



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.3.

5/19/2020

Subject:

Petition to Vacate, Re: Public Utility Easements - 3341 Biscayne Drive - "Sunset Groves Unit Two" Plat Book 41, Page 34 - Merritt Island - Kevin Zari and Serenella Ciranni Zari - District 2

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility easement centered along the common line between Lots 2 and 3, Block D, "Sunset Groves Unit Two" in Section 10, Township 24 South, Range 36 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation 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 petitioners own Lots 2 and 3, Block D and are requesting the vacating of the 7.50 ft. wide public utility easements centered along the common line between the lots to remove the single-family home from encroaching into the easements. Easements to be vacated contains 2,684 square feet, more or less. The property is located in Merritt Island North of Highway 528 and West of North Courtenay Pkwy.

May 04, 2020, 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.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

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.



June 4, 2020

Kevin Zari and Serenella Ciranni Zari
3341 Biscayne Drive
Merritt Island, FL 32953

Dear Mr. and Mrs. Zari:

Re: Resolution Vacating Part of Two Public Utility Easements in Sunset Groves Unit Two Subdivision, Merritt Island

The Board of County Commissioners, in regular session on May 19, 2020, adopted Resolution No. 20-053, vacating part of two public utility easements in Sunset Groves Unit Two Subdivision, Merritt Island, lying in Section 10, Township 24 South, Range 36 East, as petitioned by you. Said Resolution has been recorded in ORBK 8755, Pages 1861 through 1865. Enclosed is a certified copy of the recorded Resolution and easement for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for: Donna Scott
Kimberly Powell, Deputy Clerk

/sm

Encl. (1)

cc: Amber Holley, Public Works



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

Telephone: (321) 637-2001

Fax: (321) 264-6972

Kimberly.Powell@brevardclerk.us

June 4, 2020

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 Part of Two Public Utility Easements in Sunset Groves Unit Two Subdivision, Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 20-053, vacating part of two public utility easements in Sunset Groves Unit Two Subdivision, Merritt Island, lying in Section 10, Township 24 South, Range 36 East, as petitioned by Kevin Zari and Serenella Ciranni Zari. Said Resolution was adopted by the Board of County Commissioners, in regular session on May 19, 2020.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Donna Scott
for: Kimberly Powell, Deputy Clerk

/sm

Encls. (2)

Resolution 2020 - 053

**Vacating a part of two public utility easements in "Sunset Groves Unit Two" Subdivision, Merritt
Island, Florida, lying in Section 10, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **KEVIN ZARI
AND SERENELLA CIRANNI ZARI** with the Board of County Commissioners to vacate a portion of two public utility
easements 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 two public utility easements will not be detrimental to
Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of two public utility easements 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 _____th day of May, 2020 A.D.

original lost in
the mail.
SMcDaniel

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

SCOTT ELLIS, CLERK

Bryan Andrew Lober
Bryan Lober, Chair

STATE OF FLORIDA
COUNTY OF BREVARD
This is to certify that the foregoing
is a true and current copy of Resolution
2020-053 witness my hand
and official seal this 21 day of
July 2020
SCOTT ELLIS, Clerk of Circuit Court
BY SMcDaniel D.C.

As approved by the Board on:
May 19, 2020

LEGAL DESCRIPTION

(NOT A SURVEY)

SECTION 10, TOWNSHIP 24 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA

PURPOSE OF SKETCH AND DESCRIPTION:

TO VACATE TWO, 7.5' WIDE UTILITY EASEMENTS.

LEGAL DESCRIPTION:

THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY LINE OF LOT 2 AND THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK D, LESS THE WEST 23 FEET WIDE EASEMENT FOR SIDEWALKS, PUBLIC INGRESS/EGRESS, DRAINAGE AND PUBLIC UTILITIES, AND LESS THE EAST 38.5 FEET DRAINAGE EASEMENT.

LOT 2 & LOT 3 BLOCK D OF SUNSET GROVES UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41 AT PAGE 34 & 35 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

CONTAINING 2684 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 1) THE BEARING BASE FOR THIS SURVEY IS A PLATTED BEARING OF N89°27'01"E ALONG THE SOUTHERN RIGHT OF WAY OF DUVAL STREET, ALL OTHER BEARINGS ARE RELATIVE THERETO.
- 2) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
- 3) THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND FOUNDATIONS, ENCROACHMENTS, OR ANY IMPROVEMENTS EXCEPT AS SHOWN.
- 4) THIS SKETCH IS NOT A BOUNDARY SURVEY.
- 5) THE INFORMATION WAS PROVIDED BY THE CLIENT.
- 6) IMPROVEMENTS SHOWN HEREON ARE BASED ON THE SURVEY PREPARED BY CAMPBELL SURVEYING, ENGINEERING & PLANNING, PROJECT NO. 2018-237, DATED 06/30/2018.
- 7) UPON A SITE VISIT DATED 03/20/2020, NO NEW IMPROVEMENTS WERE OBSERVED BASED ON THE BOUNDARY SURVEY PERFORMED BY CAMPBELL; SURVEY DATED: 06-30-2018 PROJECT* 2018-237, OTHER THAN THOSE SHOWN.

