

Meeting Date
November 17 2015



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.B.

**AGENDA REPORT**  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Public Drainage Easement – Tax Parcel 17, Section 14, Twp. 21 S., Rge. 34 E. - Mims- Majestic Oaks Estates, LTD. – District 1 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public drainage easement at Tax Parcel 17 in Section 14, Township 22 South, Range 34 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioner as owner of Tax Parcel 17 is requesting the vacating of that portion a 60.00 ft. wide public drainage easement described in Official Records Book 1934, Page 0176 which crosses Tax Parcel 17 to allow for the unencumbered development of a manufactured mobile home community. The portion of easement to be vacated contains 1.74 acres, more or less.

November 02, 2015, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. The property is located in Mims as follows: Begin at the intersection of Interstate – 95 with State Road No. 46; thence West 1.05 miles along State Road No. 46; thence North 0.32 miles along Tuscany Drive; thence East 0.07 mile along the end of Napoli Way, the beginning of the public drainage easement and 51.58 acre development parcel.

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 0002-30265-3699000, revenue account for vacatings. This action is in keeping with the County's efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year's budget.

Name: [Marc.Cazessus@brevardcounty.us](mailto: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) and comment summary sheet

Clerk to the Board instruction: Advertise Approved Resolution Notice and Record Vacating Resolution Documents (which in sequence includes the notice of public hearing legal ad, the approved/signed resolution, and the approved resolution legal ad).

Contract / Agreement (if attached):		Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager		Assistant County Manager				Department Director / Extension		
Stockton Whitten		Assistant County Manager				John Denninghoff / Ext. 57202		
		Venetta Valdengo						



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

December 15, 2015

Mr. Michael S. Liguori  
3840 Grantline Road  
Mims, FL 32754

Dear Mr. Liguori:


RE: IV.B., Petition to Vacate Public Drainage Easement – Tax Parcel 17, Section 14, Township 21 South, Range 34 East in Majestic Oaks Estates, Ltd, Mims

The Board of County Commissioners, in regular session on November 17, 2015, adopted Resolution No. 15-225, vacating a public drainage easement on Tax Parcel 17 in Section 14, Township 22 South, Range 34 East as petitioned by Majestic Oaks Estates, Ltd, Mims. Said Resolution has been recorded in ORBK 7508, PG's 1725 – 1729. 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

for:   
Tammy Etheridge, Deputy Clerk

/kg

Encl. (1)

cc: Marc Cazessus



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

December 15, 2015

MEMORANDUM

TO: John Denninghoff, Public Works Director                      Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating Public Drainage Easement – Tax Parcel 17, Section 14, Township 21 South, Range 34 East, as Petitioned by Majestic Oaks Estates, Ltd. Mims

Enclosed for your necessary action are copies of the advertising bills and receipt of recordation for Resolution 15-225, vacating a public drainage easement on Tax Parcel 17, Section 14, Township 21 South, Range 34 East as petitioned by Majestic Oaks Estates Ltd. Said Resolution was adopted by the Board of County Commissioners, in regular session on November 17, 2015.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*for: Donna Scott*  
for: Tammy Etheridge, Deputy Clerk

/kg

Encls. (4)



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972

December 9, 2015

**COPY**

MEMORANDUM

TO: Recording

RE: Item IV.B., Resolution Vacating Public Drainage Easement – Tax Parcel 17, Section 14, Township 21 South, Range 34 East, as Petitioned Majestic Oaks Estates, Ltd., Mims

The Board of County Commissioners, in regular session on November 17, 2015, adopted Resolution to vacate a public drainage easement on Tax Parcel 17 in Section 14, Township 22 South, Range 34 East. Enclosed are the proof of publication setting the public hearing, Resolution No. 15-225, with attached Exhibits, and proof of publication advertising the vacation.

Please record same in the Public Records, bill to Public Works Department's Account Number 3175 or call Marc Cazessus at 5-7315 if you have any questions; and return the recorded documents to this office, **including a receipt for the recordation.**

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*for Donna Scott*  
for Tammy Etheridge, Deputy Clerk

**COPY**

/kg

Encls. (3)

A Daily Publication By:



CFN 2015239338, OR BK 7508 PAGE 1725.
Recorded 12/09/2015 at 10:41 AM, Scott Ellis, Clerk of Courts,
Brevard County
# Pgs:1

BREVARD COUNTY PUBLIC WORKS/TI
400 SOUTH ST
TITUSVILLE FL 32780

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:

11/02/15

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 2th of
November 2015, by Kim Curro who is personally known
to me

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

Publication Cost: \$279.10
Ad No: 0000833634
Customer No: BRE-6BR327



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

AD#833634 11/02/2015
BY ORDER OF THE BOARD OF COUNTY
COMMISSIONERS OF BREVARD COUNTY,
FLORIDA
SCOTT ELLIS, CLERK
By: Tammy Etheridge, Deputy Clerk

