

Meeting Date
March 15, 2016



AGENDA	
Section	PUBLIC HEARING
Item No.	IV.C

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: 60.0 ft. Wide Unnamed and Unopened Right-of-Way – Northwest Corner of S.R. 520 and I-95 – East Florida Motor Sales, Inc. – Cocoa, FL – District 1 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating a 60.00 ft. wide unnamed and unopened public right-of-way at the northwest corner of S. R. 520 and I-95 in Cocoa, Florida in Section 26, Township 24 South, Range 35 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & Background:

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

The petitioner as one of the owners of the adjoining properties is requesting the vacating of the 60.00 ft. wide, unnamed and unopened public right-of-way. East Florida Motor Sales, Inc. desires to use the vacated parcel to improve parcel access as part of the ongoing site development. The right-of-way to be vacated contains 0.41 acres or 18,000 square feet, more or less.

February 15, 2016, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating. Note: National Retail Properties, Inc. was co-petitioner at time of legal hearing advertisement but is no longer a co-petitioner.

All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received. The property is located in Cocoa as follows: Begin at the intersection of State Road 520 and Interstate 95; thence 0.75 miles south along S. R. 513; thence 0.18 miles west along State Road No. 520 to the right-of-way on the north (east).

Fiscal Impact: The petitioner was charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265-3699000, revenue account for vacatings. This action is in keeping with the County's efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year's budget.

Name: Marc.Cazessus@brevardcounty.us Phone: Ext. 57315

Exhibits Attached: Resolution, Appraisers detail sheet, vicinity map, aerial map, plat (if applicable), petitioner's deed, boundary survey (if available), boundary survey (right-of-way vacating) or sketch and description (easement Vacating), comment summary sheet and legal notice of public hearing advertisement.

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

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



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

March 30, 2016

Robert Beals, Esq.
1590 Pineapple Avenue
Melbourne, FL 32953

Dear Mr. Beals:

Re: Resolution Vacating an Unimproved 60.00 Ft. Public Right-of-Way at the Northwest Corner of State Road 520 and Interstate 95, in Section 26, Township 24 South, Range 35 East, Cocoa

The Board of County Commissioners, in regular session on March 1, 2016, adopted Resolution No. 16-033, vacating an unimproved 60.00 ft. public right-of-way at the northwest corner of State Road 520 and Interstate 95, in Section 26, Township 24 South, Range 35 East, Cocoa, as petitioned by East Florida Motor Sales, Inc. and National Retail Properties, Inc. Said Resolution has been recorded in ORBK 7578, Pages 1894 through 1898. 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, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, 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

March 30, 2016

MEMORANDUM

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

RE: Advertising Bills and Receipt for Resolution Vacating an Unimproved 60.00 Ft. Public Right-of-Way at the Northwest Corner of State Road 520 and Interstate 95, in Section 26, Township 24 South, Range 35 East, Cocoa

Enclosed for your necessary action are copies of the advertising bills and receipt of recordation for Resolution No. 16-033, vacating an unimproved 60.00 ft. public right-of-way at the northwest corner of State Road 520 and Interstate 95, in Section 26, Township 24 South, Range 35 East, Cocoa – (Robert Beals, Esq.) East Florida Motor Sales, Inc. and National Retail Properties, Inc. Said Resolution was adopted by the Board of County Commissioners, in regular session on March 15, 2016.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



CFN 2016056487, OR BK 7578 PAGE 1894.
Recorded 03/29/2016 at 08:45 AM, Scott Ellis, Clerk of Courts,
Brevard County
Page 5

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

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

Legal Notices

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

02/15/16

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 15th of February 2016, by Kim Curro who is personally known to me

Adia Bell
Notary Public for the State of Florida
My Commission expires January 27, 2020

Publication Cost: \$279.10
Ad No: 0001051645
Customer No: BRE-6BR327



Adia Bell
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF954893
Expires 1/27/2020

AD#1051645 2/15/2016
LEGAL NOTICE
NOTICE TO VACATE AN UNIMPROVED 60.00 FT. PUBLIC RIGHT-OF-WAY AT THE NORTHWEST CORNER OF STATE ROAD NO. 520 AND INTERSTATE - 95, COCOA, FLORIDA, IN SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST

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 EAST FLORIDA MOTOR SALES, INC. and NATIONAL RETAIL PROPERTIES, INC. 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 right-of-way at 9:00 a.m. on March 15, 2016 at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

**EXHIBIT "A"
LEGAL DESCRIPTION:**

FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, AT A POINT WHICH IS 660.03 FEET, AS MEASURED ON A BEARING OF NORTH 89°58'30" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF SAID STATE ROAD NO. 520, FROM THE EAST LINE OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, FROM SAID POINT OF BEGINNING, RUN NORTH 00°24'29" EAST, A DISTANCE OF 300 FEET TO A POINT; THENCE RUN NORTH 89°58'30" WEST, A DISTANCE OF 60 FEET TO A POINT; THENCE RUN SOUTH 00°24'29" WEST, A DISTANCE OF 300 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520; THENCE RUN SOUTH 89°58'30" EAST, ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING; SAID PROPERTY BEING LOCATED IN THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA.

PREPARED BY: ROBERT M. PACKARD, PSM

RECEIVED

FEB 25 2016

Board of County Commissioners



RESOLUTION 2016 - 033

**VACATING A 60.00 FT. WIDE, UNNAMED AND UNOPENED PUBLIC RIGHT-OF-WAY AT
THE NORTHWEST CORNER OF STATE ROAD NO. 520 AND INTERSTATE 95, COCOA,
FLORIDA, LYING IN SECTION, 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **EAST FLORIDA MOTOR SALES, INC.** with the Board of County Commissioners to vacate a 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.

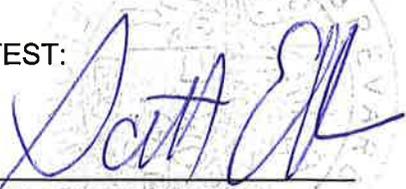
WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

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

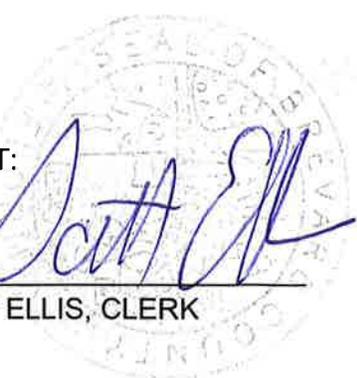
THEREFORE BE IT RESOLVED that said public right-of-way is hereby vacated; and Brevard County renounces and disclaims any rights in and to said right-of-way. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in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

DONE, ORDERED AND ADOPTED, in regular session, this 15th day of March, 2016 A.D.

ATTEST:



SCOTT ELLIS, CLERK



BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



JIM BARFIELD, CHAIRMAN

As approved by the Board on:
March 15, 2016

LEGAL DESCRIPTION

SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST
PETITIONER'S PARCEL # 24-35-26-00-00514.0-0000.00
RIGHT OF WAY (O.R. 692, PAGE 793)

EXHIBIT "A"

SHEET 1 OF 2
NOT VALID WITHOUT SHEET 2 OF 2

PURPOSE: VACATE RIGHT OF WAY

LEGAL DESCRIPTION:

DESCRIPTION (O.R. 692, PAGE 793):

FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, AT A POINT WHICH IS 660.03 FEET, AS MEASURED ON A BEARING OF NORTH 89°58'30" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF SAID STATE ROAD NO. 520, FROM THE EAST LINE OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, FROM SAID POINT OF BEGINNING, RUN NORTH 00°24'29" EAST, A DISTANCE OF 300 FEET TO A POINT; THENCE RUN NORTH 89°58'30" WEST, A DISTANCE OF 60 FEET TO A POINT; THENCE RUN SOUTH 00°24'29" WEST, A DISTANCE OF 300 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520; THENCE RUN SOUTH 89°58'30" EAST, ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING; SAID PROPERTY BEING LOCATED IN THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA.

SURVEYOR'S NOTES:

BEARING STRUCTURE - REFERENCED TO THAT DEED RECORDED IN O.R. 692, PAGE 793, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. SPECIFICALLY, THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520 = A BEARING OF S89°58'30"W.

