



**AGENDA REPORT**  
**August 21, 2018**

**Petition to Vacate Right-of-Way - Mims - Norman Dwayne White (District 1)**

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**SUBJECT:**

Petition to Vacate, Re: 30.0 ft. Wide Unnamed & Unopened Right-of-Way –  
“A Re-plat of Section 17 of Indian River Park”, Plat Book 2, Page 75 – Mims – Norman  
Dwayne White – District 1

**FISCAL IMPACT:**

Fiscal Impact: \$640.00 Vacating Application Fee Paid by Petitioner

**DEPT/OFFICE:**

Public Works

**REQUESTED ACTION:**

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating a 30.0 ft. wide unnamed and unopened right-of-way between Blocks 13 and 14 of “A Re-plat of Section 17 of Indian River Park”, Plat Book 2, Page 75 in Section 17, Township 20G South, Range 35 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating and accept the new public drainage easement.

**SUMMARY EXPLANATION and BACKGROUND:**

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

The petitioner owns lands on both sides of the unnamed right-of-way and is requesting its vacating to allow for the joining of his parcels which abut the right-of-way. Right-of-way to be vacated contains 0.371 acres or 16,174 square feet, more or less.

August 6, 2018, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. The Brevard County Road & Bridge Department has requested a 10.0 foot easement along the north side of Lots 1 & 2, Block 14 and Lots 6 & 7, Block 13 for future drainage; the petitioner has executed a Public Drainage Easement in favor of Brevard County.

The property is located in Mims as follows: Begin at the intersection of U. S. Highway No. 1 and Aurantia Road; thence 0.13 miles easterly along Aurantia Road to the right-of-way on the north (left).

Land Acquisition Policies and Procedures have been followed for approval and acceptance by the Board of County Commissioners for all easements.

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: Amber.Holley@brevardfl.gov Phone: Ext. 57315

**CLERK TO THE BOARD INSTRUCTIONS:**

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.

**ATTACHMENTS:**

**Description**

- Exhibits



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

September 13, 2018

MEMORANDUM

TO: Andrew Holmes, Public Works Director Attn: Amber Holley

RE: Advertising Bills for Resolution Vacating a 30.0 Foot Wide Unnamed and Unopened Public Right-of-Way in a Replat of Section 17 of Indian River Park, Mims

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 18-110, vacating a 30.0 foot wide unnamed and unopened public right-of-way in a Replat of Section 17 of Indian River Park, Mims, as petitioned by Norman Dwayne White. Said Resolution was adopted by the Board of County Commissioners, in regular session on August 21, 2018.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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

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

September 13, 2018

Norman Dwayne White  
P. O. Box 824  
Mims, FL 32754

Dear Mr. White:

Re: Resolution Vacating a 30.0 Foot Wide Unnamed and Unopened Public Right-of-Way in a Replat of Section 17 of Indian River Park, Mims

The Board of County Commissioners, in regular session on August 21, 2018, adopted Resolution No. 18-110, vacating a 30.0 foot wide unnamed and unopened public right-of-way in a Replat of Section 17 of Indian River Park, Mims, as petitioned by you. Said Resolution has been recorded in ORBK 8253, Pages 2737 through 2741; Roadway, Drainage, and Utility Easement has been recorded in ORBK 8255, Pages 1449 through 1453; and Roadway, Drainage, and Utility Easement has been recorded in ORBK 8255, Pages 1454 through 1456. Enclosed is a certified copy of the recorded Resolution and copies of the two Roadway, Drainage, and Utility Easements for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (3)

cc: Amber Holley, Public Works

AC

**VACATING A 30.0 FT. WIDE UNNAMED AND UNOPENED PUBLIC RIGHT-OF-WAY IN "A RE-PLAT OF SECTION 17 OF INDIAN RIVER PARK", MIMS, FLORIDA, LYING IN SECTION, 17, TOWNSHIP 20G SOUTH, RANGE 35 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **NORMAN DWAYNE WHITE** with the Board of County Commissioners to vacate a 30.0 ft. wide public right-of-way in Brevard County, Florida, described as follows:

**SEE ATTACHED BOUNDARY SURVEY**

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

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

WHEREAS, the Board finds that vacating the public right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public right-of-way 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 21<sup>st</sup> day of August, 2018 A.D.

COMMISSIONERS

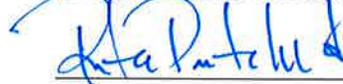
ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY

OF BREVARD COUNTY, FLORIDA



RITA PRITCHETT, CHAIR

As approved by the Board on:  
August 21, 2018

# BOUNDARY SURVEY

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
PETITIONER'S PARCEL ID NO: 20G-35-17-AL-13-6  
20G-35-17-AL-14-1

SHEET 1 OF 2  
NOT VALID WITHOUT  
SKETCH ON SHEET 2 OF 2

PURPOSE OF SURVEY: RIGHT OF WAY VACATION

## LEGAL DESCRIPTION

That certain unopened, unnamed 30.0 ft. wide public right-of-way lying westerly of Block 13 of A Re-plat of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida lying between the westerly projections of the North and South lines of said Block 13, LESS AND EXCEPT THEREFROM the North 10.0 feet as measured by perpendicular measure from Said westerly projection of the north line of Block 13. Containing 0.364 acres or 15873.60 square feet, more or less.

## SURVEYOR'S NOTES:

1. IPF - DENOTES IRON PIPE FOUND
2. IRS - DENOTES 5/8" IRON ROD & CAP SET STAMPED "LB 7928"
3. OHW - DENOTES OVERHEAD WIRE
4. UP - DENOTES UTILITY POLE
5. UNDERGROUND IMPROVEMENTS IF ANY NOT LOCATED



PREPARED FOR:  
DWAYNE WHITE

SURVEYOR AND MAPPER PSM NO. 5383  
NOT VALID UNLESS SIGNED AND SEALED

PREPARE BY: GAI Surveyors  
ADDRESS: 1 OLEANDER ST. COCOA, FL 32922  
PHONE: 321-806-3908

DRAWN BY: AEG      CHECKED BY: EKG      DRAWING NO. 17-5-100      SECTION 17  
DATE: 2 FEB 18      SHEET 1 OF 2      REVISIONS \_\_\_\_\_      TOWNSHIP 20 SOUTH  
RANGE 35 EAST





Attn: Amber Holley  
BREVARD CTY PUBLIC WORKS DEPT  
2725 JUDGE FRAN JAMIESON WAY  
BLDG A 220  
VIERA, FL 32940

AD#3075559, 8/6/2018  
NOTICE FOR THE VACATING OF THE UN-  
OPENED, 30.0 FT. WIDE PUBLIC RIGHT-  
OF-WAY OF UNNAMED ROAD, A RE-  
PLAT OF SECTION 17 OF INDIAN RIVER  
PARK IN SECTION 17, TOWNSHIP 20G  
SOUTH, RANGE 35 EAST, MIMS, FL.

NOTICE IS HEREBY GIVEN that pursuant  
to Chapter 336.09, Florida Statutes, and  
Chapter 88, Article II, Section 88-36, Bre-  
vard County Code, a petition has been  
filed by **Norman Dwayne White** with the  
Board of County Commissioners of Bre-  
vard County, Florida, to request vacating  
the following described property, to wit:

That certain unopened, unnamed 30.0  
ft. wide public right-of-way lying wester-  
ly of Block 13 of A Re-plat of Section 17  
of Indian River Park as recorded in Plat  
Book 02, Page 75 of the Public Records  
of Brevard County, Florida lying be-  
tween the westerly projections of the  
North and South lines of said Block 13,  
LESS AND EXCEPT THEREFROM the  
North 10.0 feet as measured by perpen-  
dicular measure from said westerly pro-  
jection of the north line of Block 13,  
Containing 0.364 acres or 15873.60  
square feet, more or less. Prepared by:  
Earl K. Gordon.

The Board of County Commissioners will  
hold a public hearing to determine the  
advisability of such vacating of the  
above-described right-of-way at 9:00  
A.M. on August 21, 2018 at the Brevard  
County Government Center Board  
Room, Building C, 2725 Judge Fran Ja-  
mieson 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.

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

**08/06/18**

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 7th of August  
2018, by who is personally known to me

  
\_\_\_\_\_

Notary Public for the State of Florida *New Jersey*  
My Commission expires *Jersey*

Publication Cost: \$207.38  
Ad No: 0003075559  
Customer No: BRE-6BR327





Attn: Amber Holley
BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A 220
VIERA, FL 32940

AD#3117645, 8/24/2018
LEGAL NOTICE
RESOLUTION VACATING A 30.0 FOOT
WIDE UNNAMED AND UNOPENED PUBLIC
RIGHT-OF-WAY IN A REPLAT OF SEC-
TION 17 OF INDIAN RIVER PARK, MIMS -
NORMAN DWAYNE WHITE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
21st day of August 2018, the Board of
County Commissioners of Brevard Coun-
ty, Florida, adopted a Resolution
vacating a 30.0 foot wide unnamed and
unopened public right-of-way in a replat
of Section 17 of Indian River Park, Mims,
as petitioned by Norman Dwayne White.

That certain unopened, unnamed 30.0
ft. wide public right-of-way lying wester-
ly of Block 13 of A Re-plat of Section 17
of Indian River Park as recorded in Plat
Book 02, Page 75 of the Public Records
of Brevard County, Florida lying be-
tween the westerly projections of the
North and South lines of said Block 13,
LESS AND EXCEPT THEREFROM the
North 10.0 feet as measured by perpen-
dicular measure from said westerly pro-
jection of the north line of Block 13.
Containing 0.364 acres or 15873.60
square feet, more or less. Prepared by:
Earl K. Gordon.

