



AGENDA REPORT
May 7, 2019

**Petition to Vacate Public Utility Easements-Merritt Island-Maria T.
Ciechanski (District 2)**

SUBJECT:

Petition to Vacate, Re: Public Utility and Drainage Easement – “Indian River Village” Plat Book 25, Page 94 – Merritt Island – Maria T. Ciechanski – District 2

FISCAL IMPACT:

\$640.00 Vacating Application Fee Paid by Petitioner

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of two public utility and drainage easements on Lot 33, Block “A”, “Indian River Village” in Section 15, Township 24 South, Range 36 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

SUMMARY EXPLANATION and BACKGROUND:

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

The petitioner owns Lot 33, Block “A” and are requesting the vacating of the 7.50 ft. wide public utility and drainage easements to remove the existing pool and screened patio as encroachments into said easements. Easements to be vacated contain 114.0 square feet, more or less.

April 22, 2019, 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. The property is located in Merritt Island as follows: Begin at the intersection of S.R. 528 and S. R. 3 (North Courtenay Pkwy); thence 0.35 miles south along S. R. 3; thence 0.75 miles east along Venetian Way to the residence on 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: Amber.Holley@brevardfl.gov Phone: Ext. 57315

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.

ATTACHMENTS:

Description

▣ **Exhibits**



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

Telephone: (321) 637-2001

Fax: (321) 264-6972

Tammy.Rowe@brevardclerk.us

May 20, 2019

MEMORANDUM

TO: Corrina Gumm, Interim Public Works Director Attn: Amber Holley

RE: Advertising Bills for Resolution Vacating a Part of Two Public Utility Easements in Indian River Village Subdivision, Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-084, vacating a part of two public utility easements in Indian River Village Subdivision, Merritt Island, as petitioned by Maria T. Ciechanski. Said Resolution was adopted by the Board of County Commissioners, in regular session on May 7, 2019.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

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

May 30, 2019

Maria T. Ciechanski
735 Venetian Way
Merritt Island, FL 32953

Dear Ms. Ciechanski:

Re: Resolution Vacating a Part of Two Public Utility and Drainage Easements in Indian River Village Subdivision, Merritt Island

The Board of County Commissioners, in regular session on May 7, 2019, adopted Resolution No. 19-084, vacating a part of two public utility and drainage easements in Indian River Village Subdivision, Merritt Island, as petitioned by you. Said Resolution has been recorded in ORBK 8442, Pages 2211 through 2215. 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: Amber Holley, Public Works

Resolution 2019 - 084

**Vacating a part of two public utility and drainage easements in "Indian River Village" Subdivision,
Merritt Island, Florida, lying in Section 15, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **MARIA T. CIECHANSKI** with the Board of County Commissioners to vacate a portion of two public utility and drainage easements in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

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

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

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

THEREFORE BE IT RESOLVED that said portion of the public utility and drainage easement is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easement. 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 07TH day of May, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:


SCOTT ELLIS, CLERK


Kristine Isnardi, Chair

As approved by the Board on:
May 07, 2019

EXHIBIT "A"

LEGAL DESCRIPTION

SITUATED IN SECTION 15, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PARCEL ID# 24-36-15-01-A-33

PURPOSE OF SURVEY: VACATING PORTIONS OF A 7.5 FOOT WIDE
UTILITY & DRAINAGE EASEMENT

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

LEGAL DESCRIPTION:

THE NORTH 1.0 FOOT OF THE SOUTH 7.5 FEET OF THE WEST 42.0
FEET OF THE EAST 49.5 FEET OF THE 7.5 FOOT PUBLIC UTILITY AND DRAINAGE
EASEMENT LYING WITHIN LOT 33, BLOCK A, INDIAN RIVER VILLAGE, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 94 AND 95 OF THE
PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

AND TOGETHER WITH:

THE WEST 2.00 FEET OF THE EAST 7.5 FEET OF THE NORTH 36.0
FEET OF THE SOUTH 43.5 FEET OF THE 7.5 FOOT PUBLIC UTILITY AND DRAINAGE
EASEMENT LYING WITHIN LOT 33, BLOCK A, INDIAN RIVER VILLAGE, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 94 AND 95 OF THE
PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 114.0 SQ. FT. MORE OR
LESS.

SURVEYOR'S NOTES:

1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIPTION IS THE SOUTH RIGHT OF WAY LINE
OF VENETIAN WAY, BEING S 89°41'02" E, AS PER PLAT OF INDIAN RIVER VILLAGE.
2. THE SKETCH ON SHEET 2 OF 2 IS NOT A BOUNDARY SURVEY, IT IS A SKETCH ONLY TO
ACCOMPANY LEGAL DESCRIPTION.
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY
ERIC NIELSEN LAND SURVEYING, INC. DATED 12-18-2018

ABBREVIATION & SYMBOL LEGEND

C/L = CENTERLINE	I.R.C. = IRON ROD & CAP
R/W = RIGHT-OF-WAY	P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
FND = FOUND	A/C = AIR CONDITIONER
LB = LICENSED BUSINESS	CONC = CONCRETE
P = PLAT	WUP = WOOD UTILITY POLE
M = MEASURED	W/M = WATER METER
I.R. = IRON ROD	E.M. = ELECTRIC METER
L = LINE	W.F.S. = WOOD FRAME STRUCTURE
N&D = NAIL & DISC	C.B.S. = CONCRETE BLOCK STRUCTURE



= AREA TO BE VACATED


SURVEYOR & MAPPER, PSM NO. 5386
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: MARIA T. CIECHANSKI

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY:
ERIC NIELSEN LAND SURVEYING, INC.
L.B. 6946, 12 STONE STREET, SUITE 4
COCOA, FL. 32922

DRAWN BY: T.N.

