / 3037

THIS QUITCLAIM DEED, executed this 15th day of May, 2002, by Michael Lewer of Citrus Isle Home Owners Association, as President Grantor (first party), to John Kalcougher (a single man) and Mary Butler (a single woman), whose mailing address is 741 Wild Flower Street, Merritt Island, FL 32953 (second party). (Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH: That the said first party, for and in consideration of the sum of \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of BREVARD, State of FLORIDA, to wit:

The portion of Tract C as depicted on Plat Book 41, Page 48, Sheet 1 of 1, Section 3, Township 24 South, Range 36 East that directly adjoins to the south side of Lot 41.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Citrus Isles Homeowner Association

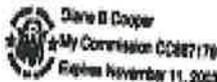
Walter P. Mariani

Witness

By: Michael Lewer President
Michael Lewer

Diane B. Cooper

Witness



P E T I T I O N E R ' S D E E D :

T R A C T C - 1 O F 2



CFN 2002206838

CP Book/Page: 4662 / 3038

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 Michael Lewer, as President of Citrus Isle Homeowners Association to me known to be the person(s) described in and who executed the foregoing instrument and who acknowledged before me that they executed the same.

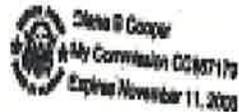
WITNESS my hand and official seal in the County and State last aforesaid this 15th day of July, 2002.

Sign: Diane B. Casper

Print: Diane B. Casper

Notary Public, State of Florida
at Large

My Commission Expires:



PETITIONER'S DEED:

TRACT C - 2 OF 2

LEGAL DESCRIPTION

SITUATED IN SECTION 3, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PARCEL ID# 24-36-03-01--*-41

PURPOSE OF SURVEY: VACATING A PORTION OF A 7.5 FOOT WIDE UTILITY & DRAINAGE EASEMENT

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION:

THAT PORTION OF A 7.50 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

THE EAST 40.00 FEET OF THE WEST 54.00 FEET OF THE SOUTH 7.50 FEET, OF LOT 41, CITRUS ISLE, AS RECORDED IN PLAT BOOK 41, PAGE 48, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 300.00 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIBED DESCRIPTION IS THE CENTER LINE OF RIGHT OF WAY OF CALIPH AVENUE , BEING N 89°53'32" E AS PER PLAT OF CITRUS ISLE
2. THE SKETCH ON SHEET 2 OF 2 IS NOT A BOUNDARY SURVEY, IT IS A SKETCH ONLY TO ACCOMPANY LEGAL DESCRIPTION.
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY ERIC NIELSEN LAND SURVEYING, INC. DATED 10-06-2017

ABBREVIATION & SYMBOL LEGEND

- | | |
|------------------------|---|
| C/L = CENTERLINE | I.R.C. = IRON ROD & CAP |
| R/W = RIGHT-OF-WAY | P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT |
| FND = FOUND | A/C = AIR CONDITIONER |
| LB = LICENSED BUSINESS | CONC = CONCRETE |
| P = PLAT | WUP = WOOD UTILITY POLE |
| M = MEASURED | W/M = WATER METER |
| I.R. = IRON ROD | E.M. = ELECTRIC METER |
| L = LINE | |