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

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

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

08/24/18

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 24th of August
2018, by who is personally known to me

[Signature]
Affiant

[Signature]
Notary



Publication Cost: \$135.66
Ad No: 0003117645
Customer No: BRE-6BR327

**ROADWAY, DRAINAGE, AND UTILITY EASEMENT**

**THIS INDENTURE**, made this 29 day of June 2018, between Dwayne and Korrin White as the first party, and BREVARD COUNTY, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida 32940 as the second party, for the use and benefit of BREVARD COUNTY, Florida.

**WITNESSETH:** That the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grant unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of public roadway, drainage, and utilities, and other allied uses pertaining thereto, which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

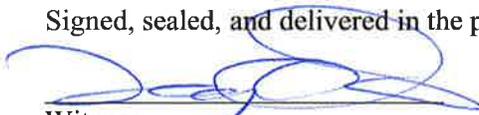
The land affected by the granting of the easements is located in Section 17, Township 20G South, Range 35 East, County of Brevard, State of Florida, and being more particularly described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBITS "A" AND "B"**

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

**IN WITNESS WHEREOF**, the first party having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

  
Witness  
Print Name: Tammy O'Sullivan

  
Dwayne White

  
Witness  
Print Name: \_\_\_\_\_

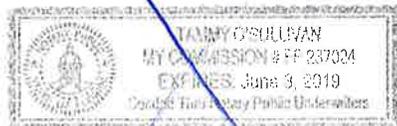
  
Korrin White

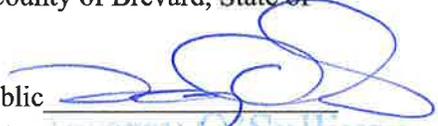
CFN 2018200099, OR BK 8255 PAGE 1449.  
Recorded 09/05/2018 at 04:03 PM, Scott Ellis, Clerk of Courts,  
Brevard County  
Doc D: \$0.70 # Pgs:5

**STATE OF FLORIDA**  
**COUNTY OF BREVARD**

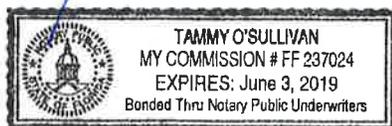
The foregoing instrument was acknowledged before me this 22 day of June, 2018, by Dwayne White and Korrin White, who are/are not personally known to me or who have produced IX as identification and who did/did not take an oath.

WITNESS my hand and official seal at Titusville, Florida, the County of Brevard, State of Florida, this 22 day of June, 2018.



Notary Public   
Print Name Tammy O'Sullivan  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Board Date 8/21/2018  
Agenda Item H.2.



# EXHIBIT "A"

## LEGAL DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
PETITIONER'S PARCEL ID NO: 20G-35-17-AL-13-6

SHEET 1 OF 2  
NOT VALID WITHOUT  
SKETCH ON SHEET 2 OF 2

PURPOSE OF DESCRIPTION: CONVEY PUBLIC UTILITY AND DRAINAGE EASEMENT TO BREVARD COUNTY

## LEGAL DESCRIPTION

The North 10.00 feet as measured by perpendicular measure from the North lines of Lots 6 and 7, Block 13 of A Re-plat of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida. Containing 0.059 acres or 2556.73 square feet more or less.

## SURVEYOR'S NOTES:

1. IPF - DENOTES IRON PIPE FOUND
2. IRS - DENOTES 5/8" IRON ROD & CAP SET STAMPED "LB 7928"
3. OHW - DENOTES OVERHEAD WIRE
4. UP - DENOTES UTILTY POLE
5. UNDERGROUND IMPROVEMENTS IF ANY NOT LOCATED
6. PUE - DENOTES PUBLIC UTILITY EASEMENT
7. NOT A BOUNDARY SURVEY

PREPARED FOR:  
DWAYNE WHITE

A circular blue seal for a surveyor in the State of Florida, with the name 'M. GUNLON' and 'SURVEYOR' visible. A signature is written over the seal. Below the seal, the text reads 'SURVEYOR AND MAPPER RSM NO. 5363' and 'NOT VALID UNLESS SIGNED AND SEALED'.

SURVEYOR AND MAPPER RSM NO. 5363  
NOT VALID UNLESS SIGNED AND SEALED

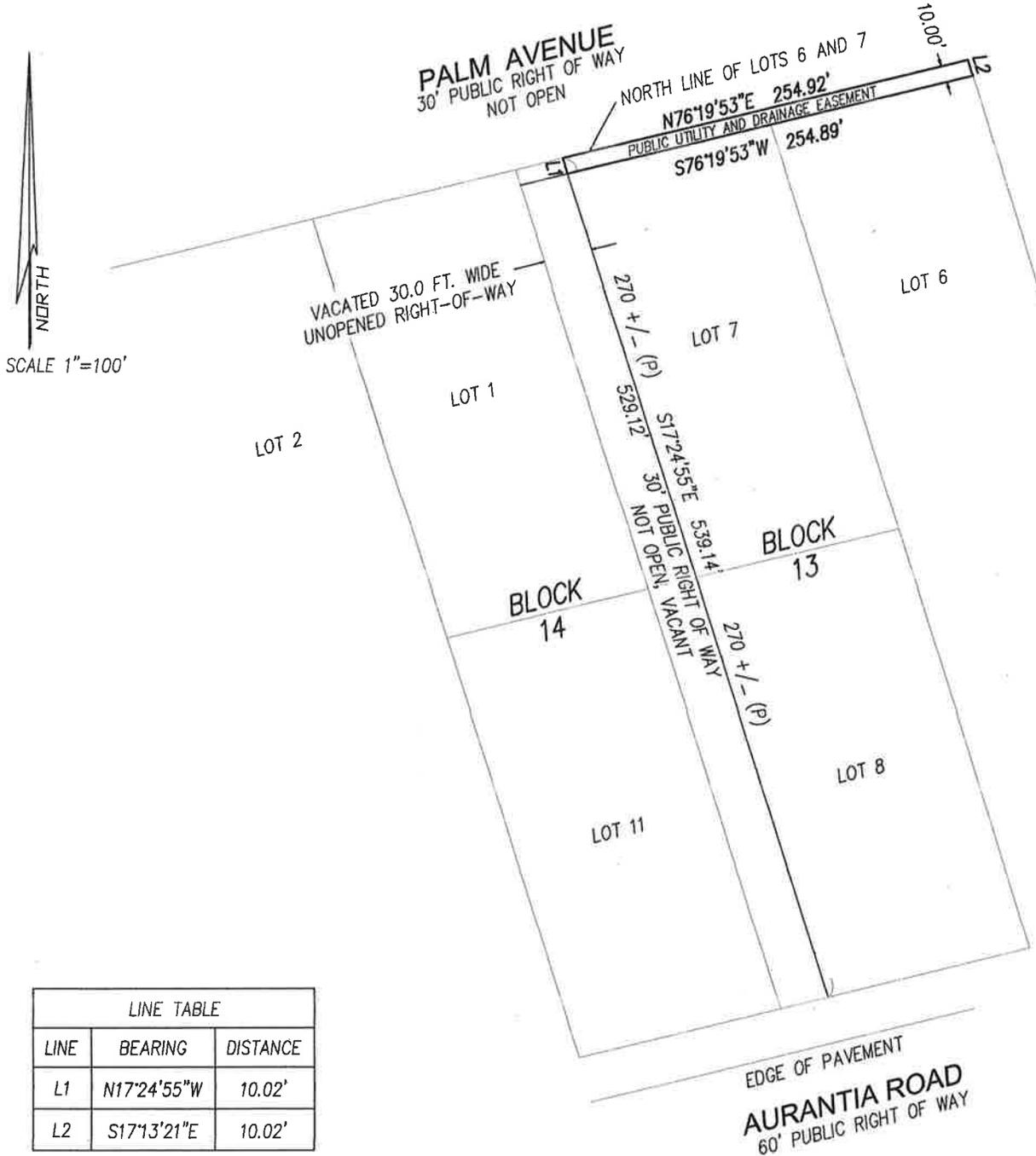
PREPARE BY: GAI Surveyors  
ADDRESS: 1 OLEANDER ST. COCOA, FL 32922  
PHONE: 321-806-3908

DRAWN BY: AEG      CHECKED BY: EKG      DRAWING NO. 17-5-100      SECTION 17  
DATE: 2 FEB 18      SHEET 1 OF 2      REVISIONS \_\_\_\_\_      TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
 PARCEL ID NUMBER: 20G-35-17-AL-13-6

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2



SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

EDGE OF PAVEMENT  
**AURANTIA ROAD**  
 60' PUBLIC RIGHT OF WAY

PROJECT NO. 17-5-100  
 PREPARE BY:  
**GAI Surveyors**  
 L.B. No. 7928

# EXHIBIT "B"

## LEGAL DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
PETITIONER'S PARCEL ID NO: 20G-35-17-AL-14-1

SHEET 1 OF 2  
NOT VALID WITHOUT  
SKETCH ON SHEET 2 OF 2

PURPOSE OF DESCRIPTION: CONVEY PUBLIC UTILITY AND DRAINAGE EASEMENT TO BREVARD COUNTY

## LEGAL DESCRIPTION

The North 10.00 feet as measured by perpendicular measure from the North line of Lot 1, Block 14 of A Re-plat of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida. Containing 0.03 acres or 1274.50 square feet more or less.

