



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

May 30, 2017

Kevin A. Josephson
2102 Lionel Drive
Melbourne, FL 32940

Dear Mr. Josephson:

Re: Resolution Vacating a Part of a Public Drainage Easement on Lionel Drive, Six Mile Creek Subdivision, Phase III, Melbourne

The Board of County Commissioners, in regular session on May 9, 2017, adopted Resolution No. 17-086, vacating a part of a public drainage easement on Lionel Drive, Six Mile Creek Subdivision, Phase III, Melbourne, as petitioned by you. Said Resolution has been recorded in ORBK 7895, Pages 2797 through 2801. 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

Encl. (1)

cc: Marc Cazessus, Public Works



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May 30, 2017

M E M O R A N D U M

TO: Andrew Holmes, Interim Public Works Director Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating a Part of a Public Drainage Easement on Lionel Drive, Six Mile Creek Subdivision, Phase III, Melbourne

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-086, vacating a part of a public drainage easement on Lionel Drive, Six Mile Creek Subdivision, Phase III, Melbourne, as petitioned by Kevin Josephson. Said Resolution was adopted and approved by the Board of County Commissioners in regular session on May 9, 2017.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encls. (2)

**PARTIAL VACATING OF A PUBLIC DRAINAGE EASEMENT IN "SIX MILE CREEK
SUBDIVISION PHASE III", MELBOURNE, FLORIDA, LYING IN SECTION 03, TOWNSHIP 26
SOUTH, RANGE 36 EAST**

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

SEE ATTACHED SKETCH & DESCRIPTION

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

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

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

THEREFORE BE IT RESOLVED that said portion of the public drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. 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 09th day of May, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


CURT SMITH, CHAIRMAN

As approved by the Board on:
May 09, 2017

LEGAL DESCRIPTION

SHEET 1 OF 2

LYING IN SECTION 3, TOWNSHIP 26 SOUTH, RANGE 36 EAST.

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID #s: 26-36-03-0Y-1-2

PURPOSE OF SKETCH AND DESCRIPTION: VACATE 5.00 FT. OF A DRAINAGE EASEMENT.

LEGAL DESCRIPTION

DESCRIPTION AS FOLLOWS: THE SOUTH 5.00 FEET OF A PLATTED DRAINAGE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; THE NORTH 5.00 FEET OF THE SOUTH 105.00 FEET OF LOT 2, BLOCK 1, LESS AND EXCEPT THE EAST 1 FOOT THEREOF; SIX MILE CREEK SUBDIVISION, PHASE III, AS RECORDED IN PLAT BOOK 37, PAGES 40 & 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 7.50 FEET OF SAID DRAINAGE EASEMENT.

CONTAINING 0.008 ACRES 352.5 SQ FT +/-

SURVEYOR'S NOTES

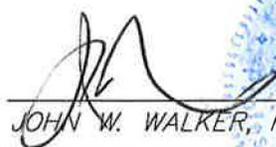
- STANDARDS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052 FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472-025, FLORIDA STATUTES.
- UNLESS SIGNED AND EMBOSSED WITH SURVEYOR'S SEAL, THIS SKETCH AND DESCRIPTION IS NOT VALID.
- THIS SKETCH AND DESCRIPTION WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR EASEMENTS THAT AFFECT THIS PROPERTY.
- THIS SKETCH AND DESCRIPTION IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
- ELEVATIONS, IF SHOWN, ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, UNLESS OTHERWISE NOTED.
- ADDITIONS OR DELETIONS TO THIS SURVEY IS PROHIBITED WITHOUT CONSENT FROM SIGNING SURVEYOR.
- THIS SKETCH IS NOT A BOUNDARY SURVEY.
- THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A SURVEY PREPARED BY WALKER LAND SURVEYING, INC. DATED 8-01-07

LEGEND

P.T. =POINT OF TANGENCY	P =PLAT	P.O.L.=POINT ON LINE	P.O.C. =POINT OF COMMENCEMENT
D =DESCRIPTION	F =FIELD	TYP. =TYPICAL	C/C =COVERED CONCRETE
B.B. =BASE BEARING (SEE #8)	I.P. =IRON PIPE	R/W =RIGHT-OF-WAY	N&D =NAIL & DISC
A/C =AIR CONDITIONER	I.R. =IRON ROD	RAD. =RADIAL	ESMT. =EASEMENT
R =RADIUS	C.M. =CONCRETE MONUMENT	N.R. =NON-RADIAL	DRAIN. =DRAINAGE
L =ARC LENGTH	SET I.R. =5/8" I.R. W/#LB 6710	W.P. =WITNESS POINT	UTIL. =UTILITY
CH =CHORD	REC. =RECOVERED	WD. =WOOD	C.L.F. =CHAIN LINK FENCE
CB =CHORD BEARING	P.O.B. =POINT OF BEGINNING	S/W =SIDEWALK	C/B =CONCRETE BLOCK
CONC. =CONCRETE	COV'D =COV'D	D.H. =DRILLHOLE	P.C. =POINT OF CURVATURE
D.E. =DRAINAGE EASEMENT		P.U. & D.E. =PUBLIC UTILITY & DRAINAGE EASEMENT	

