



AGENDA REPORT
May 21, 2019

**Petition to Vacate Public Utility Easement-Melbourne-Joseph J. Sboto-
(District 4)**

SUBJECT:

Petition to Vacate, Re: Public Utility and Drainage Easement – “Twin Lakes at Suntree”
Plat Book 28, Page 06 – Melbourne – Joseph J. Sboto – District 4

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 part of a public utility and drainage easement on Lot 37, Block 1, “Twin Lakes of Suntree” in Section 14, Township 26 South, Range 36 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

SUMMARY EXPLANATION 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 Lot 37, Block 1, and is requesting the vacating of the 10.0 ft. wide public utility and drainage easement to remove the existing pool and screened patio as encroachments into said easements. Easements to be vacated contain 75.0 square feet, more or less.

May 06, 2019, 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 Melbourne as follows: Begin at the intersection of North Wickham Road (County Hwy 509) and Interlachen Road; thence 0.54 miles south along Interlachen Road; thence 0.28 miles east along Inverness Avenue to the residence on the south (right).

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 approved/signed resolution, the proof of publication of the public hearing notice 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

June 18, 2019

Joseph J. Sboto
1023 Inverness Avenue
Melbourne, FL 32940

Dear Mr. Sboto:

Re: Resolution Vacating a Part of a Public Utility and Drainage Easement in Twin Lakes at
Suntree Subdivision, Melbourne

The Board of County Commissioners, in regular session on May 21, 2019, adopted Resolution No. 19-092, vacating a part of a public utility and drainage easement in Twin Lakes at Suntree Subdivision, Melbourne, as petitioned by you. Said Resolution has been recorded in ORBK 8459, Pages 739 through 743. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Amber Holley, Public Works



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

June 18, 2019

M E M O R A N D U M

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

RE: Advertising Bills for Resolution Vacating a Part of a Public Utility Easement and Drainage Easement in Twin Lakes at Suntree Subdivision, Melbourne

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-092, vacating a part of a public utility easement and drainage easement in Twin lakes at Suntree Subdivision, Melbourne, as petitioned by Joseph J. Sbotto. Said Resolution was adopted by the Board of County Commissioners, in regular session on May 21, 2019.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)

Resolution 2019 - 092

**Vacating a part of a public utility and drainage easement in "Twin Lakes at Suntree" Subdivision,
Melbourne, Florida, lying in Section 14, Township 26 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JOSEPH J. SBOTO** with the Board of County Commissioners to vacate a portion of a public utility and drainage easement in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

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

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

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

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

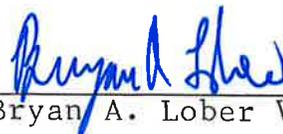
DONE, ORDERED AND ADOPTED, in regular session, this 21TH day of May, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Bryan A. Lober Vice Chair

As approved by the Board on:

May 21, 2019

LEGAL DESCRIPTION

SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST
PARCEL ID# 26-36-14-05-1-37

NOT A SURVEY

EXHIBIT A
SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PURPOSE OF SKETCH:
VACATE A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT.

LEGAL DESCRIPTION:

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 37, BLOCK 1, TWIN LAKES AT SUNTREE, A SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 37, BLOCK 1; THENCE N 49°08'33" E ALONG THE SOUTH LINE OF SAID LOT 37 A DISTANCE OF 37.72 FEET; THENCE N 26°04'53" W 8.11 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE N 26°04'53" W 2.23 FEET TO THE NORTH LINE OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE N 49°08'33" E ALONG SAID NORTH LINE 35.00 FEET; THENCE S 26°04'53" E 2.23 FEET; THENCE S 49°08'33" W 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 75 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE WEST LINE OF LOT 37 BLOCK 1 BEING N 15°53'26" W.
2. THIS IS NOT A SURVEY.
3. THIS SKETCH AND DESCRIPTION CONTAINS TWO SHEETS. EACH SHEET IS NOT FULL OR COMPLETE WITHOUT THE OTHER.
4. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER WHICH CAN BE FOUND ON SHEET 1 OF 2.