LEGAL NOTICE

NOTICE TO VACATE A PORTION OF A
60.00 FT. WIDE PUBLIC DRAINAGE EASE-
MENT DESCRIBED IN OFFICIAL RECORDS
BOOK 1934, PAGE 0176, AND CROSSING
OVER TAX PARCEL NO. 17 OF SECTION
14, TOWNSHIP 21 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, Bre-
vard County Code, a petition has been
filed by MAJESTIC OAKS ESTATES, LTD.
with the Board of County Commissioners
of Brevard County, Florida, to request
vacating the following described prop-
erty, 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 9:00 a.m.
on November 17, 2015 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 ac-
tion 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 pur-
pose, he or she may need to ensure that
a verbatim record of the proceedings is
made, which record includes the testi-
mony and evidence upon which the ap-
peal 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 de-
partment 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 PART OF THE 60.00 FOOT WIDE
OPEN DRAINAGE SYSTEM EASEMENT
DESCRIBED IN OFFICIAL RECORDS BOOK
1934, PAGE 176 THAT LIES WHOLLY
WITHIN THE LIMITS OF THAT PARCEL OF
LAND DESCRIBED IN OFFICIAL RECORDS
BOOK 7014, PAGE 2795 ALL BEING OF
THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA.
CONTAINING 1.74 ACRES MORE OR LESS.

PREPARED BY DENIS W. WRIGHT, RLS

RECEIVED

NOV 05 2015

Board of County Commissioners

RESOLUTION 2015 - 225

**VACATING A PORTION OF A PUBLIC DRAINAGE EASEMENT PER ORB 1934, PG. 0176  
CROSSING TAX PARCEL 17 OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 34 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **MAJESTIC OAKS ESTATES, LTD.** with the Board of County Commissioners to vacate a portion of a public 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 easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that the portion of the public drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to the 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 17<sup>th</sup> day of November, 2015 A.D.

ATTEST:

  
SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

  
JIM BARFIELD, CHAIRMAN

As approved by the Board on:  
November 17, 2015

# LEGAL DESCRIPTION

SHEET 1 OF 2 SHEETS

SECTION 14, TOWNSHIP 21 SOUTH, RANGE 34 EAST  
PROJECT PARCEL NUMBER: 21-34-14-00-00017.0-0000.00  
OWNER NAME: MAJESTIC OAK ESTATES LTD  
PURPOSE OF SKETCH AND DESCRIPTION: VACATE PORTION  
OF BREVARD COUNTY DRAINAGE EASEMENT.

## EXHIBIT \_\_\_\_\_

### LEGAL DESCRIPTION:

THAT PART OF THE 60.00 FOOT WIDE OPEN DRAINAGE SYSTEM EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1934, PAGE 176 THAT LIES WHOLLY WITHIN THE LIMITS OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7014, PAGE 2795 ALL BEING OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.. CONTAINING 1.74 ACRES MORE OR LESS.

### SURVEYOR'S NOTES:

- 1) THE BEARING SYSTEM SHOWN HEREON IS BASED ON AN ASSUMED BEARING OF S.01°01'44"E., ALONG THE EAST LINE OF SECTION 14, TWP.21 S., RGE.34 E.
- 2) THIS IS NOT A SURVEY. THIS DOCUMENT WAS PREPARED FOR LEGAL DESCRIPTION PURPOSES ONLY, AND IS NOT AN ACTUAL FIELD SURVEY.

### LEGEND

Ⓞ = Centerline  
C.M. = Concrete Monument  
F.P.L = Florida Power and Light  
ORB.\_\_\_\_, PG.\_\_\_\_ = Official Records Book and Page  
3345/2234 = A typical nomenclature for Official Records Book and Page.  
RGE. = Range  
R/W = Right-of-way  
TWP = Township  
3345/2234 = A typical nomenclature for Official Records Book and Page.

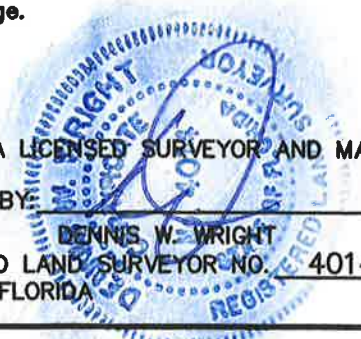
REVISED 9/28/15 TO ADDRESS COUNTY COMMENTS

NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CERTIFIED TO: THE BREVARD COUNTY BOARD  
OF COUNTY COMMISSIONERS

CERTIFIED BY: \_\_\_\_\_

REGISTERED LAND SURVEYOR NO. 4014  
STATE OF FLORIDA



DATE 8/04/15  
ORDER NO. 24986  
FB. NO. N/A  
SCALE. 1" = 100'  
DWG.NO. DEVILLE EASE VACATE.DWG

## Honeycutt & Associates, Inc.

ENGINEERS • SURVEYORS • PLANNERS

3700 South Washington Avenue • Titusville, Florida 32780

(321) 267-6233 Fax (321) 269-7847

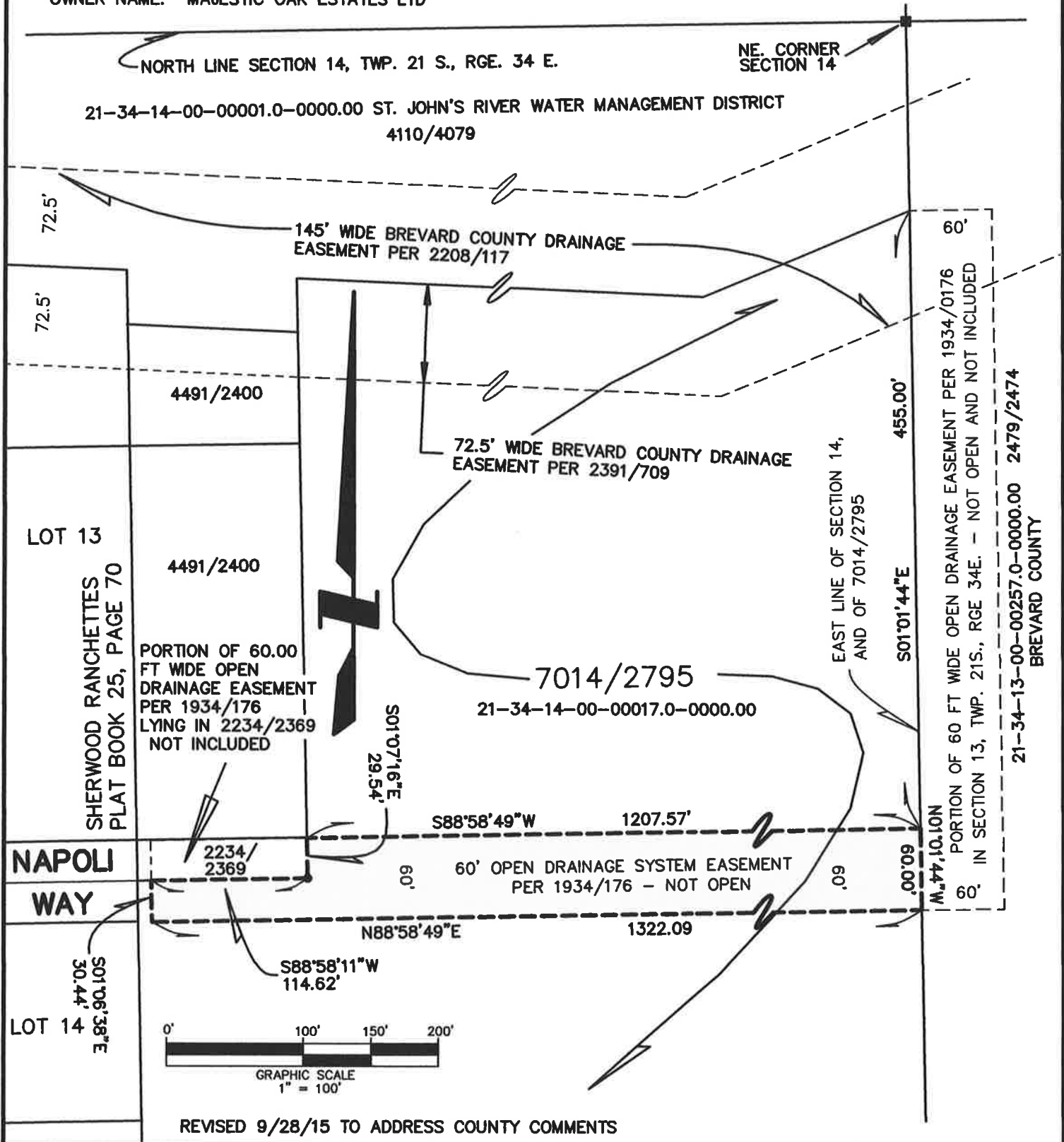
CERTIFICATE OF AUTHORIZATION NO. LB 6762

# SKETCH OF DESCRIPTION

SHEET 2 OF 2 SHEETS

SECTION 14, TOWNSHIP 21 SOUTH, RANGE 34 EAST  
 PROJECT PARCEL NUMBER: 21-34-14-00-00017.0-0000.00  
 OWNER NAME: MAJESTIC OAK ESTATES LTD