## SURVEYOR'S NOTES:

1. IPF - DENOTES IRON PIPE FOUND
2. IRS - DENOTES 5/8" IRON ROD & CAP SET STAMPED "LB 7928"
3. OHW - DENOTES OVERHEAD WIRE
4. UP - DENOTES UTILITY POLE
5. UNDERGROUND IMPROVEMENTS IF ANY NOT LOCATED
6. PUE - DENOTES PUBLIC UTILITY EASEMENT
7. THIS IS NOT A BOUNDARY SURVEY

PREPARED FOR:  
DWAYNE WHITE

  
SURVEYOR AND MAPPER RSM NO. 5363  
NOT VALID UNLESS SIGNED AND SEALED

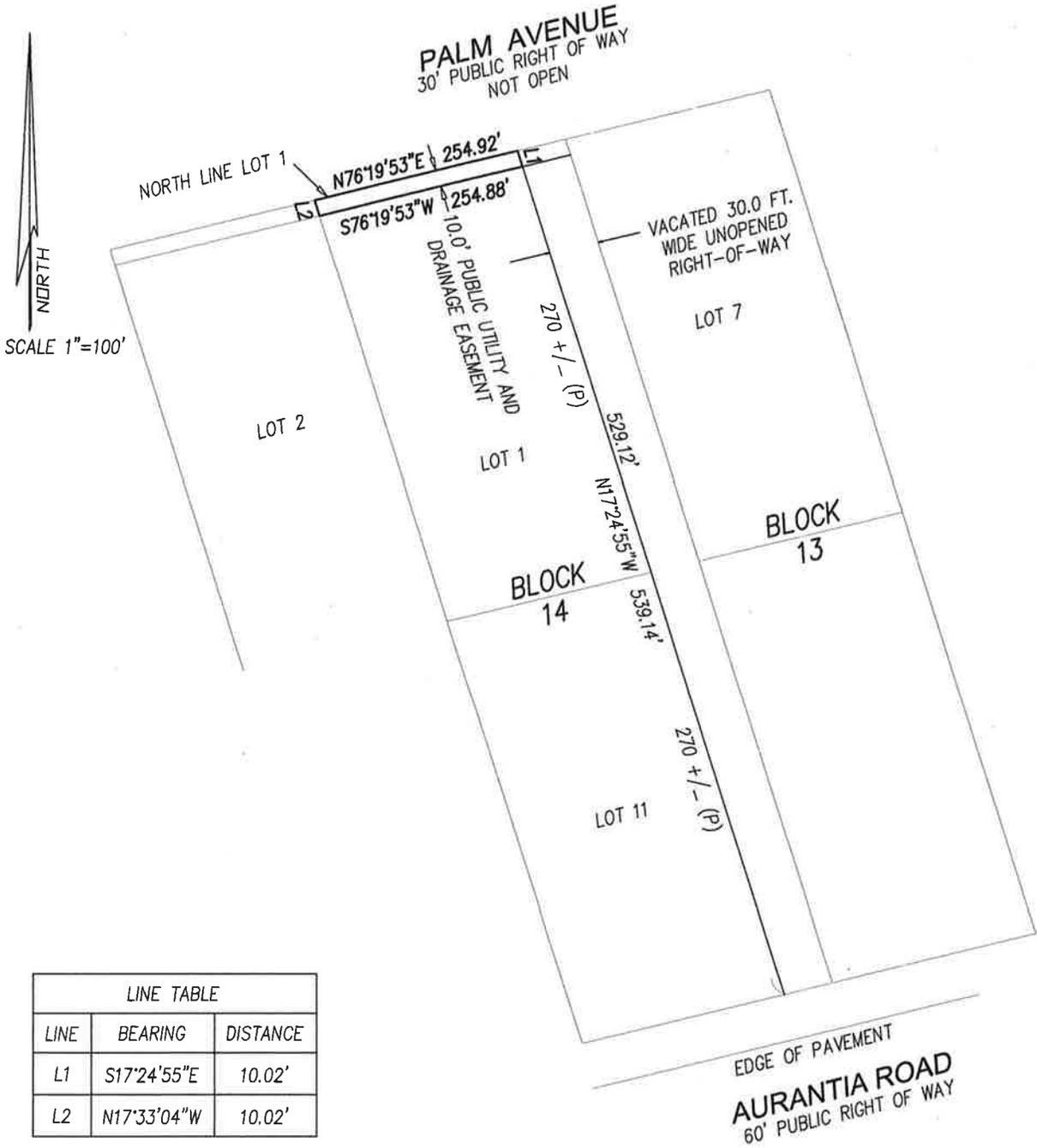
PREPARE BY: GAI Surveyors  
ADDRESS: 1 OLEANDER ST. COCOA, FL 32922  
PHONE: 321-806-3908

DRAWN BY: AEG CHECKED BY: EKG DRAWING NO. 17-5-100 SECTION 17  
DATE: 24 JUN 18 SHEET 1 OF 2 REVISIONS \_\_\_\_\_ TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
 PARCEL ID NUMBER: 20G-35-17-AL-14-1

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2



| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S17°24'55"E | 10.02'   |
| L2         | N17°33'04"W | 10.02'   |

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PROJECT NO. 17-5-100  
 PREPARE BY:  
**GAI Surveyors**  
 L.B. No. 7928

**ROADWAY, DRAINAGE, AND UTILITY EASEMENT**

**THIS INDENTURE**, made this 29 day of June, 2018, between Joshua Warner Baker and Stephanie Louisa Baker as the first party, and BREVARD COUNTY, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida 32940 as the second party, for the use and benefit of BREVARD COUNTY, Florida.

**WITNESSETH:** That the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grant unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of public roadway, drainage, and utilities, and other allied uses pertaining thereto, which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

The land affected by the granting of the easements is located in Section 17, Township 20G South, Range 35 East, County of Brevard, State of Florida, and being more particularly described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBITS "A"**

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

**IN WITNESS WHEREOF**, the first party having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

Rose Tokmenko  
Witness  
Print Name: Rose Tokmenko  
Noha Abraham  
Witness  
Print Name: Noha Abraham

Joshua Warner Baker  
Joshua Warner Baker  
Stephanie Louisa Baker  
Stephanie Louisa Baker

CFN 2018200100, OR BK 8255 PAGE 1454,  
Recorded 09/05/2018 at 04:03 PM, Scott Ellis, Clerk of Courts,  
Brevard County  
Doc D: \$0.70 # Pgs:3

**STATE OF FLORIDA**  
**COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 29th day of June, 2018, by Joshua Warner Baker and Stephanie Louisa Baker, who are/are not personally known to me or who have produced DL as identification and who did/did not take an oath.

WITNESS my hand and official seal at Rockledge, Florida, the County of Brevard, State of Florida, this 29th day of June, 2018.



Connie G. Chiles  
Notary Public  
Print Name: Connie G. Chiles  
Commission No. GG 102982  
My Commission Expires: May 9, 2021

Board Date 8/21/2018  
Agenda Item H.2.

# EXHIBIT "A"

## LEGAL DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
PETITIONER'S PARCEL ID NO: 20G-35-17-AL-14-2

SHEET 1 OF 2  
NOT VALID WITHOUT  
SKETCH ON SHEET 2 OF 2

PURPOSE OF DESCRIPTION: CONVEY PUBLIC UTILITY AND DRAINAGE EASEMENT TO BREVARD COUNTY

## LEGAL DESCRIPTION

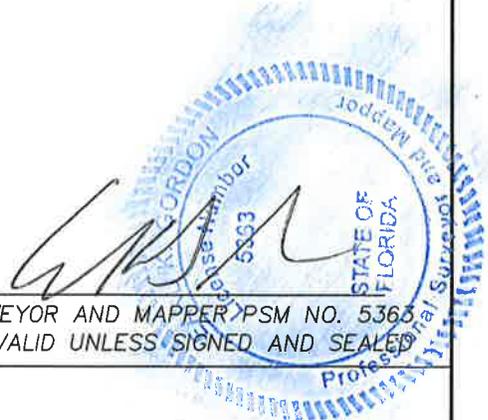
The North 10.00 feet as measured by perpendicular measure from the North line of Lot 2, Block 14 of A Re-plat of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida. Containing 0.03 acres or 1274.60 square feet more or less.

## SURVEYOR'S NOTES:

1. IPF - DENOTES IRON PIPE FOUND
2. IRS - DENOTES 5/8" IRON ROD & CAP SET STAMPED "LB 7928"
3. OHW - DENOTES OVERHEAD WIRE
4. UP - DENOTES UTILITY POLE
5. UNDERGROUND IMPROVEMENTS IF ANY NOT LOCATED
6. PUE - DENOTES PUBLIC UTILITY EASEMENT
7. THIS IS NOT A BOUNDARY SURVEY

PREPARED FOR:

