



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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G.3.

8/8/2023

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### **Subject:**

Petition to Vacate, Re: Public Utility & Drainage Easement- 705 Casa Grande Drive - "Suntree PUD, Stage 14, Tract 10, Unit 3" Plat Book 29, Page 63 - Melbourne - Yama Graff - District 4

### **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 & drainage easement, "Suntree P.U.D. Stage 14, Tract 10, Unit 3" in Section 12, Township 26 South, Range 36 East. If approved, it is requested that the Board authorize the Chair 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 for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lot 16, Block 1, and is requesting the vacating of a portion of a 10.00 ft. wide public utility & drainage easement on Lot 16, to allow for the existing pool and screened enclosure to remain and be removed as an encroachment. The easement to be vacated contains 179.30 square feet, more or less. The property is located in Melbourne East of N. Pinehurst and North of N. Wickham Rd.

On July 24, 2023, 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.

# Brevard County Property Appraiser Detail Sheet

Account 2601895  
 Owners GRAFF, YAMA  
 Mailing Address 705 CASA GRANDE DR MELBOURNE FL 32940  
 Site Address 705 CASA GRANDE DR MELBOURNE FL 32940  
 Parcel ID 26-36-12-28-1-16  
 Property Use 0110 - SINGLE FAMILY RESIDENCE  
 Exemptions HEX1 - HOMESTEAD FIRST  
 HEX2 - HOMESTEAD ADDITIONAL  
 Taxing District 4200 - UNINCORP DISTRICT 4  
 Total Acres 0.18  
 Subdivision SUNTREE P.U.D.  
 Site Code 0142 - NBHD LAKE/RETEN FRTG  
 Plat Book/Page 0029/0063  
 Land Description SUNTREE P.U.D. STAGE FOURTEEN, TRACT TEN,  
 UNIT THREE LOT 16 BLOCK 1

## VALUE SUMMARY

Category	2022	2021	2020
Market Value	\$280,200	\$218,240	\$204,030
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$133,080	\$129,210	\$127,430
Assessed Value School	\$133,080	\$129,210	\$127,430
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$25,000
Taxable Value Non-School	\$83,080	\$79,210	\$77,430
Taxable Value School	\$108,080	\$104,210	\$102,430

## SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
05/22/2023	\$--	WD	Improved	9794/2424
01/17/2020	\$--	WD	Improved	9207/2025
07/01/1984	\$86,400	WD	Improved	2528/2032