IF PRESENT, THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DAVID C SHERMAN P.S.M. ON 03/20/2020



PROJECT ADDRESS:
3341 BISCAYNE DR
MERRITT ISLAND FL 32953
PARCEL ID: 24-36-10-07-D-2
DATE: 03/20/2020

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREPARED FOR:
KEVIN J ZARI
SERENELLA CIRANNI

Total Control Surveys, LLC
LAND SURVEYING AND MAPPING

PROJECT* SKETCH_24-36-10-07-D-2
SHEET: 1 OF 2
NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

TOTAL CONTROL SURVEYS, LLC
555 FILLMORE AVE APT 508
CAPE CANAVERAL, FLORIDA 32920-3180
PROFESSIONAL SURVEYOR & MAPPER
LICENSED BUSINESS L.B. #8263
EMAIL: INFO@TOTAL-CONTROL-SURVEYS.COM
PHONE: (860) 712-7776

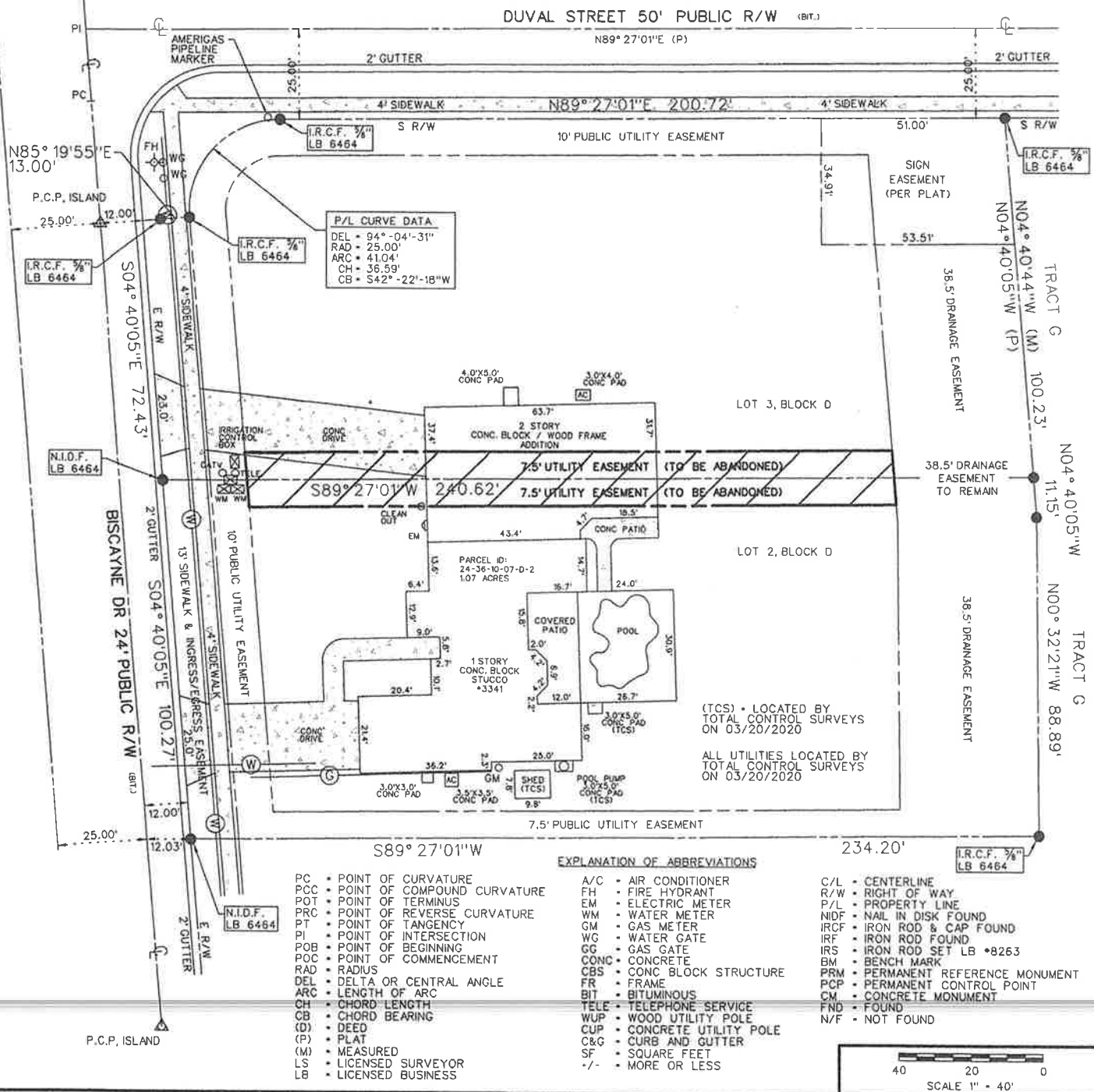
THE UNDERSIGNED, AS REPRESENTATIVE OF TOTAL CONTROL SURVEYS, LLC LB8263, HEREBY CERTIFIES THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DAVID C. SHERMAN REGISTERED LAND SURVEYOR LS#7182