JOSHUA WARNER BAKER AND STEPHANIE LOUISA BAKER

  
SURVEYOR AND MAPPER PSM NO. 5363  
NOT VALID UNLESS SIGNED AND SEALED

PREPARE BY: GAI Surveyors

ADDRESS: 1 OLEANDER ST. COCOA, FL 32922

PHONE: 321-806-3908

DRAWN BY: AEG

CHECKED BY: EKG

DRAWING NO. 17-5-100

SECTION 17

DATE: 24 JUN 18

SHEET 1 OF 2

REVISIONS

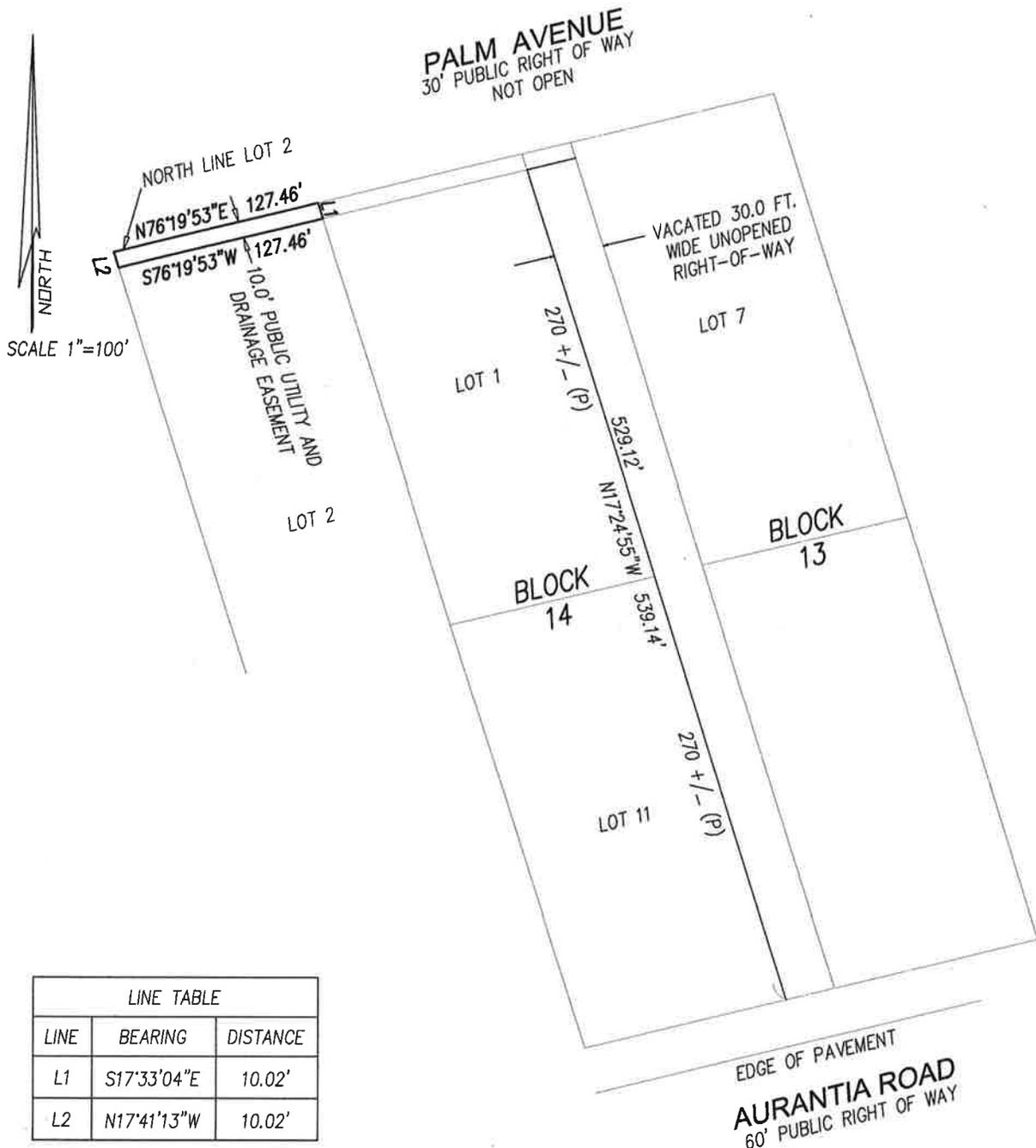
TOWNSHIP 20 SOUTH

RANGE 35 EAST

# SKETCH OF DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
 PARCEL ID NUMBER: 20G-35-17-AL-14-2

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2



| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S17°33'04"E | 10.02'   |
| L2         | N17°41'13"W | 10.02'   |

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

EDGE OF PAVEMENT  
**AURANTIA ROAD**  
 60' PUBLIC RIGHT OF WAY

PROJECT NO. 17-5-100  
 PREPARE BY:  
**GAI Surveyors**  
 L.B. No. 7928

LEGAL NOTICE

RESOLUTION VACATING A 30.0 FOOT WIDE UNNAMED AND UNOPENED PUBLIC  
RIGHT-OF-WAY IN A REPLAT OF SECTION 17 OF INDIAN RIVER PARK, MIMS –  
NORMAN DWAYNE WHITE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 21<sup>st</sup> day of August 2018, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a 30.0 foot wide unnamed and unopened public right-of-way in a replat of Section 17 of Indian River Park, Mims, as petitioned by Norman Dwayne White.

**SEE ATTACHED EXHIBIT "A"**

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

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

**Florida TODAY:**

Please advertise in the August 24, 2018, issue of the Florida TODAY.

**Bill the Board of County Commissioners Account Number 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**

LEGAL DESCRIPTION:

**EXHIBIT "A"**

That certain unopened, unnamed 30.0 ft. wide public right-of-way lying westerly of Block 13 of A Re-plat of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida lying between the westerly projections of the North and South lines of said Block 13, LESS AND EXCEPT THEREFROM the North 10.0 feet as measured by perpendicular measure from Said westerly projection of the north line of Block 13. Containing 0.364 acres or 15873.60 square feet, more or less. Prepared by: Earl K. Gordon.

## Donna Scott

---

**From:** LEGALS, BRE <BRELEGALS@gannett.com>  
**Sent:** Tuesday, August 21, 2018 4:03 PM  
**To:** Donna Scott  
**Subject:** Brevard Classified Legal Auto Reply

**\*This is an Automatic Reply Message to let you know your email has been received. Below is general information that applies to both our invoiced customers with accounts as well as private citizens.**

Thank you for e-mailing the Brevard Classified Legal Advertising Department. Ads placed by private individuals will be accepted on a payment-in advance basis only.



### AD SUBMISSION GUIDELINES

If you e-mail or fax Legal Ad(s) to us, please provide the following information:

- Legal Notice Account name and number
- Billing telephone number
- Contact person
- Preferred publishing dates
- Number of affidavits needed
- Address affidavit should be sent to, if different from billing.
- P.O. number (applicable to government accounts and agency advertisers)

Your notice will be published on the next available publication date unless otherwise requested.

| Date of Publication: | Deadline:      |
|----------------------|----------------|
| Monday               | Friday, 12noon |
| Tuesday              | Friday, 4pm    |
| Wednesday            | Monday, 4pm    |
| Thursday             | Tuesday, 4pm   |
| Friday               | Wednesday, 4pm |
| Saturday             | Thursday, 4pm  |
| Sunday               | Thursday, 4pm  |

We appreciate your business. If you have any questions please contact us @ 888-516-9220. Office hours Mon-Fri 8am-5pm.

**\*IF THIS SUBMISSION IS FOR A LEGAL DISPLAY PLEASE CONTACT US IMMEDIATELY AT 888-516-9220 SO WE CAN ACCURATELY PROCESS YOUR ORDER.**

**Donna Scott**

---

**From:** Donna Scott  
**Sent:** Tuesday, August 21, 2018 3:42 PM  
**To:** Brev Legals  
**Subject:** Legal Notice  
**Attachments:** 08-21-18 Norman Dwayne White.docx

Attached is a legal notice to be published on Friday, August 24; **billing the Public Works Department Account No. 6BR327, and Purchase Order No. 4500092228-10.**

Thank you.

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





## Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-8700

<https://www.bcpao.us>

### PROPERTY DETAILS

|                  |   |
|------------------|---|
| Account          | 2004575   |
| Owners           | White, Dwayne; White, Korin                           |
| Mailing Address  | 3219 Pheasant Trl Mims FL 32754                       |
| Site Address     | 3690 Aurantia Rd Mims FL 32754                        |
| Parcel ID        | 20G-35-17-AL-13-6                                     |
| Property Use     | 0110 - Single Family Residence                        |
| Exemptions       | HEX1 - Homestead First<br>HEX2 - Homestead Additional |
| Taxing District  | 1300 - Unincorp District 1                            |
| Total Acres      | 3.15  |
| Subdivision      | Indian River Park Replat Sec 17                       |
| Site Code        | 0001 - No Other Code Appl.                            |
| Plat Book/Page   | 0002/0075   |
| Land Description | Indian River Park Replat Sec 17 Lots 6 To 9 Blk 13    |



### VALUE SUMMARY

| Category                  | 2016      | 2015      | 2014      |
|---------------------------|-----------|-----------|-----------|
| Total Market Value        | \$151,790 | \$147,830 | \$121,070 |
| Agricultural Market Value | \$0       | \$0       | \$0       |
| Assessed Value Non-School | \$97,760  | \$97,090  | \$96,320  |
| Assessed Value School     | \$97,760  | \$97,090  | \$96,320  |
| 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  | \$47,760  | \$47,090  | \$46,320  |
| Taxable Value School      | \$72,760  | \$72,090  | \$71,320  |

### SALES/TRANSFERS

| Date       | Price     | Type | Parcel   | Deed      |
|------------|-----------|------|----------|-----------|
| 03/28/2017 | \$210,000 | WD   | Improved | 7864/2131 |
| 03/28/2017 | -         | WD   | Improved | 7864/2129 |
| 10/20/2016 | -         | DC   | Improved | 7747/0722 |
| 06/15/2000 | -         | QC   | Improved | 4178/2106 |
| 01/16/1984 | -         | QC   | -        | 2481/1776 |
| 08/01/1972 | \$11,000  | PT   | -        | 1271/0746 |

### BUILDINGS

#### PROPERTY DATA CARD #1

| Building Use                   | Year Built | Story Height | Floors | Residential Units | Commercial Units |
|--------------------------------|------------|--------------|--------|-------------------|------------------|
| 0110 - Single Family Residence | 1980       | 8            | 1      | 1                 | 0                |

#### Materials

|                 |                |
|-----------------|----------------|
| Exterior Wall:  | Plywd/T111     |
| Frame:          | Wood Frame     |
| Roof:           | Asph/Asb Shngl |
| Roof Structure: | Hip/Gable      |

#### Sub Areas

|                 |      |
|-----------------|------|
| Base Area (1st) | 1772 |
| Enclosed Por    | 66   |
| Open Porch      | 18   |
| Total Base Area | 1772 |
| Total Sub Area  | 1856 |

#### Extra Features

|                      |      |
|----------------------|------|
| Outbuilding: Average | 1248 |
| Patio: Concrete      | 323  |