CHECKED BY: EN

DRAWING NO. 18-676-VAC

SECTION 15

DATE: 03-04-2019

SHEET 1 OF 2

REVISIONS

TOWNSHIP 24 SOUTH
RANGE 36 EAST

EXHIBIT "A"

SKETCH OF DESCRIPTION

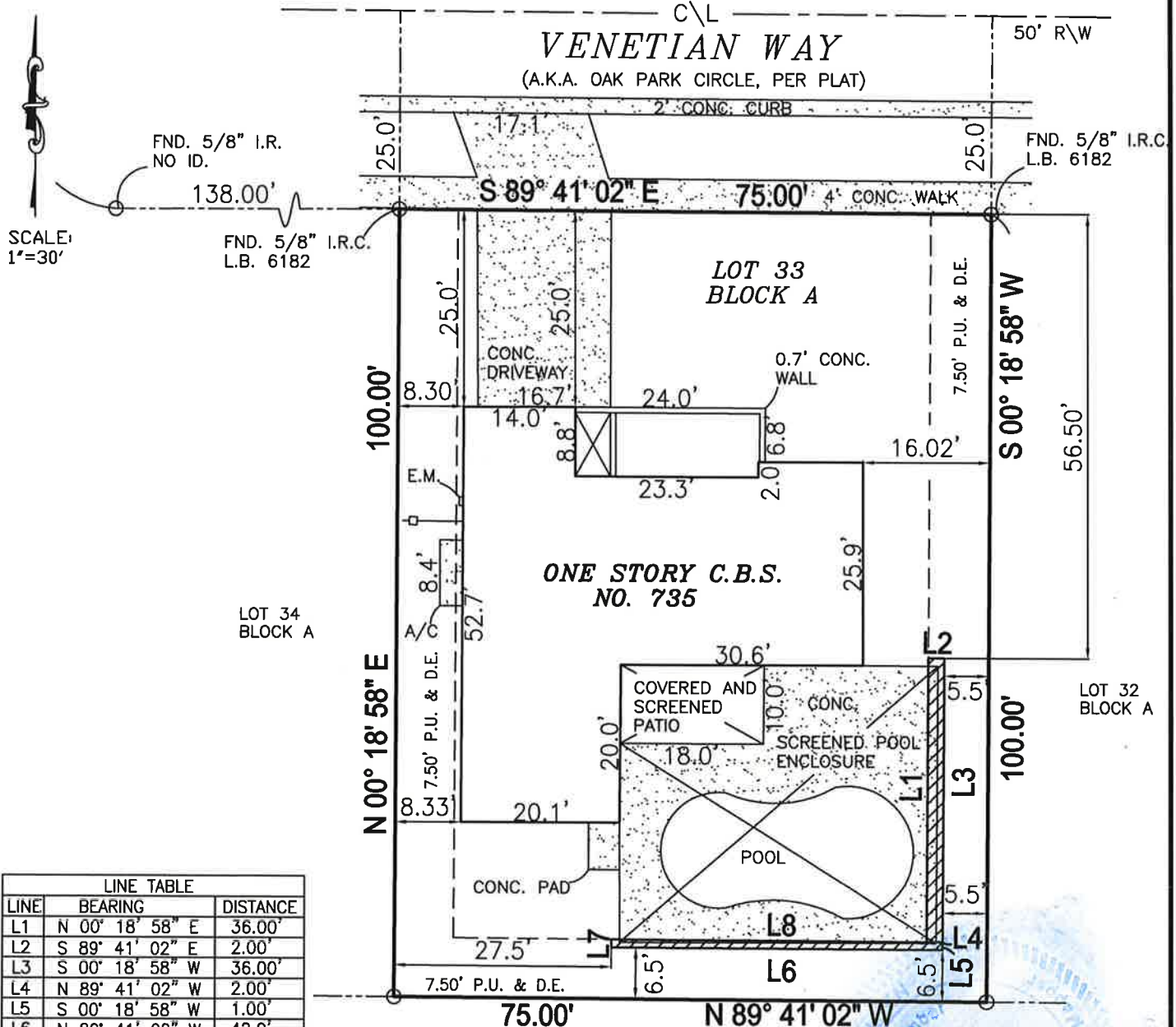
SHEET 2 OF 2

SITUATED IN SECTION 15, TOWNSHIP 24 SOUTH,
RANGE 36 EAST

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2

PARCEL ID# 24-36-15-01-A-33

"THIS IS A SKETCH ONLY, NOT A BOUNDARY SURVEY"



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 00° 18' 58" E	36.00'
L2	S 89° 41' 02" E	2.00'
L3	S 00° 18' 58" W	36.00'
L4	N 89° 41' 02" W	2.00'
L5	S 00° 18' 58" W	1.00'
L6	N 89° 41' 02" W	42.0'
L7	N 00° 18' 58" E	1.00'
L8	S 89° 41' 02" E	42.0'

TRACT A

SURVEYOR & MAPPER, PSM NO. 5386
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: MARIA T. CIECHANSKI
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY:
ERIC NIELSEN LAND SURVEYING, INC.
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DRAWN BY: T.N.

CHECKED BY: EN

DRAWING NO. 18-676-VAC

SECTION 15
TOWNSHIP 24 SOUTH
RANGE 36 EAST

DATE: 03-04-2019

SHEET 2 OF 2

REVISIONS



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

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

Notice Public Hearing

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

04/22/19

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 22th of April 2019,
by Diana Figueroa who is personally known to me


Affiant


Notary Kathleen A Gibson

AD#3510768, 4/22/2019

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF
TWO 7.5 FT. WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENTS, PLAT OF "INDI-
AN RIVER VILLAGE" IN SECTION 15,
TOWNSHIP 24 SOUTH, RANGE 36 EAST,
MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant
to Chapter 336.09, Florida Statutes, and
Chapter 86, Article II, Section 86-36, Bre-
vard County Code, a petition has been
filed by MARIA T. CIECHANSKI with the
Board of County Commissioners of Bre-
vard County, Florida, to request vacating
the following described property, to wit:

THE NORTH 1.0 FOOT OF THE SOUTH 7.5
FEET OF THE WEST 42.0 FEET OF THE
EAST 49.5 FEET OF THE 7.5 FOOT PUBLIC
UTILITY AND DRAINAGE EASEMENT LY-
ING WITHIN LOT 33, BLOCK A, INDIAN
RIVER VILLAGE, ACCORDING TO THE
PLAT THEREOF AS RECORDED IN PLAT
BOOK 25, PAGES 94 AND 95 OF THE PUB-
LIC RECORDS OF BREVARD COUNTY,
FLORIDA.

AND TOGETHER WITH:
THE WEST 2.00 FEET OF THE EAST 7.5
FEET OF THE NORTH 38.0 FEET OF THE
SOUTH 43.5 FEET OF THE 7.5 FOOT PUB-
LIC UTILITY AND DRAINAGE EASEMENT
LYING WITHIN LOT 33M BLOCK A,
INDIAN RIVER VILLAGE, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN
PLAT BOOK 25, PAGES 94 AND 95 OF
THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA, CONTAINING 114.0
SQ. FT. MORE OR LESS, PREPARED BY:
ERIC NIELSEN, PSM.