MARCH 20, 2020
DATE

SKETCH OF DESCRIPTION (NOT A SURVEY)

SECTION 10, TOWNSHIP 24 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA



PC • POINT OF CURVATURE
PCC • POINT OF COMPOUND CURVATURE
POT • POINT OF TERMINUS
PRC • POINT OF REVERSE CURVATURE
PT • POINT OF TANGENCY
PI • POINT OF INTERSECTION
POB • POINT OF BEGINNING
POC • POINT OF COMMENCEMENT
RAD • RADIUS
DEL • DELTA OR CENTRAL ANGLE
ARC • LENGTH OF ARC
CH • CHORD LENGTH
CB • CHORD BEARING
(D) • DEED
(P) • PLAT
(M) • MEASURED
LS • LICENSED SURVEYOR
LB • LICENSED BUSINESS

EXPLANATION OF ABBREVIATIONS

A/C • AIR CONDITIONER
FH • FIRE HYDRANT
EM • ELECTRIC METER
WM • WATER METER
GM • GAS METER
WG • GAS GATE
GG • GAS GATE
CONC • CONCRETE
CBS • CONC BLOCK STRUCTURE
FR • FRAME
BIT • BITUMINOUS
TELE • TELEPHONE SERVICE
WUP • WOOD UTILITY POLE
CUP • CONCRETE UTILITY POLE
C&G • CURB AND GUTTER
SF • SQUARE FEET
-/• • MORE OR LESS

C/L • CENTERLINE
R/W • RIGHT OF WAY
P/L • PROPERTY LINE
NIDF • NAIL IN DISK FOUND
IRCF • IRON ROD & CAP FOUND
IRF • IRON ROD FOUND
IRS • IRON ROD SET LB #8263
BM • BENCH MARK
PRM • PERMANENT REFERENCE MONUMENT
PCP • PERMANENT CONTROL POINT
CM • CONCRETE MONUMENT
FND • FOUND
N/F • NOT FOUND

PROJECT ADDRESS:
3341 BISCAYNE DR
MERRITT ISLAND FL 32953
PARCEL ID: 24-36-10-07-D-2
DATE: 03/20/2020

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREPARED FOR:
KEVIN J ZARI
SERENELLA CIRANNI ZARI

PLOTTED BY: D.S.
CHECKED BY: D.S.
PROJECT: SKETCH 24-36-10-07-D-2
FLOOD ZONE X - 12009C0340G
SHEET: 2 OF 2
NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2

TOTAL CONTROL SURVEYS, LLC
555 FILLMORE AVE APT 508
CAPE CANAVERAL, FLORIDA 32920-3180
PROFESSIONAL SURVEYOR & MAPPER
LICENSED BUSINESS L.B. #8263
EMAIL: INFO@TOTAL-CONTROL-SURVEYS.COM
PHONE: (860) 712-7776

Total Control Surveys, LLC
LAND SURVEYING AND MAPPING

<ul style="list-style-type: none"> ○ MH □ CB △ PCP ○ WUP 	<ul style="list-style-type: none"> ○ N/F ● IRS ● FND □ FND ○ WUP 	<ul style="list-style-type: none"> ○ W - WATER ○ TV - CATV ○ E - ELEC ○ G - GAS ○ WUP W/L 	<ul style="list-style-type: none"> ○ RET WALL ○ BOX WIRE FENCE ○ BOARD FENCE ○ CHAIN LINK FENCE ○ VINYL FENCE 	<ul style="list-style-type: none"> ○ BLOCK WALL ○ STREET LINE ○ SAN SEWER ○ PROPERTY LINE ○ EASEMENT LINE
--	---	--	--	--

A Daily Publication By:



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

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared Joe Heynen 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 OF PUBLIC HEARING

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

5/4/2020

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 corporation 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 4th of May 2020, by Joe Heynen who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost \$217.40
Ad No: 0004171251
Customer No: BRE-6BR327