## Vicinity Map

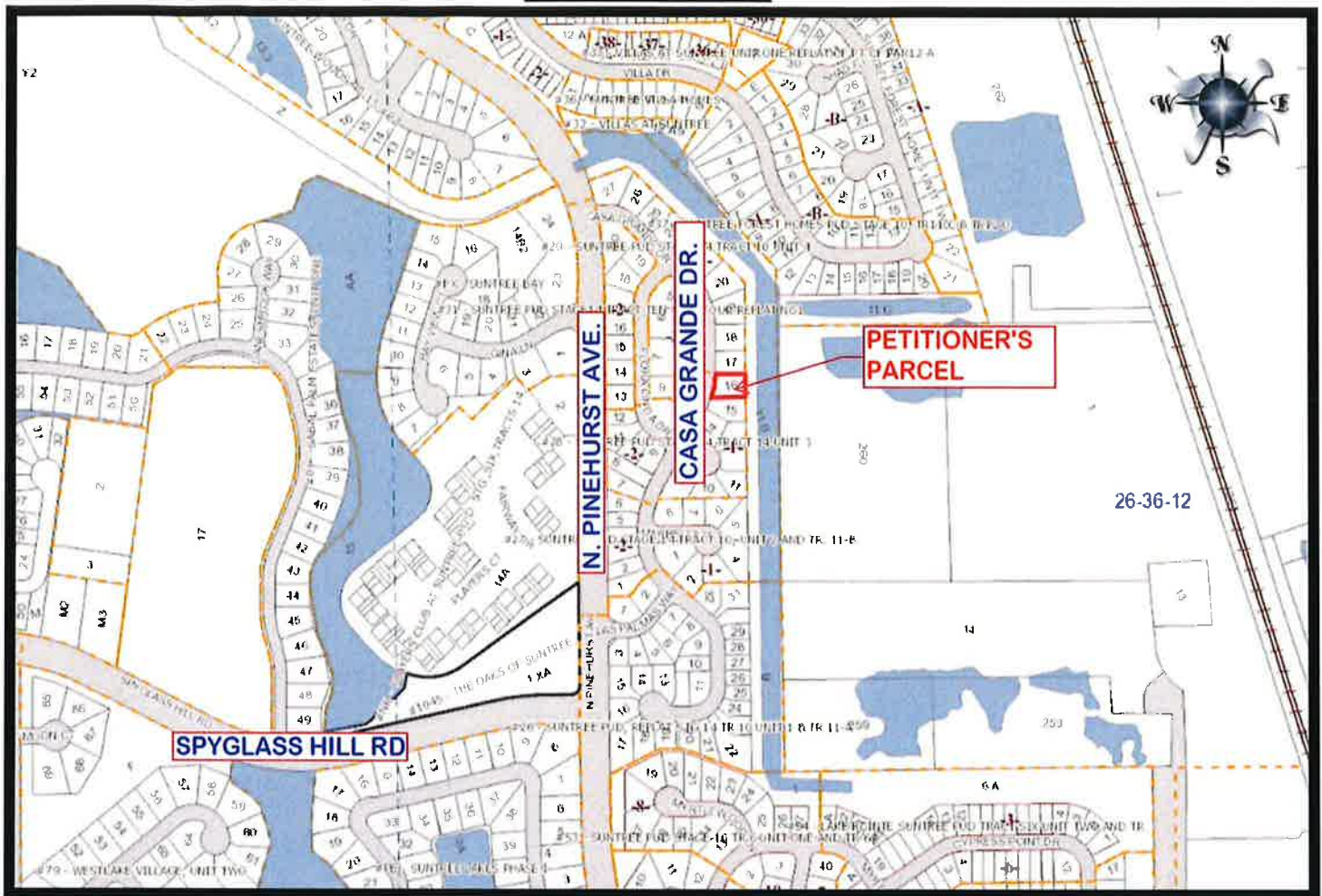


Figure 1: Map of Lot 16, Block 1, Suntree Stage 14, Tract 10, Unit 3, 705 Casa Grande Drive, Melbourne, Florida, 32940.

Yama Graff – 705 Casa Grande Drive –  
Melbourne, FL, 32940 – Lot 16, Block 1, plat  
of “Suntree P.U.D. Stage 14, Tract 10, Unit 3”  
– Plat Book 29, Page 63 – Section 12,  
Township 26 South, Range 36 East – District 4  
– Proposed Vacating of a portion of a 10.0 ft.  
Wide Public Utility & Drainage Easement



## Aerial Map



Figure 2: Aerial Map of Lot 16, Block 1, Suntree Stage 14, Tract 10, Unit 3, 705 Casa Grande Drive, Melbourne, Florida, 32940.

Yama Graff – 705 Casa Grande Drive –  
Melbourne, FL, 32940 – Lot 16, Block 1, plat  
of “Suntree P.U.D. Stage 14, Tract 10, Unit 3”  
– Plat Book 29, Page 63 – Section 12,  
Township 26 South, Range 36 East – District 4  
– Proposed Vacating of a portion of a 10.0 ft.  
Wide Public Utility & Drainage Easement





# Petitioner's Sketch & Description Sheet 1 of 3



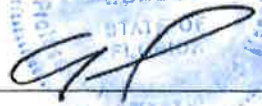
SKETCH OF DESCRIPTION									
SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST									
PARCEL ID NUMBER 26-36-12-28-1-16									
 <p>SCALE 1"=30'</p>	<p><b>NOTES:</b></p> <ol style="list-style-type: none"><li>1. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE</li><li>2. BEARING BASIS: THE NORTH LINE OF LOT 17, WHICH BEARS S88°59'23"W PER PLAT BOOK 29, PAGE 63, BREVARD COUNTY RECORDS.</li></ol> <p><b>ABBREVIATIONS:</b></p> <table><tr><td>P.O.B.</td><td>POINT OF BEGINNING</td></tr><tr><td>P.O.C.</td><td>POINT OF COMMENCEMENT</td></tr><tr><td>D.E.</td><td>DRAINAGE EASEMENT</td></tr><tr><td>PB/PG</td><td>PLAT BOOK / PAGE</td></tr></table> <p><b>LEGAL DESCRIPTION:</b></p> <p>A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING IN LOT 16, BLOCK 1, SUNTREE PLANNED UNIT DEVELOPMENT STAGE FOURTEEN, TRACT TEN, UNIT THREE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.</p> <p>MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCE AT THE NORTH EAST CORNER OF LOT 16, BLOCK 1, SUNTREE PLANNED UNIT DEVELOPMENT STAGE FOURTEEN, TRACT TEN, UNIT THREE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE ALONG THE NORTH BOUNDARY LINE OF LOT 16 S88°59'23"W, 10.00 FEET, THENCE S01°00'37"E 8.20 FEET TO THE POINT OF BEGINNING, THENCE N88°59'52"E 5.50 FEET, THENCE S01°00'08"E 32.60 FEET, THENCE S88°59'52"W 5.50 FEET, THENCE N01°00'37"W 32.60 FEET TO THE POINT OF BEGINNING.</p> <p>SITUATE AND BEING IN BREVARD COUNTY, FLORIDA AND CONTAINS 179.30 SQUARE FEET AND/OR 0.0015 ACRES, MORE OR LESS.</p>	P.O.B.	POINT OF BEGINNING	P.O.C.	POINT OF COMMENCEMENT	D.E.	DRAINAGE EASEMENT	PB/PG	PLAT BOOK / PAGE
P.O.B.	POINT OF BEGINNING								
P.O.C.	POINT OF COMMENCEMENT								
D.E.	DRAINAGE EASEMENT								
PB/PG	PLAT BOOK / PAGE								
SHEET 1 OF 2 (SKETCH OF DESCRIPTION) DRAWN BY: CC PROJECT NO.: 215690									
 <p>1547 PROSPERITY FARMS ROAD WEST PALM BEACH, FL 33403 PH: 561.508.6272 NexgenSurveying.com FAX: 561.508.6309 LB 8111</p>	<p>I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PER CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.</p> <p>CLYDE O. MCNEAL PSM 2893 THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER 1102005 STATE OF FLORIDA </p>								