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 May 07, 2019 at the Brevard County
Government Center Board Room, Build-
ing 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 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.

Publication Cost: \$230.20
Ad No: 0003510768
Customer No: BRE-6BR327





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

AD#3556115, 5/12/2019
LEGAL NOTICE

RESOLUTION VACATING A PART OF
TWO PUBLIC UTILITY AND DRAINAGE
EASEMENTS IN INDIAN RIVER VILLAGE
SUBDIVISION, LYING IN SECTION 15,
TOWNSHIP 24 SOUTH,
RANGE 36 EAST, MERRITT ISLAND
- MARIA T. CIECHANSKI

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

Legal Notices

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

05/12/19

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 13th of May 2019,
by Diana Figueroa who is personally known to me


Affiant


Notary Kathleen A Gibson

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
7th day of May 2019, the Board of County
Commissioners of Brevard County,
Florida, adopted a Resolution vacating a
part of two public utility and drainage
easements in Indian River Village Subdi-
vision, lying in Section 15, Township 24
South, Range 36 East, Merritt Island, as
petitioned by Maria T. Ciechanski.

THE NORTH 1.0 FOOT OF THE SOUTH 7.5
FEET OF THE WEST 42.0 FEET OF THE
EAST 49.5 FEET OF THE 7.5 FOOT PUBLIC
UTILITY AND DRAINAGE EASEMENT LY-
ING WITHIN LOT 33, BLOCK A, INDIAN
RIVER VILLAGE, ACCORDING TO THE
PLAT THEREOF AS RECORDED IN PLAT
BOOK 25, PAGES 94 AND 95 OF THE PUB-
LIC RECORDS OF BREVARD COUNTY,
FLORIDA.

AND TOGETHER WITH:
THE WEST 2.00 FEET OF THE EAST 7.5
FEET OF THE NORTH 36.0 FEET OF THE
SOUTH 43.5 FEET OF THE 7.5 FOOT PUB-
LIC UTILITY AND DRAINAGE EASEMENT
LYING WITHIN LOT 33M, BLOCK A,
INDIAN RIVER VILLAGE, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN
PLAT BOOK 25, PAGES 94 AND 95 OF
THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA, CONTAINING 114.0
SQ. FT. MORE OR LESS, PREPARED BY:
ERIC NIELSEN, PSM.

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

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

Publication Cost: \$224.04
Ad No: 0003556115
Customer No: BRE-6BR327





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.: 0003556115
Pymt Method Invoice
Net Amt: \$224.04

Run Times: 1

No. of Affidavits: 1

Run Dates: 05/12/19

Text of Ad:

AD#3556115, 5/12/2019
LEGAL NOTICE

RESOLUTION VACATING A PART OF
TWO PUBLIC UTILITY AND DRAINAGE
EASEMENTS IN INDIAN RIVER VILLAGE
SUBDIVISION, LYING IN SECTION 15,
TOWNSHIP 24 SOUTH,
RANGE 36 EAST, MERRITT ISLAND
- MARIA T. CIECHANSKI

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
7th day of May 2019, the Board of Coun-
ty Commissioners of Brevard County,
Florida, adopted a Resolution vacating a
part of two public utility and drainage
easements in Indian River Village Subdi-
vision, lying in Section 15, Township 24
South, Range 36 East, Merritt Island, as
petitioned by Maria T. Ciechanski.

THE NORTH 1.0 FOOT OF THE SOUTH 7.5
FEET OF THE WEST 42.0 FEET OF THE
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UTILITY AND DRAINAGE EASEMENT LY-
ING WITHIN LOT 33, BLOCK A, INDIAN
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BOOK 25, PAGES 94 AND 95 OF THE PUB-
LIC RECORDS OF BREVARD COUNTY,
FLORIDA.

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FEET OF THE NORTH 36.0 FEET OF THE
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LIC UTILITY AND DRAINAGE EASEMENT
LYING WITHIN LOT 33M BLOCK A,
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PLAT BOOK 25, PAGES 94 AND 95 OF
THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA. CONTAINING 114.0
SQ. FT. MORE OR LESS. PREPARED BY:
ERIC NIELSEN, PSM.

The Board further renounced and dis-
claimed any right of the County In and
to said easements.

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

Donna Scott

From: LEGALS, BRE <BRELEGALS@gannett.com>
Sent: Thursday, May 09, 2019 8:58 AM
To: Donna Scott
Subject: RE: 3556115 Legal notice
Attachments: 5.7 MARIA T. CIECHANSKIOrderConf.pdf

Hello Donna,

Please see the attached proof.

Reference AD#3556115, scheduled to run 5/12 in Florida Today.

Thank you

Billy McCabe

Regional Legal Clerk



USA TODAY
NETWORK

LOCALiQ

1-888-516-9220 ex.5416 | wmccabe@localiq.com

*****Please note: An Affidavit of Publication (which is your notarized affidavit along with a digital copy of your notice, is proof that you legally published your notice in the newspaper) will be charged and automatically added to your invoice unless you let us know in writing that you do not wish to have one.***

Please include your old account number when requesting legal notices to ensure proper billing.

From: Donna Scott <donna.scott@brevardclerk.us>
Sent: Wednesday, May 8, 2019 2:28 PM
To: LEGALS, BRE <BRELEGALS@gannett.com>
Subject: 3556115 Legal notice

Attached is one legal notice to be published on Sunday, May 12; **billing the Public Works Department Account No. 6BR327, and Purchase Order No. 4500092228-10.**

Thank you,

Donna Scott

Assistant Clerk to the Board

(321) 637-2001 / Ext. 49120



Brevard County, Florida

Clerk of the Court
Scott Ellis

Donna Scott

From: Donna Scott
Sent: Wednesday, May 08, 2019 2:28 PM
To: Brev Legals
Subject: Legal notice
Attachments: 05-07-09 Maria T. Ciechanski.docx

Attached is one legal notice to be published on Sunday, May 12; **billing the Public Works Department Account No. 6BR327, and Purchase Order No. 4500092228-10.**

Thank you,

Donna Scott
Assistant Clerk to the Board
(321) 637-2001 / Ext. 49120



LEGAL NOTICE

RESOLUTION VACATING A PART OF TWO PUBLIC UTILITY AND DRAINAGE
EASEMENTS IN INDIAN RIVER VILLAGE SUBDIVISION, LYING IN SECTION 15,
TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND

- MARIA T. CIECHANSKI

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 7th day of May 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of two public utility and drainage easements in Indian River Village Subdivision, lying in Section 15, Township 24 South, Range 36 East, Merritt Island, as petitioned by Maria T. Ciechanski.