PREPARED FOR:

KEVIN JOSEPHSON


 JOHN W. WALKER, R.L.S. NO 5362
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: WALKER LAND SURVEYING, INC. LICENSED BUSINESS No. 6710
 ADDRESS: 4175 S. U.S. 1, ROCKLEDGE, FL. 32955
 PHONE: 321-537-3974

DRAWN BY: <u>ZAD</u> DATE: <u>APRIL 3rd 2017</u>	CHECKED BY: <u>JW</u> SHEET <u>1</u> OF <u>2</u>	DRAWINGS No. <u>44178A</u> REVISIONS <u>2</u>	SECTION <u>03</u> TOWNSHIP <u>26</u> SOUTH RANGE <u>36</u> EAST
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BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared Kim Curro who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Legal Notices

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

04/21/17

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 21th of April 2017, by Kim Curro who is personally known to me

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

Publication Cost: \$223.68
Ad No: 0002083971
Customer No: BRE-6BR327



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



AD# 2083971 Apr. 21, 2017
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF A PUBLIC DRAINAGE EASEMENT, PLAT OF "SIX MILE CREEK SUBDIVISION PHASE III" IN SECTION 03, 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 KEVIN A. JOSEPHSON 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 6:00 p.m. on May 09, 2017 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"

DESCRIPTION AS FOLLOWS: THE SOUTH 5.00 FEET OF A PLATTED DRAINAGE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 5.00 FEET OF THE SOUTH 105.00 FEET OF LOT 2, BLOCK 1, LESS AND EXCEPT THE EAST 1 FOOT THEREOF, SIX MILE CREEK SUBDIVISION, PHASE III, AS RECORDED IN PLAT BOOK 37, PAGES 40 & 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; LESS AND EXCEPT THE WEST 7.50 FEET OF SAID DRAINAGE EASEMENT, CONTAINING 0.008 ACRES 352.5 SQ. FT +/-, PREPARED BY: JOHN W. WALKER, RLS

AD# 2083971 Apr. 21, 2017
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A Daily Publication By:



BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared Kim Curro, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

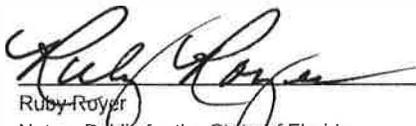
Legal Notices

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

05/18/17

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 18th of May 2017, by Kim Curro who is personally known to me


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

Publication Cost: \$75.36
Ad No: 0002144270
Customer No: BRE-6BR327



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

AD# 2144270 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF PUBLIC DRAINAGE EASEMENT ON LIONEL ROAD, IN SIX MILE CREEK SUBDIVISION PHASE III, MELBOURNE - KEVIN A. JOSEPHSON

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 9th day of May, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution of partial vacating of public drainage easement on Lionel Road, in Six Mile Creek Subdivision Phase III, Melbourne, as petitioned by Kevin A. Josephson.
SEE ATTACHED EXHIBIT "A"

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

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

AD# 2144270 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF PUBLIC DRAINAGE EASEMENT ON LIONEL ROAD, IN SIX MILE CREEK SUBDIVISION PHASE III, MELBOURNE - KEVIN A. JOSEPHSON

TO WHOM IT MAY CONCERN:

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





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.: 0002144270
Pymt Method: Invoice
Net Amt: \$75.36

Run Times: 1

No. of Affidavits: 1

Run Dates: 05/18/17

Text of Ad:

AD# 2144270 5/18/2017
LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF
PUBLIC DRAINAGE EASEMENT ON LIO-
NEL ROAD, IN SIX MILE CREEK SUBDIVI-
SION PHASE III, MELBOURNE - KEVIN A.
JOSEPHSON

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Subdivision Phase III, Melbourne, as peti-
tioned by Kevin A. Josephson.
SEE ATTACHED EXHIBIT "A"

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

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

LEGAL NOTICE

RESOLUTION OF PARTIAL VACATING OF PUBLIC DRAINAGE EASEMENT ON LIONEL ROAD, IN SIX MILE CREEK SUBDIVISION PHASE III, MELBOURNE – KEVIN A. JOSEPHSON

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

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

Florida TODAY: Please advertise in the May 18, 2017, issue of the *Florida TODAY*.

BILL THE PUBLIC WORKS DEPARTMENT OF BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ACCOUNT NO. 6BR327 AND PURCHASE ORDER NO. 4500092228-10, AND FORWARD INVOICE AND PROOF OF PUBLICATION TO:

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

LEGAL DESCRIPTION:

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