AD44171251, May 4, 2020
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 7.5 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "SUNSET GROVES UNIT 2" IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERITT ISLAND, FL. NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by KEVIN ZARI & SERENELLA CIRARINI ZARI with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY LINE OF LOT 2 AND THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK D, LESS THE WEST 23 FEET WIDE EASEMENT FOR SIDEWALKS, PUBLIC INGRESS/EGRESS, DRAINAGE AND PUBLIC UTILITIES, AND LESS THE EAST 38.5 FEET DRAINAGE EASEMENT, LOT 2 & LOT 3 BLOCK D OF SUNSET GROVES UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41 AT PAGE 34 & 35 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2684 SQUARE FEET, MORE OR LESS. PREPARED BY: DAVID C. SHERMAN, PSA.

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 19, 2020 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.



A Daily Publication By:



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

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared Joe Heynen 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:

5/26/2020

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 corporation 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 26th of May 2020, by Joe Heynen who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost \$174.32
Ad No: 0004205415
Customer No: BRE-6BR327

ADR4205415, 5/26/2020
LEGAL NOTICE
RESOLUTION VACATING A PART OF
TWO PUBLIC UTILITY EASEMENTS IN
"SUNSET GROVES UNIT TWO"
SUBDIVISION, MERRITT ISLAND, LYING
IN SECTION 10, TOWNSHIP 24 SOUTH,
RANGE 36 EAST AS PETITIONED BY
KEVIN ZARI AND SERENELLA CIRANNI
ZARI

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 19th day of May 2020, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of two public utility easements in "Sunset Groves Unit Two" Subdivision, Merritt Island, lying in Section 10, Township 24 South, Range 36 East, as petitioned by Kevin Zari and Serenella Ciranni Zari.

THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY LINE OF LOT 2 AND THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK D, LESS THE WEST 23 FEET WIDE EASEMENT FOR SIDEWALKS, PUBLIC INGRESS/EGRESS, DRAINAGE AND PUBLIC UTILITIES, AND LESS THE EAST 38.5 FEET DRAINAGE EASEMENT, LOT 2 & LOT 3 BLOCK D OF SUNSET GROVES UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41 AT PAGE 34 & 35 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 2684 SQUARE FEET, MORE OR LESS, PREPARED BY: DAVID C. SHERMAN, PSM

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

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



Brevard County Property Appraiser Detail Sheet

Account 2443364
 Owners Zari, Kevin J; Zari, Serenella Ciranni
 Mailing Address 3341 Biscayne Dr Merritt Island FL 32953
 Site Address 3341 Biscayne Dr Merritt Island FL 32953
 Parcel ID 24-36-10-07-D-2
 Property Use 0110 - Single Family Residence
 Exemptions HEX1 - Homestead First
 HEX2 - Homestead Additional
 Taxing District 2200 - Unincorp District 2
 Total Acres 1.07
 Subdivision Sunset Groves Unit 2
 Site Code 0802 - Two Lots
 Plat Book/Page 0041/0034
 Land Description Sunset Groves Unit 2 Lots 2 & 3 Blk D

VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$465,070	\$462,630	\$415,310
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$304,850	\$299,170	\$293,020
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	\$254,850	\$249,170	\$243,020
Taxable Value School	\$279,850	\$274,170	\$268,020

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
03/02/2005	--	QC	Improved	5429/7832
03/02/2005	--	QC	Improved	5429/7831
09/30/1997	\$34,100	WD	Vacant	3708/4357

Fig. 1: Copy of Property Appraiser's detail sheet for lots 2, 3, Block D, Sunset Groves Unit 2, 3341 Biscayne Dr, Merritt Island, FL 32953, Section 10, Township 24 South, Range 36 East, District 2