Figure 4: Legal Description. Sheet 1 of 2. Section 12, Township 26 South, Range 36 East. Parcel ID number: 26-36-12-28-1-16.

# Petitioner's Sketch & Description Sheet 2 of 3

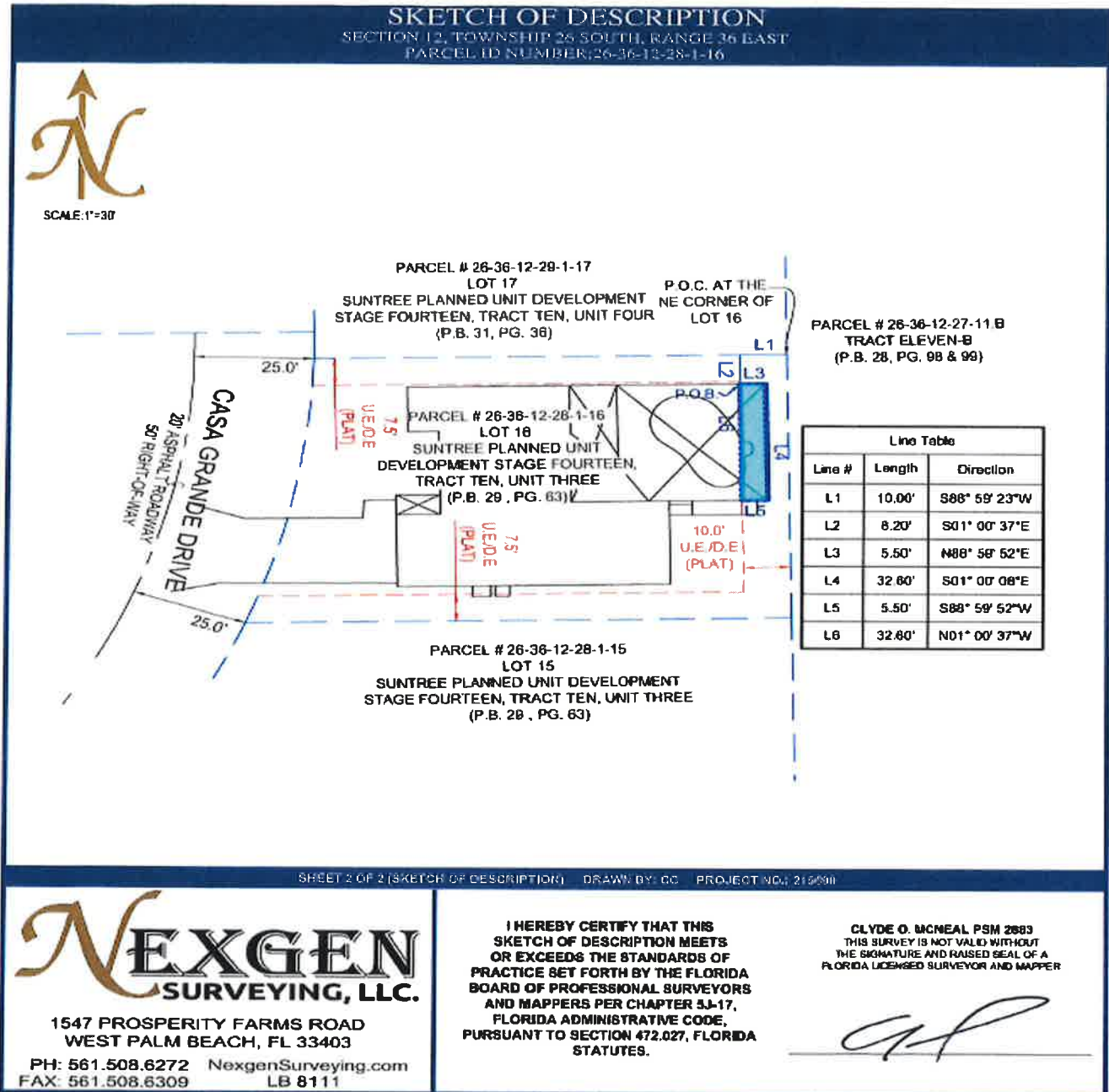


Figure 5: Sketch of description. Sheet 2 of 2. Section 12, Township 26 South, Range 36 East. Parcel ID number: 26-36-12-28-1-16.