OBSERVATION / CLARIFICATION - IT WAS DETERMINED THAT MULTIPLE AND CONFLICTING FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAPS EXIST FOR STATE ROAD NO. 520. FOR PURPOSES OF THIS DOCUMENT, THE DEPICTED SOUTH LINE OF O.R. 692, PAGE 793 IS THAT NORTH RIGHT OF WAY LINE DEFINED BY THE MOST CURRENT FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAPS, SECTION #70100-2575 / F.P. #237474-1 / W.P.I. #5110401, DATED DECEMBER 14, 2000.

FIELD SURVEY - NOVEMBER 3, 2015

PARCEL AREA - 0.425 ACRES

UN-NAMED RIGHT OF WAY - NOT OPEN TO VEHICULAR TRAFFIC

UNDERGROUND IMPROVEMENTS - IF ANY, WERE NOT LOCATED AS PART OF THIS SURVEY

ABBREVIATIONS -

O.R. = OFFICIAL RECORDS	ID = IDENTIFICATION
FND = FOUND	CM = CONCRETE MONUMENT
IR = IRON ROD	R/W = RIGHT OF WAY
TYP = TYPICAL	
FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION	



ROBERT M. PACKARD, PSM
SURVEYOR & MAPPER, PSM NO. #3867
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: **BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

PREPARED BY: **R.M. PACKARD & ASSOC., INC.**
ADDRESS: 197 BOUGAINVILLEA DRIVE / SUITE D
ROCKLEDGE, FLORIDA 32955
PHONE: (321) 632-6335 / LB #6649



DRAWN BY: RMP

CHECKED BY: _____

DRAWING NO. A-06-109

DATE: 11/3/15

SHEET 1 OF 2

REVISIONS 2/9/16

A Daily Publication By:



BOARD OF COUNTY COMMISSIONERS
2725 JUDGE FRAN JAMIESON WAY
MELBOURNE 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:

03/18/16

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 18th of March 2016, by Kim Curro who is personally known to me

Adia Bell
Notary Public for the State of Florida
My Commission expires January 27, 2020

Publication Cost: \$238.94
Ad No: 0001129213
Customer No: BRE-BOA060



Adia Bell
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF954893
Expires 1/27/2020

AD#1129213 3/18/2016

LEGAL NOTICE
RESOLUTION VACATING AN UNIMPROVED 60.00 FT. PUBLIC RIGHT-OF-WAY AT THE NORTHWEST CORNER OF STATE ROAD 520 AND INTERSTATE 95, IN SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, COCOA - EAST FLORIDA MOTOR SALES, INC. AND NATIONAL RETAIL PROPERTIES, INC.

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 15th day of March, 2016, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating an unimproved 60.00 ft. public right-of-way at the northwest corner of State Road 520 and Interstate 95, in Section 26, Township 24 South, Range 35 East, Cocoa, as petitioned by East Florida Motor Sales, Inc. and National Retail Properties, Inc.

SEE ATTACHED EXHIBIT "A"

LEGAL DESCRIPTION:

FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, AT A POINT WHICH IS 660.03 FEET, AS MEASURED ON A BEARING OF NORTH 89°58'30" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF SAID STATE ROAD NO. 520, FROM THE EAST LINE OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, FROM SAID POINT OF BEGINNING, RUN NORTH 00°24'29" EAST, A DISTANCE OF 300 FEET TO A POINT; THENCE RUN NORTH 89°58'30" WEST, A DISTANCE OF 60 FEET TO A POINT; THENCE RUN SOUTH 00°24'29" WEST, A DISTANCE OF 300 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520; THENCE RUN SOUTH 89°58'30" EAST, ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING; SAID PROPERTY BEING LOCATED IN THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA.

