



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.4.

11/12/2019

Subject:

Petition to Vacate, Re: Public Utility and Drainage Easements - "South Indian River Isles, Third Addition" Plat Book 38, Page 93 - Rockledge - Akshar Development & Investments LLC - District 4

Fiscal Impact:

\$640.00 Vacating Application Fee Paid by Petitioner. These fees are deposited in Fund 0002-30265.

Dept/Office:

Public Works Department - Survey & Mapping

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider vacating part of two public utility and drainage easements along the center lines of Lots 23 & 24, "South Indian River Isles, Third Addition" 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lots 23 & 24 and is requesting the vacating of two 5.0 ft. wide public utility and drainage easements along the center lines of lots 23 & 24 to allow for the construction of a single-family home on two lots.

October 28, 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.

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.

445



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 4, 2019

M E M O R A N D U M

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

RE: Advertising Bills for Resolution Vacating a Part of Two Public Utility and Drainage Easements in South Indian River Isles, Third Addition Subdivision, Rockledge

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 19-222, vacating a part of two public utility and drainage easements in South Indian River Isles, Third Addition Subdivision, Rockledge, as petitioned by Akshar Development & Investments LLC. Said Resolution was adopted by the Board of County Commissioners, in regular session on November 12, 2019.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/kp

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 4, 2019

Akshar Development & Investments, LLC, Attn: Eric Costin
5445 Murrell Road, Unit 102
Rockledge, FL 32955

Dear Mr. Costin:

Re: Resolution Vacating a Part of Two Public Utility and Drainage Easements in South Indian River Isles, Third Addition Subdivision, Rockledge

The Board of County Commissioners, in regular session on November 12, 2019, adopted Resolution No. 19-222, vacating a part of two public utility and drainage easements in South Indian Isles, Third Addition Subdivision, Rockledge, as petitioned by Akshar Development & Investments, LLC. Said Resolution has been recorded in ORBK 8599, Pages 2462 through 2466. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

cc: Amber Holley, Public Works

Resolution 2019 - 222

**Vacating a part of two public utility and drainage easements in "South Indian River Isles, Third Addition"
Subdivision, Rockledge, 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 **AKSHAR
DEVELOPMENT & INVESTMENTS LLC** with the Board of County Commissioners to vacate a portion of a public utility
and drainage 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 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 12TH day of November, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:
November 12, 2019

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

PARCEL ID NUMBER: 26-36-12-05-*-23
26-36-12-05-*-24

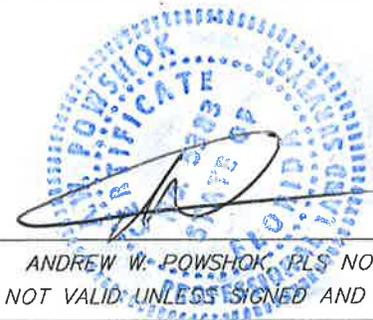
PURPOSE OF SURVEY: TO VACATE TWO 5.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS.

LEGAL DESCRIPTION:

DESCRIPTION: A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 23 AND A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 24, LYING EASTERLY OF THE WESTERLY 25 FOOT BUILDING SETBACK AND WESTERLY OF THE EASTERLY 40.00 FOOT DRAINAGE EASEMENT, SOUTH INDIAN RIVER ISLES, THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 1,551 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A BOUNDARY SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE STRIP OF LAND DESCRIBED HEREIN.
2. THE BEARING SHOWN HEREON ARE BASED ON THE SOUTH LINE OF LOT 23, SOUTH INDIAN RIVER ISLES, THIRD ADDITION, WHICH BEARS N45°47'26"E, AS SHOWN ON THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
4. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO VACATE A PORTION OF TWO 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS.



ANDREW W. POWSHOK, PLS NO. 5383
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR:

AKSHAR DEVELOPMENT AND INVESTMENTS, LLC
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.

ADDRESS: 3970 MINTON ROAD, WEST MELBOURNE, FL 32904

PHONE: (321) 768-8110 FAX: (321) 952-9771 E-MAIL: frontdesk@aalsurvey.com

DRAWN BY: <u>J. BROMAN</u>	CHECKED BY: <u>A.W. POWSHOK</u>	DRAWING NO. <u>40847-SOD</u>	SECTION <u>12</u>
DATE: <u>08-27-19</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>10-16-19</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