The sketch illustrates a portion of a 10.00-foot-wide public utility & drainage easement on Lot 16, Block 1, Suntree PUD, Stage 14, Tract 10, Unit 3, Melbourne, Florida. The coordinate of the North line depicted is as follows. North boundary – North 88°59'52" East 5.50 Feet; East boundary – South 01°00'08" East 32.60 Feet; South boundary – South 88°59'52" East 5.50 Feet; West boundary – North 01°00'37" West 32.60 Feet. Prepared by: Clyde O. McNeal, Nexgen Surveying, LLC, LS 2883, Project NO: 215690.

# Petitioner's Boundary Survey

705 CASA GRANDE DRIVE, MELBOURNE, FL. 32940



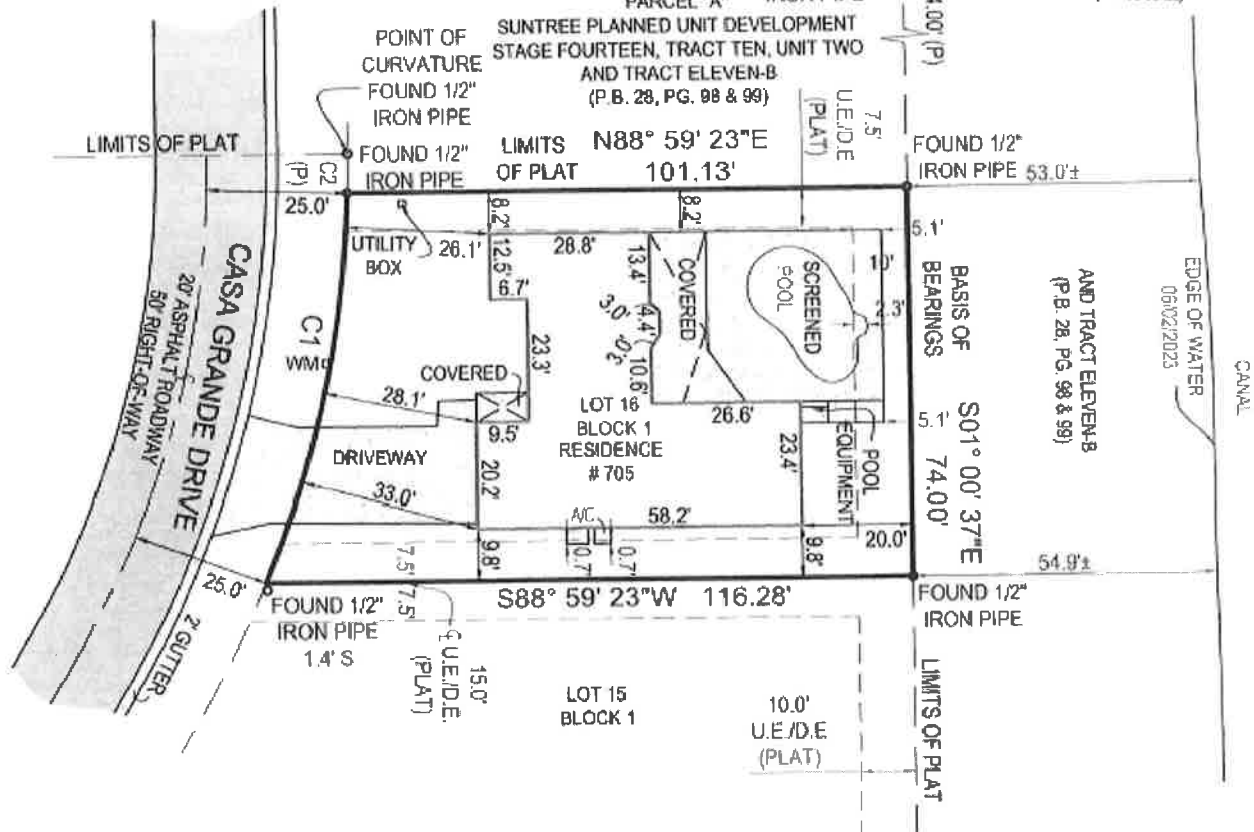
SCALE: 1"=30'