SEE ATTACHED EXHIBIT "A"

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

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

SCOTT ELLIS, CLERK

BY: Tammy Rowe, Deputy Clerk

Florida TODAY:

Please advertise in the May 12, 2019, issue of the Florida TODAY.

Bill the Board of County Commissioners Account Number 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**

LEGAL DESCRIPTION:

EXHIBIT "A"

THE NORTH 1.0 FOOT OF THE SOUTH 7.5 FEET OF THE WEST 42.0 FEET OF THE EAST 49.5 FEET OF THE 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 33, BLOCK A, INDIAN RIVER VILLAGE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 94 AND 95 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

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Appraiser's Detail Sheet



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-8700

<https://www.bcpao.us>

PROPERTY DETAILS

Account	2413307
Owners	Ciechanski, Maria T Life Est
Mailing Address	2265 Sea Horse Dr Melbourne Beach FL 32951
Site Address	735 Venetian Way Merritt Island FL 32953
Parcel ID	24-36-15-01-A-33
Property Use	0110 - Single Family Residence
Exemptions	HEX1 - Homestead First HEX2 - Homestead Additional WDWW - Widow's Exemption For Wife
Taxing District	2200 - Unincorp District 2
Total Acres	1.10
Subdivision	Indian River Village
Site Code	0115 - River Acc/Limit View
Plat Book/Page	0025/0094
Land Description	Indian River Village Lot 33 Blk A 7 Pt Of Tr A As Desc IN Orb 2852 Pg 2756 Par A.2



VALUE SUMMARY

Category	2018	2017	2016
Market Value	\$184,710	\$148,530	\$146,400
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$95,640	\$93,680	\$91,760
Assessed Value School	\$95,640	\$93,680	\$91,760
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$500	\$500	\$500
Taxable Value Non-School	\$45,140	\$43,180	\$41,260
Taxable Value School	\$70,140	\$68,180	\$66,260

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
10/22/2008	—	WD	Improved	5894/6245
10/30/1991	\$100,000	WD	Improved	3157/0581
05/04/1984	\$65,900	WD	—	2508/1149
05/14/1981	\$43,700	WD	—	2299/1962

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - Single Family Residence

Materials	Details	
Exterior Wall:	Stucco	Year Built 1981
Frame:	Masonryconc	Story Height 8
Roof:	Asph/Asb Shngl	Floors 1
Roof Structure:	Hip/Gable	Residential Units 1
		Commercial Units 0
Sub-Areas	Extra Features	
Base Area (1st)	1,374	Pool Deck 820
Garage	328	All Screen - 1 Story 1,300
Open Porch	54	Pool - Residential 1
Open Porch	180	

Fig. 1: Copy of Brevard County Property Appraiser's detail sheet for Lot 33, Block "A", Indian River Village, Maria T. Ciechanski, 735 Venetian Way, Merritt Island, Section 15, Township 24 South, Range 36 East, District 2