# EXHIBIT



DATE 8/04/15  
 ORDER NO. 24986  
 FB. NO. N/A  
 SCALE. 1" = 100'  
 DWG.NO. DEVILLE EASE VACATE.DWG

**Honeycutt & Associates, Inc.**  
 ENGINEERS • SURVEYORS • PLANNERS  
 3700 South Washington Avenue • Titusville, Florida 32780  
 (321) 267-6233 Fax (321) 269-7847  
 CERTIFICATE OF AUTHORIZATION NO. LB 6762

A Daily Publication By:



CFN 2015239340, OR BK 7508 PAGE 1729.  
Recorded 12/09/2015 at 10:41 AM, Scott Ellis, Clerk of Courts,  
Brevard County  
# Pgs:1

CLERK TO THE BOARD OF COUNTY C  
400 SOUTH ST  
TITUSVILLE FL 32780

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:

**11/26/15**

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 27th of  
November 2015, by Kim Curro who is personally known  
to me

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

Publication Cost: \$95.54  
Ad No: 0000882546  
Customer No: BRE-6BR427

AD#882546 11/26/2015  
LEGAL NOTICE

RESOLUTION VACATING PUBLIC DRAINAGE EASEMENT ON TAX PARCEL 17, SECTION 14, TOWNSHIP 21 SOUTH, RANGE 34 - MAJESTIC OAKS ESTATES, LTD, MIMS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 17th day of November, 2015 the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating public drainage easement on Parcel 17, Section 14, Township 21 South, Range 34 East, petitioned by Majestic Oaks Estates, Ltd., to wit:

SEE ATTACHED EXHIBIT "A"

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

All persons govern yourselves accordingly.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
BY: Tammy Etheridge, Deputy Clerk

LEGAL DESCRIPTION:

THAT PART OF THE 60.00 FOOT WIDE OPEN DRAINAGE SYSTEM EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1934, PAGE 176 THAT LIES WHOLLY WITHIN THE LIMITS OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7014, PAGE 2795 ALL BEING OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 1.74 ACRES MORE OR LESS, PREPARED BY DENIS W. WRIGHT, RLS

RECEIVED

DEC 03 2015

Board of County Commissioners



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

# BrevardClerk.US

Scott Ellis, Clerk of Court

700 South Park Avenue, Bldg. B  
 P.O. Box 2767  
 Titusville, FL 32781-2767  
 (321) 637-2006



DBLIVE Transaction #: 1623165  
 Receipt #: 61592034  
 Cashier Date: 12/9/2015 10:41:38 AM

Print Date:  
 12/9/2015 10:41:40 AM

Customer Information	Transaction Information	Payment Summary
(3175) SURVEY SECTION BREVARD CO BCGC BLDG A ZIP 81 VIERA, FL 32904 Beginning Escrow Balance: -\$1097.00	DateReceived: 12/09/2015 Source Code: Titusville - Six Story Q Code: Titusville - Six Story Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$47.00 Total Payments \$47.00

### 1 Payments

ESCROW	\$47.00
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### 3 Recorded Items

(N) NOTICE	<i>BK/PG: 7508/1725 CFN:2015239338 Date:12/9/2015 10:41:37 AM</i> <i>From: To:</i>	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	1	\$10.00
Indexing @ 1st 4 Names Free, Addt'l=\$1 ea.	2	\$0.00
(RSL) RESOLUTION	<i>BK/PG: 7508/1726 CFN:2015239339 Date:12/9/2015 10:41:37 AM</i> <i>From: To:</i>	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	3	\$27.00
Indexing @ 1st 4 Names Free, Addt'l=\$1 ea.	2	\$0.00
(N) NOTICE	<i>BK/PG: 7508/1729 CFN:2015239340 Date:12/9/2015 10:41:37 AM</i> <i>From: To:</i>	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	1	\$10.00
Indexing @ 1st 4 Names Free, Addt'l=\$1 ea.	2	\$0.00

### 0 Search Items

### 1 Miscellaneous Items

(AGTR) AGENT TRANSMITTAL
--------------------------

**Dana Blickley, CFA**  
**Property Appraiser**  
**Brevard County, FL**



**Property**  
**Details**  
**DISTRICT 1**

### General Parcel Information

<b>Parcel ID:</b>	21-34-14-00-00017.0-0000.00	<b>Millage Code:</b>	1300	<b>Exemption:</b>		<b>Use Code:</b>	1000
<b>Site Address:</b>						<b>Tax ID:</b>	2100470

Site Address is assigned by Brevard County Address Assignment for E-911 purposes and may not reflect the postal community name.