LEGEND:
 BLDG = BUILDING
 BRG = BEARING
 CONC = CONCRETE
 EOP = EDGE OF PAVEMENT
 ESMT = EASEMENT
 FP&L = FLORIDA POWER & LIGHT COMPANY
 No. = NUMBER
 P.B. = PLAT BOOK
 P.C. = POINT OF CURVATURE
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 PUDE = PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT
 REF = REFERENCE
 R/W = RIGHT OF WAY
 (TYP) = TYPICAL

PREPARED FOR: JOE SBOTO AND KATHY TURNEY
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PROJECT NO. 37176 DRAWN BY: JED

CERTIFICATION:
I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION WAS DONE UNDER MY DIRECTION AND MEETS THE STANDARDS AND PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 6J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE: 3/12/19

JOEL A. SEYMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER
STATE OF FLORIDA No. LS 6133

Kane Surveying, Inc.
FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448

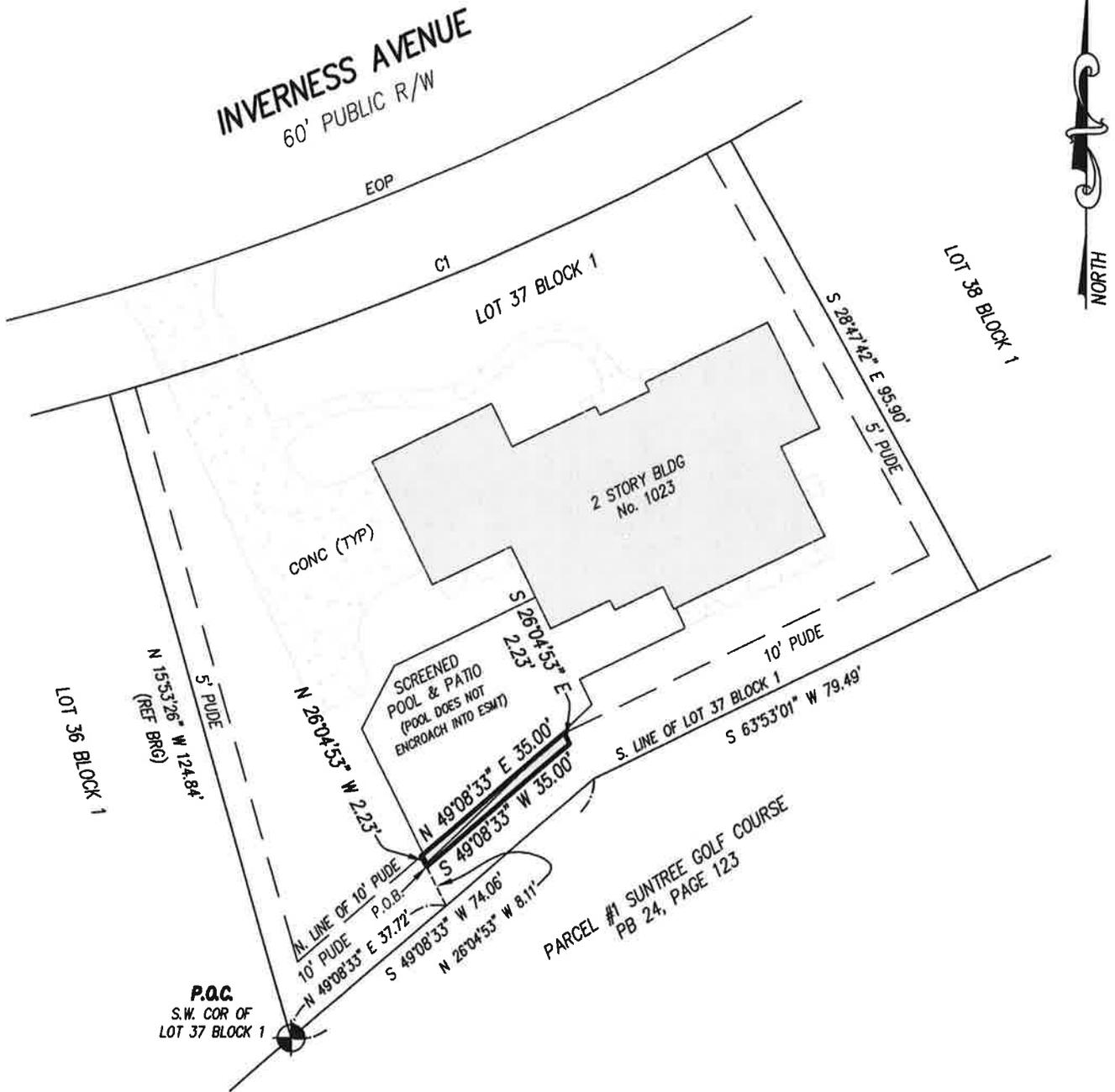
SKETCH OF DESCRIPTION

SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST
 PARCEL ID# 26-36-14-05-1-37

NOT A SURVEY

EXHIBIT A
 SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	125.00'	555.00'	12°54'16"	124.74'	N67°39'26"E

Kane Surveying, Inc.

