



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

June 8, 2017

MEMORANDUM

TO: Andrew Holmes, Interim Public Works Director    Attn: Marc Cazessus

RE: Advertising Bills for Resolution Vacating a 12.00 Ft. Wide Public Drainage Easement on Cashew Circle in Barefoot Bay Unit Two Part Twelve, Barefoot Bay

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-101, vacating a 12.00 foot wide public drainage easement on Cashew Circle in Barefoot Bay Unit Two Part Twelve, Barefoot Bay, as petitioned by Richard and Lori Berndsen. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on May 23, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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June 8, 2017

Richard & Lori Berndsen  
c/o Troy Douglas  
4298 Gardenwood Circle  
Grant, FL 32949

Dear Mr. & Mrs. Berndsen:

Re: Resolution Vacating a 12.00 Ft. Wide Public Drainage Easement on Cashew Circle in Barefoot Bay Unit Two Part Twelve, Barefoot Bay

The Board of County Commissioners, in regular session on May 23, 2017, adopted Resolution No. 17-101, vacating a 12.00 foot wide public drainage easement on Cashew Circle in Barefoot Bay Unit Two Part Twelve, Barefoot Bay, as petitioned by you. Said Resolution has been recorded in ORBK 7907, Pages 37 through 41. Enclosed is a certified copy of the recorded Resolution for your records.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Marc Cazessus, Public Works

**VACATING OF A 12.00 FT. WIDE PUBLIC UTILITY EASEMENT IN "BAREFOOT BAY UNIT TWO PART TWELVE", BAREFOOT BAY, FLORIDA, LYING IN SECTION, 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **RICHARD AND LORI BERNDSEN** with the Board of County Commissioners to vacate a 12.0 ft. wide public utility 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

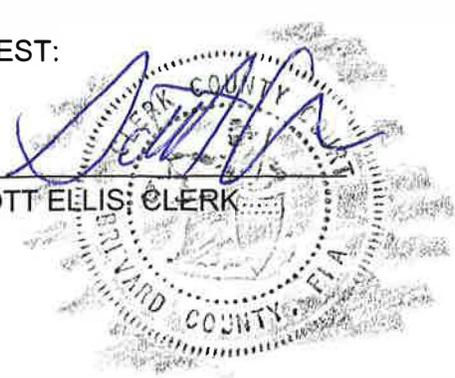
WHEREAS, the Board finds that the vacating the public utility easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility 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.

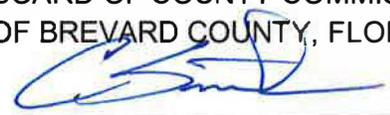
DONE, ORDERED AND ADOPTED, in regular session, this 23<sup>th</sup> day of May, 2017 A.D.

ATTEST:

SCOTT ELLIS, CLERK



BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

  
CURT SMITH, CHAIRMAN

As approved by the Board on:  
May 23, 2017

# LEGAL DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST  
PARCEL I.D. NUMBER: 30-38-10-JU-116-23

SHEET 1 OF 2

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## PURPOSE OF SKETCH AND DESCRIPTION:

TO VACATE TWO, 6' WIDE PUBLIC UTILITY EASEMENTS LYING ON BOTH SIDES OF THE COMMON LINE BETWEEN LOTS 23 AND 24, BLOCK 116

LEGAL DESCRIPTION: THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY LINE OF LOT 24 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 23, BLOCK 116, BAREFOOT BAY UNIT TWO, PART TWELVE

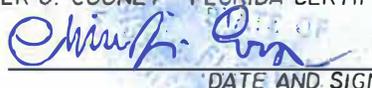
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 79-80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE NORTHERLY 6.00 FEET OF SAID EASEMENTS, CONTAINING 888 SQUARE FEET, MORE OR LESS.