CURVE TABLE				CHORD LENGTH	CHORD BEARING
	LENGTH	RADIUS	DELTA		
C1	75.90'	225.00'	19°19'35"	75.54'	N10°33'47"E
C2	7.50'	225.00'	01°54'37"	7.50'	N00°03'19"W

THE NE CORNER AT LOT 17 BLOCK 1 (P.B. 31, PG. 36) FOUND 1/2" IRON PIPE



AERIAL PHOTOGRAPH (NOT TO SCALE)



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 08-10-2023  
 Drawn By: Kevin  
 Order #: 215680  
 Last Revision Date: None  
 Boundary Survey prepared by: LB6111  
 NexGen Surveying, LLC  
 561-508-6272  
 1647 Prosperity Farms Rd  
 West Palm Beach, FL 33403

*Prestige Title*  
 of Brevard  
 Your Key to a Successful Closing



Clyde O McNeal

Digitally signed by Clyde O McNeal  
 Date: 2023.06.29 10:05:44 -04'00'

Figure 6: Boundary Survey. Section 12, Township 26 South, Range 36 East. Parcel ID number: 26-36-12-28-1-16.



## Comment Sheet

Applicant: Graff

Updated by: Amber Holley 20230717 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20230705	20230717	Yes	No Comment
FL Power & Light	20230705	20230707	Yes	No Objection
At&t	20230705	20230711	Yes	No objections
Charter/Spectrum	20230705	20230706	Yes	No objections
City of Melbourne	20230705	20230706	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20230705	20230717	Yes	No objections
Land Planning	20230705	20230706	Yes	No objections
Utility Services	20230705	20230706	Yes	No objections
Storm Water	20230705	20230717	Yes	No objections
Zoning	20230705	20230706	Yes	No objections

# Public Hearing Legal Advertisement

Ad#5775736

07/24/2023

## LEGAL NOTICE

**NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "SUN- TREE PUD STAGE 14, TRACT 10, UNIT 3" IN SECTION 12, 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 YAMA GRAFF 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 LY- ING IN LOT 16, BLOCK 1, SUNTREE PLAN- NED UNIT DEVELOPMENT STAGE FOUR- TEEN, TRACT TEN, UNIT THREE, ACCORD- ING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORI- DA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF LOT 16, BLOCK 1, SUNTREE PLANNED UNIT DEVELOP- MENT STAGE FOURTEEN, TRACT TEN, UNIT THREE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE ALONG THE NORTH BOUNDARY LINE OF LOT 16 S88°59'23" W, 10.00 FEET, THENCE S01°00'37"E 8.20 FEET TO THE POINT OF BEGINNING, THENCE N88°59'52"E 5.50 FEET, THENCE S01°00'08"E 32.60 FEET, THENCE S88°59'52" W 5.50 FEET, THENCE N01°00'37"W 32.60 FEET TO THE POINT OF BEGINNING. SITUATE AND BEING IN BREVARD COUNTY, FLORIDA, AND CON- TAINS 179.30 SQUARE FEET AND/OR 0.0015 ACRES, MORE OR LESS.**

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on August 8, 2023, 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 tak- en.

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

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

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

Figure 7: Copy of public hearing advertisement as published on July 24, 2023. See the next page for the full text.

## Legal Notice Text

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**LEGAL DESCRIPTION:**

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MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 16, BLOCK 1, SUNTREE PLANNED UNIT DEVELOPMENT STAGE FOURTEEN, TRACT TEN, UNIT THREE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE ALONG THE NORTH BOUNDARY LINE OF LOT 16 S88°59'23"W, 10.00 FEET, THENCE S01°00'37"E 8.20 FEET TO THE POINT OF BEGINNING, THENCE N88°59'52"E 5.50 FEET, THENCE S01°00'08"E 32.60 FEET, THENCE S88°59'52" W 5.50 FEET, THENCE N01°00'37"W 32.60 FEET TO THE POINT OF BEGINNING. SITUATE AND BEING IN BREVARD COUNTY, FLORIDA, AND CONTAINS 179.30 SQUARE FEET AND/OR 0.0015 ACRES, MORE OR LESS. PREPARED BY: CLYDE O. MCNEAL, PSM.

## Samantha McDaniel

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**From:** Holley, Amber <Amber.Holley@brevardfl.gov>  
**Sent:** Tuesday, August 8, 2023 5:58 PM  
**To:** Samantha McDaniel  
**Cc:** Nicole Summers; Donna Scott  
**Subject:** August 8, 2023 Commission Meeting  
**Attachments:** Legal Description-Graff.docx

**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.**

Ladies, please find attached the legal description from the approval on the 8/8 meeting.