SKETCH OF DESCRIPTION

SHEET 2 OF 2

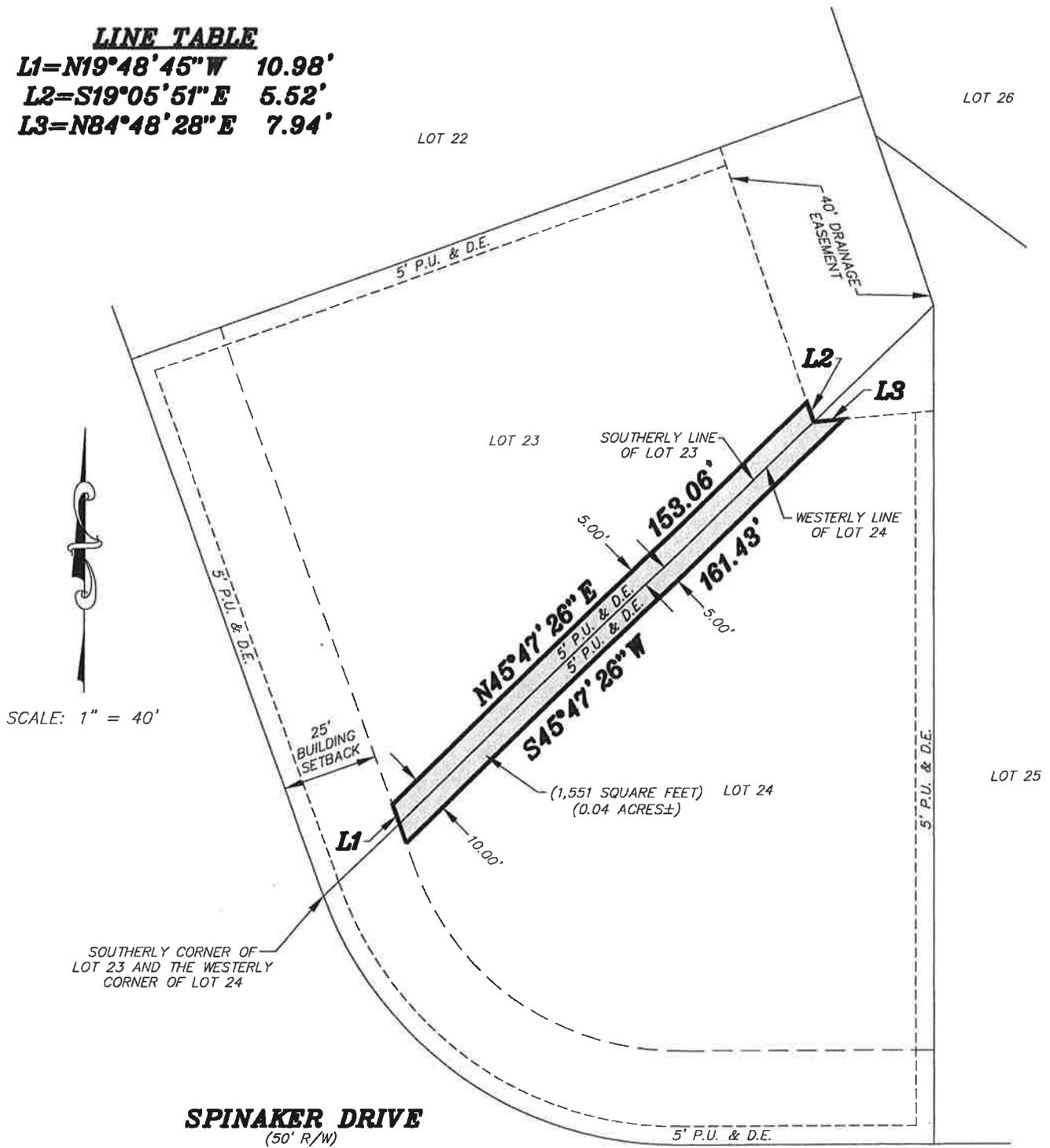
NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST

PARCEL ID NUMBER: 26-36-12-05-*--23
26-36-12-05-*--24

LINE TABLE

L1=N19°48'45"W 10.98'
L2=S19°05'51"E 5.52'
L3=N84°48'28"E 7.94'



SPINAKER DRIVE
(50' R/W)

LEGEND

P.U. & D.E. - PUBLIC UTILITY AND DRAINAGE EASEMENT
R/W - RIGHT OF WAY

PROJECT NO. 40847-SOD
PREPARED BY: J. BROMAN

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST



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

AD#0003864960 10/28/2019
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SOUTH INDIAN RIVER ISLES" IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, ROCKLEDGE, FL

STATE OF WISCONSIN COUNTY OF BROWN

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

NOTICE 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 AKSHAR DEVELOPMENT & INVESTMENTS LLC with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

LEGAL NOTICES

A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 23 AND A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 24, LYING EASTERLY OF THE WESTERLY 25 FOOT BUILDING SETBACK AND WESTERLY OF THE EASTERLY 40.00 FOOT DRAINAGE EASEMENT, SOUTH INDIAN RIVER ISLES, THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 1.551 SQUARE FEET OR 0.04 ACRES, MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, PSM.

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

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 November 12, 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.

10/28/2019

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.

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.

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

Sworn to and Subscribed before me this 1ST of NOVEMBER 2019, by Joe Heynen who is personally known to me

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.

[Handwritten signature]

Affiant

[Handwritten signature of Notary]

Notary State of Wisconsin County of Brown

9-19-21

My commission expires





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

AD#3904439 11/20/19
LEGAL NOTICE

STATE OF WISCONSIN COUNTY OF BROWN

RESOLUTION VACATING A PART OF
TWO PUBLIC UTILITY AND DRAINAGE
EASEMENTS IN SOUTH INDIAN RIVER
ISLES, THIRD ADDITION SUBDIVISION
LYING IN SECTION 12, TOWNSHIP 26
SOUTH, RANGE 36 EAST - AKSHAR
DEVELOPMENT & INVESTMENTS LLC

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

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
12th day of November 2019, the Board
of County Commissioners of Brevard
County, Florida, adopted a Resolution
vacating a part of two public utility and
drainage easements in South Indian
River Isles, Third Addition Subdivision
lying in Section 12, Township 26 South,
Range 36 East, as petitioned by Akshar
Development & Investments LLC.