Vicinity Map

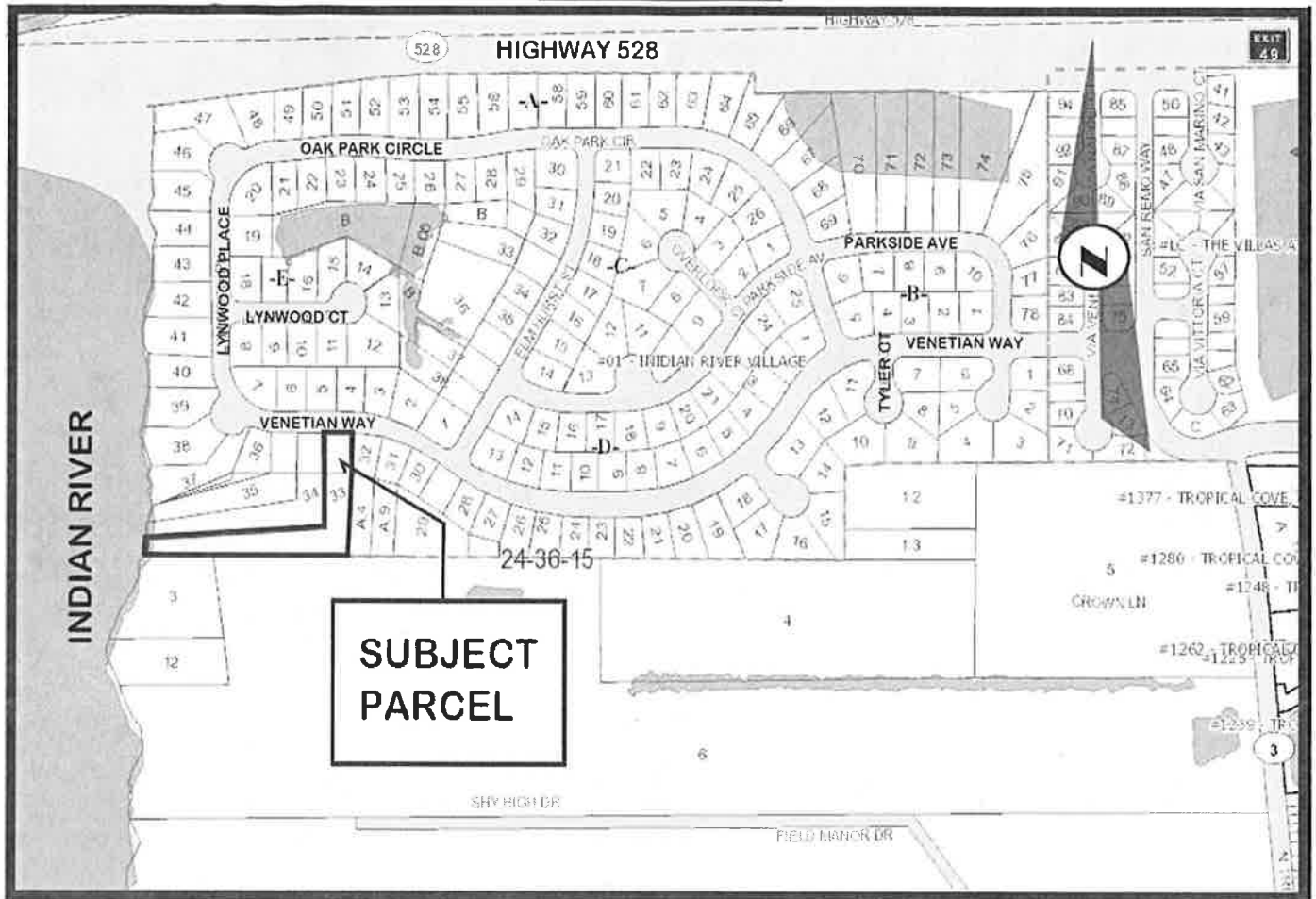


Fig. 2: Map of Lot 33, Block "A", Indian River Village, 735 Venetian Way

Maria T. Ciechanski – Lot 33, Block "A", "Indian River Village" (Plat Book 25, Page 94) – 735 Venetian Way – Section 15, Township 24 South, Range 36 East – District 2 – Proposed Vacating of two 7.5 ft. Wide Public Utility and Drainage Easements

Aerial Map

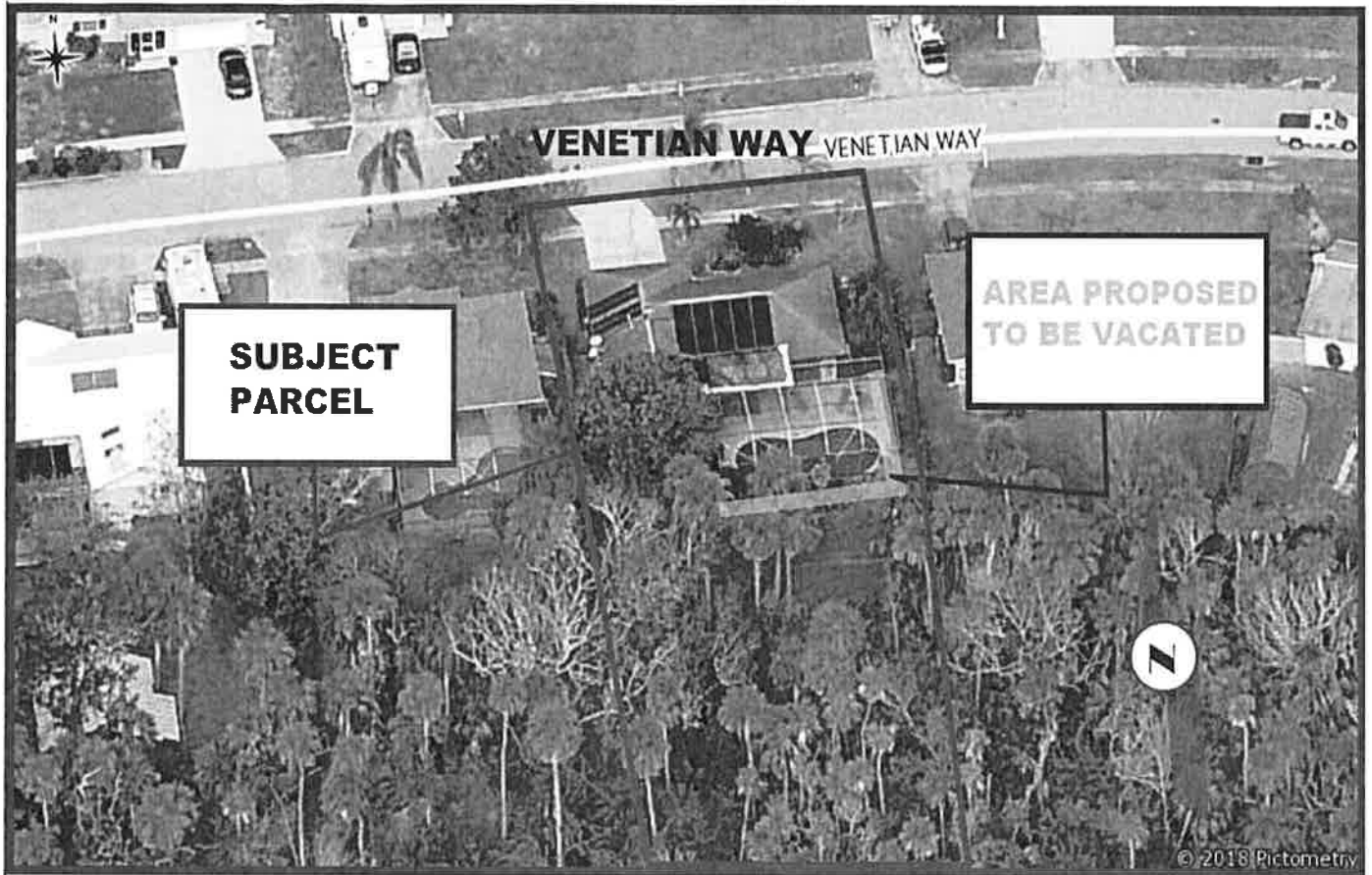


Fig. 3: Map of aerial view of Lot 33, Block "A", Indian River Village, 735 Venetian Way, Merritt Island

Maria T. Ciechanski – Lot 33, Block "A", "Indian River Village" (Plat Book 25, Page 94) – 735 Venetian Way – Section 15, Township 24 South, Range 36 East – District 2 – Proposed Vacating of two 7.5 ft. Wide Public Utility and Drainage Easements

