



Meeting Date
November 21, 2017

AGENDA	
Section	PUBLIC HEARING
Item No.	III. A.

**AGENDA REPORT**  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate Re: Part of the Unopened Public Right-of-Way of Elmo Street – Unrecorded plat “Shepard’s Clear Lake Village” – Cocoa– Arthur Victor Dodzweit & Joy F. Dodzweit – District 2 (Fiscal Impact: \$640.00 Vacating Application Fee Paid by Petitioner)
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 the partial vacating the unopened, 50.0 ft. wide public right-of-way of Elmo Street within the unrecorded plat of “Shepard’s Clear Lake Village” in Section 19, 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 & 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 the adjoining lots on both sides of the right-of-way and are requesting the partial vacating to allow for the joining of the lots. As a condition of the vacating the petitioners have agreed to provide a replacement utility easement to FPL over and across the south 10.0 ft. of the vacating parcel. The right-of-way to be vacated contains 5,427 square feet or 0.124 acres, more or less.

November 03, 2015, 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 and no objections have been received. Please note the Board has previously vacated two other portions of the unopened right-of-way of Elmo Street. The property is located in Cocoa as follows: Begin at the intersection of U. S. Highway No. 1 and Michigan Avenue: thence 0.52 miles west along Michigan Avenue: thence 0.64 miles south along Clear Lake Road; thence 0.11 miles west along Rosa Street to the right-of-way to the south (left).

Fiscal Impact: The petitioners are charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

Name: [Marc.Cazessus@brevardcounty.us](mailto:Marc.Cazessus@brevardcounty.us) Phone: Ext. 57315

Exhibits Attached: Resolution, vicinity map, aerial map, appraiser’s detail sheet 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 (as one resolution type document which in sequence includes the approved/signed resolution, proof of publication of the public hearing notice and the proof of publication of the adopted resolution notice).

Contract / Agreement (If attached):		Reviewed by County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/>	PR <input type="checkbox"/>
County Manager Frank Abbate	Assistant County Manager John P. Denninghoff	Department Director / Extension Andrew J. Holmes, P.E. / Ext. 57202 			
		Interim Assistant County Manager Jim Liesenfelt			

-HE

RESOLUTION 2017 - 233

**VACATING PART OF THE UNOPENED, 50.0 FT WIDE PUBLIC RIGHT-OF-WAY OF ELMO STREET IN THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE", COCOA, FLORIDA, LYING IN SECTION, 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **ARTHUR VICTOR DODZWEIT AND JOY F. DODZWEIT** with the Board of County Commissioners to vacate a portion of 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 a portion of the public right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of the 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 21<sup>st</sup> day of November, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK OF THE COURT

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA



Rita Pritchett, Chairwoman

As approved by the Board on:  
November 21, 2017

# BOUNDARY SURVEY

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
PARCEL NUMBER: 24-36-19-75-12-1  
PURPOSE: VACATION OF PORTION OF ELMO  
STREET RIGHT OF WAY

SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET (A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE") LYING NORTH OF THE SOUTH LINE OF SAID "SHEPARD'S CLEAR LAKE VILLAGE"; SOUTH OF THE SOUTH RIGHT OF WAY LINE OF ROSA STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND BETWEEN LOT 10, BLOCK 6 AND LOT 1, BLOCK 12 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 5,427 SQUARE FEET (0.124 ACRES).

## SURVEYOR'S NOTES:

- 1.) BEARING STRUCTURE - BASED ON AN ASSUMED MERIDIAN FOR COMPUTATIONAL PURPOSES. SPECIFICALLY, THE NORTH LINE OF THE S.E. 1/4 OF SECTION 19-24-36 = S89°06'11"W.
- 2.) UNDERGROUND IMPROVEMENTS - IF ANY, NOT LOCATED
- 3.) DATE OF FIELD SURVEY - AUGUST 30, 2017

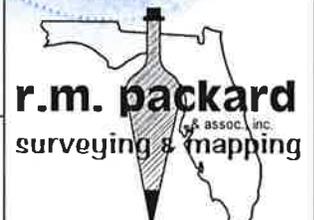


PREPARED FOR: **BREVARD COUNTY BOARD OF  
COUNTY COMMISSIONERS**

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

PREPARED BY: **R.M. PACKARD & ASSOC., INC.**  
ADDRESS: 197 BOUGAINVILLEA DRIVE / SUITE D  
ROCKLEDGE, FLORIDA 32955  
LB NO. 6649

PHONE: (321) 632-6335  
FAX: (321) 631-7392  
EMAIL: [packardsurvey@cfl.rr.com](mailto:packardsurvey@cfl.rr.com)



DRAWN BY: RMP  
DATE: 8/30/2017

CHECKED  
BY:  
SHEET 1 OF 2

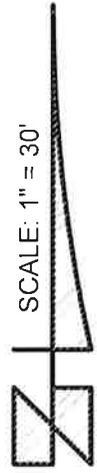
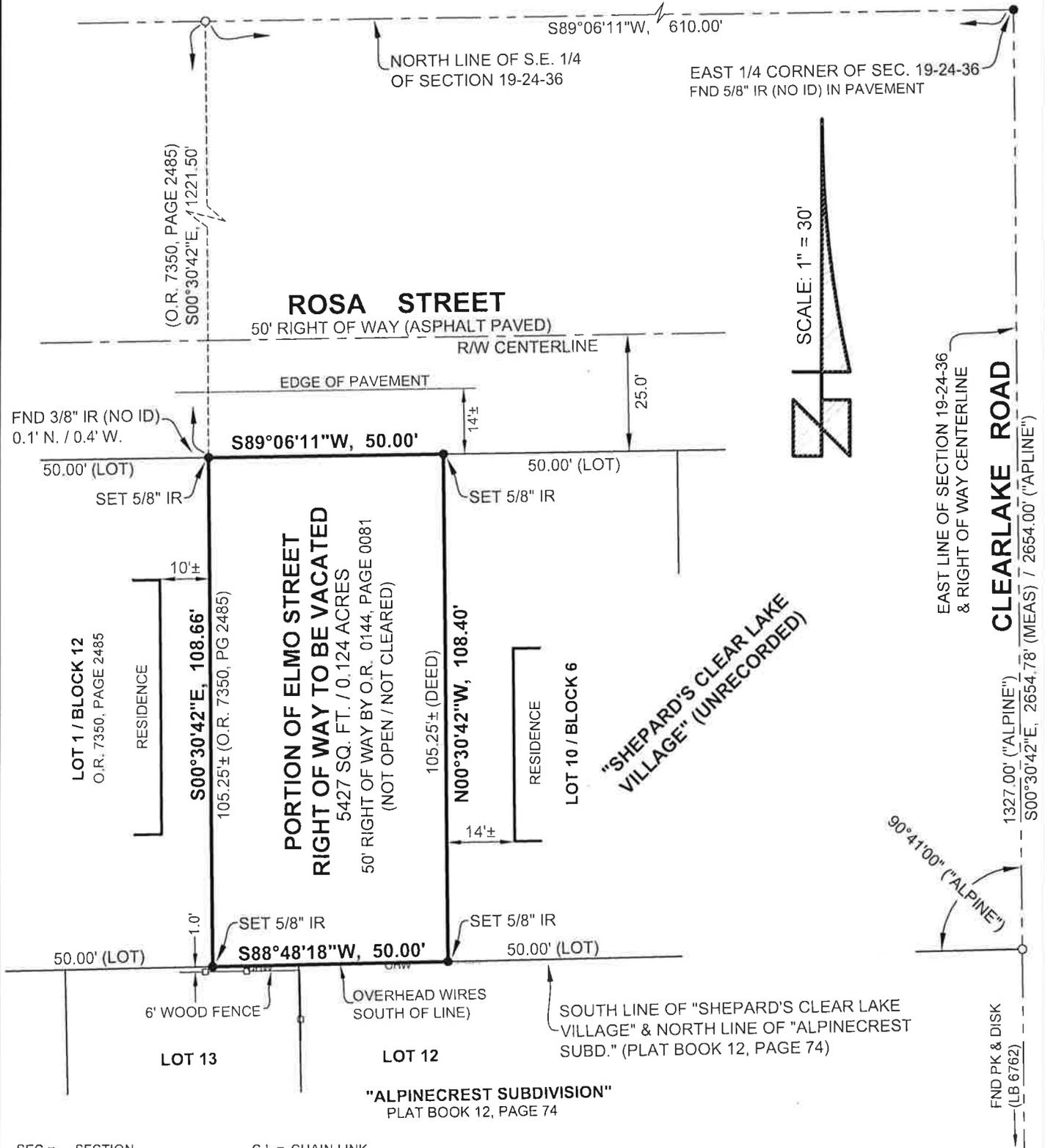
DRAWING NO. A-17-163  
REVISIONS