FLORIDA LICENSED BUSINESS No. LB 7838
 505 DISTRIBUTION DRIVE
 MELBOURNE, FLORIDA 32904
 (321) 678-0427 FAX (321) 984-1448

DATE: 3/12/19

SCALE 1 INCH = 30 FEET

PROJECT NO. 37176



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

AD#3543989, 5/6/2019
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF THE 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "TWIN LAKES AT SUNTREE" IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, FL

STATE OF NEW JERSEY COUNTY OF MONMOUTH:
Before the undersigned authority personally appeared **Diana Figueroa**, 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 IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-35, Brevard County Code, a petition has been filed by **JOSEPH J. SBOTOW** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

Notice Public Hearing

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

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 37, BLOCK 1, TWIN LAKES AT SUNTREE A SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTH-WEST CORNER OF SAID LOT 37, BLOCK 1; THENCE N 49°08'33" E ALONG THE SOUTH LINE OF SAID LOT 37 A DISTANCE OF 37.72 FEET; THENCE N 26°04'53" W 8.11 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE N 26°04'53" W 2.23 FEET TO THE NORTH LINE OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE N 49°08'33" E ALONG SAID NORTH LINE 35.00 FEET; THENCE S 26°04'53" E 2.23 FEET; THENCE S 49°08'33" W 35.00 FEET TO THE POINT OF BEGINNING CONTAINING 75 SQUARE FEET MORE OR LESS PREPARED BY: JOEL A. SEYMOUR, PSM

05/06/19

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.

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 May 21, 2019 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.

Sworn to and Subscribed before me this 6th of May 2019, by Diana Figueroa who is personally known to me


Affiant


Notary Kathleen A Gibson



Publication Cost: \$230.20
Ad No: 0003543989
Customer No: BRE-6BR327



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

AD#3584946, 5/26/2019
LEGAL NOTICE

RESOLUTION VACATING A PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN TWIN LAKES AT SUNTREE SUBDIVISION, LYING IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 38 EAST, MELBOURNE - JOSEPH J. SBOTO

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 21st day of May 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of a public utility and drainage easement in Twin Lakes at Suntree Subdivision, lying in Section 14, Township 26 South, Range 38 East, Melbourne, as petitioned by Joseph J. Sboto.

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 37, BLOCK 1, TWIN LAKES AT SUNTREE A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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The Board further renounced and disclaimed any right of the County in and to said easement.

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

STATE OF NEW JERSEY COUNTY OF MONMOUTH:
Before the undersigned authority personally appeared **Diana Figueroa**, 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:

05/26/19

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 28th of May 2019, by Diana Figueroa who is personally known to me

Affiant

Notary Kathleen A Gibson



Publication Cost: \$232.58
Ad No: 0003584946
Customer No: BRE-6BR327

Donna Scott

From: LEGALS, BRE <BRELEGALS@gannett.com>
Sent: Wednesday, May 22, 2019 2:43 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.**



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

Customer: BREVARD CTY PUBLIC WORKS DEPT
Address: 2725 JUDGE FRAN JAMIESON WAY
VIERA FL 32940
USA

Ad No.: 0003584946
Pymt Method Invoice
Net Amt: \$232.58

Run Times: 1

No. of Affidavits: 1

Run Dates: 05/26/19

Text of Ad:

AD#3584946, 5/26/2019
LEGAL NOTICE

RESOLUTION VACATING A PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN TWIN LAKES AT SUNTREE SUBDIVISION, LYING IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE - JOSEPH J. SBOTO

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 21st day of May 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of a public utility and drainage easement in Twin Lakes at Suntree Subdivision, lying in Section 14, Township 26 South, Range 36 East, Melbourne, as petitioned by Joseph J. Shoto.

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 37, BLOCK 1, TWIN LAKES AT SUNTREE, A SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

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

LEGAL NOTICE

RESOLUTION VACATING A PART OF A PUBLIC UTILITY AND DRAINAGE EASEMENT
IN TWIN LAKES AT SUNTREE SUBDIVISION, LYING IN SECTION 14, TOWNSHIP 26
SOUTH, RANGE 36 EAST, MELBOURNE – JOSEPH J. SBOTO

TO WHOM IT MAY CONCERN:

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SEE ATTACHED EXHIBIT "A"

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

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

Florida TODAY:

Please advertise in the May 26, 2019, 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"

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 37, BLOCK 1, TWIN LAKES AT SUNTREE, A SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Legal Notice Text

Public Hearing Legal Notice

Requested by: Public Works Department of Brevard County, Florida

Corrina Gumm / Interim Director

By: Amber Holley / Vacating Acquisition & Review Specialist

Florida Today:

Please advertise in the May 06, 2019 issue of Florida TODAY.