Plat Reference

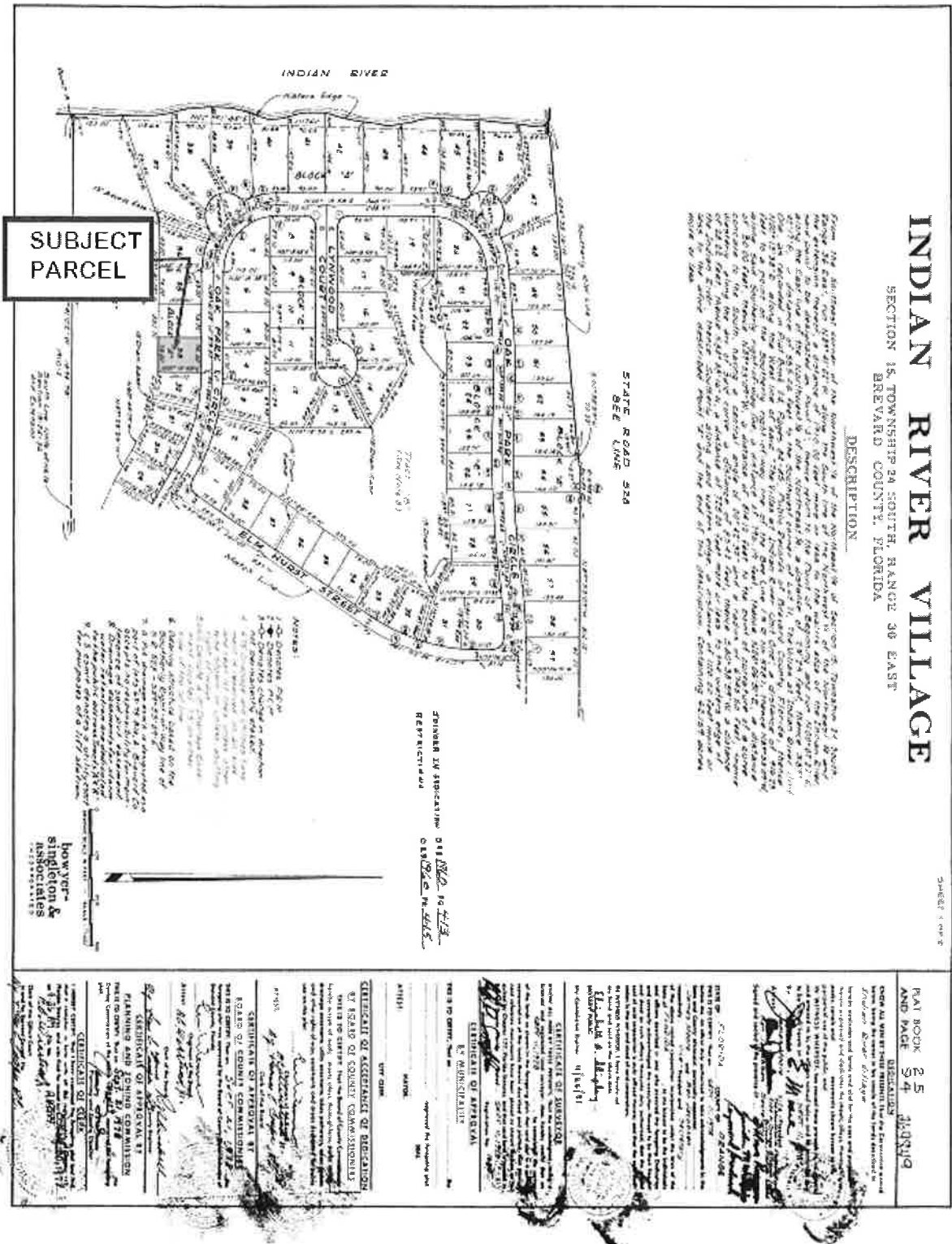


Fig. 4: Copy of plat map "Indian River Village" dedicated to Brevard County September 11, 1978

Petitioner's Deed

CFN 2008201660, OR BK 5894 Page 6245, Recorded 10/22/2008 at 02:28 PM, Scott Ellis, Clerk of Courts, Brevard County Doc. D: \$0.70

THIS WARRANTY DEED, Executed this 22nd day of October, 2008, by ALEKSANDER CIECHANSKI and MARIA TUNICKA CIECHANSKI, husband and wife, Grantor(s); to: ALEKSANDER CIECHANSKI and MARIA TUNICKA CIECHANSKI, Trustee(s), therein, to THE ALEKSANDER CIECHANSKI and MARIA TUNICKA CIECHANSKI REVOCABLE LIVING TRUST, U.T.D. 22nd day of October, 2008, whose post office address is 735 Venetian Way, Merritt Island, FL 32953, referred to as GRANTEE. The Trustee(s) shall have the power and authority under the Trust to protect, conserve and to sell or convey, or to lease, or to encumber, or otherwise to manage and dispose of the real property described in the deed. A duly appointed Successor Trustee, shall have the same aforementioned powers.

WITNESSETH, That the said Grantor(s), for and in consideration of the sum of \$10.00 in hand paid by the said Grantee(s), the receipt whereof is hereby acknowledged, has granted, bargained, and sold to said GRANTEE and GRANTEE's Successors, and assigns forever the following described land situate in Brevard County, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED
HEREWITH BY REFERENCE.

TITLE TO THE ABOVE-DESCRIBED PROPERTY HAS BEEN NEITHER
EXAMINED NOR APPROVED BY ROBERT A. DOHERTY, ATTORNEY.

Saving, excepting and reserving unto the Grantor(s) a LIFE ESTATE in the above described real property, with the full use, control, income and possession of said real property during the term of Grantor(s) natural lives.


(This is a deed of convenience given for nominal consideration as recited above; only minimum documentary stamps are required.)

This conveyance is subject to restrictions, reservations, limitations, and easements of record, taxes for the current year and subsequent years, and all mortgages of record which the Grantee(s) herein assume and agree to pay.

In Witness Whereof, The said Grantors have signed and sealed these presents the day and year first above written.


Robert A. Doherty, Witness


ALEKSANDER CIECHANSKI


Sharon Fitzpatrick, Witness


MARIA TUNICKA CIECHANSKI

Fig. 6: Copy of deed of sale for lot 33, Block "A", Indian River Village, 735 Venetian Way, Merritt Island, FL to Maria T. Ciechanski on October 22, 2008.

Petitioner's Deed

OR BK 5894 PG 6246

STATE OF FLORIDA
COUNTY OF BREVARD


)
)


I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

NAME(S) ALEKSANDER CIECHANSKI
MARIA TUNICKA CIECHANSKI

to me known to be the person(s) described in and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they executed the same, and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this *22nd* day of *October* A.D., 2008.

NOTARY PUBLIC-STATE OF FLORIDA
 Robert A. Doherty
Commission # DD610002
Expires: DEC. 12, 2010
BONDED THRU ATLANTIC BONDING CO., INC.


NOTARY PUBLIC

Return to: GRANTEES whose address appears above.