LEGAL NOTICES

A 5.00 FOOT WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENT LYING ALONG
THE SOUTHERLYLINE OF LOT 23 AND A
5.00 FOOT WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENT LYING ALONG
THE WESTERLYLINE OF LOT 24, LYING
EASTERLY OF THE WESTERLY 25 FOOT
BUILDING SETBACK AND WESTERLY OF
THE EASTERLY 40.00 FOOT DRAINAGE
EASEMENT, SOUTH INDIAN RIVER ISLES
THIRD ADDITION, ACCORDING TO THE
PLAT THEREOF AS RECORDED IN PLAT
BOOK 38, PAGES 93-94, OF THE PUBLIC
RECORDS OF BREVARD COUNTY,
FLORIDA, CONTAINING 1,551 SQUARE
FEET OR 0.04 ACRES, MORE OR LESS
PREPARED BY: ANDREW W. POWSHOK,
PSM.

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

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

11/20/2019

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

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 11th of
NOVEMBER 2019, by Joe Heynen who is personally
known to me

[Handwritten signature]

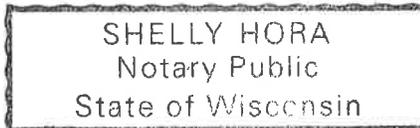
Affiant

[Handwritten signature: Shelly Hora]

Notary State of Wisconsin County of Brown

8-25-23

My commission expires



LEGAL NOTICE

RESOLUTION VACATING A PART OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS IN SOUTH INDIAN RIVER ISLES, THIRD ADDITION SUBDIVISION LYING IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST – AKSHAR DEVELOPMENT & INVESTMENTS LLC

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 12th day of November 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of two public utility and drainage easements in South Indian River Isles, Third Addition Subdivision lying in Section 12, Township 26 South, Range 36 East, as petitioned by Akshar Development & Investments LLC.

A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 23 AND A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 24, LYING EASTERLY OF THE WESTERLY 25 FOOT BUILDING SETBACK AND WESTERLY OF THE EASTERLY 40.00 FOOT DRAINAGE EASEMENT, SOUTH INDIAN RIVER ISLES, THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 1,551 SQUARE FEET OR 0.04 ACRES, MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, PSM.

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

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

Florida TODAY:

Please advertise in the November 20, 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**

A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 23 AND A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 24, LYING EASTERLY OF THE WESTERLY 25 FOOT BUILDING SETBACK AND WESTERLY OF THE EASTERLY 40.00 FOOT DRAINAGE EASEMENT, SOUTH INDIAN RIVER ISLES, THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 1,551 SQUARE FEET OR 0.04 ACRES, MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, PSM.



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.: 0003904439
Pymt Method: Invoice
Net Amt: \$158.48

Run Times: 1

No. of Affidavits: 1

Run Dates: 11/20/19

Text of Ad:

AD#3904439 11/20/19
LEGAL NOTICE

RESOLUTION VACATING A PART OF
TWO PUBLIC UTILITY AND DRAINAGE
EASEMENTS IN SOUTH INDIAN RIVER
ISLES, THIRD ADDITION SUBDIVISION
LYING IN SECTION 12, TOWNSHIP 26
SOUTH, RANGE 36 EAST - AKSHAR
DEVELOPMENT & INVESTMENTS LLC

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the
12th day of November 2019, the Board
of County Commissioners of Brevard
County, Florida, adopted a Resolution
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River Isles, Third Addition Subdivision
lying in Section 12, Township 26 South,
Range 36 East, as petitioned by Akshar
Development & Investments LLC.

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DRAINAGE EASEMENT LYING ALONG
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RECORDS OF BREVARD COUNTY,
FLORIDA, CONTAINING 1,551 SQUARE
FEET OR 0.04 ACRES, MORE OR LESS.
PREPARED BY: ANDREW W. POWSHOK,
PSM.

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

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

COPY

Resolution 2019 - 222

**Vacating a part of two public utility and drainage easements in "South Indian River Isles, Third Addition"
Subdivision, Rockledge, 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 **AKSHAR
DEVELOPMENT & INVESTMENTS LLC** with the Board of County Commissioners to vacate a portion of a public utility
and drainage 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

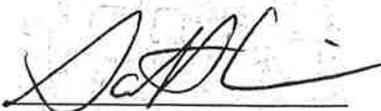
WHEREAS, the Board finds that vacating a portion of the public drainage and utility easement will not be
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THEREFORE BE IT RESOLVED that said portion of the public utility and drainage easement is hereby vacated;
and Brevard County renounces and disclaims 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 12TH day of November, 2019 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:



SCOTT ELLIS, CLERK



Kristine Isnardi, Chair

As approved by the Board on:
November 12, 2019

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

PARCEL ID NUMBER: 26-36-12-05-4-23
26-36-12-05-4-24

PURPOSE OF SURVEY: TO VACATE TWO 5.00 FOOT
PUBLIC UTILITY AND DRAINAGE EASEMENTS.