### Owner Information

<b>Owner Name:</b>	MAJESTIC OAK ESTATES LTD
<b>Second Name:</b>	
<b>Mailing Address:</b>	P O BOX 145
<b>City, State, Zipcode:</b>	MIMS, FL 32754

### Abbreviated Description

<b>Sub Name:</b>	PART OF S 3/4 OF E 1/2 OF NE 1/4 AS DES IN ORB 2060 PG 893 EX LANDS DEEDED THROUGH ORB 2244 PG 694
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### Value Summary

Roll Year:	2013	2014	2015
<b>Market Value Total:</b> <sup>1</sup>	\$249,300	\$128,680	\$128,680
<b>Agricultural Market Value:</b>	\$0	\$0	\$0
<b>Assessed Value Non-School:</b>	\$249,300	\$128,680	\$128,680
<b>Assessed Value School:</b>	\$249,300	\$128,680	\$128,680
<b>Homestead Exemption:</b> <sup>2</sup>	\$0	\$0	\$0
<b>Additional Homestead:</b> <sup>2</sup>	\$0	\$0	\$0
<b>Other Exemptions:</b> <sup>2</sup>	\$0	\$0	\$0
<b>Taxable Value Non-School:</b> <sup>3</sup>	\$249,300	\$128,680	\$128,680
<b>Taxable Value School:</b> <sup>3</sup>	\$249,300	\$128,680	\$128,680

### Land Information

<b>Acres:</b>	51.47
<b>Site Code:</b>	304
<b>Land Value:</b>	\$128,680

1: Market value is established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

2: Exemptions are applicable for the year shown and may or may not be applicable if an owner change has occurred.

3: The Additional Homestead exemption does not apply when calculating taxable value for school districts pursuant to Amendment 1.

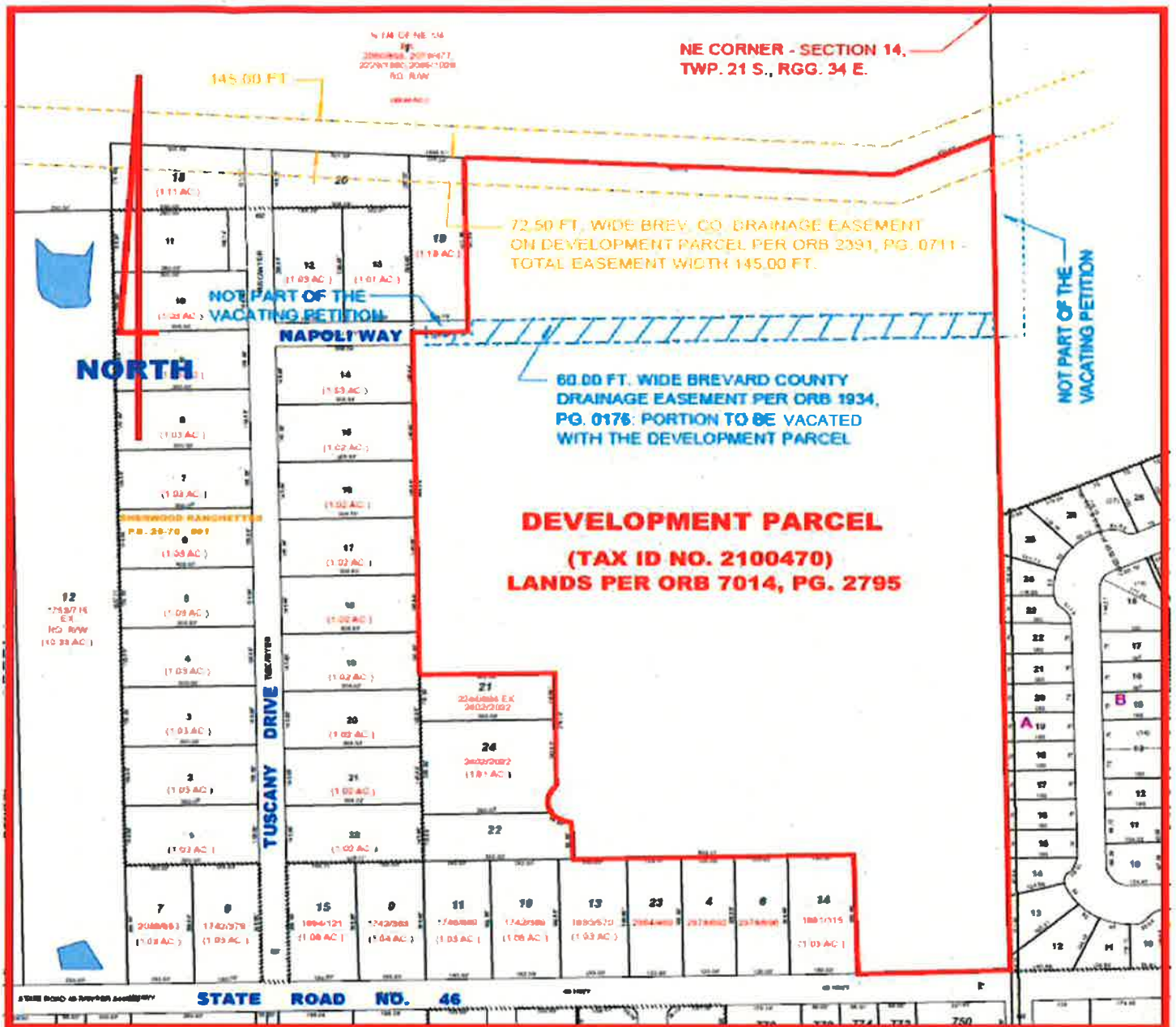
### Sale Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	Sale Screening Code	Sale Screening Source	Physical Change Code	Vacant/Improved
<a href="#">7014/2795</a>	11/15/2013	\$150,000	WD	01			V
<a href="#">6324/0717</a>	1/25/2011	\$100	CT	11			V
<a href="#">5495/0545</a>	6/27/2005	\$2,050,000	WD				V
2060/0893	5/17/1979	\$154,100	WD				I