PREPARED BY: ROBERT M. PACKARD, PSM

PREPARED BY: MYRON E. BAKER, PSM

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

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



BrevardClerk.US

Scott Ellis, Clerk of Court

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

DBLIVE Transaction
#: 1678312
Receipt #: 61646186
Cashier Date: 3/29/2016
8:45:47 AM



Print Date:
3/29/2016 8:45:50 AM

Customer Information	Transaction Information	Payment Summary
(3175) SURVEY SECTION BREVARD CO BCGC BLDG A ZIP 81 VIERA, FL 32904 Beginning Escrow Balance: -\$1459.00	DateReceived: 3/29/2016 Source Code: Viera Q Code: Viera Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$140.50 Total Payments \$140.50

1 Payments

ESCROW	\$140.50
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3 Recorded Items

(N) NOTICE	BK/PG: 7578/1883 CFN:2016056485 Date:3/29/2016 8:45:44 AM From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	6	\$52.50
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00
(N) NOTICE	BK/PG: 7578/1889 CFN:2016056486 Date:3/29/2016 8:45:44 AM From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	5	\$44.00
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00
(N) NOTICE	BK/PG: 7578/1894 CFN:2016056487 Date:3/29/2016 8:45:44 AM From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	5	\$44.00
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00

0 Search Items**0 Miscellaneous Items**



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

Customer: BOARD OF COUNTY COMMISSIONERS
Address: 2725 JUDGE FRAN JAMIESON WAY
MELBOURNE FL 32940
USA

Ad No.: 0001129213
Pymt Method: Invoice
Net Amt: \$238.94

Run Times: 1

No. of Affidavits: 1

Run Dates: 03/18/16

Text of Ad:

AD#1129213 3/18/2016
LEGAL NOTICE
RESOLUTION VACATING AN UNIMPROVED 60.00 FT. PUBLIC RIGHT-OF-WAY AT THE NORTHWEST CORNER OF STATE ROAD 520 AND INTERSTATE 95, IN SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, COCOA EAST FLORIDA MOTOR SALES, INC. AND NATIONAL RETAIL PROPERTIES, INC.

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PREPARED BY: ROBERT M. PACKARD, PSM

PREPARED BY: MYRON E. BAKER, PSM

The Board further renounced and disclaimed any right of the County in and to said public utility and drainage 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 AN UNIMPROVED 60.00 FT. PUBLIC RIGHT-OF-WAY AT THE NORTHWEST CORNER OF STATE ROAD 520 AND INTERSTATE 95, IN SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, COCOA – EAST FLORIDA MOTOR SALES, INC. AND NATIONAL RETAIL PROPERTIES, INC.

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SEE ATTACHED EXHIBIT "A"

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

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 March 18, 2016, issue of the Florida TODAY.

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

LEGAL DESCRIPTION:

FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, AT A POINT WHICH IS 660.03 FEET, AS MEASURED ON A BEARING OF NORTH 89°58'30" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF SAID STATE ROAD NO. 520, FROM THE EAST LINE OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, FROM SAID POINT OF BEGINNING, RUN NORTH 00°24'29" EAST, A DISTANCE OF 300 FEET TO A POINT; THENCE RUN NORTH 89°58'30" WEST, A DISTANCE OF 60 FEET TO A POINT; THENCE RUN SOUTH 00°24'29" WEST, A DISTANCE OF 300 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520; THENCE RUN SOUTH 89°58'30" EAST, ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING; SAID PROPERTY BEING LOCATED IN THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA.

PREPARED BY: ROBERT M. PACKARD, PSM



New Search
Online Homestead
TRIM Notice
Map
Map + Sales
Classic Map
Bird's Eye View
Taxes
Photos
Building Drawings
Plat
Comments
Permits
Land Info
Building Info
Help

General Parcel Information

Parcel ID: 24-35-26-00-00541.0-0000.00	Millage Code: 13D0	Exemption:	Use Code: 1000
Site Address:			Tax ID: 2460013

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

Owner Information

Owner Name:	EAST FLORIDA MOTOR SALES INC
Second Name:	
Mailing Address:	1545 MERRITT ISLAND CSWY E
City, State, Zipcode:	MERRITT ISLAND, FL 32952

Abbreviated Description

Sub Name:	THAT PT OF THE E1/4 OF THE SW1/4 LYING S & W OF I-95 AS DESC IN ORB 5666 PG 4830 & 5679 PG 4014
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Value Summary