LEGAL DESCRIPTION:

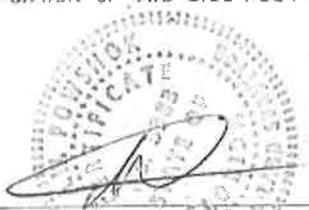
DESCRIPTION: A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 23 AND A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 24, LYING EASTERLY OF THE WESTERLY 25 FOOT BUILDING SETBACK AND WESTERLY OF THE EASTERLY 40.00 FOOT DRAINAGE EASEMENT, SOUTH INDIAN RIVER ISLES, THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
CONTAINING 1,551 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

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2. THE BEARING SHOWN HEREON ARE BASED ON THE SOUTH LINE OF LOT 23, SOUTH INDIAN RIVER ISLES, THIRD ADDITION, WHICH BEARS N45°47'26"E, AS SHOWN ON THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
4. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO VACATE A PORTION OF TWO 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS.

PREPARED FOR:

AKSHAR DEVELOPMENT AND INVESTMENTS, LLC
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS


ANDREW W. POWSHOK, PLS. NO. 5383
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: AAL LAND SURVEYING SERVICES, INC.

ADDRESS: 3970 MINTON ROAD, WEST MELBOURNE, FL 32904

PHONE: (321) 768-8110 FAX: (321) 952-9771 E-MAIL: frontdesk@aalsurvey.com

DRAWN BY: J. BROMAN

CHECKED BY: A.W. POWSHOK

DRAWING NO. 40847-500

SECTION 12
TOWNSHIP 26 SOUTH
RANGE 36 EAST

DATE: 08-27-19

SHEET 1 OF 2

REVISIONS 10-16-19

SKETCH OF DESCRIPTION

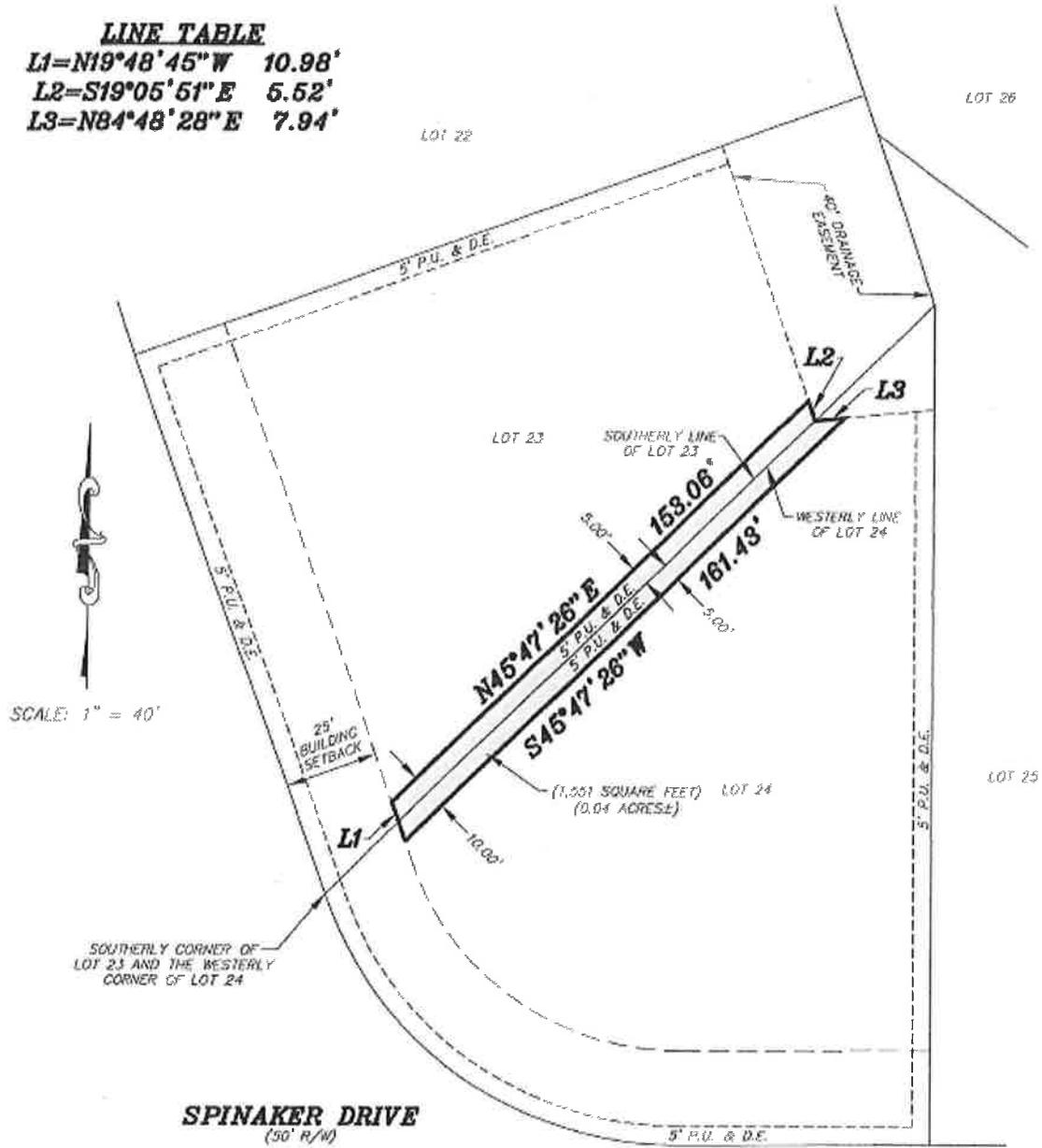
SHEET 2 OF 2
NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST

PARCEL ID NUMBER: 26-36-12-05-* -23
26-36-12-05-* -24

LINE TABLE

L1=N19°48'45"W 10.98'
L2=S19°05'51"E 5.52'
L3=N84°48'28"E 7.94'