Sale screening and sale screening source codes are for assessment purposes only and have no bearing on potential marketability of the property.

Data Last Updated: Friday, September 11, 2015- Printed On: Friday, September 11, 2015.

**APPRAISER'S DETAIL SHEET**



## VICINITY MAP

**MAJESTIC OAKS ESTATES, LTD. – TAX PARCEL  
 NO. 17, SECTION 14, TOWNSHIP 21 SOUTH,  
 RANGE 34 EAST – MIMS – DISTRICT 1 -  
 PARTIAL VACATING OF A 60.0 FT. WIDE  
 PUBLIC DRAINAGE EASEMENT PER ORB 1934,  
 PG. 0176 OVER TAX PARCEL 17**



## **AERIAL MAP**

**MAJESTIC OAKS ESTATES, LTD. – TAX PARCEL  
NO. 17, SECTION 14, TOWNSHIP 21 SOUTH,  
RANGE 34 EAST – MIMS – DISTRICT 1 -  
PARTIAL VACATING OF A 60.0 FT. WIDE  
PUBLIC DRAINAGE EASEMENT PER ORB 1934,  
PG. 0176 OVER TAX PARCEL 17**

1934 No. 176

RECORDED AND VERIFIED  
CLERK CIRCUIT COURT  
BREVARD COUNTY, FLA.

EASEMENT

THIS INDENTURE, made this 10th day of July A. D. 1974  
between Thomas J. Eisenberg, Curtis G. Whaley and Charles M. Harris

as the first party, and BREVARD COUNTY, as the second party, for the use and benefit of BREVARD COUNTY, Florida.

WITNESSETH: That the first party, in consideration of one dollar and other valuable considerations paid, the receipt of which is hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date, for the purpose of constructing and maintaining an open drainage system and other allied uses pertaining thereto with full right of ingress and egress for the purposes herein stated.

The land affected by the granting of this easement is located in Sections 13, & 14 Township 21 South, Range 34 East, County of Brevard, State of Florida, and is more particularly described as follows:

Commencing at the northeast corner of said Section 14, thence run S 1° 01' 44" E, 497.39 feet to the Point of Beginning; thence continue S 1° 01' 44" E, 455.0 feet; thence S 89° 58' 49" W, 1,322.18 feet; thence S 1° 06' 38" E, 60 feet; thence N 88° 50' 49" E, 1,382.10 feet; thence N 1° 01' 44" W, 515.0 feet; thence S 88° 50' 45" W, 60 feet to the Point of Beginning.

THE SUBJECT PROPERTY DOES NOT CONSTITUTE HOMESTEAD PROPERTY OF THE GRANITORS.

In the event of abandonment by Brevard County of the above described property as an open drainage system, the easement rights herein granted shall cease and revert to the first party or assigns, free and clear of any title, right, or interest of the second party.

TO HAVE AND TO HOLD said easement unto the County of Brevard and to its successors and assigns.

The first party does hereby covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

III WITNESS WHEREOF, the first party do hereunto set their hands and seals

this, the day and year first above written.

Signed, Sealed and delivered  
in the presence of:  
*[Signatures]*  
STATE OF Florida  
COUNTY OF Brevard

*[Signatures]* (SEAL)  
*[Signatures]* (SEAL)  
*[Signatures]* (SEAL)  
*[Signatures]* (SEAL)

WITNESSETH: Notary (Notary on reverse side)

I hereby certify, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Charles M. Harris and Thomas J. Eisenberg to me well known to be the first party described herein and who executed the foregoing instrument, and acknowledged before me that same was executed freely and voluntarily for the purpose therein expressed.