#### Additional Extra Features

No Data Found



## Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

### PROPERTY DETAILS

Phone: (321) 264-8700

<https://www.bcpao.us>

|                  |   |
|------------------|---|
| Account          | 2004576   |
| Owners           | White, Dwayne; White, Korin                             |
| Mailing Address  | 3219 Pheasant Trl Mims FL 32754                         |
| Site Address     | 3730 Aurantia Rd Mims FL 32754                          |
| Parcel ID        | 20G-35-17-AL-14-1                                       |
| Property Use     | 0010 - Vacant Residential Land (Single Family, Platted) |
| Exemptions       | None  |
| Taxing District  | 1300 - Unincorp District 1                              |
| Total Acres      | 3.15  |
| Subdivision      | Indian River Park Replat Sec 17                         |
| Site Code        | 0001 - No Other Code Appl.                              |
| Plat Book/Page   | 0002/0075   |
| Land Description | Indian River Park Replat Sec 17 Lots 1,2,10,11 Blk 14   |

### VALUE SUMMARY

| Category                  | 2016     | 2015     | 2014     |
|---------------------------|----------|----------|----------|
| Total Market Value        | \$42,190 | \$42,190 | \$48,960 |
| Agricultural Market Value | \$0      | \$0      | \$0      |
| Assessed Value Non-School | \$42,190 | \$42,190 | \$41,550 |
| Assessed Value School     | \$42,190 | \$42,190 | \$48,960 |
| Homestead Exemption       | \$0      | \$0      | \$0      |
| Additional Homestead      | \$0      | \$0      | \$0      |
| Other Exemptions          | \$0      | \$0      | \$0      |
| Taxable Value Non-School  | \$42,190 | \$42,190 | \$41,550 |
| Taxable Value School      | \$42,190 | \$42,190 | \$48,960 |

### SALES/TRANSFERS

| Date       | Price     | Type | Parcel   | Deed      |
|------------|-----------|------|----------|-----------|
| 03/28/2017 | \$210,000 | WD   | Vacant   | 7864/2131 |
| 03/28/2017 | -         | WD   | Improved | 7864/2129 |
| 10/20/2016 | -         | DC   | Improved | 7747/0722 |
| 06/15/2000 | -         | QC   | Vacant   | 4178/2105 |
| 01/16/1984 | -         | QC   | -        | 2481/1775 |
| 08/01/1972 | \$11,000  | PT   | -        | 1271/0746 |

### BUILDINGS

No Data Found

**APPRAISER'S DETAIL SHEET: 2 OF 2**



## V I C I N I T Y   M A P

Korrin & Dwayne White – 3690 Aurantia Road, Mims, FL – Lots 6 -9, Block 13 & Lots 1, 2, 10 & 11, Block 14 – “A Re-plat of Section 17 of Indian River Park” – Plat Book 2, Page 75 – Section 17, Township 20G South, Range 35 East – District 1 – Proposed Vacating of 2 – Unopened 30.0 ft. Wide Public Rights-of-Ways



## AERIAL MAP

Korrin & Dwayne White – 3690 Aurantia Road, Mims, FL – Lots 6 -9, Block 13 & Lots 1, 2, 10 & 11, Block 14 – “A Re-plat of Section 17 of Indian River Park” – Plat Book 2, Page 75 – Section 17, Township 20G South, Range 35 East – District 1 – Proposed Vacating of 2 – Unopened 30.0 ft. Wide Public Rights-of-Ways



Prepared by:  
Rosemary C. Goodrich  
The Title Station, Inc.  
3880 S. Washington Ave. Ste 104  
Titusville, FL 32780  
File Number: 17-1147  
**\$210,000.00**

### General Warranty Deed

Made this March 28, 2017 A.D. By Carol S. Charvet, Individually and as Successor Trustee to The Graydon and Shirley Corn Trust U.T.D. June 13, 2000, hereinafter called the grantor, to Dwayne White and Korrin White, husband and wife, whose post office address is: 3219 Pheasant Trl., Mims, Florida 32754, hereinafter called the grantee:

(Whenever used herein the term "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)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz:

Lots 6, 7, 8 and 9, Block 13, A RE-PLAT OF SECTION 17 OF INDIAN RIVER PARK, according to the plat thereof as recorded in Plat Book 2, Page 75, of the Public Records of Brevard County, Florida,

Parcel ID# 20G-35-17-AL-13-6

AND

Lots 1, 2, 10 and 11, Block 14, A RE-PLAT OF SECTION 17 OF INDIAN RIVER PARK, according to the plat thereof as recorded in Plat Book 2, Page 75, of the Public Records of Brevard County, Florida.

Parcel ID# 20G-35-17-AL-14-1

Parcel ID Number: 20G-35-17-AL-00013.0-0006.00

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining

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

Said property is not the homestead of the Grantor(s) under the laws and Constitution of the State of Florida in that neither Grantor(s) nor any member of the household of Grantor(s) reside thereon.

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; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2016.

## P E T I T I O N E R ' S   D E E D

# BOUNDARY SURVEY

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
PETITIONER'S PARCEL ID NO: 20G-35-17-AL-13-6  
20G-35-17-AL-14-1

SHEET 1 OF 2  
NOT VALID WITHOUT  
SKETCH ON SHEET 2 OF 2

PURPOSE OF SURVEY: RIGHT OF WAY VACATION

## LEGAL DESCRIPTION

That certain unopened, unnamed 30.0 ft. wide public right-of-way lying westerly of Block 13 of A Re-plot of Section 17 of Indian River Park as recorded in Plot Book 02, Page 75 of the Public Records of Brevard County, Florida lying between the westerly projections of the North and South lines of said Block 13, LESS AND EXCEPT THEREFROM the North 10.0 feet as measured by perpendicular measure from said westerly projection of the north line of Block 13, Containing 0.364 acres or 15873.60 square feet, more or less.

## SURVEYOR'S NOTES:

1. IPF - DENOTES IRON PIPE FOUND
2. IRS - DENOTES 5/8" IRON ROD & CAP SET STAMPED "LB 7928"
3. OHW - DENOTES OVERHEAD WIRE
4. UP - DENOTES UTILITY POLE
5. UNDERGROUND IMPROVEMENTS IF ANY NOT LOCATED

PREPARED FOR:  
DWAYNE WHITE

  
SURVEYOR AND MAPPER PSM NO. 6583  
NOT VALID UNLESS SIGNED AND SEALED

PREPARE BY: GAI Surveyors  
ADDRESS: 1 OLEANDER ST. COCOA, FL 32922  
PHONE: 321-806-3908

DRAWN BY: AEG CHECKED BY: EKG DRAWING NO. 17-5-100 SECTION 17  
DATE: 2 FEB 18 SHEET 1 OF 2 REVISIONS \_\_\_\_\_ TOWNSHIP 20 SOUTH  
RANGE 35 EAST

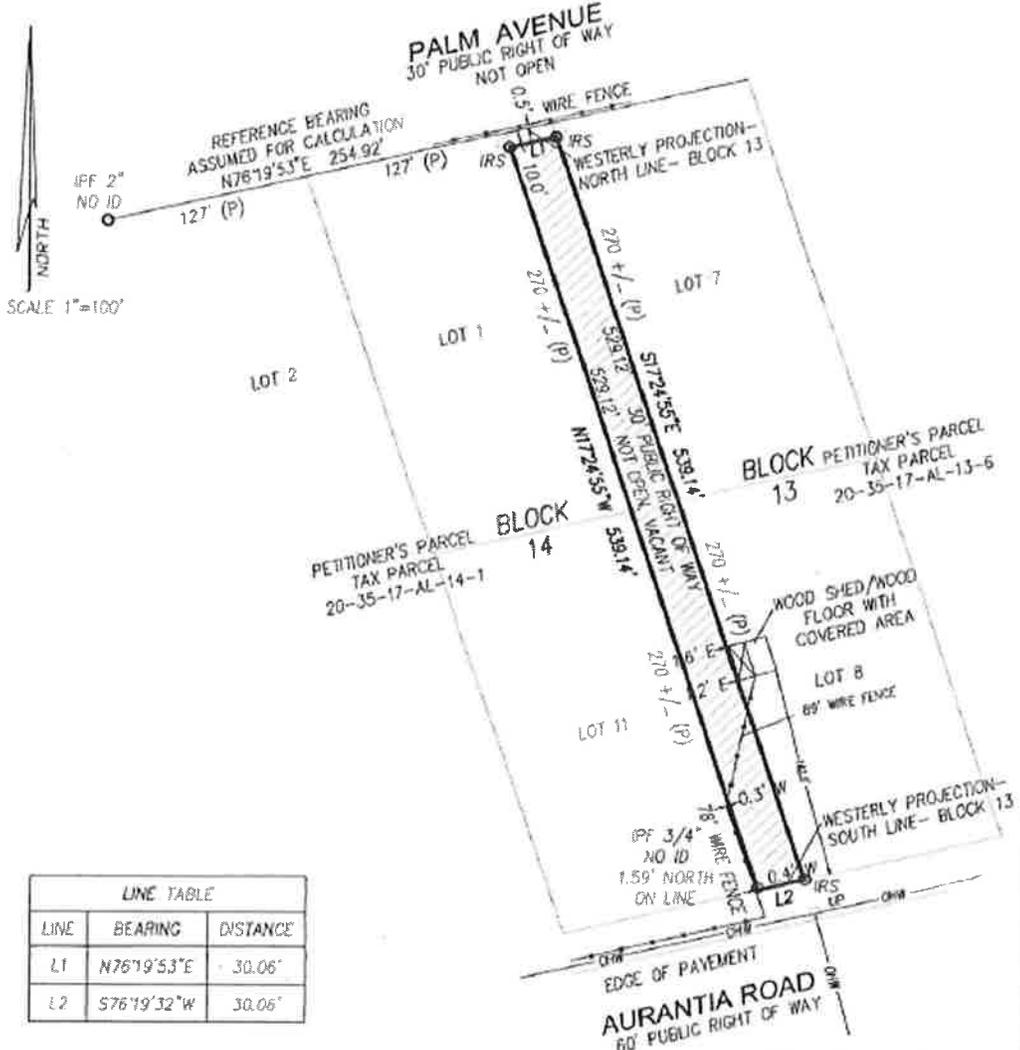
# PETITIONER'S BOUNDARY SURVEY

## SHEET 1 OF 2

# BOUNDARY SURVEY

SHEET 2 OF 2  
NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
PARCEL ID NUMBER: 20G-35-17-AL-13-6  
20G-35-17-AL-14-1



| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | N76°19'53"E | 30.06'   |
| L2         | S76°19'32"W | 30.06'   |