Vicinity Map

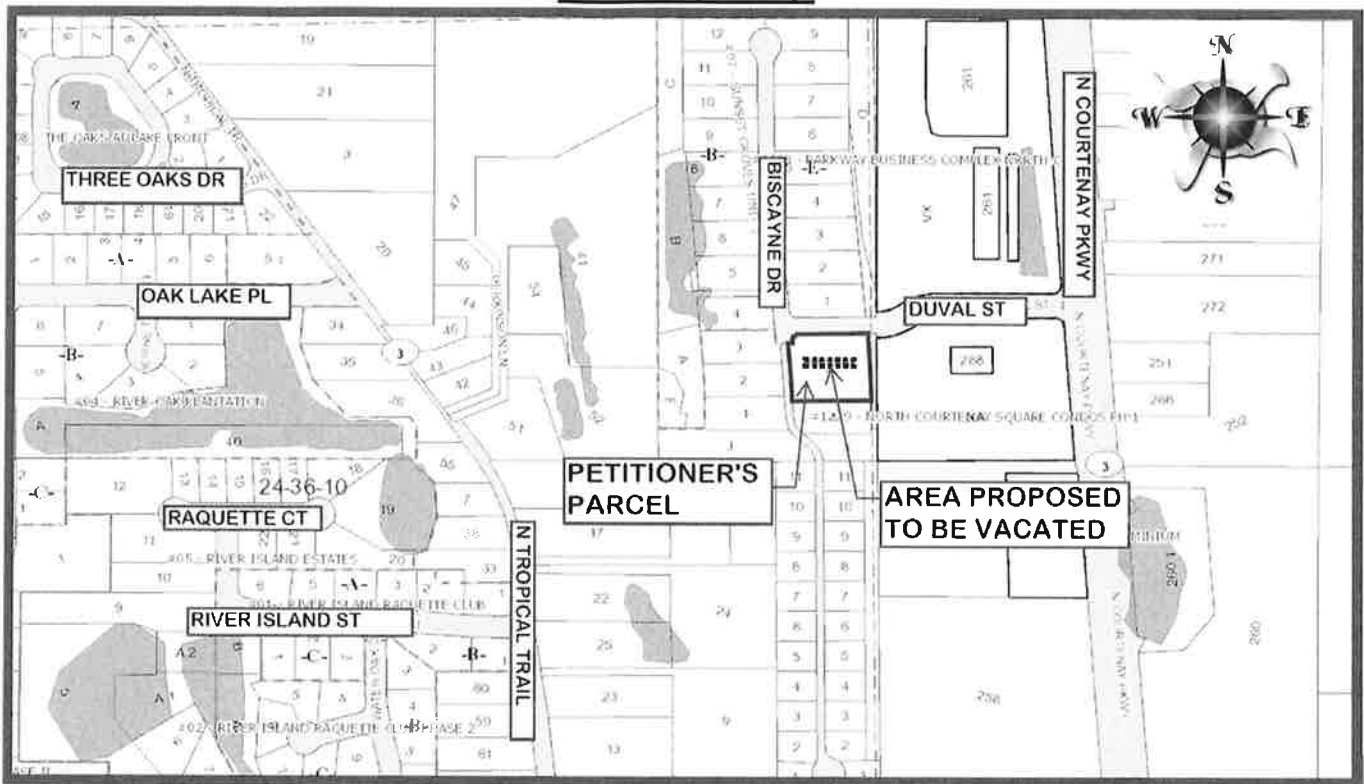


Fig. 2: Map of Lots 2 & 3, Block D, Sunset Groves Unit Two, 3341 Biscayne Dr, Merritt Island, FL 32953

Kevin Zari & Serenella Ciranna Zari – Lots 2 & 3, Block D, “Sunset Groves Unit Two” (Plat Book 41, Page 34) – 3341 Biscayne Drive – Section 10, Township 24 South, Range 36 East – District 2 – Proposed Vacating of two 7.5 ft. Wide Public Utility Easements centered along the Common Lot Lines

Aerial Map



Fig. 3: Map of aerial view of Lots 2 & 3, Block D, Sunset Groves Unit Two, 3341 Biscayne Dr, Merritt Island, FL 32953

Kevin Zari & Serenella Ciranna Zari – Lots 2 & 3, Block D, “Sunset Groves Unit Two” (Plat Book 41, Page 34) – 3341 Biscayne Drive – Section 10, Township 24 South, Range 36 East – District 2 – Proposed Vacating of two 7.5 ft. Wide Public Utility Easements centered along the Common Lot Lines