PLEASE NOTE! Please use account #BRE-6BR327 and Purchase Order No. 4500092228-10, forward invoice and proof of publication to Amber Holley, Brevard County Public Works Dept., Surveying & Mapping Program, 2725 Judge Fran Jamieson Way, Room A-220, Viera, FL, 32940

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF THE 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "TWIN LAKES AT SUNTREE" IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, 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 **JOSEPH J. SBOTO** 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 May 21, 2019** 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"

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 37, BLOCK 1, TWIN LAKES AT SUNTREE, A SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Appraiser's Detail Sheet



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700
<https://www.bcpao.us>

PROPERTY DETAILS

Account	2603928
Owners	Sboto, Joseph J
Mailing Address	1023 Inverness Ave Melbourne FL 32940
Site Address	1023 Inverness Ave Melbourne FL 32940
Parcel ID	26-36-14-05-1-37
Property Use	0110 - Single Family Residence
Exemptions	None
Taxing District	4200 - Unincorp District 4
Total Acres	0.32
Subdivision	Twin Lakes Of Suntree
Site Code	0210 - Golf Course Frontage
Plat Book/Page	0028/0006
Land Description	Twin Lakes Of Suntree Lot 37 Blk 1



VALUE SUMMARY

Category	2018	2017	2016
Market Value	\$335,270	\$282,620	\$281,980
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$335,270	\$282,620	\$281,980
Assessed Value School	\$335,270	\$282,620	\$281,980
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$335,270	\$282,620	\$281,980
Taxable Value School	\$335,270	\$282,620	\$281,980

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/26/2017	\$400,000	WD	Improved	7950/0949
07/17/2015	—	WD	Improved	7415/0071
12/30/2014	\$276,500	WD	Improved	7286/2195
07/30/1996	\$185,000	WD	Improved	3590/4514
09/30/1993	\$170,000	WD	Improved	3328/0852
04/01/1984	—	QC	—	2498/2650
05/01/1982	\$181,000	WD	—	2369/2717
02/28/1981	\$32,000	—	—	2285/1548

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - Single Family Residence

Materials		Details	
Exterior Wall:	Plywd/T111 , Stone	Year Built	1982
Frame:	Wood Frame	Story Height	8
Roof:	Asph/Asb Shngl	Floors	2
Roof Structure:	Hip/Gable	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Balcony	220	Patio - Concrete	124
Base Area (1st)	2,143	Pool Deck	735

Fig. 1: Copy of Brevard County Property Appraiser's detail sheet for Lot 37, Block 1, Twin Lakes at Suntree, Joseph J. Sboto, 1023 Inverness Ave, Melbourne, Section 14, Township 26 South, Range 36 East, District 4