WITNESS my hand and official seal at Titusville, COUNTY of Brevard, State of Florida, this 10th day of July, A.D. 1974

THIS INSTRUMENT PREPARED BY:  
Charles M. Harris, Esq.  
P. O. Box 669  
Titusville, Fl. 32780  
(Notary Seal)

Notary Public, State of Florida  
My Commission Expires 4/23/79

253708

STR. REC. 31 M 2 05

**BREVARD COUNTY PUBLIC DRAINAGE  
EASEMENT DEED**

**THIS INSTRUMENT PREPARED BY  
AND SHOULD BE RETURNED TO:**

James N. Carlin Jr.  
Rootzel & Andrese, LPA  
420 S. Orange Ave., 7<sup>th</sup> Floor  
Orlando, FL 32801  
(407) 835-8863

Purchase Price: \$150,000.00  
State Documentary Stamps: \$1,050.00  
Parcel Identification No.: 21-34-14-00-17

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED, made this 15<sup>th</sup> day of November, 2013, by EAGLE FL VI SPE, LLC, a North Carolina limited liability company, whose mailing address is 200 West Second Street, 3<sup>rd</sup> Floor, Winston-Salem, North Carolina 27101 (hereinafter referred to as the "Grantor") to MAJESTIC OAK ESTATES, LTD a Florida Limited Partnership, whose mailing address is P.O. Box 145, Mims, Florida 32754 (hereinafter referred to as the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships (including joint ventures), public bodies and quasi-public bodies.)

**W I T N E S S E I H:**

THAT the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate in Brevard County, Florida more particularly described as follows:

See Exhibit "A" (hereinafter referred to as the "Property").

TOGETHER with all of the Grantor's interest in and to all tenements, hereditaments, easements and appurtenances, including riparian rights, if any, belonging or in anywise appertaining to the Property.

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

AND the Grantor does hereby covenants with the 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 this land; that the Grantor hereby specially warrants that title to the land is free from all encumbrances made by Grantor, and Grantor will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but against none other.

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**PETITIONER'S DEED**

**SHEET 1 OF 3**

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, by its proper officer thereunto duly authorized as of the day and year first above written.

Signed, sealed and delivered

[Signature]  
Signature  
Tammy Wilson

Print Name  
Major W. Loftin Jr  
Signature  
Print Name

EAGLE FL VI SPE, LLC, a North Carolina limited liability company

By: [Signature]  
Name: Randall Jenkins  
Title: Vice President

STATE OF ALABAMA  
COUNTY OF JEFFERSON

THE FOREGOING INSTRUMENT was acknowledged before me this 13 day of November, 2013, by Randall Jenkins, as Vice President of EAGLE FL VI SPE, LLC, a North Carolina limited liability company, who [X] is personally known to me or [ ] produced as identification, and that he acknowledged executing the same on behalf of said limited liability company in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said limited liability company.

[Signature]  
Notary Signature  
Leisa DeSimone  
Print/Type Name

(Notarial Seal)



My Commission Expires 08/24/2018

**PETITIONER'S DEED**  
**SHEET 2 OF 3**

Exhibit "A"

Property

A PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 14, RUN THENCE SOUTH 1° 01'44" EAST, ALONG THE EAST LINE OF SAID SECTION 14, 497.39 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED; THENCE CONTINUE SOUTH 1° 01'44" EAST, ALONG SAID EAST LINE OF SECTION 14, 2,119.78 FEET TO A POINT IN A CURVE OF THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 46, SAID CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 34,302.6 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0° 21'57", AN ARC DISTANCE OF 219.02 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88° 56'18" WEST ALONG SAID RIGHT OF WAY LINE, 143.49 FEET; THENCE NORTH 01° 04'11" WEST, 300.00 FEET; THENCE SOUTH 88° 56'18" WEST, 967.49 FEET TO THE EASTERLY LINE OF SHERWOOD RANCHETTES AS RECORDED IN PLAT BOOK 25, PAGE 70, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 01° 06'38" WEST, ALONG SAID EASTERLY LINE, 1,336.44 FEET; THENCE NORTH 88° 58'49" EAST, 125.00 FEET; THENCE NORTH 01° 06'38" WEST, 441.95 FEET; THENCE SOUTH 87° 32'46" EAST, 956.53 FEET; THENCE NORTH 87° 12'47" EAST, 272.39 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2244, PAGE 694 AND OFFICIAL RECORDS BOOK 2241, PAGE 2936, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

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**PETITIONER'S DEED**

**SHEET 3 OF 3**



**COMMENT SUMMARY**

APPLICANT: Majestic Oaks Estates, LTD.