Plat Reference

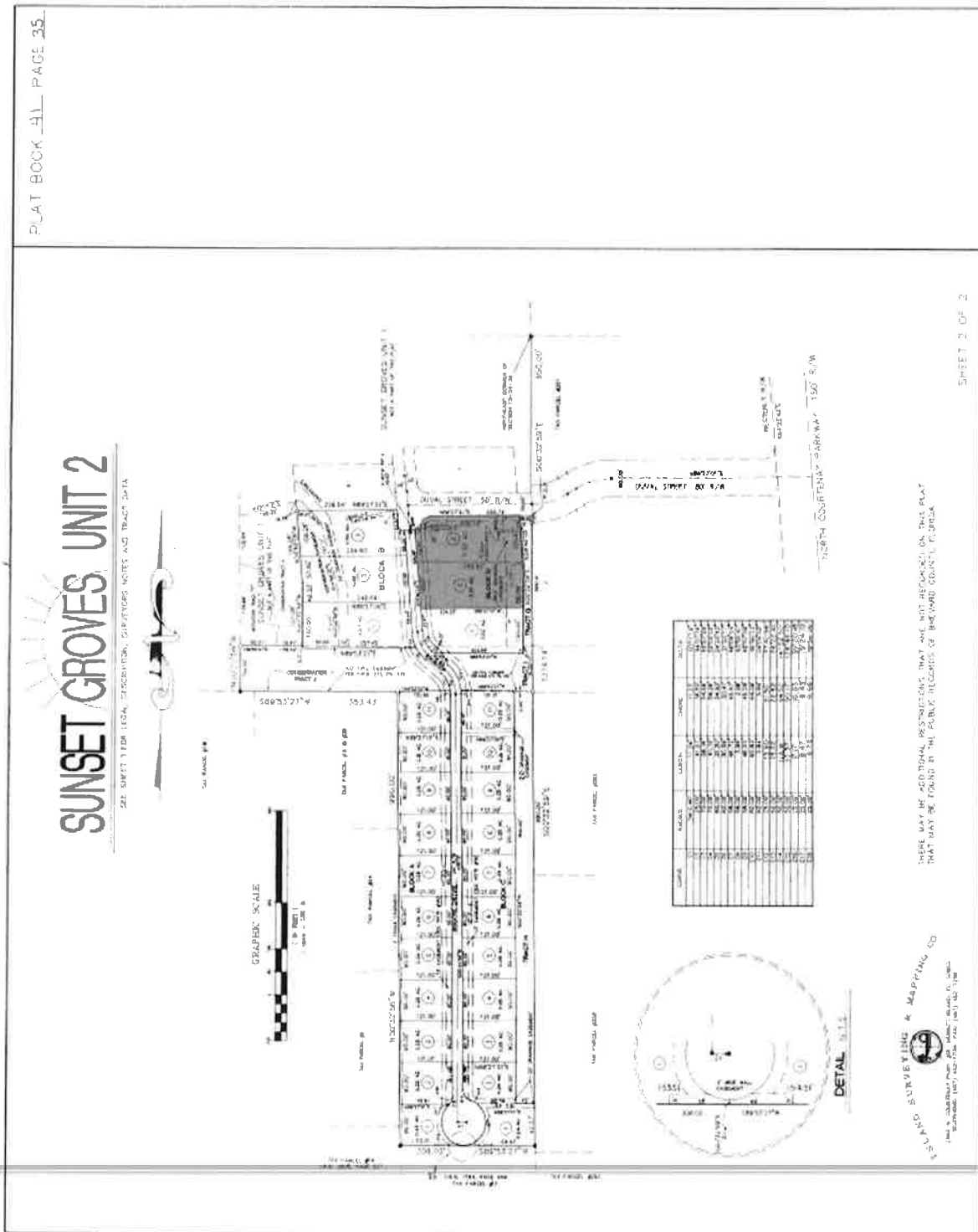


Fig. 4: Copy of plat map "Sunset Groves Unit Two" dedicated to Brevard County February 13, 1995