## SURVEYORS NOTES:

- 1) BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF CASHEW CIRCLE S.W. AS  $N90^{\circ}00'00''W$ , PER RECORDED PLAT.
- 2) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
- 3) THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND FOUNDATIONS, ENCROACHMENTS, OR ANY IMPROVEMENTS EXCEPT AS SHOWN.
- 4) THIS SKETCH IS NOT A BOUNDARY SURVEY.
- 5) IMPROVEMENTS SHOWN HEREON ARE BASED ON THE SURVEY PREPARED BY THE UNDERSIGNED DATED 01/15/2017, DRAWING NUMBER 16-208

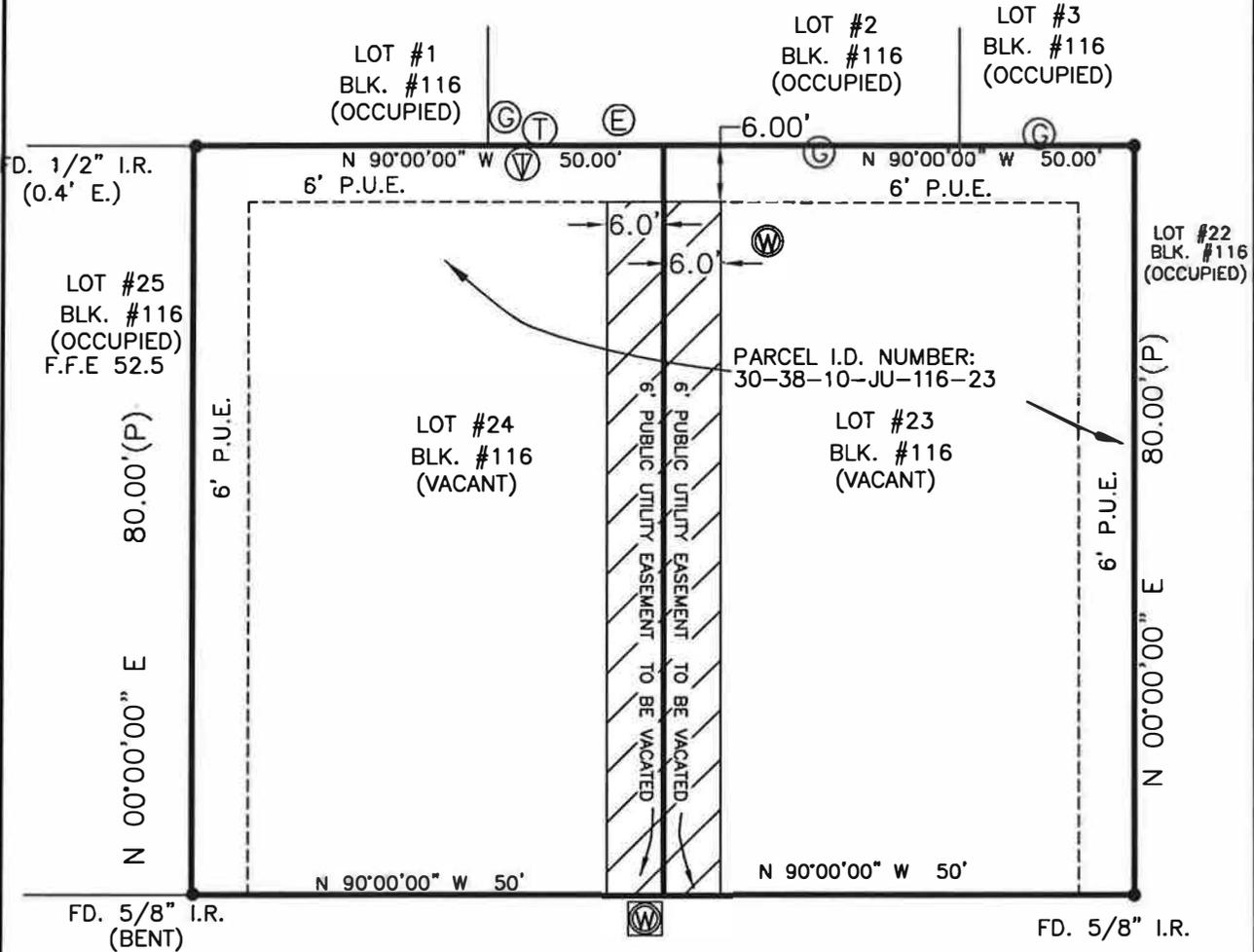
PREPARED FOR: RICHARD BERNDSEN LORI BERNDSEN	DRAWN BY: C.J.C. DATE: 3/08/2017 CHECKED BY: C.J.C. SHEET 1 OF 2	THIS SURVEY PERFORMED BY: COONEY SURVEYING & MAPPING, LLC L.B. #8070 456 Chaloupe Terrace Sebastian, Fl. 32958 772-913-5322 cooneymap@gmail.com
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NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE  
CHRISTOPHER J. COONEY FLORIDA CERTIFICATE NO. 6077