Owner information:

- G.3. Yama Graff, 6777 SE Warwick Lane, Stuart, FL 34997. (705 Casa Grande Drive, Melbourne, FL 32940)

Sincerely,  
Amber Holley  
Public Works/ Survey Dept.  
321-350-8346

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

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This email was scanned by Bitdefender

## LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN  
"SUNTREE PUD, STAGE 14, TRACT 10, UNIT 3" MELBOURNE, LYING IN SECTION 12, TOWNSHIP 26  
SOUTH, RANGE 36 EAST – YAMA GRAFF

### TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 8<sup>th</sup> of August, 2023, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in "Suntree PUD, Stage 14, Tract 10, Unit 3" Melbourne, lying in Section 12, Township 26 South, Range 36 East as petitioned by Yama Graff.

### LEGAL DESCRIPTION:

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING IN LOT 16, BLOCK 1, SUNTREE PLANNED UNIT DEVELOPMENT STAGE FOURTEEN, TRACT TEN, UNIT THREE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

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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

RACHEL M. SADOFF, CLERK

BY: Kimberly Powell, Clerk to the Board

### Florida TODAY:

Please advertise in the August 16, 2023, issue of the Florida TODAY. Bill the Board of County Commissioners Account Number BRE-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.



**Resolution 2023 - 070**

**Vacating a portion of a public utility & drainage easement in plat "Suntree P.U.D. Stage 14, Tract 10, Unit 3" Melbourne, Florida, lying in Section 12, Township 26 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Yama Graff** with the Board of County Commissioners to vacate a public 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 the public easement(s) will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easement(s) are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. 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 8th day of August 2023 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk

  
Rita Pritchett, Chair

As approved by the Board on:  
August 8, 2023

# SKETCH OF DESCRIPTION

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
PARCEL ID NUMBER: 26-36-12-28-1-16



SCALE: 1"=30'

## NOTES:

1. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
2. BEARING BASIS: THE NORTH LINE OF LOT 17, WHICH BEARS S88°59'23"W PER PLAT BOOK 29, PAGE 63, BREVARD COUNTY RECORDS.

## ABBREVIATIONS:

P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
D.E.	DRAINAGE EASEMENT
PB/PG	PLAT BOOK / PAGE

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SITUATE AND BEING IN BREVARD COUNTY, FLORIDA AND CONTAINS 179.30 SQUARE FEET AND/OR 0.0015 ACRES, MORE OR LESS.

SHEET 1 OF 2 (SKETCH OF DESCRIPTION) DRAWN BY: CC PROJECT NO.: 215690



1547 PROSPERITY FARMS ROAD  
WEST PALM BEACH, FL 33403

PH: 561.508.6272 NexgenSurveying.com  
FAX: 561.508.6309 LB 8111

I HEREBY CERTIFY THAT THIS  
SKETCH OF DESCRIPTION MEETS  
OR EXCEEDS THE STANDARDS OF  
PRACTICE SET FORTH BY THE FLORIDA  
BOARD OF PROFESSIONAL SURVEYORS  
AND MAPPERS PER CHAPTER 5J-17,  
FLORIDA ADMINISTRATIVE CODE,  
PURSUANT TO SECTION 472.027, FLORIDA  
STATUTES.

CLYDE O. MCNEAL PSM 2883  
THIS SURVEY IS NOT VALID WITHOUT  
THE SIGNATURE AND RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