Petitioner's Sketch & Description Sheet 1 of 2



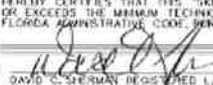
<h2 style="margin: 0;">LEGAL DESCRIPTION</h2> <p style="margin: 0;">(NOT A SURVEY)</p> <p style="margin: 0;">SECTION 10, TOWNSHIP 24 SOUTH, RANGE 36 EAST BREVARD COUNTY, FLORIDA</p>		
<p><u>PURPOSE OF SKETCH AND DESCRIPTION:</u></p> <p>TO VACATE TWO, 7.5' WIDE UTILITY EASEMENTS.</p>		
<p><u>LEGAL DESCRIPTION:</u></p> <p>THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY LINE OF LOT 2 AND THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK D, LESS THE WEST 23 FEET WIDE EASEMENT FOR SIDEWALKS, PUBLIC INGRESS/EGRESS, DRAINAGE AND PUBLIC UTILITIES, AND LESS THE EAST 38.5 FEET DRAINAGE EASEMENT.</p> <p>LOT 2 & LOT 3 BLOCK D OF SUNSET GROVES UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41 AT PAGE 34 & 35 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.</p> <p>CONTAINING 2684 SQUARE FEET, MORE OR LESS.</p>		
<p><u>SURVEYOR'S NOTES:</u></p> <ol style="list-style-type: none"> 1) THE BEARING BASE FOR THIS SURVEY IS A PLATTED BEARING OF N89°27'01"E ALONG THE SOUTHERN RIGHT OF WAY OF DUVAL STREET, ALL OTHER BEARINGS ARE RELATIVE THERETO. 2) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED. 3) THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND FOUNDATIONS, ENCROACHMENTS, OR ANY IMPROVEMENTS EXCEPT AS SHOWN. 4) THIS SKETCH IS NOT A BOUNDARY SURVEY. 5) THE INFORMATION WAS PROVIDED BY THE CLIENT. 6) IMPROVEMENTS SHOWN HEREON ARE BASED ON THE SURVEY PREPARED BY CAMPBELL SURVEYING, ENGINEERING & PLANNING, PROJECT NO. 2018-237, DATED 06/30/2018. 7) UPON A SITE VISIT DATED 03/20/2020, NO NEW IMPROVEMENTS WERE OBSERVED BASED ON THE BOUNDARY SURVEY PERFORMED BY CAMPBELL SURVEY DATED: 06-30-2018 PROJECT# 2018-237, OTHER THAN THOSE SHOWN. 		
<p style="font-size: small;">IF PRESENT, THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DAVID C. SHERMAN P.S.M. ON 03/20/2020</p> <div style="border: 1px solid black; border-radius: 50%; width: 150px; height: 150px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">  </div> <p style="text-align: center; font-weight: bold;">EMBOSSSED SEAL</p>		
<p><u>PROJECT ADDRESS:</u></p> <p>3341 BISCAYNE DR MERRITT ISLAND FL 32953</p> <p><u>PARCEL ID:</u> 24-38-10-07-D-2</p> <p><u>DATE:</u> 03/20/2020</p>	<p><u>SKETCH TO ACCOMPANY LEGAL DESCRIPTION</u></p> <p><u>PREPARED FOR:</u></p> <p>KEVIN J ZARI SERENELLA CRANN</p>	<div style="text-align: center;">  <p style="margin: 0;">Total Control Surveys, LLC</p> <p style="margin: 0; font-size: small;">LAND SURVEYING AND MAPPING</p> </div> <p style="font-size: x-small;">THE UNDERSIGNED, AS REPRESENTATIVE OF TOTAL CONTROL SURVEYS, LLC, HEREBY CERTIFIES THAT THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY CHAPTER 54-10, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  <p style="font-size: x-small;">DAVID C. SHERMAN REGISTERED LAND SURVEYOR - LS#7182</p> </div> <div style="text-align: right;"> <p style="font-size: x-small;">MARCH 20, 2020</p> <p style="font-size: x-small;">DATE</p> </div> </div>
<p><u>PROJECT#</u> SKETCH 24-38-10-07-D-2</p> <p><u>SHEET:</u> 1 OF 2</p> <p><u>NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2</u></p>	<p style="font-size: x-small;">TOTAL CONTROL SURVEYS, LLC 505 FILLMORE AVE. APT 508 CAPE CANAVERAL, FLORIDA 32920-3180 PROFESSIONAL SURVEYOR & MAPPER LICENSED BUSINESS #11-15265 EMAIL: INFO@TOTAL-CONTROL-SURVEYS.COM PHONE: (888) 712-7776</p>	

Fig. 5: Sheet 1 of 2. Legal description for 7.50 foot easements on lots 2 and 3, Block D, Sunset Groves Unit Two.