# BOUNDARY SURVEY

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2

PARCEL NUMBER: 24-36-19-75-8-23



- |                          |                                |
|--------------------------|--------------------------------|
| SEC = SECTION            | C.L. = CHAIN LINK              |
| FND = FOUND              | CBS = CONCRETE BLOCK STRUCTURE |
| ID = IDENTIFICATION      | ELEC = ELECTRIC METER          |
| IR = IRON ROD            | LB = LAND SURVEYING BUSINESS   |
| PK = "PARKER-KALON" NAIL | LS = LAND SURVEYOR             |
| O.R. = OFFICIAL RECORDS  | R/W = RIGHT OF WAY             |

PROJECT NO.: 17-163  
 PREPARED BY:  
**R.M. PACKARD & ASSOC., INC.**



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

STATE OF FLORIDA COUNTY OF BREVARD:  
Before the undersigned authority personally appeared Becky Holland, 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:

11/03/17

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

Sworn to and Subscribed before me this 3th of November 2017, by Becky Holland who is personally known to me

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

Publication Cost: \$249.76  
Ad No: 0002508799  
Customer No: BRE-6BR327



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

AD#2508799, 11/3/2017  
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF THE UNOPENED, 50.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF ELMO STREET, UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE" IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, COCOA, 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 ARTHUR VICTOR DODZWEIT AND JOY F. DODZWEIT 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 November 21, 2017 at the Brevard County Government Center Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

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

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

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

EXHIBIT "A"

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET (A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081; PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE") LYING NORTH OF THE SOUTH LINE OF SAID "SHEPARD'S CLEAR LAKE VILLAGE"; SOUTH OF THE SOUTH RIGHT OF WAY LINE OF ROSA STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND BETWEEN LOT 10, BLOCK 6 AND LOT 1, BLOCK 12 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 5,427 SQUARE FEET (0.124 ACRES). PREPARED BY: ROBERT M. PACKARD, PSM





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

Ad #: 2555581 11/24/2017  
LEGAL NOTICE  
RESOLUTION VACATING PART OF THE UNOPENED PUBLIC RIGHT-OF-WAY OF ELMO STREET IN THE UNRECORDED PLAT OF SHEPARD'S CLEAR LAKE VILLAGE, COCOA - ARTHUR VICTOR DODZWEIT AND JOY F. DODZWEIT TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on the 21st day of November, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of the unopened public right-of-way of Elmo Street in the unrecorded plat of Shepard's Clear Lake Village, Cocoa, as petitioned by Arthur Victor Dodzweit and Joy F. Dodzweit.  
SEE ATTACHED EXHIBIT "A"  
The Board further renounced and disclaimed any right of the County in and to said public right-of-way.  
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
/s/ SCOTT ELLIS, CLERK  
BY: /s/ Tammy Rowe, Deputy Clerk  
LEGAL DESCRIPTION:  
EXHIBIT "A"  
A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET (A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE") LYING NORTH OF THE SOUTH LINE OF SAID "SHEPARD'S CLEAR LAKE VILLAGE"; SOUTH OF THE SOUTH RIGHT OF WAY LINE OF ROSA STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND BETWEEN LOT 10, BLOCK 6 AND LOT 1, BLOCK 12 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 5,427 SQUARE FEET (0.124 ACRES).

STATE OF FLORIDA COUNTY OF BREVARD:  
Before the undersigned authority personally appeared Becky Holland, 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:

11/24/17

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

Sworn to and Subscribed before me this 24th of November 2017, by Becky Holland who is personally known to me

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

Publication Cost: \$151.96  
Ad No: 0002555581  
Customer No: BRE-6BR327



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





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

December 7, 2017

**M E M O R A N D U M**

**TO:** Andrew Holmes, Public Works Director    Attn: Marc Cazessüs

**RE:** Advertising Bills for Resolution Vacating Part of the Unopened Public Right-of-Way of Elmo Street – Unrecorded Plat Shepard's Clear Lake Village, Cocoa

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-233, vacating part of the unopened public right-of-way of Elmo Street – Unrecorded Plat Shepard's Clear Lake Village, Cocoa, as petitioned by Arthur V. and Joy F. Dodzweit. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on November 21, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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

December 7, 2017

Arthur V. and Joy F. Dodzweit  
1637 Minnie Street  
Cocoa, FL 32926-5539

Dear Mr. & Mrs. Dodzweit:

Re: Resolution Vacating Part of the Unopened Public Right-of-Way of Elmo Street –  
Unrecorded Plat Shepard's Clear Lake Village, Cocoa

The Board of County Commissioners, in regular session on November 21, 2017, adopted Resolution No. 17-233, vacating part of the unopened public right-of-way of Elmo Street – unrecorded plat Shepard's Clear Lake Village, Cocoa, as petitioned by you. Said Resolution has been recorded in ORBK 8037, Pages 1410 through 1414. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

LEGAL NOTICE

RESOLUTION VACATING PART OF THE UNOPENED PUBLIC RIGHT-OF-WAY OF  
ELMO STREET IN THE UNRECORDED PLAT OF SHEPARD'S CLEAR LAKE VILLAGE,  
COCOA – ARTHUR VICTOR DODZWEIT AND JOY F. DODZWEIT

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 21<sup>st</sup> day of November, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of the unopened public right-of-way of Elmo Street in the unrecorded plat of Shepard's Clear Lake Village, Cocoa, as petitioned by Arthur Victor Dodzweit and Joy F. Dodzweit.

**SEE ATTACHED EXHIBIT "A"**

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

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 November 24, 2017, issue of the *Florida TODAY*.

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

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

LEGAL DESCRIPTION:

**EXHIBIT "A"**

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET (A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE") LYING NORTH OF THE SOUTH LINE OF SAID "SHEPARD'S CLEAR LAKE VILLAGE"; SOUTH OF THE SOUTH RIGHT OF WAY LINE OF ROSA STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND BETWEEN LOT 10, BLOCK 6 AND LOT 1, BLOCK 12 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 5,427 SQUARE FEET (0.124 ACRES).