SCALE: 1" = 40'

SPINKAKER DRIVE
(50' R/W)

LEGEND

P.U. & D.E. -- PUBLIC UTILITY AND DRAINAGE EASEMENT
R/W -- RIGHT OF WAY

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST

PROJECT NO. 40847-S00
PREPARED BY: J. BROMAN



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

AD#0003864960 10/28/2019
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SOUTH INDIAN RIVER ISLES" IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, ROCKLEDGE, FL

STATE OF WISCONSIN COUNTY OF BROWN

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

NOTICE 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 AKSHAR DEVELOPMENT & INVESTMENTS LLC with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

LEGAL NOTICES

A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 23 AND A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 24, LYING EASTERLY OF THE WESTERLY 25 FOOT BUILDING SETBACK AND WESTERLY OF THE EASTERLY 40.00 FOOT DRAINAGE EASEMENT, SOUTH INDIAN RIVER ISLES, THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 1,551 SQUARE FEET OR 0.04 ACRES, MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, PSM.

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

10/28/2019

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 November 12, 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.

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.

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.

Sworn to and Subscribed before me this 1ST of NOVEMBER 2019, by Joe Heynen who is personally known to me

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.

[Signature]
Affiant

[Signature: Vicky Felty]
Notary State of Wisconsin County of Brown

9-19-21
My commission expires





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

STATE OF WISCONSIN COUNTY OF BROWN

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

LEGAL NOTICES

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

11/20/2019

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.

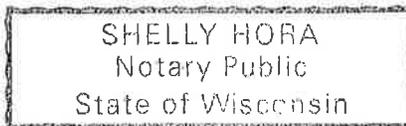
Sworn to and Subscribed before me this 11th of NOVEMBER 2019, by Joe Heynen who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

8-25-23

My commission expires



Publication Cost \$158.48
Ad No: 0003904439
Customer No: BRE-6BR327

AD#3904439 11/20/19
LEGAL NOTICE

RESOLUTION VACATING A PART OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS IN SOUTH INDIAN RIVER ISLES, THIRD ADDITION SUBDIVISION LYING IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST - AKSHAR DEVELOPMENT & INVESTMENTS LLC

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 12th day of November 2019, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a part of two public utility and drainage easements in South Indian River Isles, Third Addition Subdivision lying in Section 12, Township 26 South, Range 36 East, as partitioned by Akshar Development & Investments LLC.

A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE SOUTHERLYLINE OF LOT 23 AND A 5.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE WESTERLYLINE OF LOT 24, LYING EASTERLY OF THE WESTERLY 25 FOOT BUILDING SETBACK AND WESTERLY OF THE EASTERLY 40.00 FOOT DRAINAGE EASEMENT, SOUTH INDIAN RIVER ISLES THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 93-94, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 1,551 SQUARE FEET OR 0.04 ACRES, MORE OR LESS PREPARED BY: ANDREW W. POWSHOK, PSM.

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

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

Appraiser's Detail Sheet 1 of 2



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account	2615551
Owners	Akshar Development & Investments LLC
Mailing Address	5445 Murrell Rd, Ste 102 Box 129 Rockledge FL 32955
Site Address	6342 Spinaker Dr Rockledge FL 32955
Parcel ID	26-36-12-05-*23
Property Use	0007 - Vacant Residential Land (Multi-Family, Platted)
Exemptions	None
Taxing District	4200 - Unincorp District 4
Total Acres	0.46
Subdivision	South Indian River Isles 3Rd Addn
Site Code	0130 - Canal Front
Plat Book/Page	0038/0093
Land Description	South Indian River Isles 3Rd Addn Lot 23

VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$240,000	\$240,000	\$215,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$240,000	\$223,850	\$203,500
Assessed Value School	\$240,000	\$240,000	\$215,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$240,000	\$223,850	\$203,500
Taxable Value School	\$240,000	\$240,000	\$215,000

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
01/31/2019	\$435,000	WD	Vacant	8359/1593
01/31/2019	--	WD	Improved	8359/1594
02/28/2018	--	DC	Improved	8136/1310
05/15/2001	--	TD	Vacant	4373/3482

No Data Found

Figure 1: Copy of Brevard County Property Appraiser's detail sheet for Lot 23, South Indian River Isles, Third Addition, Akshar Development & Investments LLC, 6342 Spinaker Drive, Rockledge, FL 32955.

Appraiser's Detail Sheet 2 of 2



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account	2615552
Owners	Akshar Development & Investments LLC
Mailing Address	5445 Murrell Rd, Ste 102 Box 129 Rockledge FL 32955
Site Address	6338 Spinaker Dr Rockledge FL 32955
Parcel ID	26-36-12-05-*24
Property Use	0007 - Vacant Residential Land (Multi-Family, Platted)
Exemptions	None
Taxing District	4200 - Unincorp District 4
Total Acres	0.48
Subdivision	South Indian River Isles 3Rd Addn
Site Code	0130 - Canal Front
Plat Book/Page	0038/0093
Land Description	South Indian River Isles 3Rd Addn Lot 24

VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$120,000	\$120,000	\$107,500
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$120,000	\$111,920	\$101,750
Assessed Value School	\$120,000	\$120,000	\$107,500
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$120,000	\$111,920	\$101,750
Taxable Value School	\$120,000	\$120,000	\$107,500

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
01/31/2019	\$435,000	WD	Vacant	8359/1593
01/31/2019	--	WD	Improved	8359/1594
02/28/2018	--	DC	Improved	8136/1310
05/15/2001	--	TD	Vacant	4373/3482

No Data Found

Figure 2: Copy of Brevard County Property Appraiser's detail sheet for Lot 24, South Indian River Isles, Third Addition, Akshar Development & Investments LLC, 6338 Spinaker Drive, Rockledge, FL 32955.