Roll Year:	2013	2014	2015
Market Value Total:¹	\$836,630	\$836,630	\$836,630
Agricultural Market Value:	\$0	\$0	\$0
Assessed Value Non-School:	\$836,630	\$836,630	\$836,630
Assessed Value School:	\$836,630	\$836,630	\$836,630
Homestead Exemption:²	\$0	\$0	\$0
Additional Homestead:²	\$0	\$0	\$0
Other Exemptions:²	\$0	\$0	\$0
Taxable Value Non-School:³	\$836,630	\$836,630	\$836,630
Taxable Value School:³	\$836,630	\$836,630	\$836,630

Land Information

Acres:	20.52
Site Code:	310
Land Value:	\$836,630

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

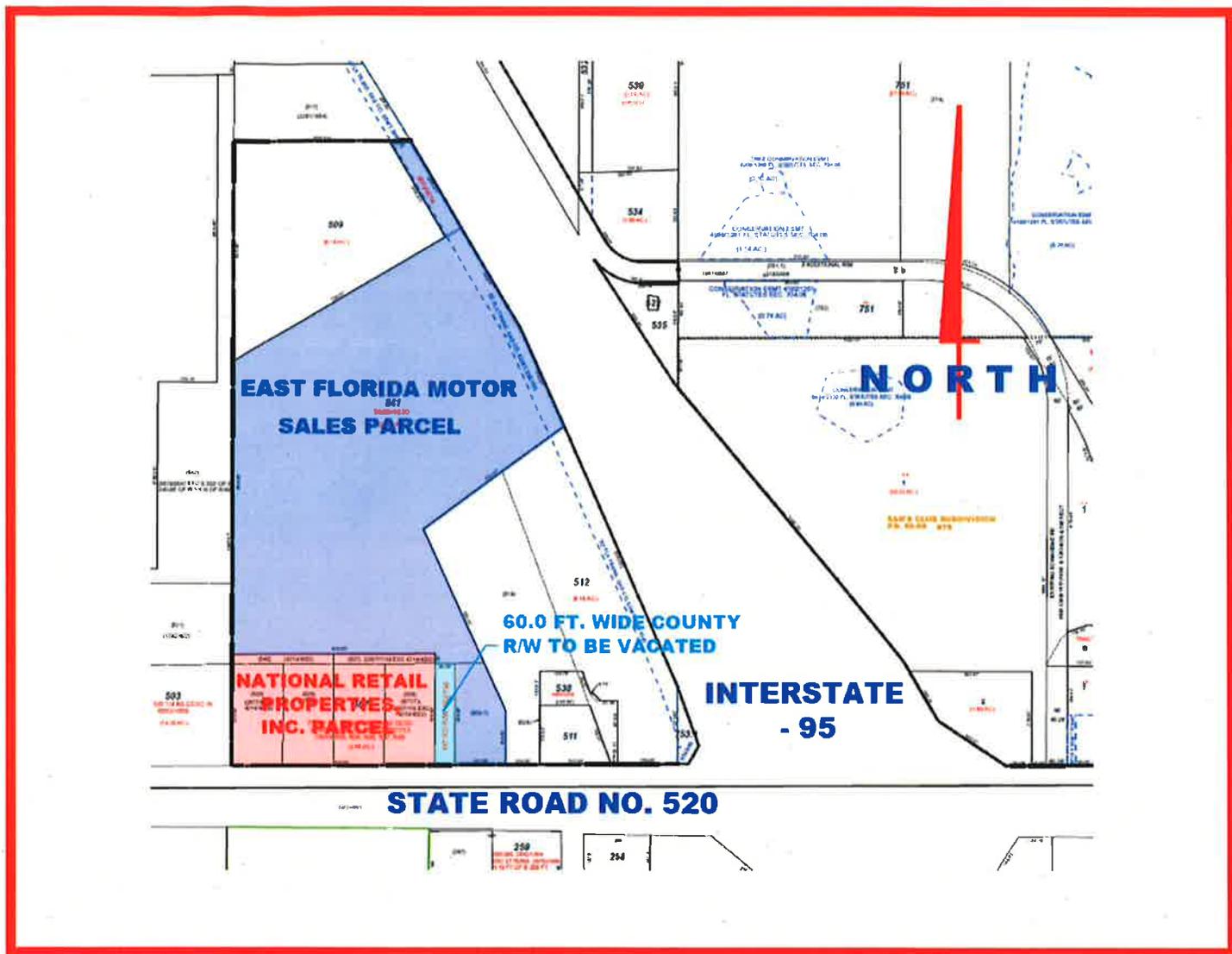
2: Exemptions are applicable for the year shown and may or may not be applicable if an owner change has occurred.