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

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

Ad No.: 0002555581
Pymt Method Invoice
Net Amt: \$151.96

Run Times: 1

No. of Affidavits: 1

Run Dates: 11/24/17

Text of Ad:

Ad #: 2555581 11/24/2017

LEGAL NOTICE
RESOLUTION VACATING PART OF THE
UNOPENED PUBLIC RIGHT-OF-WAY OF
ELMO STREET IN THE UNRECORDED
PLAT OF SHEPARD'S CLEAR LAKE
VILLAGE, COCOA - ARTHUR VICTOR
DODZWEIT AND JOY F. DODZWEIT
TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
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of County Commissioners of Brevard
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vacating part of the unopened public
right-of-way of Elmo Street in the unre-
corded plat of Shepard's Clear Lake
Village, Cocoa, as petitioned by Arthur
Victor Dodzweit and Joy F. Dodzweit.

SEE ATTACHED EXHIBIT "A"

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

BY ORDER OF THE BOARD OF COUNTY
COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

/s/ SCOTT ELLIS, CLERK

BY: /s/ Tammy Rowe, Deputy Clerk

LEGAL DESCRIPTION:

EXHIBIT "A"

A TRACT OF LAND LYING IN SECTION
19, TOWNSHIP 24 SOUTH, RANGE 36
EAST, BREVARD COUNTY, FLORIDA, BE-
ING THAT PORTION OF ELMO STREET (A
50 FOOT WIDE PUBLIC RIGHT OF WAY
DESCRIBED IN OFFICIAL RECORDS
BOOK 0144, PAGE 0081, PUBLIC RE-
CORDS OF BREVARD COUNTY, FLORIDA
AND SHOWN ON THE UNRECORDED
PLAT OF "SHEPARD'S CLEAR LAKE
VILLAGE") LYING NORTH OF THE SOUTH
LINE OF SAID "SHEPARD'S CLEAR LAKE
VILLAGE"; SOUTH OF THE SOUTH RIGHT
OF WAY LINE OF ROSA STREET (AS DE-
SCRIBED IN AFORESAID OFFICIAL RE-
CORDS, BOOK 0144, PAGE 0081); AND
BETWEEN LOT 10, BLOCK 6 AND LOT 1,
BLOCK 12 OF SAID UNRECORDED PLAT
OF "SHEPARD'S CLEAR LAKE VILLAGE";
CONTAINING 5,427 SQUARE FEET (0.124
ACRES).

## Donna Scott

---

**From:** LEGALS, BRE <BRELEGALS@gannett.com>  
**Sent:** Tuesday, November 21, 2017 12:39 PM  
**To:** Donna Scott  
**Subject:** Brevard Classified Legal Auto Reply

**\*This is an Automatic Reply Message to let you know your email has been received. Below is general information that applies to both our invoiced customers with accounts as well as private citizens.**

Thank you for e-mailing the Brevard Classified Legal Advertising Department. Ads placed by private individuals will be accepted on a payment-in advance basis only.



### AD SUBMISSION GUIDELINES

If you e-mail or fax Legal Ad(s) to us, please provide the following information:

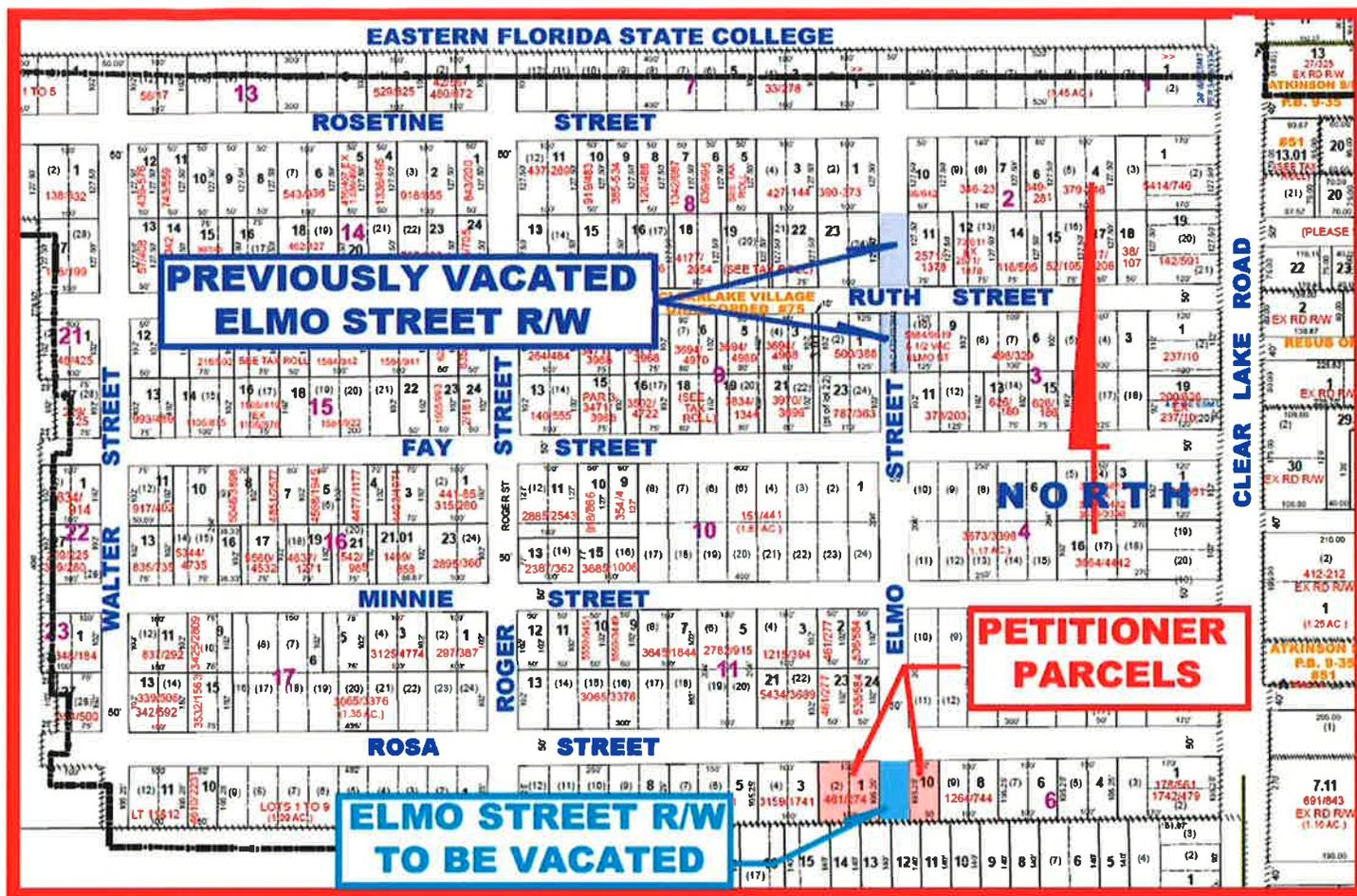
- Account name and number
- Billing telephone number
- Contact person
- Preferred publishing dates
- Number of affidavits needed
- Address affidavit should be sent to, if different from billing.
- P.O. number (applicable to government accounts and agency advertisers)

Your notice will be published on the next available publication date unless otherwise requested.

Date of Publication:	Deadline:
Monday	Friday, 12noon
Tuesday	Friday, 4pm
Wednesday	Monday, 4pm
Thursday	Tuesday, 4pm
Friday	Wednesday, 4pm
Saturday	Thursday, 4pm
Sunday	Thursday, 4pm

We appreciate your business. If you have any questions please contact us @ 888-516-9220. Office hours Mon-Fri 8am-5pm.