Vicinity Map

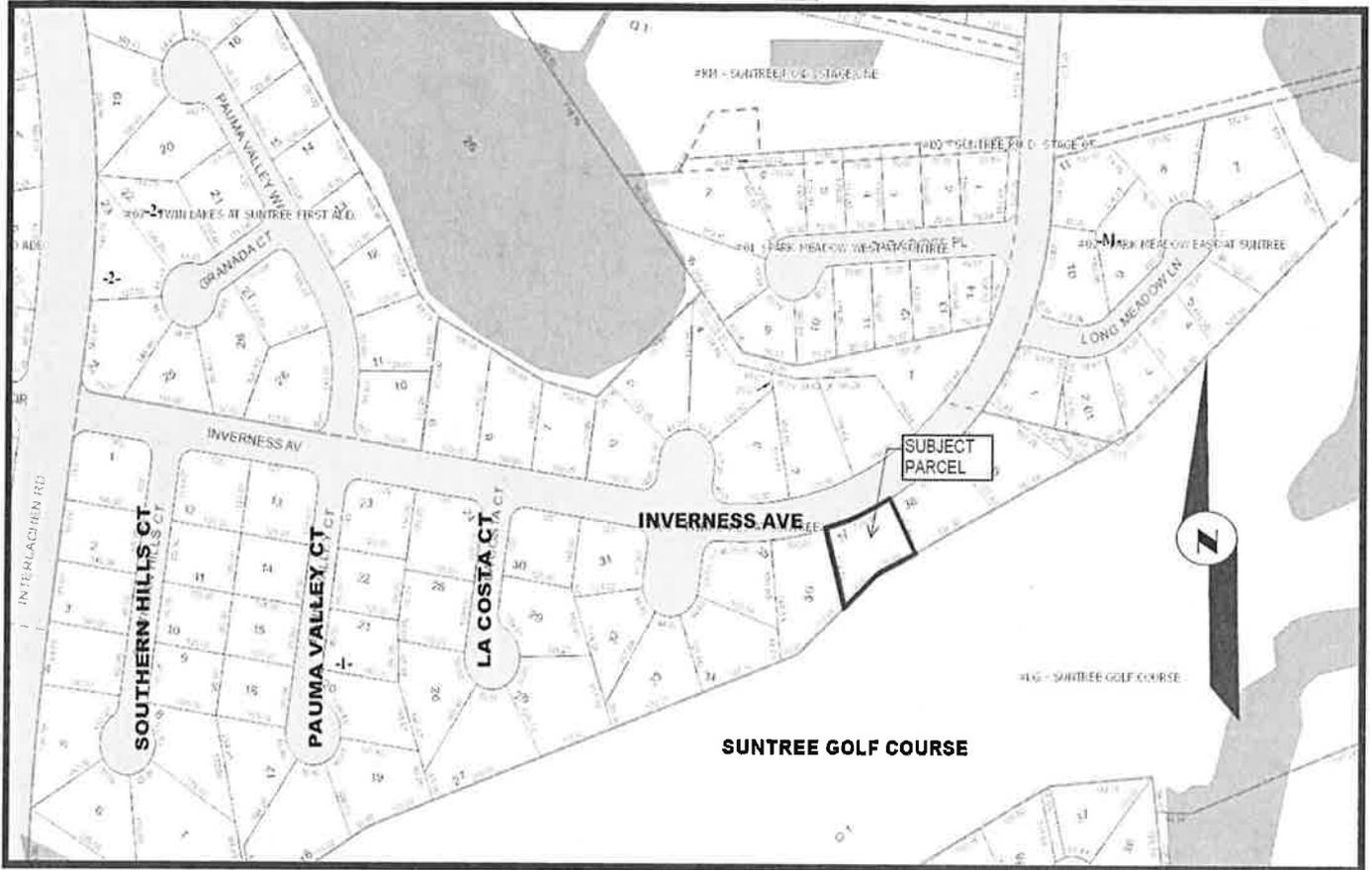


Fig. 2: Map of Lot 37, Block 1, Twin Lakes at Suntree, 1023 Inverness Ave, Melbourne

Joseph J. Sbotto – Lot 37, Block 1, “Twin Lakes at Suntree” (Plat Book 28, Page 06) – 1023 Inverness Ave – Section 14, Township 26 South, Range 36 East – District 4 – Proposed Vacating of a 10.0 ft. Wide Public Utility and Drainage Easement