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

Sale Information

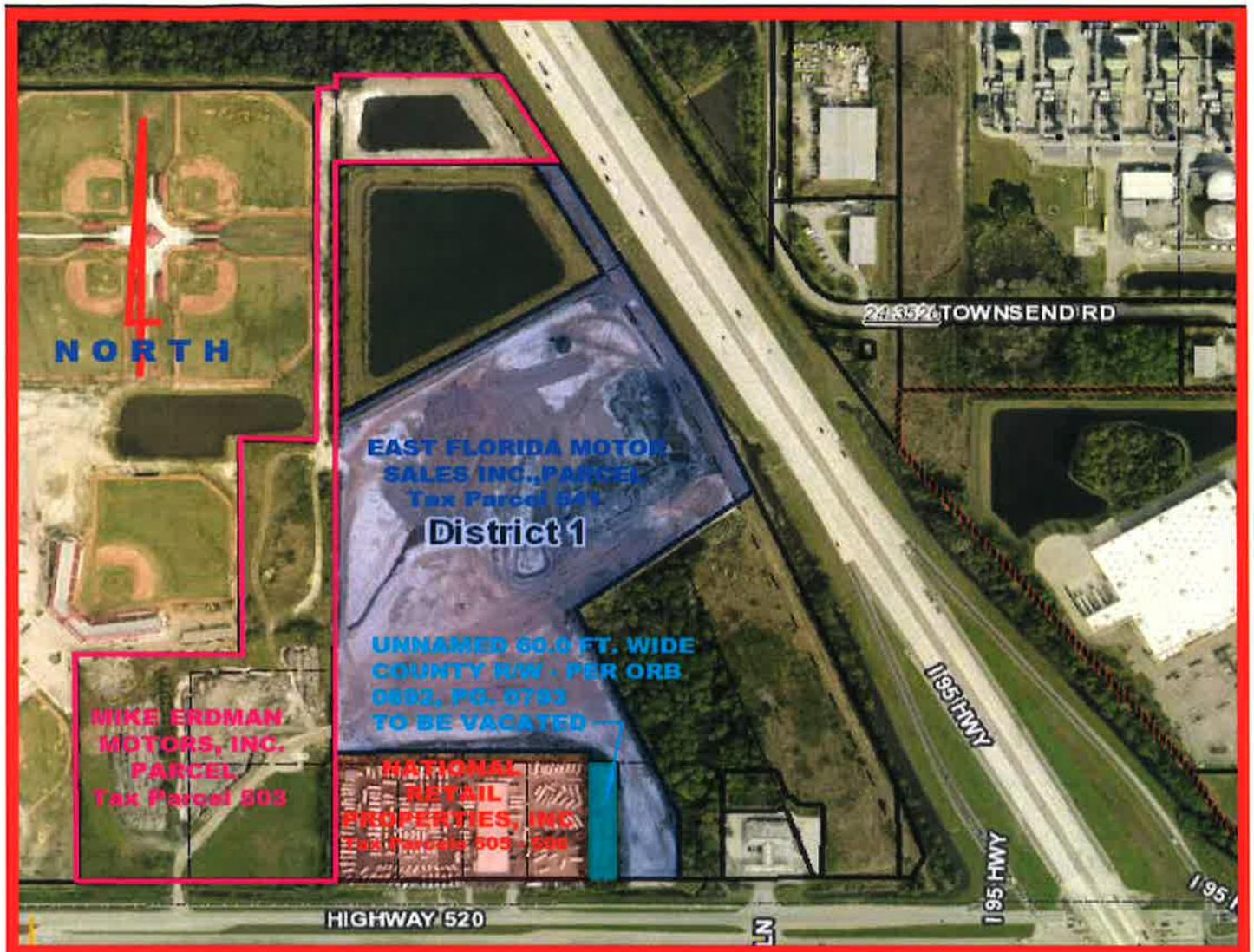
Official Records Book/Page	Sale Date	Sale Amount	Deed Type	Sale Screening Code	Sale Screening Source	Physical Change Code	Vacant/Improved
5927/1229	11/26/2008	\$100	TD				V
5679/4014	7/25/2006	\$55,000	TD	PT			V
5666/4830	6/26/2006	\$2,795,900	TD				V