**\*IF THIS SUBMISSION IS FOR A LEGAL DISPLAY PLEASE CONTACT US IMMEDIATELY AT 888-516-9220 SO WE CAN ACCURATELY PROCESS YOUR ORDER.**



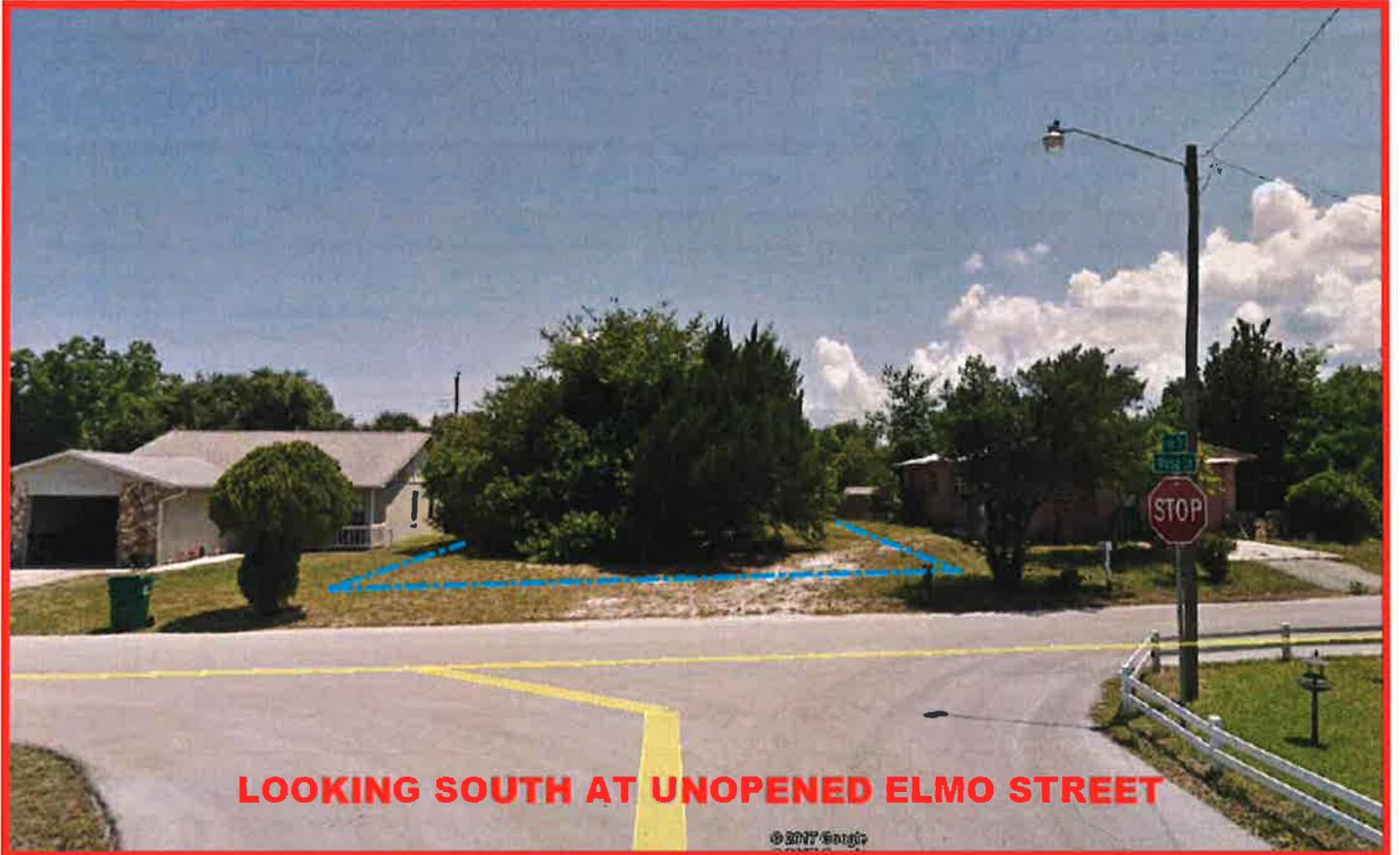
# VICINITY MAP

Arthur Victor & Joy F. Dodzweit – 1595 & 1601 Rosa Street, Cocoa, FL – Lot 10, Block 6 and Lots 1 & 2, Block 12, Unrecorded Plat of “Shepard’s Clear Lake Village” – Section 19, Township 24 South, Range 36 East – District 2 – Partial Vacating of 50.0 ft. Wide Right-of-Way of Elmo Street



## A E R I A L M A P

Arthur Victor & Joy F. Dodzweit – 1595 & 1601 Rosa Street, Cocoa, FL – Lot 10, Block 6 and Lots 1 & 2, Block 12, Unrecorded Plat of “Shepard’s Clear Lake Village” – Section 19, Township 24 South, Range 36 East District 2 – Partial Vacating of 50.0 ft. Wide Right-of-Way of Elmo Street



**LOOKING SOUTH AT UNOPENED ELMO STREET**

© 2017 S&P

# **STREET VIEW PHOTO**



WITNESSETH, Made this 27th day of September, A. D. 1958  
ORLANDO ATLANTIC BEACH COMPANY, a corporation

having its principal place of business in the County of BREVARD and State of Florida  
part of the first part, and COUNTY OF BREVARD, STATE OF FLORIDA,  
of Titusville, Brevard County, Florida,

part of the second part, WITNESSETH That the said party of the first part, for and in consideration of the sum of Ten dollars and other good and valuable considerations to it in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said party of the second part, and its successors hereinafter design forever, all that certain parcel of land lying and being in the County of

Brevard and State of Florida, more particularly described as follows: The following streets in Shepard's Clear Lake Village, a subdivision of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East, Brevard County, Florida, and which said streets are described as follows, to wit: (a) Rosetine Street. The South 50 feet of the North 154.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (b) Ruth Street. The South 50 feet of the North 459.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (c) Fay Street. The South 50 feet of the North 713.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (d) Minnie Street. The South 50 feet of the North 967.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (e) Rosa Street. The South 50 feet of the North 1221.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (f) Elmo Street. The West 50 feet of the East 610 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (g) Roger Street. The West 50 feet of the East 1260 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (h) Walter Street. The West 50 feet of the East 1910 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East.

Attached hereto and incorporated herein and made a part of this deed by these words of reference is a copy of the Plat of Shepard's Clear Lake Village showing the streets hereinabove set out. It being the intention to convey the streets as shown on said Plat.



With all the incidents, hereditaments and appurtenances, with every privilege, right, title, claim and advantage, reservation, remainder and easement thereto belonging or in anywise appertaining: To have and to hold the same to and for the use and behoof of the said party of the second part, their heirs, assigns and assigns forever. And the said party of the first part doth covenant with the said party of the second part that it is lawfully seized of the said premises; that they are free of all incumbrances, and that it has good right and lawful authority to sell the same; and the authority of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever. In WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its President, and its corporate seal to be hereunto affixed, attested by its Assistant Secretary the day and year above written.

Signed, Sealed and Delivered in Our Presence: ORLANDO ATLANTIC BEACH COMPANY,  
By John D. Shepard President  
Martha S. Edwards Assistant Secretary

State of FLORIDA County of BREVARD  
I Herewith Certify That on this 27th day of September 1958 before me in said County and State personally appeared John D. Shepard and Martha S. Edwards respectively Presidents and Assistant Secretary of Orlando Atlantic Beach Company, a corporation, to-wit: the individuals named as officers described in and who execute the foregoing Deed and solemnly acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized; and that the official seal of said corporation is duly affixed thereto, and that the said conveyance is the act and deed of said corporation. WITNESS my signature and official seal at Cocoa in the County and State aforesaid, the day and year last aforesaid.