Aerial Map

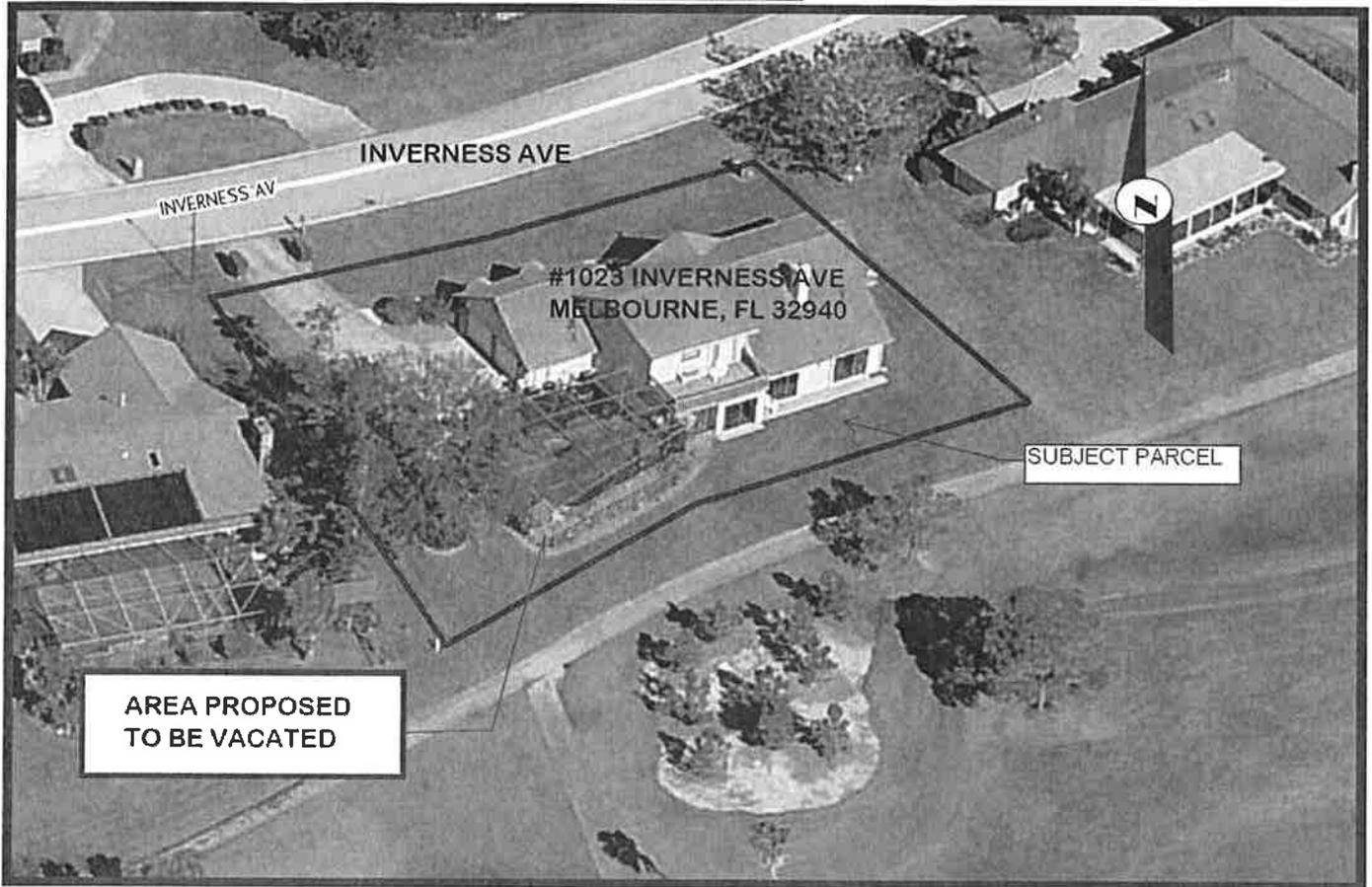


Fig. 3: Map of aerial view of Lot 37, Block 1, Twin Lakes at Suntree, 1023 Inverness Ave, Melbourne

Joseph J. Sbotto – Lot 37, Block 1, “Twin Lakes at Suntree” (Plat Book 28, Page 06) – 1023 Inverness Ave – Section 14, Township 26 South, Range 36 East – District 4 – Proposed Vacating of a 10.0 ft. Wide Public Utility and Drainage Easement