Vicinity Map

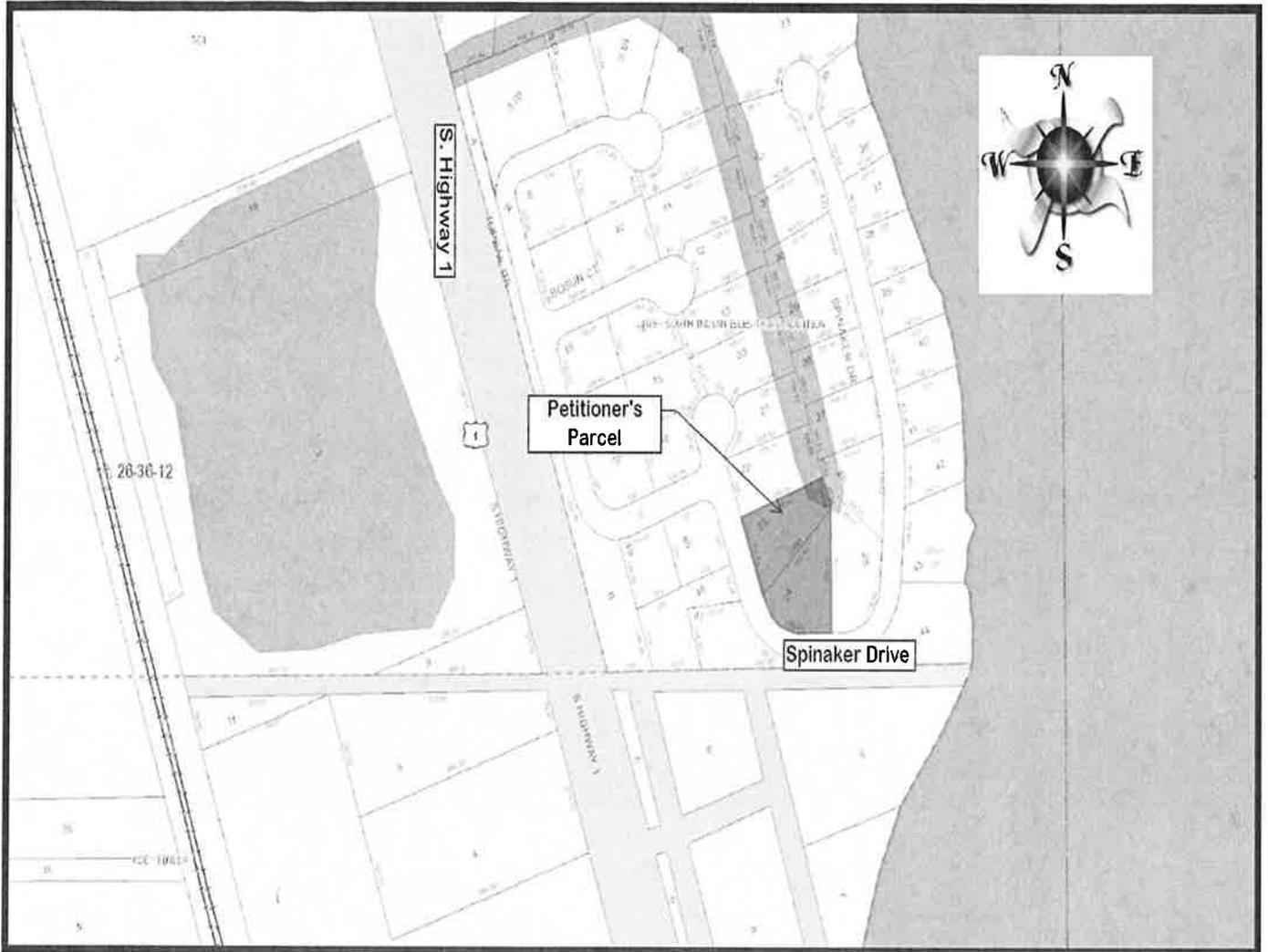


Figure 3: Copy of Map of Lots 23 & 24, South Indian River Isles, Third Addition, 6338 & 6342 Spinaker Drive, Rockledge, FL 32955.