Notary Seal  
Beatrice P. Curry (I. S.)  
Notary Public in and for the State of Florida at Large  
My Commission Expires: 8/20/60

**COUNTY RIGHT-OF-WAY DEED**



**Brevard County Property Appraiser**  
 Titusville • Merritt Island • Viera • Melbourne • Palm Bay  
 PROPERTY DETAILS

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

Account	2444338
Owners	Dodzweit, Arthur Victor; Dodzweit, Joy F
Mailing Address	1637 Minnie Street Cocoa FL 32926
Site Address	1595 Rosa St Cocoa FL 32926
Parcel ID	24-36-19-75-6-10
Property Use	0110 - Single Family Residence
Exemptions	None
Taxing District	2300 - Unincorp District 2
Total Acres	0.12
Subdivision	Clear Lake Village Unrec
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0000/0000
Land Description	Clear Lake Village Unrec Part Of N 1/2 Of SE 1/4 Desc As Clear Lake Village Unrecorded Subd Lot 10



**VALUE SUMMARY**

Category	2016	2015	2014
Total Market Value	\$69,540	\$59,190	\$56,090
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$65,100	\$59,190	\$56,090
Assessed Value School	\$69,540	\$59,190	\$56,090
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$65,100	\$59,190	\$56,090
Taxable Value School	\$69,540	\$59,190	\$56,090

**SALES/TRANSFERS**

Date	Price	Type	Parcel	Deed
06/17/2011	\$23,700	WD	Improved	6404/2498
10/09/2010	\$141,600	WD	Improved	6278/1899
02/20/2009	\$45,000	QC	Improved	5914/0716
03/31/2006	\$125,900	WD	Improved	5629/3263
11/30/2000	\$53,000	WD	Improved	4258/1072

**BUILDINGS**

PROPERTY DATA CARD #1					
Building Use	Year Built	Story Height	Floors	Residential Units	Commerical Units
0110 - Single Family Residence	1986	8	1	1	0
<b>Materials</b>			<b>Sub Areas</b>		
Exterior Wall:	Stucco		Base Area (1st)		1100
Frame:	Masnryconc		Garage		372
Roof:	Asph/Asb Shngl		Open Porch		80
Roof Structure:	Hip/Gable		Total Base Area		1100
			Total Sub Area		1552
<b>Extra Features</b>			<b>Additional Extra Features</b>		
No Data Found			No Data Found		

**APPRAISER'S DETAIL SHEET: LOT 6,**  
**BLOCK 10 – SHEET 1 OF 2**



## Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-8700

<https://www.bcpao.us>

### PROPERTY DETAILS

Account	2415353
Owners	Dodzweit, Arthur Victor; Dodzweit, Joy Freeman
Mailing Address	1637 Minnie St Cocoa FL 32926
Site Address	1601 Rosa St Cocoa FL 32926
Parcel ID	24-36-19-75-12-1
Property Use	0110 - Single Family Residence
Exemptions	None
Taxing District	2300 - Unincorp District 2
Total Acres	0.23
Subdivision	Clear Lake Village Unrec
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0000/0000
Land Description	Clear Lake Village Unrec Part Of N 1/2 Of SE 1/4 As Des IN Orb 461 Pg 274 Known As Clear Lake Village Unrecorded Subd Lots 1,2 Blk 12



### VALUE SUMMARY

Category	2016	2015	2014
Total Market Value	\$48,440	\$42,780	\$41,090
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$48,440	\$42,780	\$41,090
Assessed Value School	\$48,440	\$42,780	\$41,090
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$48,440	\$42,780	\$41,090
Taxable Value School	\$48,440	\$42,780	\$41,090

### SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/21/2015	\$45,000	WD	Improved	7350/2485
01/17/2012	\$14,300	WD	Improved	6524/0528
06/20/2011	-	WD	Improved	6455/0260
06/07/2011	-	CT	Improved	6399/0323
07/26/2007	-	QC	Improved	5802/8762
07/16/1987	\$42,000	WD	-	2821/1758

### BUILDINGS

PROPERTY DATA CARD #1					
Building Use	Year Built	Story Height	Floors	Residential Units	Commerical Units
0110 - Single Family Residence	1964	8	1	1	0
<b>Materials</b>		<b>Sub Areas</b>			
Exterior Wall:	Painted Exterior	Base Area (1st)			1218
Frame:	Masnryconc	Enclosed Por			264
Roof:	Bu-Tg/Mmbm	Open Porch			72
Roof Structure:	Hip/Gable	Utility Room			84
		Total Base Area			1218
		Total Sub Area			1638

APPRAISER'S DETAIL SHEET: LOTS 1 &  
2, BLOCK 12 - SHEET 2 OF 2

**Return to:**

ARTHUR VICTOR DODZWEIT AND JOY F. DODZWEIT  
1637 MINNIE STREET  
COCOA, FL 32926-5539

**This Instrument Prepared by:**

Frank P. Dec, Esq.  
8940 Main Street  
Clarence, NY 14031

Property Appraiser's Parcel  
ID #: 24361975000060001000



This space reserved for Clerk's use.

7011.016836

**SPECIAL WARRANTY DEED**

This Indenture, Made this 6/17, Between

FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION a Corporation, whose mailing address is 14221 DALLAS PKWY #1000, DALLAS, TX 75254 hereinafter called the "Grantor", and

ARTHUR VICTOR DODZWEIT AND JOY F. DODZWEIT, HUSBAND AND WIFE, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP  
whose post office address is: 1637 MINNIE STREET, COCOA, FL 32926-5539, hereinafter called the "Grantee":

**Witnesseth:** That said Grantor, for and in consideration of the sum of TWENTY THREE THOUSAND SIX HUNDRED TWENTY FIVE AND 00/100 (\$23,625.00) Dollars and other valuable consideration, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, does grant, bargain, sell, alien, remise, release, convey, and confirm to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying, and being in BREVARD County, Florida, to wit:

SEE ATTACHED EXHIBIT "A".

Prior instrument reference: Book 6278, Page 1899, Recorded: 11/12/2010

and, the Grantor hereby covenants with the Grantee that it is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; that it hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under said Grantor, but against none other; and that said land is free of all encumbrances.

\*"Grantor" and "grantee" are used for singular or plural, as context requires.

Grantor is exempt from all taxation imposed by any state, county, municipality or local taxing authority, except for real property taxes. Thus, Grantor is exempt from any and all transfer taxes.  
See, 12 U.S.C. 1723a (c)(2).

**GRANTEE HEREIN SHALL BE PROHIBITED FROM CONVEYING CAPTIONED PROPERTY FOR A SALES PRICE OF GREATER THAN \$28,350.00 FOR A PERIOD OF 3 MONTH(S) FROM THE DATE OF THIS DEED. GRANTEE SHALL ALSO BE PROHIBITED FROM ENCUMBERING SUBJECT PROPERTY WITH A SECURITY INTEREST IN THE PRINCIPAL AMOUNT OF GREATER THAN \$28,350.00 FOR A PERIOD OF 3 MONTH(S) FROM THE DATE OF THIS DEED. THESE RESTRICTIONS SHALL RUN WITH THE LAND AND ARE NOT PERSONAL TO GRANTEE. THIS RESTRICTION SHALL TERMINATE IMMEDIATELY UPON CONVEYANCE AT ANY FORECLOSURE SALE RELATED TO A MORTGAGE OR DEED OF TRUST.**

**P E T I T I O N E R ' S   D E E D : L O T**  
**1 0 , B L O C K 6 - S H E E T 1 O F 3**

In Witness Whereof, the said Grantor has hereunto set the Grantor's hand and seal the day and year first above written.