Petitioner's Sketch & Description Sheet 2 of 2

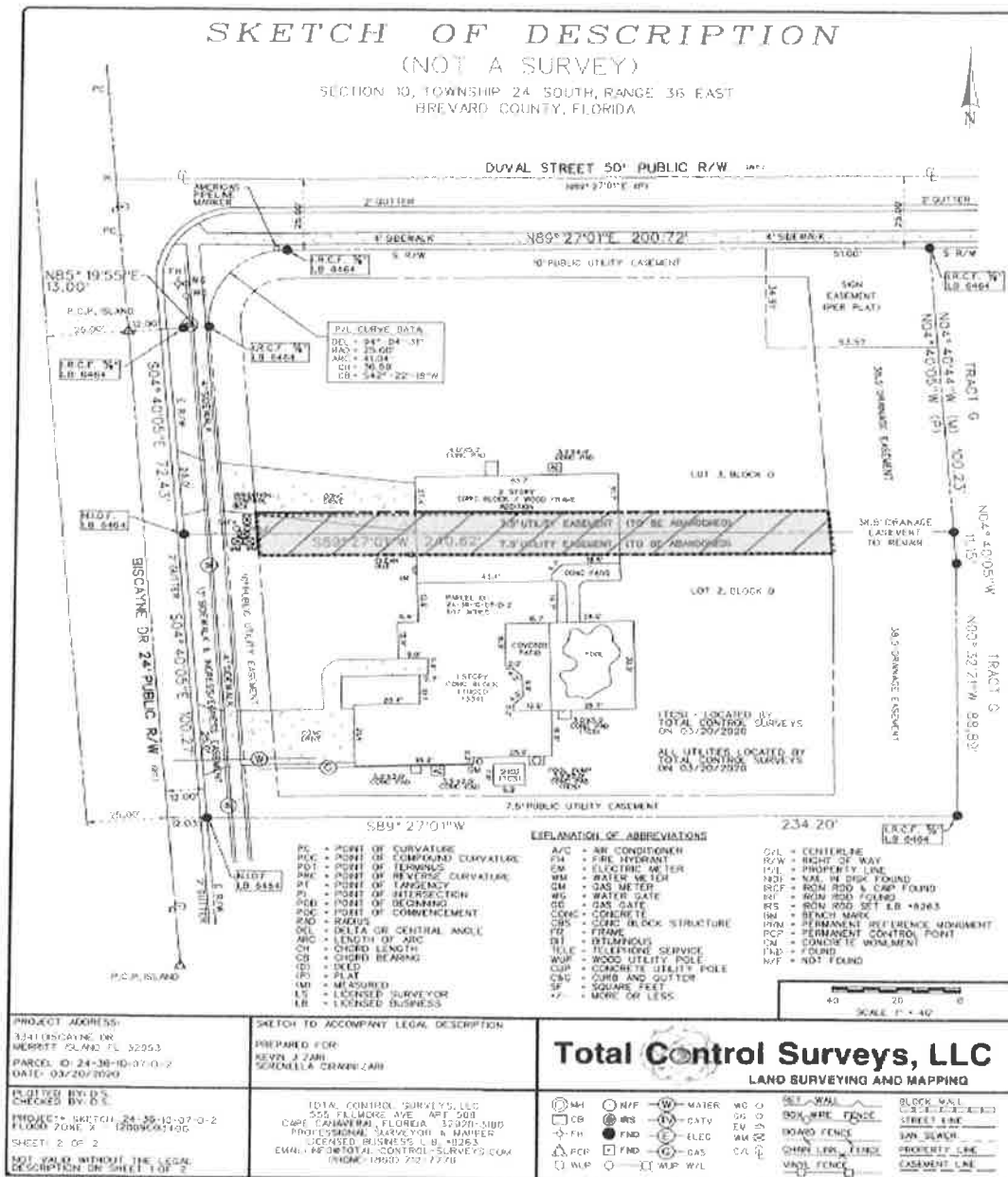


Fig. 6: Sheet 2 of 2. Not valid without legal description on sheet 1 of 2. Sketch illustrates 2 lots (2 and 3) that reside on Biscayne Drive, Merritt Island, Florida. Lot 2 is on the South side while Lot 3 is on the North side.

A 7.5-foot public utility lies along the southerly line of lot 3 and a 7.5-foot public easement lies along the northerly line of lot 2. Lots 2 and 3 have a single-family home, storage shed, pool and concrete driveways. The coordinates of the area depicted is as follows moving North to East clockwise. North boundary – North 89°27'01" East 200.72', East boundary – North 04°40'44" West 189.12', South boundary – South 89°27'01" West 234.20', West boundary – South 04°40'05" East 172.70'. Project Sketch_24-36-10-07-D-2. Survey date: 3/20/20.

Comment Sheet

Applicant: Kevin & Serenella Zari

Updated by: Amber Holley 20200407 at 16:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20200407	20200408	Yes	No objections
FL Power & Light	20200407	20200407	Yes	No objections
At&t	20200407	20200408	Yes	No objections
Charter/Spectrum	20200407	20200420	Yes	No objections
City of Cocoa	20200407	20200407	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20200407	20200420	Yes	No objections
Land Planning	20200407	20200407	Yes	No objections
Utility Services	20200407	20200408	Yes	No objections
Storm Water	20200407	20200407	Yes	No objections
Zoning	20200407	20200408	Yes	No objections

Fig. 7: Copy of comment sheet for utility review.

Public Hearing Legal Advertisement

AD#4171251, May 4, 2020

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 7.5 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "SUNSET GROVES UNIT 2" IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **KEVIN ZARI & SERENELLA CIRANNI ZARI** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY LINE OF LOT 2 AND THE

7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK D, LESS THE WEST 23 FEET WIDE EASEMENT FOR SIDEWALKS, PUBLIC INGRESS/EGRESS, DRAINAGE AND PUBLIC UTILITIES, AND LESS THE EAST 38.5 FEET DRAINAGE EASEMENT. LOT 2 & LOT 3 BLOCK D OF SUNSET GROVES UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41 AT PAGE 34 & 35 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 2684 SQUARE FEET, MORE OR LESS. PREPARED BY: DAVID C. SHERMAN, 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 19, 2020** 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. 8: Copy of public hearing advertisement as published on May 04, 2020 see next page for full text.

Legal Notice Text

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 04, 2020** 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

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