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PROJECT NO. 17-5-100  
PREPARED BY:  
**GAI Surveyors**  
L.B. No. 7928

# PETITIONER'S BOUNDARY SURVEY

## SHEET 2 OF 2

COMMENT SUMMARY

APPLICANT: DWAYNE WHITE

UPDATED BY/DATE: MARC CAZESSÜS, PLS/20170926 @ 13:00 HOURS

| COMPANIES                | NOTIFIED | COMMENTS |          | STIPULATIONS/REMARKS  |
|--------------------------|----------|----------|----------|---|
|                          |          | RECEIVED | APPROVED |   |
| UTILITIES                |          |          |          |   |
| CITY OF TITUSVILLE       | 20170824 | 20170825 | YES      | NO OBJECTIONS   |
| FLORIDA CITY GAS         | 20170824 | 20170824 | YES      | NO OBJECTIONS   |
| FLORIDA POWER & LIGHT    | 20170824 | 20170926 | YES      | NO OBJECTIONS   |
| FLORIDA GAS TRANSMISSION | 20170824 | 20170930 | YES      | NO OBJECTIONS   |
| BRIGHT HOUSE NETWORKS    | 20170824 | 20170828 | YES      | NO OBJECTIONS   |
| A T & T                  | 20170824 | 20170930 | YES      | NO OBJECTIONS   |
|                          |          |          |          |   |
|                          |          |          |          |   |
|                          |          |          |          |   |
|                          |          |          |          |   |
| COUNTY STAFF             |          |          |          |   |
| ROAD & BRIDGE            | 20170824 | 20170926 | YES & NO | NO OBJECTION TO UNNAMED 30.0 FT. WIDE R/W-NEED REPLACEMENT ESMT. OBJECT TO PALM AVE. VACATING - SUSAN JACKSON |
| TRAFFIC ENGINEERING      | 20170824 | 20170829 | YES      | NO OBJECTIONS - DEVIN SWANSON   |
| NRMD-STORM WATER         | 20170824 | 20170831 | YES & NO | NO OBJECTION TO NORTH-SOUTH UNNAMED 30.0 FT. WIDE RIGHT-OF-WAY; OBJECT TO PALM AVE. VACATING - HARVEY WHEELER |
| LAND PLANNING            | 20170824 | 20170825 | YES      | NO OBJECTIONS - REBECCA RAGAIN  |
| UTILITY SERVICES         | 20170824 | 20170824 | YES      | NO OBJECTIONS - TAMMY HURLEY  |
| ZONING                   | 20170824 | 20170824 | YES      | NO OBJECTIONS - PAUL BODY   |
| LAND ACQUISITION         | 20170824 | 20170922 | YES      | NO OBJECTIONS - BLAISE MANCINI  |
| FIRE AND RESCUE          | 20170824 | 20170828 | YES      | NO OBJECTIONS - FRANK SCATES  |
|                          |          |          |          |   |
|                          |          |          |          |   |
|                          |          |          |          |   |
|                          |          |          |          |   |
|                          |          |          |          |   |
|                          |          |          |          |   |
|                          |          |          |          |   |

**COMMENT SHEET**

AD#3075559, 8/6/2018 NOTICE FOR THE VACATING OF THE UNOPENED, 30.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF UNNAMED ROAD, A RE-PLAT OF SECTION 17 OF INDIAN RIVER PARK IN SECTION 17, TOWNSHIP 20G SOUTH, RANGE 35 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 Norman Dwayne White with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: That certain unopened, unnamed 30.0 ft. wide public right-of-way lying westerly of Block 13 of A Re-plat of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida lying between the westerly projections of the North and South lines of said Block 13, LESS AND EXCEPT THEREFROM the North 10.0 feet as measured by perpendicular measure from Said westerly projection of the north line of Block 13. Containing 0.364 acres or 15873.60 square feet, more or less. Prepared by: Earl K. Gordon. The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described right-of-way at 9:00 A.M. on August 21, 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.

**PUBLIC HEARING LEGAL**  
**ADVERTISEMENT**

Prepared by/Return to: Blaise M. Mancini, Land Acquisition Specialist  
Brevard County Public Works Dept., Land Acquisition Section  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940 (321-690-6847)  
A portion of interest in Tax Parcel I.D.: 20G-35-17-AL-14-1

**ROADWAY, DRAINAGE, AND UTILITY EASEMENT**

**THIS INDENTURE**, made this 29 day of June, 2018, between Joshua Warner Baker and Stephanie Louisa Baker as the first party, and BREVARD COUNTY, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida 32940 as the second party, for the use and benefit of BREVARD COUNTY, Florida.

**WITNESSETH:** That the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grant unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of public roadway, drainage, and utilities, and other allied uses pertaining thereto, which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

The land affected by the granting of the easements is located in Section 17, Township 20G South, Range 35 East, County of Brevard, State of Florida, and being more particularly described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"**

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

**IN WITNESS WHEREOF**, the first party having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

Rose Tokmenko  
Witness  
Print Name: Rose Tokmenko  
Nabe Abraham  
Witness  
Print Name: Nabe Abraham

J.W.B.  
Joshua Warner Baker  
Stephanie Louisa Baker  
Stephanie Louisa Baker

**STATE OF FLORIDA  
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 29th day of June, 2018, by Joshua Warner Baker and Stephanie Louisa Baker, who are/are not personally known to me or who have produced DL as identification and who did/did not take an oath.

WITNESS my hand and official seal at Rockledge, Florida, the County of Brevard, State of Florida, this 29th day of June, 2018.



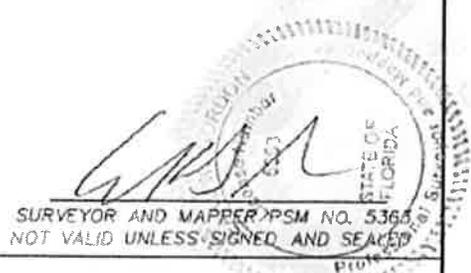
Notary Public Connie G. Chiles  
Print Name Connie G. Chiles  
Commission No. GG 102982  
My Commission Expires: May 9, 2021

Board Date \_\_\_\_\_  
Agenda Item \_\_\_\_\_

**DRAINAGE EASEMENT**

**SHEET 1 OF 8**

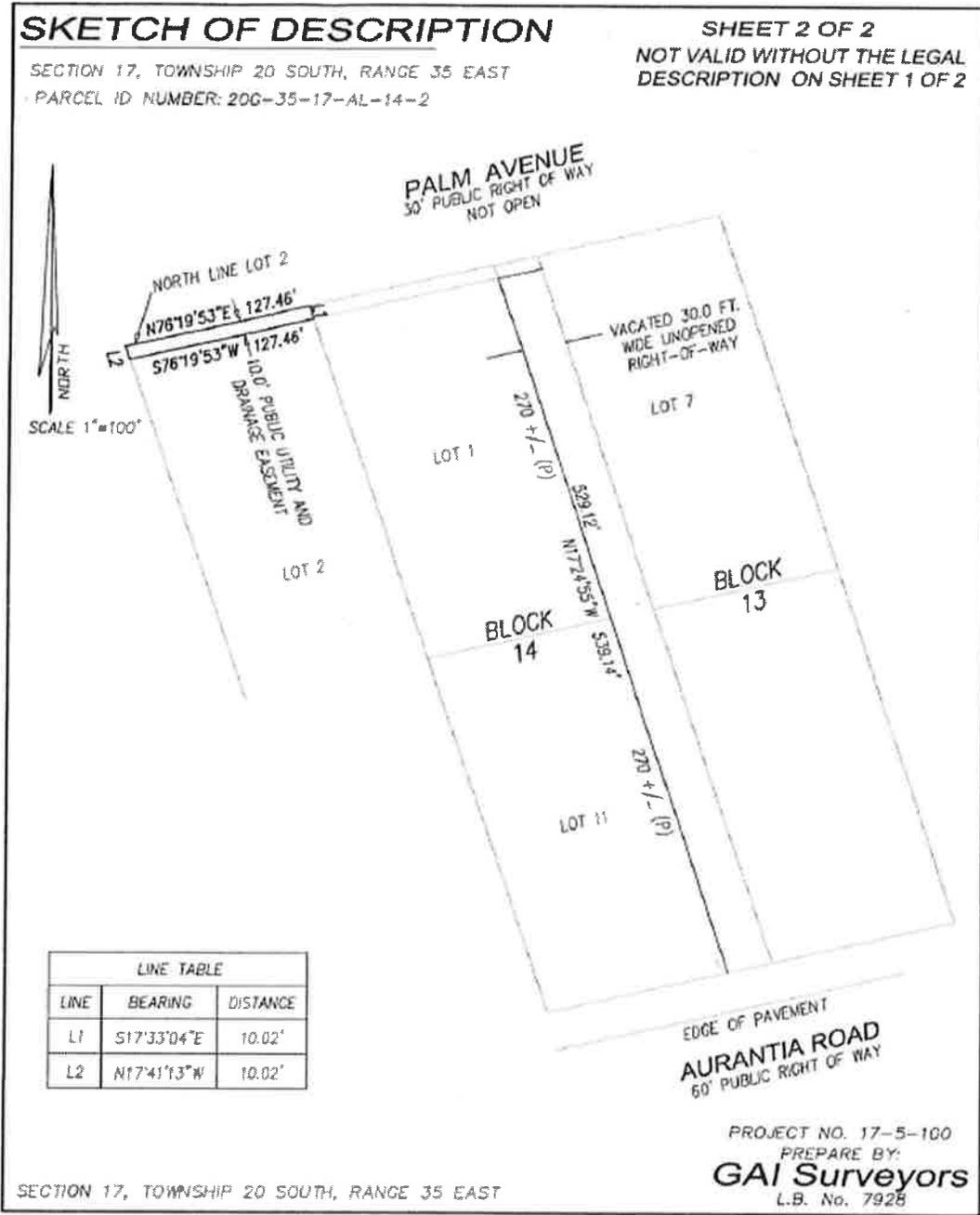
# EXHIBIT "A"