 3-8-2017  
DATE AND SIGNATURE

# SKETCH OF DESCRIPTION (NOT A SURVEY)

LEGAL DESCRIPTION: LOTS 23 & 24, BLOCK 116, BAREFOOT BAY UNIT #2 PART 12 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 79-80, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.



1.5' CONCRETE CURB

20' ASPHALT ROADWAY

S.W. CASHEW CIR.  
50' R/W

## LEGEND

- = GAS SERVICE
- = WELL
- = WATER METER
- = ELECTRIC SERVICE
- = TELEPHONE SERVICE
- = CABLE T.V. SERVICE
- = ELECTRIC LAMPOST
- = SANITARY SERVICE
- = SANITARY MANHOLE
- R/W = RIGHT OF WAY
- F.F.E. = FINISHEO FLOOR ELVATION
- FD = FOUND
- I.R. = IRON ROD
- BLK. = BLOCK

CERTIFICATIONS:  
RICHARD BERNDSEN  
LORI BERNDSEN

PROPERTY ADDRESS:  
#920 CASHEW CIRCLE  
BAREFOOT BAY, FL. 32976



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

SCALE: 1"=30' JOB # 16-208	FIELD BOOK: 104/70 FLOOD ZONE: X	SURVEY DATE: 01/15/2017 FLOOD INSURANCE RATE MAP #12009C0694G 03/17/14	REVISIONS
<p>COONEY SURVEYING AND MAPPING LLC LB #8076</p>	<p>Christopher J. Cooney Professional Surveyor &amp; Mapper LS #6077 456 Chaloupe Terrace Sebastian, Fl. 32958 772-913-5322 cooneymap@gmail.com</p>	<p>NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</p> <p>PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE CHRISTOPHER J. COONEY, FLORIDA CERTIFICATE NO. 6077</p> <p><i>Christopher J. Cooney</i> DATE AND SIGNATURE: 3-08-2017</p>	<p>REVISIONS</p>
			<p>REVISIONS</p>



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 Kim Curro, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

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

05/05/17

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 5th of May 2017, by Kim Curro who is personally known to me

Handwritten signature of Ruby Royer, Notary Public for the State of Florida, My Commission expires January 30, 2018

Publication Cost: \$213.90
Ad No: 0002113982
Customer No: BRE-6BR327



RUBY ROYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088043
Expires 1/30/2018

AD# 2113982 5/5/2017
LEGAL NOTICE
NOTICE FOR THE VACATING OF THE 12.0 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY UNIT TWO PART TWELVE" IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT, 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 RICHARD AND LORI BERNDSEN 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 easement at 9:00 AM, on May 23, 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 236.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

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

EXHIBIT "A"
LEGAL DESCRIPTION: THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY LINE OF LOT 24, AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY LINE OF LOT 23, BLOCK 116, BAREFOOT BAY UNIT TWO, PART TWELVE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 79-80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 6.00 FEET OF SAID EASEMENTS, CONTAINING 888 SQUARE FEET, MORE OR LESS, PREPARED BY: CHRISTOPHER JAMES COONEY