Petitioner's Boundary Survey

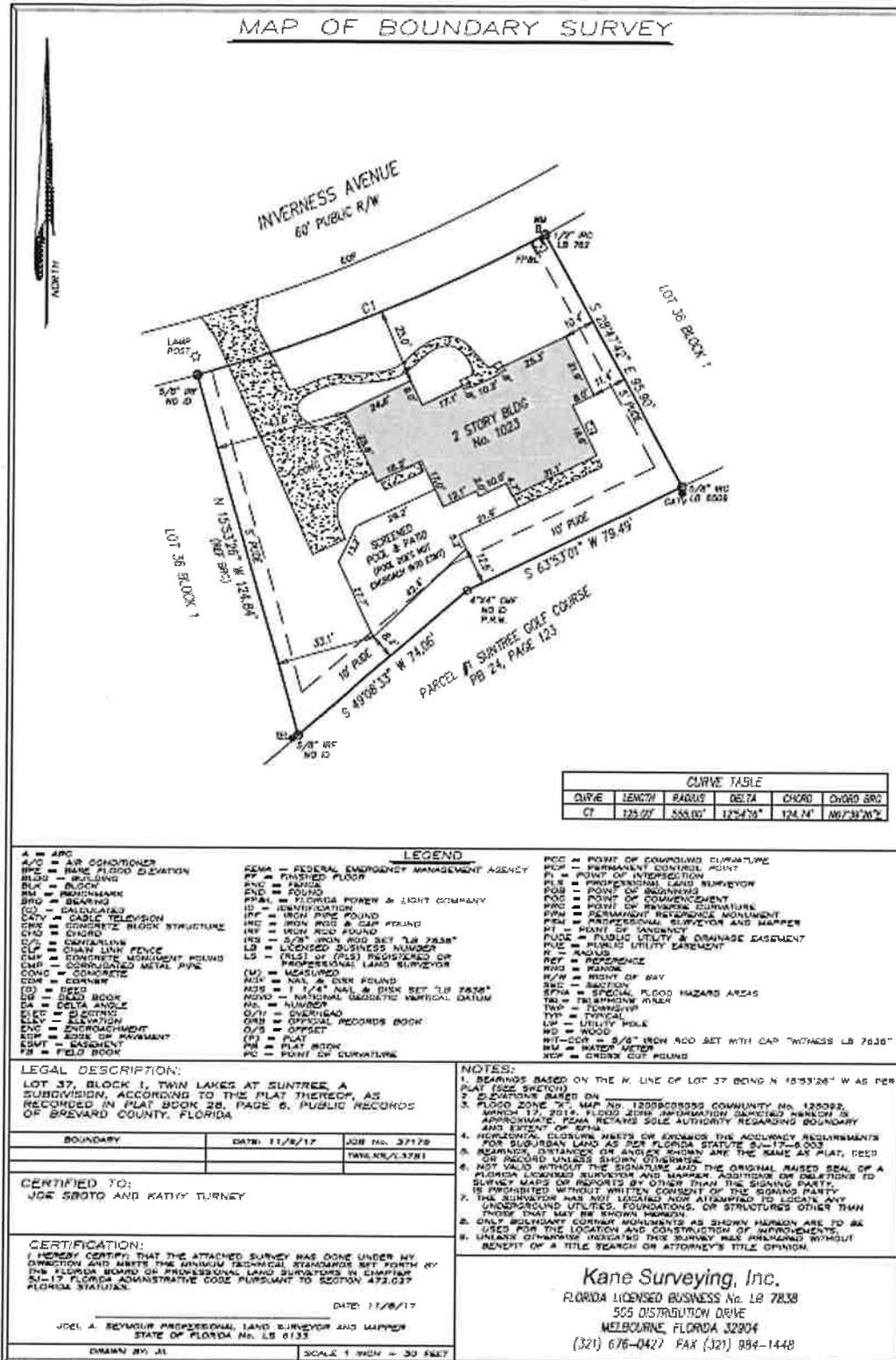


Fig. 9: Copy of the boundary survey of lot 37, Block 1, Twin Lakes at Suntree.

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION

SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST
 PARCEL ID# 26-36-14-05-1-37

NOT A SURVEY

EXHIBIT A
 SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
 ON SHEET 2 OF 2

PURPOSE OF SKETCH:
 VACATE A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT.

LEGAL DESCRIPTION:

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 37, BLOCK 1, TWIN LAKES AT SUNTREE, A SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 37, BLOCK 1; THENCE N 49°08'33" E ALONG THE SOUTH LINE OF SAID LOT 37 A DISTANCE OF 37.72 FEET; THENCE N 26°04'53" W 8.11 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE N 26°04'53" W 2.23 FEET TO THE NORTH LINE OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE N 49°08'33" E ALONG SAID NORTH LINE 35.00 FEET; THENCE S 26°04'53" E 2.23 FEET; THENCE S 49°08'33" W 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 75 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE WEST LINE OF LOT 37 BLOCK 1 BEING N 15°53'26" W.
2. THIS IS NOT A SURVEY.
3. THIS SKETCH AND DESCRIPTION CONTAINS TWO SHEETS, EACH SHEET IS NOT FULL OR COMPLETE WITHOUT THE OTHER.
4. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER WHICH CAN BE FOUND ON SHEET 1 OF 2.

LEGEND:
 BLDG = BUILDING
 BRG = BEARING
 CONC = CONCRETE
 EOP = EDGE OF PAVEMENT
 ESMT = EASEMENT
 FP&L = FLORIDA POWER & LIGHT COMPANY
 No. = NUMBER
 P.B. = PLAT BOOK
 P.C. = POINT OF CURVATURE
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 PUDE = PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT
 REF = REFERENCE
 R/W = RIGHT OF WAY
 (TYP) = TYPICAL

PREPARED FOR: JOE SBOTO AND KATHY TURNEY
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PROJECT NO. 37176 DRAWN BY: JED

CERTIFICATION
 I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION WAS DONE UNDER MY DIRECTION AND MEETS THE STANDARDS AND PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61-17 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

[Signature]

DATE: 3/12/19

JOEL A. SEYMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER
 FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS
 FLORIDA No. LS 6133

Kane Surveying, Inc.
 FLORIDA LICENSED BUSINESS No. LB 7838
 505 DISTRIBUTION DRIVE
 MELBOURNE, FLORIDA 32904
 (321) 678-0427 FAX (321) 984-1448

Fig. 10: Copy of legal description sheet 1 of 2 for lot 37, Block 1, Twin Lakes at Suntree.