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



VICINTY MAP

**East Florida Motor Sales, Inc. – Tax Parcel
541 of Section 26, Township 24 South,
Range 35 East – City of Cocoa and District 1
– Vacate Unnamed and Unopened 60.0 ft.
Wide Right-of-Way**



AERIAL MAP

**East Florida Motor Sales, Inc. – Tax Parcel
541 of Section 26, Township 24 South,
Range 35 East – City of Cocoa and District 1
– Vacate Unnamed and Unopened 60.0 ft.
Wide Right-of-Way**

304

REV 692 PAGE 793

RIGHT-OF-WAY DEED

OK
H.D.

This instrument made this the 13th day of May A. D. 1964, between
WASHINGTON ENTERPRISES, INC.

part Y of the first part, and BREVARD COUNTY of the STATE OF FLORIDA, party of the second part.
WITNESSETH That the said part Y of the first part, for and in consideration of the sum of One Dollar \$1.00 and other valuable considerations to it to be hereinafter recited, has granted, conveyed and sold, and by these presents do grant, bargain and sell to the said party of the second part, its successors and assigns, a right-of-way and easement SIXTY (60) feet wide in Section 26 Township 24 South of Range 35 East, in Brevard County, Florida, described as follows, to-wit:

For a point of beginning commence at the intersection of the north right of way line of State Road No. 520 at a point which is 660.03 feet as measured on a bearing of North 89° 58' 30" West along the north right of way line of said State Road No. 520 from the east line of the SW 1/4 of Section 26, Township 24 South, Range 35 East, from said point of beginning run north 0° 24' 29" east a distance of 300 feet to a point; thence run north 89° 58' 30" west a distance of 60 feet to a point; thence run south 0° 24' 29" west a distance of 300 feet to the north right of way line of State Road No. 520; thence run south 89° 58' 30" east along the north right of way line of State Road No. 520 a distance of 60 feet to the point of beginning, said property being located in the SE 1/4 of the SW 1/4 of Section 26, Township 24 South, Range 35 East, Brevard County, Florida.



This deed is made for the purpose of giving and granting to the party of the second part, its successors, legal representatives and assigns, a right-of-way and easement in and to said lands for public highway purposes; and is made, executed and delivered with the express understanding and condition that should the same ever be discontinued or abandoned as a public highway the title to the same shall thereupon revert to and remain in the part Y of the first part its successors or assigns.

And the said part Y of the first part do hereby fully warrant the title to said lands and will defend the same against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, the said part Y of the first part has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST Paul H. Roberts
Vice President

WASHINGTON ENTERPRISES, INC. (SEAL)
By Kenneth W. Wood
President

Signed, sealed and delivered in the presence of:
[Signature]
[Signature]



RIGHT-OF-WAY DEED

SHEET 1 OF 2

STATE OF
COUNTY OF

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME AN OFFICER DULY AUTHORIZED TO ADMINISTER OATHS (NOT TAKE ACKNOWLEDGMENTS).

to me well known and known to me to be the persons described to and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

AND I FURTHER CERTIFY that the said _____, known to me to be the wife of the said _____, as a separate and private consultation taken and made by and before me, separately and apart from her said husband, did acknowledge that she made herself a party to said deed for the purpose of releasing, relinquishing and conveying all her right, title and interest, whether of dower, homestead or of separate property, realty or personalty, in and to the lands described therein, and that she executed the said deed freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