AD# 2113982 5/5/2017
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BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BL.DG A220
VIERA, FL 32940

AD#2171769 6/1/2017
LEGAL NOTICE
RESOLUTION OF VACATING A 12.00 FT.
WIDE PUBLIC UTILITY EASEMENT ON
CASHW CIRCLE IN BAREFOOT BAY UNIT
TWO PART TWELVE, BAREFOOT BAY -
RICHARD & LORI BERNDSEN

TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on the
23rd day of May, 2017, the Board of
County Commissioners of Brevard County,
Florida, adopted a Resolution of
vacating a 12.00 ft. wide public utility
easement on Cashew Circle in Barefoot
Bay Unit Two Part Twelve, Barefoot Bay,
as petitioned by Richard and Lori
Berndsen.

SEE ATTACHED EXHIBIT "A"
The Board further renounced and dis-
claimed any right of the County in and
to said public easement.

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

LEGAL DESCRIPTION:
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ALONG THE EASTERLY LINE OF LOT 24,
AND THE 6.00 FOOT PUBLIC UTILITY
EASEMENT LYING ALONG THE WESTER-
LY LINE OF LOT 23, BLOCK 116, BARE-
FOOT BAY UNIT TWO, PART TWELVE AC-
CORDING TO THE PLAT THEREOF AS RE-
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OF THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA, LESS AND EXCEPT
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AD#2171769 6/1/2017
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FEET, MORE OR LESS, PREPARED BY:
CHRISTOPHER JAMES COONEY

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

Legal Notices

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

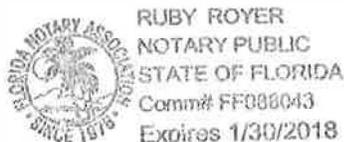
06/01/17

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 1th of June
2017, by Kim Curro who is personally known to me

Ruby Royer
Notary Public for the State of Florida
My Commission expires January 30, 2018

Publication Cost: \$114.66
Ad No: 0002171769
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.:** 0002171769  
**Pymt Method:** Invoice  
**Net Amt:** \$114.66

**Run Times:** 1

**No. of Affidavits:** 1

**Run Dates:** 06/01/17

**Text of Ad:**

A#2171769 6/1/2017  
LEGAL NOTICE  
RESOLUTION OF VACATING A 12.00 FT.  
WIDE PUBLIC UTILITY EASEMENT ON  
CASHEW CIRCLE IN BAREFOOT BAY UNIT  
TWO PART TWELVE, BAREFOOT BAY -  
RICHARD & LORI BERNDSEN

**TO WHOM IT MAY CONCERN:**  
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Bay Unit Two Part Twelve, Barefoot Bay,  
as partitioned by Richard and Lori  
Bernstein.

**SEE ATTACHED EXHIBIT "A"**  
The Board further renounced and dis-  
claimed any right of the County in and  
to said public easement.

BY ORDER OF THE BOARD OF COUNTY  
COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA  
SCOTT ELLIS, CLERK  
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**LEGAL DESCRIPTION:**

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FEET, MORE OR LESS PREPARED BY:  
CHRISTOPHER JAMES COONEY

LEGAL NOTICE

RESOLUTION OF VACATING A 12.00 FT. WIDE PUBLIC UTILITY EASEMENT ON  
CASHEW CIRCLE IN BAREFOOT BAY UNIT TWO PART TWELVE, BAREFOOT BAY –  
RICHARD & LORI BERNDSEN

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 23<sup>rd</sup> day of May, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution of vacating a 12.00 ft. wide public utility easement on Cashew Circle in Barefoot Bay Unit Two Part Twelve, Barefoot Bay, as petitioned by Richard and Lori Berndsen.

**SEE ATTACHED EXHIBIT "A"**

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

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

*Florida TODAY: Please advertise in the June 1, 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"**

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