Petitioner's Sketch & Description Sheet 2 of 2

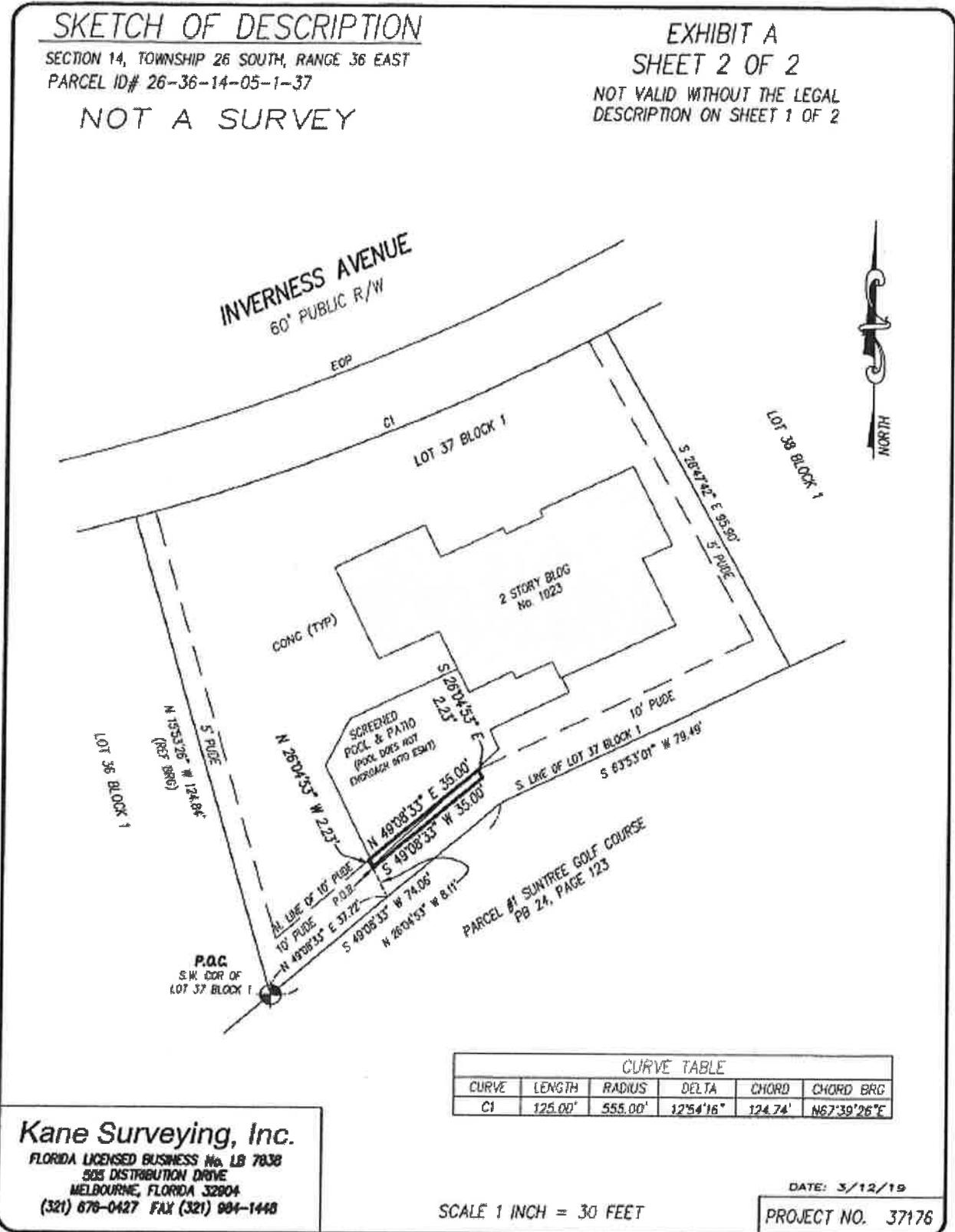


Fig. 11: Copy of sketch sheet 2 of 2 of lot 37, Block 1, Twin Lakes at Suntree.

Public Hearing Legal Advertisement

Florida Today | Notice Public Hearing

AD#3543989, 5/6/2019 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF THE 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "TWIN LAKES AT SUNTREE" IN SECTION 14, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, 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 JOSEPH J. SBOTO with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 37, BLOCK 1, TWIN LAKES AT SUNTREE, A SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 37, BLOCK 1; THENCE N 49°08'33" E ALONG THE SOUTH LINE OF SAID LOT 37 A DISTANCE OF 37.72 FEET; THENCE N 26°04'53" W 8.11 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE N 26°04'53" W 2.23 FEET TO THE NORTH LINE OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE N 49°08'33" E ALONG SAID NORTH LINE 35.00 FEET; THENCE S 26°04'53" E 2.23 FEET; THENCE S 49°08'33" W 35.00 FEET TO THE POINT OF BEGINNING. CONTAINING 75 SQUARE FEET MORE OR LESS. PREPARED BY: JOEL A. SEYMOUR, PSM 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 May 21, 2019 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.

Fig. 13: Copy of public hearing advertisement as published on May 06, 2019 see next page for full text.