Akshar Development & Investments LLC – Lots 23 & 24, “South Indian River Isles, Third Addition” (Plat Book 38, Page 93) – 6338 & 6342 Spinaker Drive – Section 12, Township 26 South, Range 36 East – District 4 – Proposed Vacating of two 5.0 ft. Wide Public Utility and Drainage Easements

Aerial Map

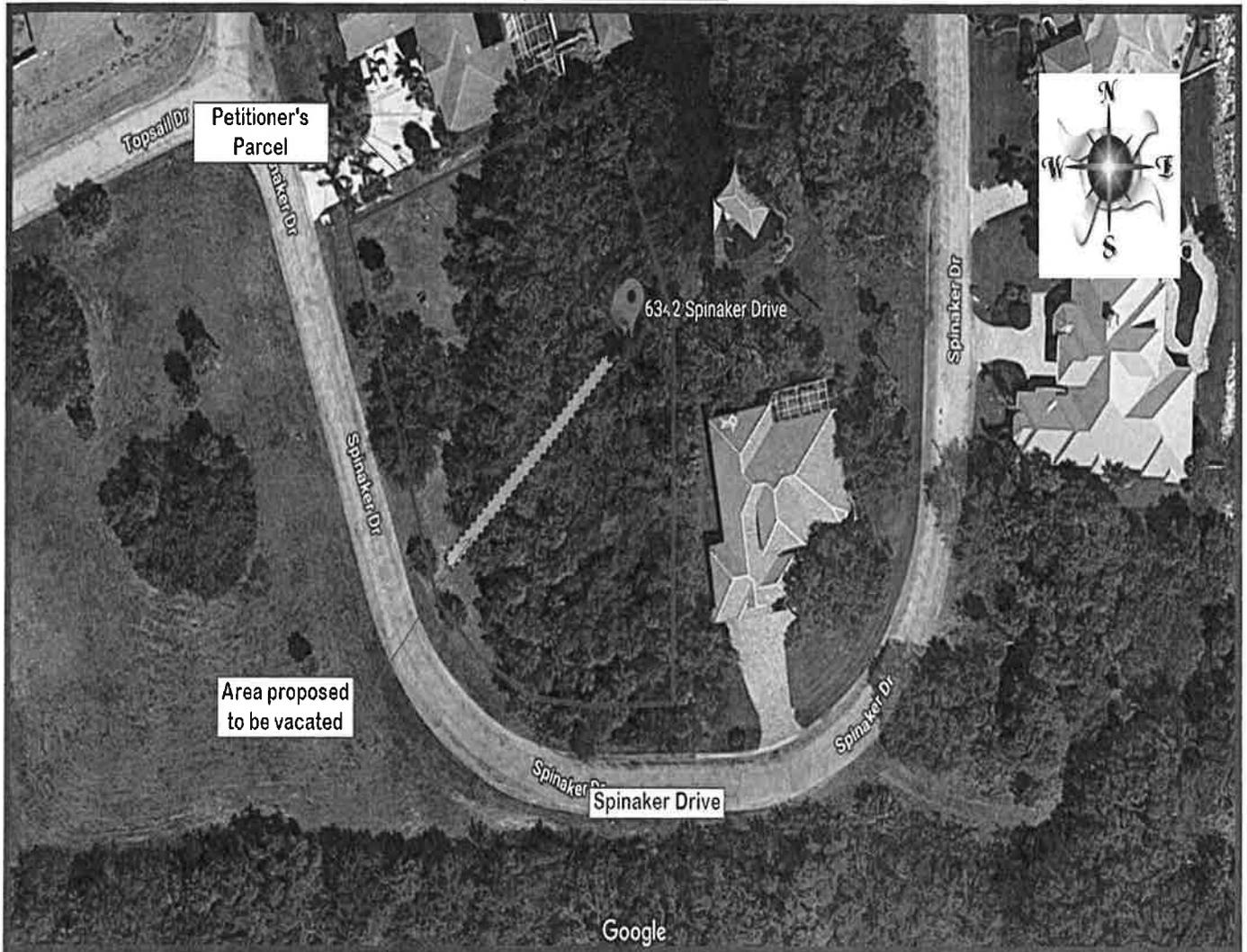


Figure 4: Copy of Map of Lots 23 & 24, South Indian River Isles, Third Addition, 6338 & 6342 Spinaker Drive, Rockledge, FL 32955.

Akshar Development & Investments LLC – Lots 23 & 24, “South Indian River Isles, Third Addition” (Plat Book 38, Page 93) – 6338 & 6342 Spinaker Drive – Section 12, Township 26 South, Range 36 East – District 4 – Proposed Vacating of two 5.0 ft. Wide Public Utility and Drainage Easements