Cynthia Seerba  
Witness Name: Cynthia Seerba

Stuart Braun  
Witness Name: Stuart Braun

FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION

BY: Jeanette M. Shaffer

JEANETTE M. SHAFFER, AUTHORIZED REPRESENTATIVE OF NATIONAL REAL ESTATE INFORMATION SERVICES, LP AS POWER OF ATTORNEY RECORDED ON 08/26/2010 IN BOOK 617 AND PAGE 561 RECORDED IN ALLEGHANY COUNTY, COMMONWEALTH OF PENNSYLVANIA

State of Pennsylvania )  
County of Allegheny ) ss.

The foregoing instrument was acknowledged by me this 6/17/11, by: JEANETTE M. SHAFFER, AUTHORIZED REPRESENTATIVE OF NATIONAL REAL ESTATE INFORMATION SERVICES, LP AS POWER OF ATTORNEY RECORDED ON 08/26/2010 IN BOOK 617 AND PAGE 561 RECORDED IN ALLEGHANY COUNTY, COMMONWEALTH OF PENNSYLVANIA FOR FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION a CORPORATION and he/she is personally known to me and did not take an oath.

Renee L. Tarquinio (SEAL)  
Notary Public  
State of Pennsylvania  
My Commission Expires: 6/22/11

Our File No. ANA201114688



**PETITIONER'S DEED: LOT 10, BLOCK 6 - SHEET 2 OF 3**

**EXHIBIT A**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN PARCEL OF LAND LYING AND BEING IN BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 19, AND RUN SOUTH 00 DEGREES 30 MINUTES 42 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 1221.15 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ROSA STREET; THENCE SOUTH 89 DEGREES 06 MINUTES 11 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 510.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 06 MINUTES 11 SECONDS WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ELMO STREET; THENCE SOUTH 00 DEGREES 30 MINUTES 42 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 105.25 FEET; THENCE NORTH 89 DEGREES 06 MINUTES 11 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF 50.00 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 42 SECONDS WEST, A DISTANCE OF 105.25 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL BEING ALSO DESCRIBED AS LOT 10, BLOCK 6, OF UNRECORDED PLAT OF SHEPARD'S CLEAR LAKE VILLAGE.

TAX MAP OR PARCEL ID NO.: 24361975000060001000

PROPERTY COMMONLY KNOWN AS: 1595 ROSA STREET, COCOA, FL 32926

**PETITIONER'S DEED: LOT**  
**10, BLOCK 6-SHEET 3 OF 3**

2/1

**Documentary Deed Tax \$315.00**  
**THIS INSTRUMENT PREPARED BY AND RETURN TO:**  
Sandra Tucci  
ISLAND TITLE & ESCROW AGENCY, INC.  
2245 NORTH COURTENAY PKWY  
MERRITT ISLAND, FL. 32953  
File No. 15-4425

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED**, made the 21st day of April, 2015 by **STEPHEN E. MINER, AN UNMARRIED MAN**, herein called the grantor, to **ARTHUR VICTOR DODZWEIT and JOY FREEMAN DODZWEIT, husband and wife**, whose post office address is 1637 MINNIE STREET, COCOA, FL 32926, hereinafter called the Grantees;  
*(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)*

**W I T N E S S E T H:** That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in **BREVARD County, State of Florida, viz.:**

Begin at the Quarter Section Corner of the East Side of Section 19, Township 24 South, Range 36 East, and proceed West on the East and the West Center Line of said Section a distance of 610.00 feet to a point, thence South and parallel to the East Line of said Section a distance of 1,221.50 feet to Point of Beginning of the Property to be described in this instrument, thence for a First Course of the Property to be described by this Instrument proceed South on the West Line of Elmo Street a distance of 105.25 feet more or less to the South Line of the North 1/2 of the Southeast 1/4 of said Section, thence for a Second Course of the Property to be described by this Instrument go West and along the South Line of the North 1/2 of the Southeast 1/4 of said Section a distance of 100.00 feet to a Point, thence for a Third Course of the Property to be described by this Instrument go North and parallel to the East Line of said Section to a Point which is South 1,221.50 feet to the East and West Center Line of said Section and which Point is on the South Line of Rosa Street, thence for a Fourth Course to the Property to be described by this Instrument go East and parallel to the East and West Center Line of said Section and along the North Line of Rosa Street a distance of 100.00 feet to the Point of Beginning of the Property described in this Instrument, this Property is otherwise known as Lots 1 and 2 in Block 12 of Shepard's Clear Lake Village.

Subject to easements, restrictions and reservations of record and to taxes for the year 2015 and thereafter .

**TOGETHER**, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD**, the same in fee simple forever.

**AND**, the grantor hereby covenants with said grantees that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2014**.

File No.: 15-4425

**PETITIONER'S DEED: LOTS 1**  
**& 2, BLOCK 12 - SHEET 1 OF 2**

Page Two of Warranty Deed

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Sarah Thomas  
Witness #1 Signature

**SARAH THOMAS**

Witness #1 Printed Name

Stephen E. Miner  
STEPHEN E. MINER

100 CANEBREAKERS DRIVE #102, COCOA, FL 32926

Cathy Penner  
Witness #2 Signature

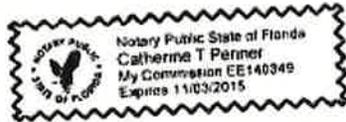
**CATHY PENNER**

Witness #2 Printed Name

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 21st day of April, 2015 by STEPHEN E. MINER who is personally known to me or has produced Divers License as identification.

SEAL



Catherine T. Penner  
Notary Public  
**CATHERINE T. PENNER**

Printed Notary Name

My Commission Expires:

File No.: 15-4425

**PETITIONER'S DEED: LOTS 1**  
**& 2, BLOCK 12 - SHEET 2 OF 2**

Work Request No. \_\_\_\_\_  
Sec 24, Twp 24 S, Rge 19 E  
Parcel I.D. 27-36-19-75-12-1  
27-36-19-75-6-10  
(Maintained by County Appraiser)

**EASEMENT  
(INDIVIDUAL)**

This Instrument Prepared By

Name: Arthur Victor & Joy F. Dodzweit  
Co. Name: N o n e  
Address: 1637 Minnie Street  
Cocoa, FL, 32926-2021 5537

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Resealed for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on SEPT 28, 2017

Signed, sealed and delivered in the presence of:

[Signature]  
(Witness Signature)  
Print Name: WILLIAM SHEALY  
(Witness)  
[Signature]  
(Witness Signature)  
Print Name: Chris Bookhardt  
(Witness)

By: [Signature]  
Print Name: Arthur Victor Dodzweit  
Print Address: 1637 Minnie St.  
Cocoa FL 32926-5539  
By: [Signature]  
Print Name: Joy F. Dodzweit  
Print Address: 1637 Minnie St  
Cocoa FL 32926

STATE OF FLORIDA AND COUNTY OF BREVARD. The foregoing instrument was acknowledged before me this 28 day of September, 2017, Arthur Victor and Joy F. Dodzweit, who are personally known to me or have produced as identification, and who did (did not) take an oath.