|  |  |  |  |
|--|--|--|--|
| <b>LEGAL DESCRIPTION</b>   |  | <b>SHEET 1 OF 2</b>  |  |
| SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST<br>PETITIONER'S PARCEL ID NO: 20G-35-17-AL-14-2   |  | <b>NOT VALID WITHOUT<br/>SKETCH ON SHEET 2 OF 2</b>  |  |
| PURPOSE OF DESCRIPTION: CONVEY PUBLIC UTILITY AND DRAINAGE EASEMENT TO BREVARD COUNTY  |  |  |  |
| <b>LEGAL DESCRIPTION</b>   |  |  |  |
| The North 10.00 feet as measured by perpendicular measure from the North line of Lot 2, Block 14 of A Re-plot of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida. Containing 0.03 acres or 1274.60 square feet more or less. |  |  |  |
| <b>SURVEYOR'S NOTES:</b>   |  |  |  |
| 1. IPF - DENOTES IRON PIPE FOUND<br>2. IRS - DENOTES 5/8" IRON ROD & CAP SET STAMPED "LB 7928"<br>3. OHW - DENOTES OVERHEAD WIRE<br>4. UP - DENOTES UTILITY POLE<br>5. UNDERGROUND IMPROVEMENTS IF ANY NOT LOCATED<br>6. PUE - DENOTES PUBLIC UTILITY EASEMENT<br>7. THIS IS NOT A BOUNDARY SURVEY |  |  |  |
| PREPARED FOR:<br>JOSHUA WARNER BAKER AND STEPHANIE LOUISA BAKER  |  | <br>SURVEYOR AND MAPPER PSM NO. 5365<br>NOT VALID UNLESS SIGNED AND SEALED |  |
| PREPARED BY: GAI Surveyors<br>ADDRESS: 1 OLEANDER ST, COCOA, FL 32922<br>PHONE: 321-806-3908   |  |  |  |
| DRAWN BY: <u>AEG</u>   |  | CHECKED BY: <u>EKG</u>   |  |
| DATE: <u>24 JUN 18</u>   |  | DRAWING NO. <u>17-5-100</u>  |  |
| SHEET <u>1</u> OF <u>2</u>   |  | SECTION <u>17</u>  |  |
| REVISIONS _____  |  | TOWNSHIP <u>20</u> SOUTH   |  |
|  |  | RANGE <u>35</u> EAST   |  |

# DRAINAGE EASEMENT

# SHEET 2 OF 8

# EXHIBIT "A"



## DRAINAGE EASEMENT

## SHEET 3 OF 8

Prepared by/Return to: Blaise M. Mancini, Land Acquisition Specialist  
Brevard County Public Works Dept., Land Acquisition Section  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940 (321-690-6847)  
A portion of interest in Tax Parcel I.D.: 20G-35-17-A1-14-1

**ROADWAY, DRAINAGE, AND UTILITY EASEMENT**

**THIS INDENTURE**, made this 29 day of June, 2018, between Dwayne and Korrin White as the first party, and BREVARD COUNTY, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida 32940 as the second party, for the use and benefit of BREVARD COUNTY, Florida.

**WITNESSETH:** That the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grant unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of public roadway, drainage, and utilities, and other allied uses pertaining thereto, which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

The land affected by the granting of the easements is located in Section 17, Township 20G South, Range 35 East, County of Brevard, State of Florida, and being more particularly described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBITS "A" AND "B"**

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

**IN WITNESS WHEREOF**, the first party having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

Witness

Print Name: Timothy O'Sullivan

Witness

Print Name: Annie Dixon

Dwayne White  
Dwayne White

Korrin White  
Korrin White

**STATE OF FLORIDA  
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 29 day of June, 2018, by Dwayne White and Korrin White, who are/are not personally known to me or who have produced X as identification and who did/did not take an oath.

WITNESS my hand and official seal at Titusville, Florida, the County of Brevard, State of Florida, this 29 day of June, 2018.



Notary Public

Print Name: Timothy O'Sullivan

Commission No. 123456789

My Commission Expires: 12/31/2018

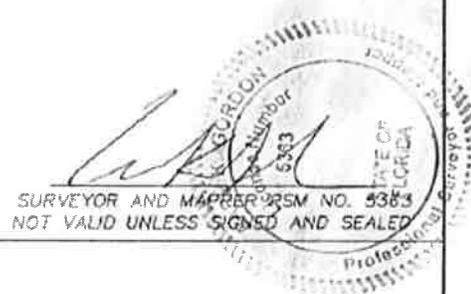
Board Date \_\_\_\_\_

Agenda Item \_\_\_\_\_

**DRAINAGE EASEMENT**

**SHEET 4 OF 8**

# EXHIBIT "A"

|  |                            |  |                          |
|--|----------------------------|--|--------------------------|
| <b>LEGAL DESCRIPTION</b>   |                            | <b>SHEET 1 OF 2</b>  |                          |
| SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST   |                            | NOT VALID WITHOUT  |                          |
| PETITIONER'S PARCEL ID NO: 20G-35-17-AL-14-1   |                            | SKETCH ON SHEET 2 OF 2   |                          |
| PURPOSE OF DESCRIPTION: CONVEY PUBLIC UTILITY AND DRAINAGE EASEMENT TO BREVARD COUNTY  |                            |  |                          |
| <b>LEGAL DESCRIPTION</b>   |                            |  |                          |
| The North 10.00 feet as measured by perpendicular measure from the North line of Lot 1, Block 14 of A Re-plot of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida. Containing 0.03 acres or 1274.50 square feet more or less. |                            |  |                          |
| <b>SURVEYOR'S NOTES:</b>   |                            |  |                          |
| 1. IFF - DENOTES IRON PIPE FOUND   |                            |  |                          |
| 2. IRS - DENOTES 5/8" IRON ROD & CAP SET STAMPED "LB 792B"   |                            |  |                          |
| 3. OHW - DENOTES OVERHEAD WIRE   |                            |  |                          |
| 4. UP - DENOTES UTILITY POLE   |                            |  |                          |
| 5. UNDERGROUND IMPROVEMENTS IF ANY NOT LOCATED   |                            |  |                          |
| 6. PUE - DENOTES PUBLIC UTILITY EASEMENT   |                            |  |                          |
| 7. THIS IS NOT A BOUNDARY SURVEY   |                            |  |                          |
| PREPARED FOR:<br>DWAYNE WHITE  |                            | <br>SURVEYOR AND MAPPER RSM NO. 5383<br>NOT VALID UNLESS SIGNED AND SEALED |                          |
| PREPARE BY: GAI Surveyors  |                            |  |                          |
| ADDRESS: 1 OLEANDER ST. COCOA, FL 32922  |                            |  |                          |
| PHONE: 321-806-3908  |                            |  |                          |
| DRAWN BY: <u>AEG</u>   | CHECKED BY: <u>EKG</u>     | DRAWING NO. <u>17-5-100</u>  | SECTION <u>17</u>        |
| DATE: <u>24 JUN 18</u>   | SHEET <u>1</u> OF <u>2</u> | REVISIONS _____  | TOWNSHIP <u>20</u> SOUTH |
|  |                            |  | RANGE <u>35</u> EAST     |