Prepared by: Robert A. Doherty, Attorney
1900 S. Harbor City Blvd., Suite 342
Melbourne, FL 32901

Fig. 7: Copy of deed of sale for lot 33, Block "A", Indian River Village, 735 Venetian Way, Merritt Island, FL to Maria T. Ciechanski on October 22, 2008.

Petitioner's Deed

OR BK 5894 PG 6247

Exhibit "A"

Lot 33, Block A, INDIAN RIVER VILLAGE, according to the plat thereof as recorded in Plat Book 25, Pages 94 and 95 of the Public Records of Brevard County, Florida; AND

A portion of Tract A of INDIAN RIVER VILLAGE, according to the plat thereof recorded in Plat Book 25, Pages 94 and 95 of the Public Records of Brevard County, Florida, the same being more particularly described as follows:

Begin at the Southeast corner of Lot 33 in Block A of said INDIAN RIVER VILLAGE; thence run South 03 degrees, 16 minutes, 23 seconds West for 203.27 feet to a point on the South line of said Tract A, thence run North 89 degrees, 41 minutes, 02 seconds West along said South line for 553.65 feet to a point on the ordinary high water line of the INDIAN RIVER; thence run North 03 degrees, 47 minutes, 55 seconds East along said ordinary high water line for 39.16 feet; thence run North 86 degrees, 33 minutes, 54 seconds East for 487.80 feet; thence run North 0 degrees, 18 minutes, 58 seconds East for 132.00 feet to the Southwest corner of said Lot 33; thence run South 89 degrees, 41 minutes, 02 seconds East along the South line of said Lot 33 for 75.00 feet to the Point of Beginning.

Tax I.D. #24-36-15-01-A-2

Tax I.D. #24-36-15-01-A-33

Fig. 8: Copy of deed of sale for lot 33, Block "A", Indian River Village, 735 Venetian Way, Merritt Island, FL to Maria T. Ciechanski on October 22, 2008.

Petitioner's Boundary Survey

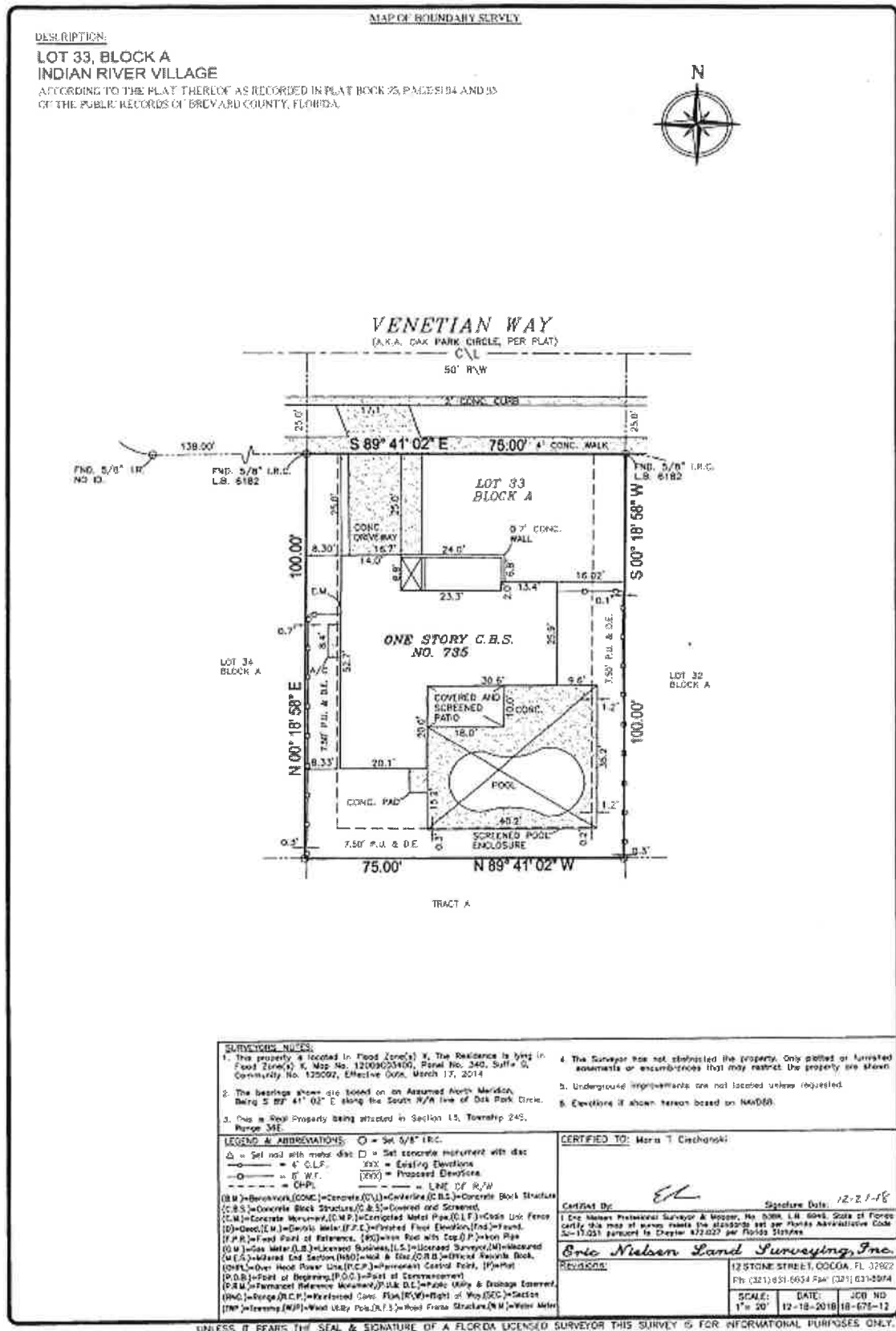


Fig. 9: Copy of the boundary survey of lot 33, Block "A", Indian River Village.