My Commission Expires:



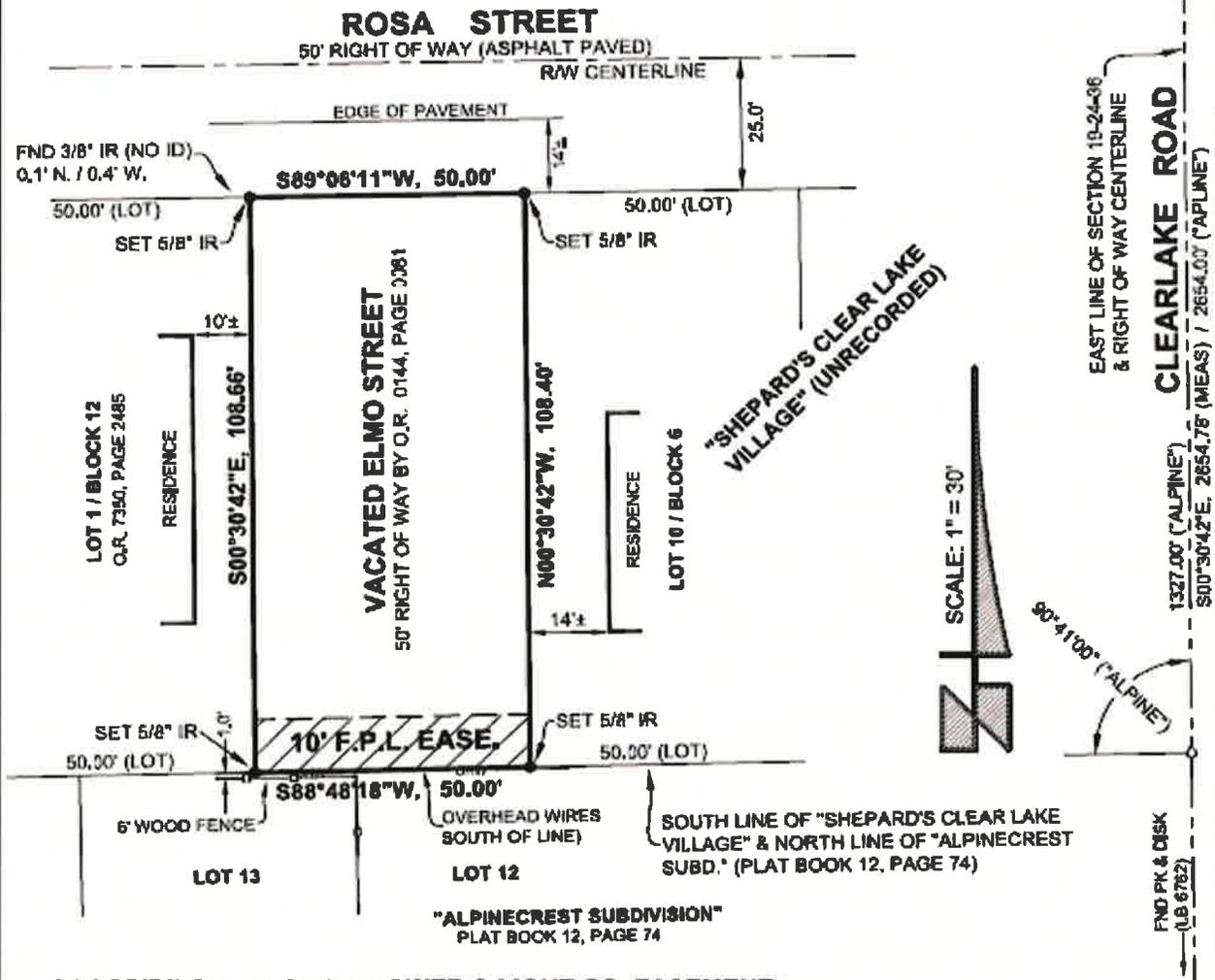
[Signature]  
(Type of Identification)  
Notary Public, Signature  
Print Name: DEBRA L. LEVESQUE



**F P L R E P L A C E M E N T**  
**E A S E M E N T - S H E E T 1 O F 2**

# SKETCH TO ACCOMPANY DESCRIPTION

THIS SKETCH IS NOT A "BOUNDARY SURVEY"



## DESCRIPTION - FLORIDA POWER & LIGHT CO. EASEMENT:

A 10 FOOT WIDE EASEMENT IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THE MOST SOUTHERLY 10 FEET OF ELMO STREET (A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081), LYING BETWEEN LOT 10, BLOCK 6 AND LOT 1, BLOCK 12 AND ADJACENT TO THE SOUTH LINE OF THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE".

DRAWN BY: RMP

CHK'D BY:

DATE: 10/2/17

JOB #: 17-163-2

SHEET 1 OF 1

PREPARED FOR & CERTIFIED TO THE EXCLUSIVE USE OF THE PARTIES LISTED BELOW AND FOR THOSE SERVICES EXPRESSED HEREON. USE OF THIS DOCUMENT BY ANY PARTY OTHER THAN THOSE LISTED OR FOR PURPOSES OTHER THAN THOSE EXPRESSED WILL BE AT THE SOLE RISK OF THAT PARTY WITHOUT LIABILITY OF ANY KIND TO THIS SURVEYOR.

EASEMENT SKETCH & DESCRIPTION FOR:  
**FLORIDA POWER & LIGHT CO.**



197 BOUGAINVILLEA DRIVE  
ROCKLEDGE, FLORIDA 32955  
TEL.: (321) 632-6335

**F P L R E P L A C E M E N T**

**E A S E M E N T - S H E E T 2 O F 2**

# BOUNDARY SURVEY

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PARCEL NUMBER: 24-36-19-75-12-1

PURPOSE: VACATION OF PORTION OF ELMO  
STREET RIGHT OF WAY

SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET (A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE") LYING NORTH OF THE SOUTH LINE OF SAID "SHEPARD'S CLEAR LAKE VILLAGE"; SOUTH OF THE SOUTH RIGHT OF WAY LINE OF ROSA STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND BETWEEN LOT 10, BLOCK 8 AND LOT 1, BLOCK 12 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 5,427 SQUARE FEET (0.124 ACRES).

## SURVEYOR'S NOTES:

- 1.) BEARING STRUCTURE - BASED ON AN ASSUMED MERIDIAN FOR COMPUTATIONAL PURPOSES. SPECIFICALLY, THE NORTH LINE OF THE S.E. 1/4 OF SECTION 19-24-36 = S89°06'11"W.
- 2.) UNDERGROUND IMPROVEMENTS - IF ANY, NOT LOCATED
- 3.) DATE OF FIELD SURVEY - AUGUST 30, 2017

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

ROBERT M. PACKARD, PSM  
SURVEYOR & MAPPER, PSM NO. 3887  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: **R.M. PACKARD & ASSOC., INC.**

ADDRESS: 197 BOUGAINVILLEA DRIVE / SUITE D  
ROCKLEDGE, FLORIDA 32955  
LB NO, 6649

PHONE: (321) 632-6335  
FAX: (321) 631-7392  
EMAIL: [packardsurvey@cfl.rr.com](mailto:packardsurvey@cfl.rr.com)