Eric Nielsen

10-10-17

SURVEYOR & MAPPER, PSM NO. 5386
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR:
MARY BUTLER AND JOHN KALEUGHER

PREPARED BY:
ERIC NIELSEN LAND SURVEYING, INC.
L.B. 6946, 12 STONE STREET, SUITE 4
COCOA, FL. 32922

DRAWN BY: T.N.
DATE: 10-06-2017

CHECKED BY: EN
SHEET 1 OF 2

DRAWING NO. 17-428-08
REVISIONS _____

SECTION 03
TOWNSHIP 24 SOUTH
RANGE 36 EAST

VACATING SKETCH &
DESCRIPTION: 1 OF 2

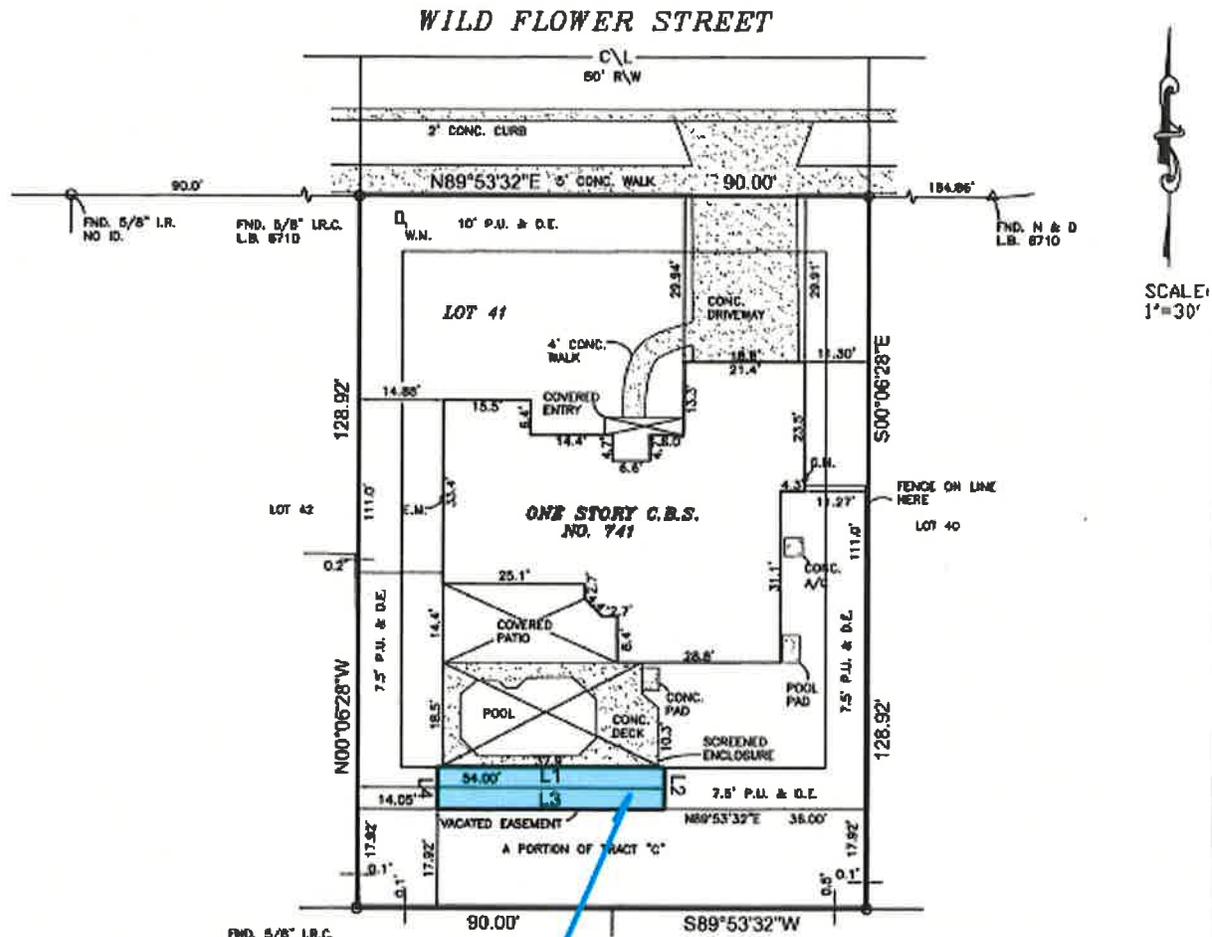
SKETCH OF DESCRIPTION

SHEET 2 OF 2

SITUATED IN SECTION 3, TOWNSHIP 24 SOUTH, RANGE 36 EAST
 PARCEL ID# 24-26-03-01--*-41

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2

"THIS IS A SKETCH ONLY, NOT A BOUNDARY SURVEY"



SCALE:
 1"=30'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89° 53' 32" E	40.00'
L2	S 00° 06' 28" E	7.50'
L3	S 89° 53' 32" W	40.00'
L4	S 00° 06' 28" W	7.50'

**PORTION OF 7.5 FT. WIDE PUBLIC
 UTILITY & DRAINAGE EASEMENT
 TO BE VACATED**

PREPARED FOR: MARY BUTLER AND JOHN KALEUGHER		PREPARED BY: ERIC NIELSEN LAND SURVEYING, INC. L.B. 6946, 12 STONE STREET, SUITE 4 COCOA, FL. 32922	
DRAWN BY: <u>T.N.</u> DATE: <u>10-06-2017</u>	CHECKED BY: <u>EN</u> SHEET <u>2</u> OF <u>2</u>	DRAWING NO. <u>17-428-08</u> REVISIONS _____	SECTION <u>3</u> TOWNSHIP <u>24</u> SOUTH RANGE <u>36</u> EAST

VACATING SKETCH &
DESCRIPTION: 2 OF 2

COMMENT SUMMARY

APPLICANT: MARY BUTLER & JOHN KALEUGHER UPDATED BY / DATE MARC CAZESSUS, PLS / 20171207 @ 16:15

COMPANIES	NOTIFIED	COMMENTS		STIPULATIONS/REMARKS
		RECEIVED	APPROVED	
UTILITIES				
CITY OF COCOA	20171114	20171115	YES	NO OBJECTIONS
FLORIDA POWER & LIGHT CO	20171114	20171121	YES	NO OBJECTIONS
AT & T	20171114	20171114	YES	NO OBJECTIONS
CHARTER COMMUNICATIONS	20171114	20171115	YES	NO OBJECTIONS
CITY GAS CO OF FLORIDA	20171114	20171114	YES	NO OBJECTIONS
COUNTY STAFF				
ROAD & BRIDGE	20171114	20171207	YES	NO OBJECTIONS - SUSAN JACKSON
COUNTY UTILITY SERVICES	20171114	20171114	YES	NO OBJECTIONS - TAMMY HURLEY
LAND DEVELOPMENT	20171114	20171127	YES	NO OBJECTIONS - REBECCA RAGAIN
NRMD & STORM WATER	20171114	20171114	YES	NO OBJECTIONS - HARVEY WHEELER
ZONING	20171114	20171115	YES	NO OBJECTIONS - PAUL BODY

COMMENT SHEET

**(RESERVED FOR PUBLIC
HEARING LEGAL
ADVERTISEMENT: TO BE
PUBLISHED ON DECEMBER
22, 2018 – THIS PAGE TO
BE REVISED AND AN
UPDATED PAGE TO BE
PROVIDED SOONEST)**

**PUBLIC HEARING LEGAL
ADVERTISEMENT**

LEGAL DESCRIPTION:

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