Petitioner's Sketch & Description Sheet 1 of 2

EXHIBIT "A"

LEGAL DESCRIPTION

SITUATED IN SECTION 15, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PARCEL ID# 24-36-15-01-A-33

PURPOSE OF SURVEY: VACATING PORTIONS OF A 7.5 FOOT WIDE
UTILITY & DRAINAGE EASEMENT

SHEET 1 OF 2

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

LEGAL DESCRIPTION:

THE NORTH 1.0 FOOT OF THE SOUTH 7.5 FEET OF THE WEST 42.0
FEET OF THE EAST 49.5 FEET OF THE 7.5 FOOT PUBLIC UTILITY AND DRAINAGE
EASEMENT LYING WITHIN LOT 33, BLOCK A, INDIAN RIVER VILLAGE, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 94 AND 95 OF THE
PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

AND TOGETHER WITH:


THE WEST 2.00 FEET OF THE EAST 7.5 FEET OF THE NORTH 36.0
FEET OF THE SOUTH 43.5 FEET OF THE 7.5 FOOT PUBLIC UTILITY AND DRAINAGE
EASEMENT LYING WITHIN LOT 33, BLOCK A, INDIAN RIVER VILLAGE, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 94 AND 95 OF THE
PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 114.0 SQ. FT. MORE OR
LESS.

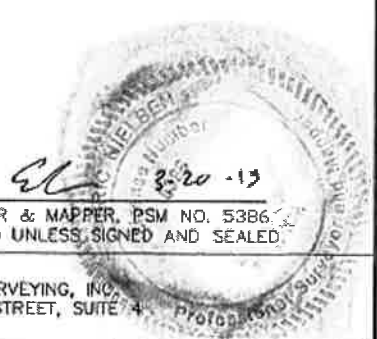
SURVEYOR'S NOTES:

1. THE BASIS OF BEARINGS OF THE ABOVE DESCRIPTION IS THE SOUTH RIGHT OF WAY LINE
OF VENETIAN WAY, BEING S 89°41'02" E, AS PER PLAT OF INDIAN RIVER VILLAGE.
2. THE SKETCH ON SHEET 2 OF 2 IS NOT A BOUNDARY SURVEY, IT IS A SKETCH ONLY TO
ACCOMPANY LEGAL DESCRIPTION.
3. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY
ERIC NIELSEN LAND SURVEYING, INC. DATED 12-18-2018

ABBREVIATION & SYMBOL LEGEND

C/L = CENTERLINE	I.R.C. = IRON ROD & CAP
R/W = RIGHT-OF-WAY	P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
FND = FOUND	A/C = AIR CONDITIONER
LB = LICENSED BUSINESS	CONC = CONCRETE
P = PLAT	WUP = WOOD UTILITY POLE
M = MEASURED	W/M = WATER METER
I.R. = IRON ROD	E.M. = ELECTRIC METER
L = LINE	W.F.S. = WOOD FRAME STRUCTURE
N&D = NAIL & DISC	C.B.S. = CONCRETE BLOCK STRUCTURE

 = AREA TO BE VACATED


SURVEYOR & MAPPER, PSM NO. 5386
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: MARIA T. CIECHANSKI
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY:
ERIC NIELSEN LAND SURVEYING, INC.
L.B. 6946, 12 STONE STREET, SUITE 4
COCOA, FL. 32922

DRAWN BY: T.N.

CHECKED BY: EN

DRAWING NO. 18-676-VAC

SECTION 15

DATE: 03-04-2019

SHEET 1 OF 2

REVISIONS

TOWNSHIP 24 SOUTH
RANGE 36 EAST

Fig. 10: Copy of legal description sheet 1 of 2 for lot 33, Block "A", Indian River Village.

Comment Sheet

COMMENT SUMMARY

APPLICANT: Maria T. Ciechanski

UPDATED / BY: Amber Holley 20190411 @ 10:55 hours

COMPANIES	NOTIFIED	COMMENTS RECEIVED	APPROVED	STIPULATIONS/REMARKS
UTILITIES				
Florida City Gas Co.	20190322	20190322	YES	NO OBJECTION
Florida Power & Light Co.	20190322	20190325	YES	NO OBJECTION
AT & T	20190322	20190325	YES	NO OBJECTION
City of Cocoa	20190322	20190325	YES	NO OBJECTION
Charter Communications	20190322	20190411	YES	NO OBJECTION
COUNTY STAFF				
Road & Bridge	20190322	20190405	YES	NO OBJECTIONS-DAVE BARBER
Land Planning	20190322	20190322	YES	NO OBJECTIONS-REBECCA RAGAIN
Utility Services	20190322	20190322	YES	NO OBJECTIONS-TAMMY HURLEY
NRMD / Storm Water	20190322	20190326	YES	NO OBJECTIONS-HARVEY WHEELER
Zoning	20190322	20190322	YES	NO OBJECTIONS-PAUL BODY

Fig. 12: Copy of comment sheet for utility review.

Public Hearing Legal Advertisement

Florida Today | Notice Public Hearing

AD#3510768, 4/22/2019 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF TWO 7.5 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "INDIAN RIVER VILLAGE" IN SECTION 15, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by MARIA T. CIECHANSKI with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THE NORTH 1.0 FOOT OF THE SOUTH 7.5 FEET OF THE WEST 42.0 FEET OF THE EAST 49.5 FEET OF THE 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 33, BLOCK A, INDIAN RIVER VILLAGE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 94 AND 95 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. AND TOGETHER WITH: THE WEST 2.00 FEET OF THE EAST 7.5 FEET OF THE NORTH 36.0 FEET OF THE SOUTH 43.5 FEET OF THE 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 33M BLOCK A, INDIAN RIVER VILLAGE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 94 AND 95 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 114.0 SQ. FT. MORE OR LESS. PREPARED BY: ERIC NIELSEN, PSM. 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 May 07, 2019 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.

[Click for less text](#)

Fig. 13: Copy of public hearing advertisement as published on April 22, 2019 see next page for full text.

Legal Notice Text

Public Hearing Legal Notice

Requested by: Public Works Department of Brevard County, Florida

Corrina Gumm / Interim Director

By: Amber Holley / Vacating Acquisition & Review Specialist

Florida Today:

Please advertise in the April 22, 2019 issue of Florida TODAY.

PLEASE NOTE! Please use account #BRE-6BR327 and Purchase Order No. 4500092228-10, forward invoice and proof of publication to Amber Holley, Brevard County Public Works Dept., Surveying & Mapping Program, 2725 Judge Fran Jamieson Way, Room A-220, Viera, FL, 32940

LEGAL NOTICE

**NOTICE FOR THE PARTIAL VACATING OF TWO 7.5 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS,
PLAT OF "INDIAN RIVER VILLAGE" IN SECTION 15, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT
ISLAND, FL**

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