409742

Witness my hand and official seal at
this _____ day of _____ A. D. 19____
COUNTY OF _____ and State of _____
Notary Public, State of _____
My Commission Expires _____

HILL
3.25
RA. DOC. STAMPS 30
U.S. DOC. STAMPS
TOTAL
BILL Brewer & Co.
Return to
Mrs. M. J. ...
Notary Seal

Right-of-Way Deed
TO the ...
BREVARD COUNTY
of the State of Florida
For Road Dist. H 4 J L
409742
MAY 27 1964
BREVARD COUNTY, FLA.
RECORDED

STATE OF FLORIDA
COUNTY OF BREVARD
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared KENNETH V. WOPFORD and PAUL S. ROBERTS, well known to me to be the President and Vice President respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses, freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.
WITNESS my hand and official seal in the County and State last aforesaid this 15th day of May, 1964.

James S. ...
Notary Public
My Commission expires:
Notary Public, State of Florida at Large
My Commission Expires Nov. 7, 1967

RIGHT-OF-WAY DEED
SHEET 2 OF 2

COMMENT SUMMARY

APPLICANT: East Coast Motor Sales, Inc

UPDATED/DATE: Marc Cazessus, PLS-20160209 @ 15:02

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
UTILITIES				
Florida City Gas Co.	20151216	20160104	Yes	No objections
FPL	20151216	20151216	Yes	No objections
A T & T	20151216	20160105	Yes	No objections
Florida Gas Transmission Co.	20151216	20151217	Yes	No objections
Bright House Networks	20151216	20151217	Yes	No objections
COUNTY STAFF				
Road and Bridge	20151216	20151229	Yes-Conditional	Petitioner to maintain historical drainage; Jim Wham
Traffic Engineering	20151216	20160108	Yes	No objections: Devin Swanson
Land Acquisition	20151216	20151217	Yes	No objections: Blaise Mancini
Fire and Rescue	20151216	20151229	Yes	No objection. Doug Carter
Land Planning	20151216	20151221	Yes	No objections. Rebecca Ragain
Utility Services	20151216	20151217	Yes	No objections: Tammy Hurley
NRMD/Storm Water	20151216	20151218	Yes	No objections: Harvey Wheeler
Zoning	20151216	20151217	Yes	No objections: Paul Body

COMMENT SHEET

AD#1051645

2/15/2016

LEGAL NOTICE

NOTICE TO VACATE AN UNIMPROVED 60.00 FT. PUBLIC RIGHT-OF-WAY AT THE NORTHWEST CORNER OF STATE ROAD NO. 520 AND INTERSTATE - 95, COCOA, FLORIDA IN SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST

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 EAST FLORIDA MOTOR SALES, INC. and NATIONAL RETAIL PROPERTIES, INC. 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 right-of-way at 9:00 a.m. on March 15, 2016 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 desires to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

**EXHIBIT "A"
LEGAL DESCRIPTION:**

FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, AT A POINT WHICH IS 660.03 FEET, AS MEASURED ON A BEARING OF NORTH 89°58'30" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF SAID STATE ROAD NO. 520, FROM THE EAST LINE OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, FROM SAID POINT OF BEGINNING, RUN NORTH 00°24'29" EAST, A DISTANCE OF 300 FEET TO A POINT; THENCE RUN NORTH 89°58'30" WEST, A DISTANCE OF 60 FEET TO A POINT; THENCE RUN SOUTH 00°24'29" WEST, A DISTANCE OF 300 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520; THENCE RUN SOUTH 89°58'30" EAST, ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 520, A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING; SAID PROPERTY BEING LOCATED IN THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA.

PREPARED BY: ROBERT M. PACKARD,
PSM

PUBLIC HEARING LEGAL
ADVERTISEMENT

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

Florida Today:

Please advertise in the February 15, 2016 issue of Florida TODAY.

PLEASE BILL: The Board of County Commissioners and forward bill and proof of publications to Tammy Rowe, Deputy Clerk, Titusville Courthouse, 2nd Floor, P. O. Box 999, Titusville, FL 32781-0999

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PREPARED BY: ROBERT M. PACKARD, PSM