UPDATED / BY: Marc Cazessüs, PLS - 20151029 @ 08:11 HRS

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
<b>UTILITIES</b>				
Florida City Gas	20151008	20151009	Yes	No objections
A T & T	20151008	20151014	Yes	No objections
FPL	20151008	20151014	Yes	No objections
Bright House Networks	20151008	20151009	Yes	No objections
<b>COUNTY STAFF</b>				
Road and Bridge	20151008	20151009	Yes,	No objections; Scott Brown
Land Planning	20151008	20151014	Yes	No objections; Rebecca Ragain
Utility Services	20151008	20151028	Yes	No objections; Tammy Hurley
NRMD / Storm Water	20151008	20151009	Yes	No objections; Harvey Wheeler
Zoning	20151008	20151012	Yes	No objections; Paul Body

**COMMENT SUMMARY SHEET**

AD#833634 11/02/2015 BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK By: Tammy Etheridge, Deputy Clerk  
LEGAL NOTICE NOTICE TO VACATE A PORTION OF A 60.00 FT. WIDE PUBLIC DRAINAGE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1934, PAGE 0176, AND CROSSING OVER TAX PARCEL NO. 17 OF SECTION 14, TOWNSHIP 21 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 MAJESTIC OAKS ESTATES, LTD. 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 9:00 a.m. on November 17, 2015 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 PART OF THE 60.00 FOOT WIDE OPEN DRAINAGE SYSTEM EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1934, PAGE 176 THAT LIES WHOLLY WITHIN THE LIMITS OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7014, PAGE 2795 ALL BEING OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 1.74 ACRES MORE OR LESS. PREPARED BY DENIS W. WRIGHT, RLS



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

Customer: CLERK TO THE BOARD OF COUNTY C  
Address: 400 SOUTH ST  
TITUSVILLE FL 32780  
USA

Ad No.: 0000882546  
Pymt Method Invoice  
Net Amt: \$95.54

Run Times: 1

No. of Affidavits: 2

Run Dates: 11/26/15

Text of Ad:

AD#882546 11/26/2015  
LEGAL NOTICE

RESOLUTION VACATING PUBLIC DRAINAGE EASEMENT ON TAX PARCEL 17, SECTION 14, TOWNSHIP 21 SOUTH, RANGE 34 - MAJESTIC OAKS ESTATES, LTD, MIMS

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 17th day of November, 2015 the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating public drainage easement on Parcel 17, Section 14, Township 21 South, Range 34 East, petitioned by Majestic Oaks Estates, Ltd., to wit:

SEE ATTACHED EXHIBIT "A"

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

All persons govern yourselves accordingly.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
BY: Tammy Etheridge, Deputy Clerk

LEGAL DESCRIPTION:

THAT PART OF THE 60.00 FOOT WIDE OPEN DRAINAGE SYSTEM EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1934, PAGE 176 THAT LIES WHOLLY WITHIN THE LIMITS OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7014, PAGE 2795 ALL BEING OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 1.74 ACRES MORE OR LESS, PREPARED BY DENIS W. WRIGHT, RLS

COPY

## Donna Scott

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**From:** Tammy Etheridge  
**Sent:** Wednesday, November 18, 2015 10:14 AM  
**To:** Donna Scott  
**Subject:** FW: Majestic Oaks Estates, LTD: Advertisement of Approved Resolution  
**Attachments:** 20151022\_LEGAL FOR PUB HRG AD-MAJESTIC OAKS.doc

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**From:** Cazessus, Marc [<mailto:marc.cazessus@brevardcounty.us>]  
**Sent:** Wednesday, November 18, 2015 8:59 AM  
**To:** Tammy Etheridge  
**Cc:** Sweeney, Michael; Vitale, Anthony  
**Subject:** Majestic Oaks Estates, LTD: Advertisement of Approved Resolution

Ms. Etheridge:

On November 17, 2015 the Board of County Commissioners approved the resolution to vacate an easement located on lands owned by Majestic Oaks Estates, LTD. This letter is your authorization to publish said resolution using the attached legal description. I have likewise listed the petitioners' contact information for your future use when mailing a copy of the recorded resolutions to the petitioners.

- Agenda Item 11-17-15 IV. B.; Mr. Michael S. Liguori, 3840 Grantline Road, Mims, FL., 32754

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@brevardcounty.us](mailto:marc.cazessus@brevardcounty.us)  
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."

LEGAL NOTICE

RESOLUTION VACATING PUBLIC DRAINAGE EASEMENT ON TAX PARCEL 17, SECTION 14, TOWNSHIP 21 SOUTH, RANGE 34 - MAJESTIC OAKS ESTATES, LTD, MIMS

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SEE ATTACHED EXHIBIT "A"

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

All persons govern yourselves accordingly.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
BY: Tammy Etheridge, Deputy Clerk

FLORIDA TODAY:

Please advertise in the November 26, 2015 issue of Florida TODAY.

Bill the Board of County Commissioners and forward bill and proof of publication to Tammy Etheridge, P.O. Box 999, Titusville, Florida 32781-0999

LEGAL DESCRIPTION:

THAT PART OF THE 60.00 FOOT WIDE OPEN DRAINAGE SYSTEM EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1934, PAGE 176 THAT LIES WHOLLY WITHIN THE LIMITS OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7014, PAGE 2795 ALL BEING OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.. CONTAINING 1.74 ACRES MORE OR LESS.

PREPARED BY DENIS W. WRIGHT, RLS