Plat Reference

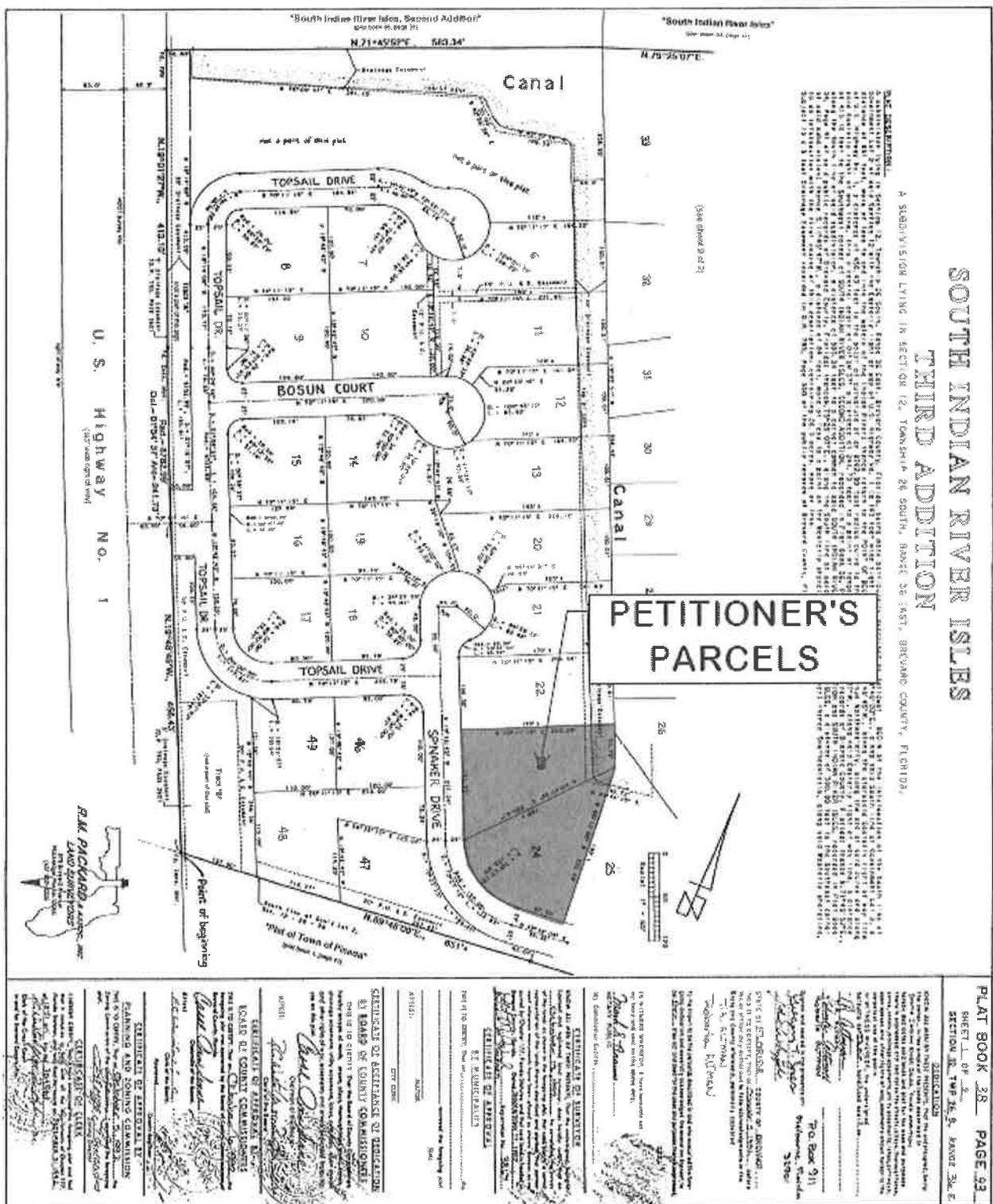


Figure 5: Copy of the Plat of South Indian River Isles Third Addition dedicated to Brevard County December 31, 1992.

Petitioner's Deed

CPN 2019021484, OR BK 8359 Page 1593, Recorded 02/01/2019 at 11:55 AM Scott Ellis, Clerk of Courts, Brevard County Doc. D: \$3045.00

Prepared by:

State Title
300 West Fee Avenue Suite A
Melbourne, Florida 32901
Dana Kovacs
File Number: A-47190

General Warranty Deed

Made this January 31, 2019 A.D. by **Roberta M. Altman, Individually and as Trustee of the Roberta M. Altman Trust dated March 16, 2001**, hereinafter called the **grantor**, to **Akshar Development and Investments, LLC**, whose post office address is: 5545 Murrell Rd. Suite 102 Box 129, Rockledge, Florida 32955, hereinafter called the **grantee**:

(Whenever used herein the term "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)

Witnesseth, that the grantor, for and in consideration of the sum of \$435,000., and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alienates, releases, relieves, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz:

Lots 23 and 24, SOUTH INDIAN RIVER ISLES THIRD ADDITION, according to the plat thereof recorded in Plat Book 38, Pages 93 and 94, Public Records of Brevard County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 26-36-12-05-23 & 24

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

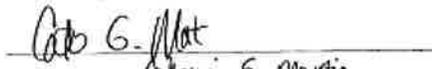
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee 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; that the grantor hereby fully 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 of the current year.

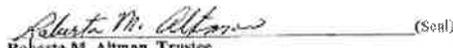
In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Printed Name: JACK C. JEFFCOAT III

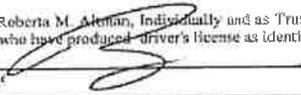

Witness Printed Name: Catherine G. Martin

 (Seal)
Roberta M. Altman, Individually
Address: 10 Palmer Road, Suite B, Indian Harbour Beach, Florida 32957

 (Seal)
Roberta M. Altman, Trustee
Address: 10 Palmer Road, Suite B, Indian Harbour Beach, Florida 32957

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me this January 31, 2019, by Roberta M. Altman, Individually and as Trustee of the Roberta M. Altman Trust dated March 16, 2001, who is personally known to me or who has produced driver's license as identification.

Notary Public
Print Name: 

Commission Expires: _____



DEED Individual Warranty Deed With Non-Homestead-Legal on Face
Client's Choice

Figure 6: Copy of warranty deed for lots 23 & 24, South Indian River Isles Third Addition to Akshar Development and Investments LLC on January 31, 2019.

Public Hearing Legal Advertisement

AD# 0003864960 10/28/2019
LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SOUTH INDIAN RIVER ISLES" IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, ROCKLEDGE, 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 AKSHAR DEVELOPMENT & INVESTMENTS LLC with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

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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.

Figure 8: Copy of the public hearing ad in the Florida Today paper published October 28, 2019 in general circulation.