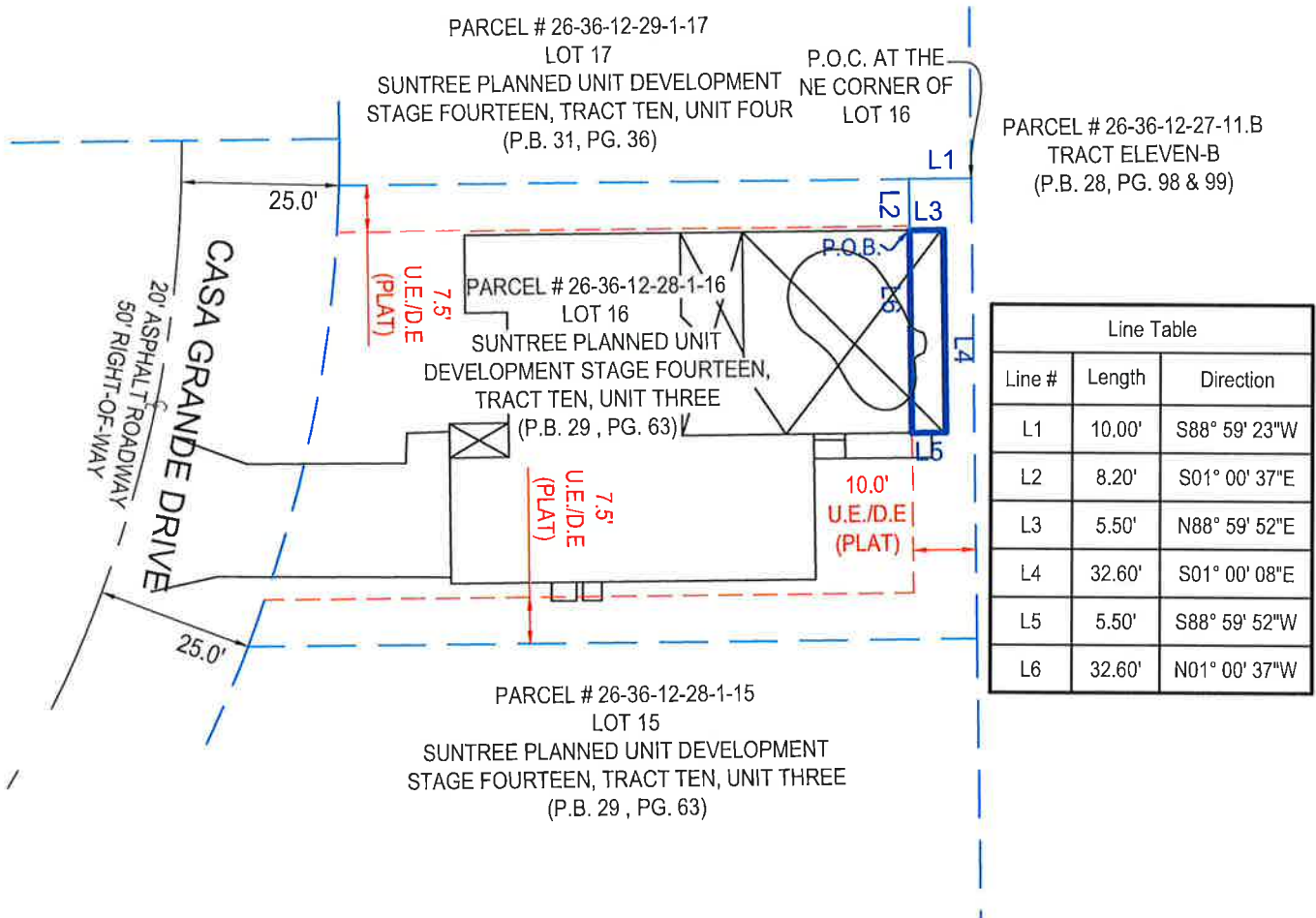


# SKETCH OF DESCRIPTION

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
PARCEL ID NUMBER: 26-36-12-28-1-16



SCALE: 1"=30'



SHEET 2 OF 2 (SKETCH OF DESCRIPTION) DRAWN BY: CC PROJECT NO.: 215690

**NEXGEN**  
SURVEYING, LLC.

1547 PROSPERITY FARMS ROAD  
WEST PALM BEACH, FL 33403

PH: 561.508.6272 NexgenSurveying.com  
FAX: 561.508.6309 LB 8111

I HEREBY CERTIFY THAT THIS  
SKETCH OF DESCRIPTION MEETS  
OR EXCEEDS THE STANDARDS OF  
PRACTICE SET FORTH BY THE FLORIDA  
BOARD OF PROFESSIONAL SURVEYORS  
AND MAPPERS PER CHAPTER 5J-17,  
FLORIDA ADMINISTRATIVE CODE,  
PURSUANT TO SECTION 472.027, FLORIDA  
STATUTES.

CLYDE O. MCNEAL PSM 2883  
THIS SURVEY IS NOT VALID WITHOUT  
THE SIGNATURE AND RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER





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 said legal clerk, 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) dated:  
or by publication on the newspaper's website, if authorized,  
on

**07/24/2023**

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

Sworn to and Subscribed before me this 24th of July 2023,  
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$233.46

Ad No: 0005775736

Customer No: BRE-6BR327

This is not an invoice

# of Affidavits 1

Ad#5775736 07/24/2023  
LEGAL NOTICE  
NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "SUN- TREE PUD STAGE 14, TRACT 10, UNIT 3" IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, FL.  
NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 85, Article II, Section 85-36, Brevard County Code, a petition has been filed by YAMA GRAFF 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 LY- ING IN LOT 16, BLOCK 1, SUNTREE PLAN- NED UNIT DEVELOPMENT STAGE FOUR- TEEN, TRACT TEN, UNIT THREE, ACCORD- ING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORI- DA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF LOT 16, BLOCK 1, SUNTREE PLANNED UNIT DEVELOP- MENT STAGE FOURTEEN, TRACT TEN, UNIT THREE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 63, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE ALONG THE NORTH BOUNDARY LINE OF LOT 16 S88°59'23" W, 10.00 FEET, THENCE S01°00'37"E 8.20 FEET TO THE POINT OF BEGINNING, THENCE N88°59'52"E 5.50 FEET, THENCE S01°00'08"E 32.60 FEET, THENCE S88°59'52" W 5.50 FEET, THENCE N01°00'37"W 32.60 FEET TO THE POINT OF BEGINNING, SITUATE AND BEING IN BREVARD COUNTY, FLORIDA, AND CON- TAINS 179.30 SQUARE FEET AND/OR 0.0015 ACRES, MORE OR LESS.  
The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on August 8, 2023, 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 tak- en.  
Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such pur- pose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testi- mony and evidence upon which the ap- peal is based.  
Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.  
The needs of hearing or visually im- paired persons shall be met if the de- partment sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