# DRAINAGE EASEMENT

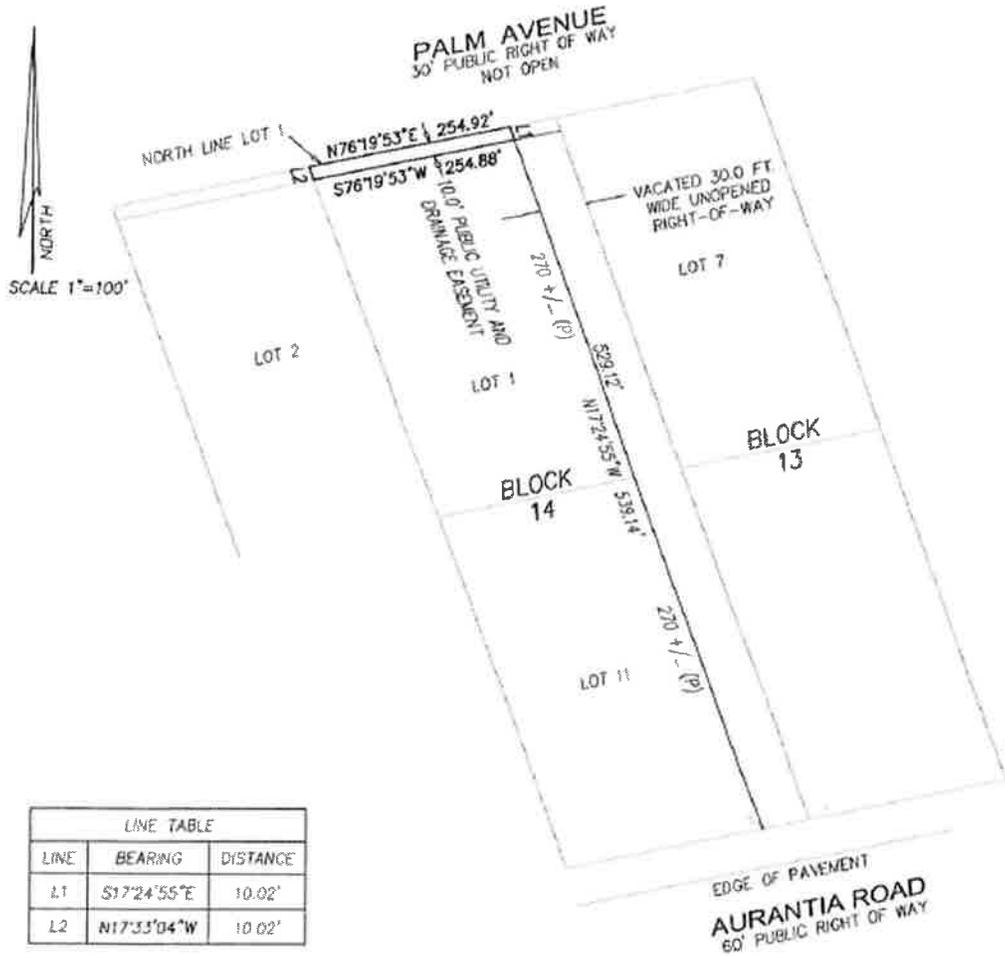
# SHEET 5 OF 8

# EXHIBIT "A"

## SKETCH OF DESCRIPTION

SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST  
 PARCEL ID NUMBER: 20G-35-17-AL-14-1

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2



| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S17°24'55"E | 10.02'   |
| L2         | N17°33'04"W | 10.02'   |

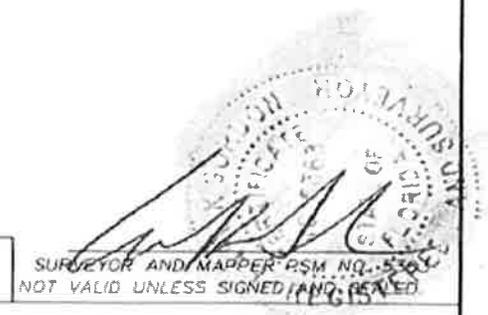
SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST

PROJECT NO. 17-5-100  
 PREPARE BY:  
**GAI Surveyors**  
 L.B. No. 7928

# DRAINAGE EASEMENT

## SHEET 6 OF 8

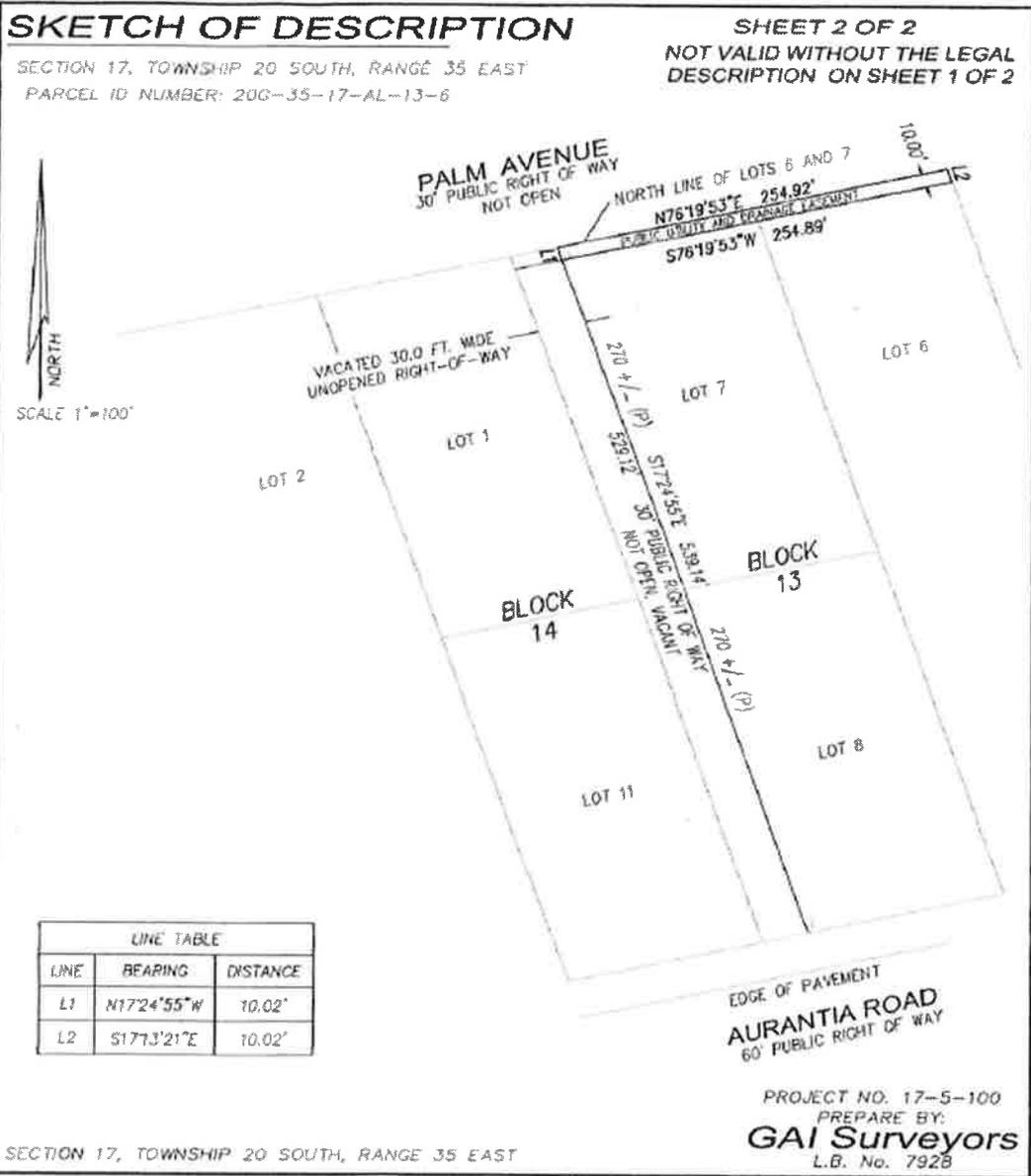
# EXHIBIT "B"

|   |                            |  |                          |
|---|----------------------------|--|--------------------------|
| <b>LEGAL DESCRIPTION</b><br>SECTION 17, TOWNSHIP 20 SOUTH, RANGE 35 EAST<br>PETITIONER'S PARCEL ID NO: 20G-35-17-AL-13-6  |                            | <b>SHEET 1 OF 2</b><br><b>NOT VALID WITHOUT</b><br><b>SKETCH ON SHEET 2 OF 2</b>   |                          |
| PURPOSE OF DESCRIPTION: CONVEY PUBLIC UTILITY AND DRAINAGE EASEMENT TO BREVARD COUNTY   |                            |  |                          |
| <b>LEGAL DESCRIPTION</b><br>The North 10.00 feet as measured by perpendicular measure from the North lines of Lots 6 and 7, Block 13 of A Re-plot of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida. Containing 0.059 acres or 2556.73 square feet more or less. |                            |  |                          |
| <b>SURVEYOR'S NOTES:</b><br>1. IPF - DENOTES IRON PIPE FOUND<br>2. IRS - DENOTES 5/8" IRON ROD & CAP SET STAMPED "LB 7928"<br>3. OHW - DENOTES OVERHEAD WRE<br>4. UP - DENOTES UTILITY POLE<br>5. UNDERGROUND IMPROVEMENTS IF ANY NOT LOCATED<br>6. PUE- DENOTES PUBLIC UTILITY EASEMENT<br>7. NOT A BOUNDARY SURVEY                    |                            |  |                          |
| PREPARED FOR:<br>DWAYNE WHITE   |                            | <br>SURVEYOR AND MAPPER RSM NO. 5365<br>NOT VALID UNLESS SIGNED AND SEALED |                          |
| PREPARE BY: GAI Surveyors<br>ADDRESS: 1 OLEANDER ST. COCOA, FL 32922<br>PHONE: 321-806-3908   |                            |  |                          |
| DRAWN BY: <u>AEG</u>  | CHECKED BY: <u>EKG</u>     | DRAWING NO. <u>17-5-100</u>  | SECTION <u>17</u>        |
| DATE: <u>2 FEB 18</u>   | SHEET <u>1</u> OF <u>2</u> | REVISIONS _____  | TOWNSHIP <u>20</u> SOUTH |
|   |                            |  | RANGE <u>35</u> EAST     |

## DRAINAGE EASEMENT

## SHEET 7 OF 8

# EXHIBIT "B"



## DRAINAGE EASEMENT

## SHEET 8 OF 8

That certain unopened, unnamed 30.0 ft. wide public right-of-way lying westerly of Block 13 of A Re-plat of Section 17 of Indian River Park as recorded in Plat Book 02, Page 75 of the Public Records of Brevard County, Florida lying between the westerly projections of the North and South lines of said Block 13, LESS AND EXCEPT THEREFROM the North 10.0 feet as measured by perpendicular measure from Said westerly projection of the north line of Block 13. Containing 0.364 acres or 15873.60 square feet, more or less. Prepared by: Earl K. Gordon.