DRAWN BY: RMP

CHECKED \_\_\_\_\_

DRAWING NO. A-17-163

DATE: 8/30/2017

BY: \_\_\_\_\_  
SHEET 1 OF 2

REVISIONS \_\_\_\_\_

# RIGHT-OF-WAY BOUNDARY

# SURVEY: 1 OF 2

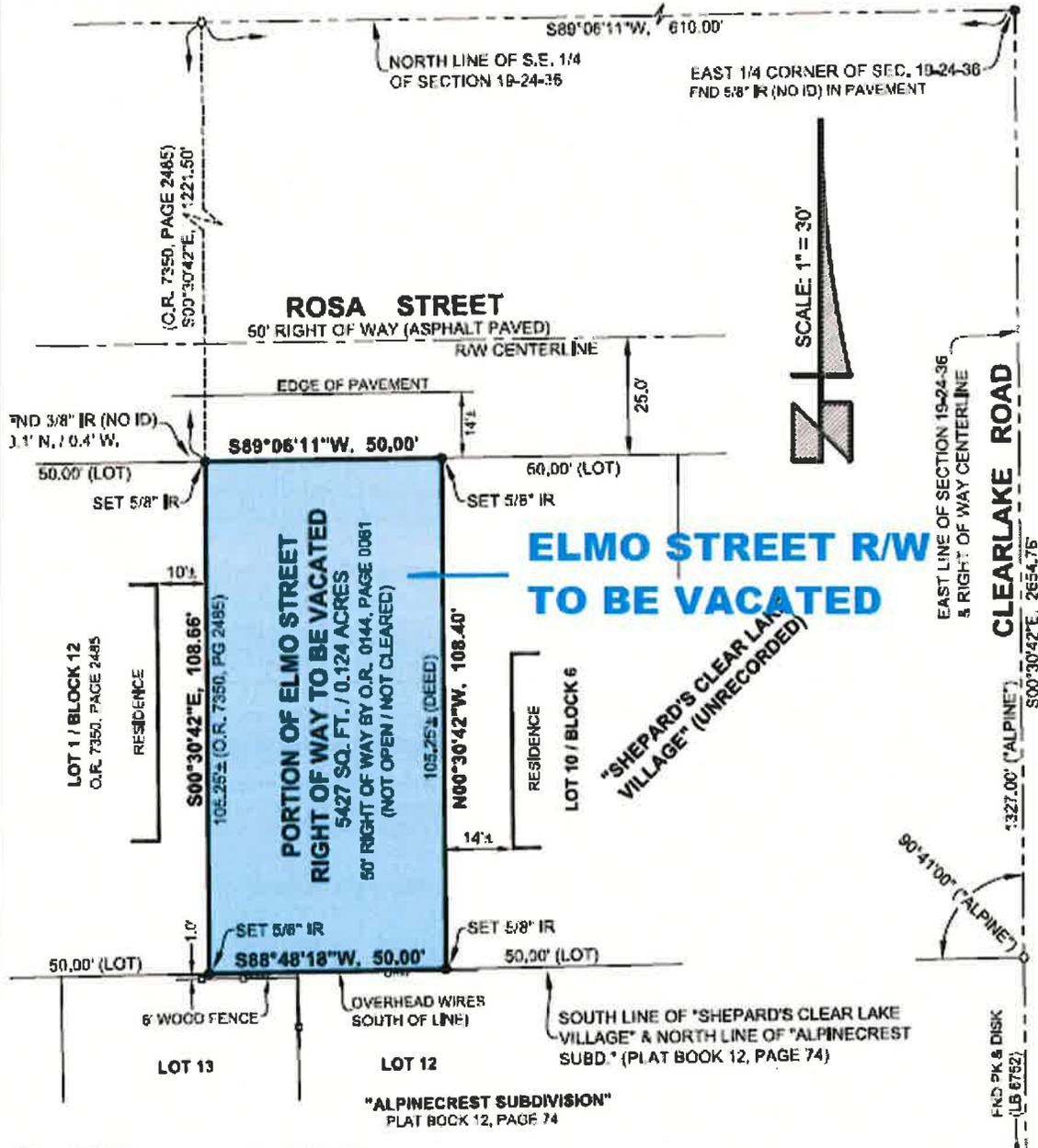
# BOUNDARY SURVEY

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PARCEL NUMBER: 24-36-19-75-8-23

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2



SEC = SECTION  
 FND = FOUND  
 ID = IDENTIFICATION  
 IR = IRON ROD  
 PK = PARKER-KALON NAJ.  
 O.R. = OFFICIAL RECORDS

C.L. = CHAIN LINK  
 CBS = CONCRETE BLOCK STRUCTURE  
 ELEC = ELECTRIC METER  
 LB = LAND SURVEYING BUSINESS  
 LS = LAND SURVEYOR  
 R/W = RIGHT OF WAY

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PROJECT NO.: 17-163  
 PREPARED BY:  
**R.M. PACKARD** ASSOC., P.C.

# RIGHT-OF-WAY BOUNDARY SURVEY: 2 OF 2

**COMMENT SUMMARY**

APPLICANT: VICTOR DODZWEIT

UPDATE BY/DATE: MARC CAZESSÜS, PLS - 20171005 @ 12:08 HRS

COMPANIES	NOTIFIED	COMMENTS		STIPULATIONS/REMARKS
		RECEIVED	APPROVED	
<b>UTILITIES</b>				
CITY OF COCOA	20170914	20170928	YES	NO OBJECTIONS
FLORIDA CITY GAS	20170914	20170914	YES	NO OBJECTIONS
FLORIDA GAS TRANSMISSION	20170914	20170913	YES	NO OBJECTIONS
FPL	20170914	20170927	YES	NO OBJECTIONS WITH REPLACEMENT EASEMENT
AT & T	20170914	20171004	YES	NO OBJECTIONS
BRIGHT HOUSE NETWORKS	20170914	20170916	YES	NO OBJECTIONS
<b>COUNTY STAFF</b>				
ROAD & BRIDGE	20170914	20170915	YES	NO OBJECTIONS - SUSAN JACKSON
LAND PLANNING	20170914	20170920	YES	NO OBJECTIONS - REBECCA RAGAIN
UTILITY SERVICES	20170914	20170914	YES	NO OBJECTIONS - TAMMY HURLEY
TRAFFIC ENGINEERING	20170914	20170928	YES	NO OBJECTIONS - DEVIN SWANSON
FIRE AND RESCUE	20170914	20170914	YES	NO OBJECTIONS - DOUG CARTER
NRMD / STORM WATER	20170914	20171005	YES	NO OBJECTIONS - HARVEY WHEELER
ZONING	20170914	20170914	YES	NO OBJECTIONS - PAUL BODY
LAND ACQUISITION	20170914	20170928	YES	NO OBJECTIONS - DAN JONES

**COMMENT**  
**SHEET**

AD#2508799, 11/3/2017 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF THE UNOPENED, 50.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF ELMO STREET, UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE" IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, COCOA, 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 **ARTHUR VICTOR DODZWEIT AND JOY F. DODZWEIT** 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 November 21, 2017 at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance. EXHIBIT "A" A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET (A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE") LYING NORTH OF THE SOUTH LINE OF SAID "SHEPARD'S CLEAR LAKE VILLAGE"; SOUTH OF THE SOUTH RIGHT OF WAY LINE OF ROSA STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND BETWEEN LOT 10, BLOCK 6 AND LOT 1, BLOCK 12 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 5,427 SQUARE FEET (0.124 ACRES).  
PREPARED BY: ROBERT M. PACKARD, PSM

**PUBLIC HEARING LEGAL**  
**ADVERTISEMENT**

## **EXHIBIT "A"**

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET (A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE") LYING NORTH OF THE SOUTH LINE OF SAID "SHEPARD'S CLEAR LAKE VILLAGE"; SOUTH OF THE SOUTH RIGHT OF WAY LINE OF ROSA STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND BETWEEN LOT 10, BLOCK 6 AND LOT 1, BLOCK 12 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 5,427 SQUARE FEET (0.124 ACRES).