NANCY HEYRMAN  
Notary Public  
State of Wisconsin



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 said legal clerk, 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) dated:  
or by publication on the newspaper's website, if authorized,  
on

**08/16/2023**

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 16th of August 2023, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$191.08

Ad No: 0005796881

Customer No: BRE-6BR327

This is not an invoice

# of Affidavits 1

Ad#5796881 08/16/2023  
LEGAL NOTICE

RESOLUTION VACATING A PORTION OF  
A PUBLIC UTILITY AND DRAINAGE EASE-  
MENT IN "SUNTREE PUD, STAGE 14  
TRACT 10, UNIT 3" MELBOURNE, LYING  
IN SECTION 12, TOWNSHIP 26 SOUTH,  
RANGE 36 EAST - YAMA GRAFF

TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on the  
8th of August, 2023, the Board of Coun-  
ty Commissioners of Brevard County,  
Florida, adopted a Resolution vacating a  
portion of a public utility and drainage  
easement in "Suntree PUD, Stage 14,  
Tract 10, Unit 3" Melbourne, lying in  
Section 12, Township 26 South, Range 36  
East as petitioned by Yama Graff.

#### LEGAL DESCRIPTION:

A PORTION OF THE 10 FOOT PUBLIC  
UTILITY AND DRAINAGE EASEMENT LY-  
ING IN LOT 16, BLOCK 1, SUNTREE PLAN-  
NED UNIT DEVELOPMENT STAGE FOUR-  
TEEN, TRACT TEN, UNIT THREE, ACCORD-  
ING TO THE PLAT THEREOF, RECORDED  
IN PLAT BOOK 29, PAGE OF THE PUBLIC  
RECORDS OF BREVARD COUNTY, FLORI-  
DA.

MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

COMMENCE AT THE NORTHEAST COR-  
NER OF LOT 16, BLOCK 1, SUNTREE  
PLANNED UNIT DEVELOPMENT STAGE  
FOURTEEN, TRACT TEN, UNIT THREE, AC-  
CORDING TO THE PLAT THEREOF, RE-  
CORDED IN PLAT BOOK 29, PAGE 63, OF  
THE PUBLIC RECORDS OF BREVARD  
COUNTY, FLORIDA, THENCE ALONG THE  
NORTH BOUNDARY LINE OF LOT 16  
S88°59'23"W, 10.00 FEET, THENCE  
S01°00'37"E 8.20 FEET TO THE POINT OF  
BEGINNING, THENCE N88°59'52"E 5.50  
FEET, THENCE S01°00'08"E 32.60 FEET,  
THENCE S88°59'52"W 5.50 FEET, THENCE  
N01°00'37"W 32.60 FEET TO THE POINT  
OF BEGINNING. SITUATE AND BEING IN  
BREVARD COUNTY, FLORIDA, AND CON-  
TAINS 179.30 SQUARE FEET AND/OR  
0.0015 ACRES, MORE OR LESS, PRE-  
PARED BY: CLYDE O. MCNEAL, PSM.

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  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell, Clerk to the Board

NANCY HEYRMAN  
Notary Public  
State of Wisconsin



August 23, 2023

**MEMORANDUM**

**TO:** Marc Bernath, Public Works Director    Attn: Amber Holley

**RE:** Advertising Bills for Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Suntree P.U.D. Stage 14, Tract 10, Unit 3", Melbourne

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 23-070, vacating a portion of a public utility and drainage easement in plat "Suntree P.U.D. Stage 14, Tract 10, Unit 3", Melbourne, as petitioned by Yama Graff. Said Resolution was adopted by the Board of County Commissioners, in regular session on August 8, 2023.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK**

*for: Donna Scott*  
Kimberly Powell, Clerk to the Board

/sm

Encls. (2)





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

August 23, 2023

Yama Graff  
6777 SE Warwick Lane  
Stuart, FL 34997

Dear Sir/Madam:

Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Suntree P.U.D. Stage 14, Tract 10, Unit 3", Melbourne

The Board of County Commissioners, in regular session on August 8, 2023, adopted Resolution No. 23-070, vacating a portion of a public utility and drainage easement in plat "Suntree P.U.D. Stage 14, Tract 10, Unit 3", Melbourne, as petitioned by you. Said Resolution has been recorded in ORBK 9868, Pages 107 through 111. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

*for: Donna Scott*  
Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works