



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.1.

8/22/2023

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement- 4550 Lime Street - "Canaveral Groves Replat Unit 2" Plat Book 13, Page 139 - Cocoa - David A. Baggaley - District 1

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility & drainage easement, "Canaveral Groves Subdivision Replat Unit 2" in Section 04, Township 24 South, Range 35 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lot 14, Block 25, and is requesting the vacating of a portion of a 7.50 ft. wide public utility & drainage easement on Lot 14, Block 25, to allow for the existing single-family home to remain and be removed as an encroachment. The property is in Cocoa West of I-95 and North of Citrus Blvd.

On August 7, 2023, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice, and the proof of publication of the adopted resolution notice.

Resolution 2023 - 078

**Vacating a portion of a public utility & drainage easement in plat "Canaveral Groves Replat Unit 2"
Cocoa, Florida, lying in Section 04, Township 24 South, Range 35 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **David A. Baggaley** with the Board of County Commissioners to vacate a public easement in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

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

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

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

THEREFORE BE IT RESOLVED that said public easement(s) are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED, AND ADOPTED, in regular session, this 22nd day of August 2023 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:


Rachel Sadoff, Clerk


Rita Pritchett, Chair

As approved by the Board on:
August 22, 2023

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 4, TOWNSHIP 24 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: 24-35-04-01-25-14

NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

PURPOSE OF DESCRIPTION:

TO VACATE A PORTION OF 7.5 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT
LYING ON THE NORTH SIDE OF LOT 14 BLOCK 25.

LEGAL DESCRIPTION:

A PORTION OF A 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING IN LOT 14,
BLOCK 25, CANAVERAL GROVES SUBDIVISION, AS RECORDED IN PLAT BOOK 13,
PAGES 136-139, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 25 (PLAT BOOK 13, PAGES 136-139);
THENCE N 00°00'00" E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LIME STREET A
DISTANCE OF 367.50 FEET; THENCE ALONG THE SOUTHERLY LINE OF A PLATTED 7.5 FOOT
PUBLIC UTILITY AND DRAINAGE EASEMENT N 90°00'00" W A DISTANCE OF 99.84 FEET TO THE
POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED LINE A DISTANCE
OF 3.20 FEET, THENCE N 17°32'23" E A DISTANCE OF 0.96 FOOT; THENCE S 72°27'37" E 3.05
FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES:

1. THE BEARINGS SHOWN ARE BASED ON THE CENTER LINE OF LIME STREET
S 00°00'00" E AS PER RECORD PLAT.
2. THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND
FOUNDATIONS, ENCROACHMENTS OR ANY IMPROVEMENTS EXCEPT AS SHOWN.
3. THE SKETCH IS NOT A BOUNDARY SURVEY.



PABLO ALVAREZ PROFESSIONAL SURVEYOR AND MAPPER, PSM. 7274
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR:
DEBORAH L. DALTON
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY: LANDTEC SURVEYING AND LEIN
ADDRESS: 700 WEST HILLSBORO BOULEVARD, SUITE 4-100 DEERFIELD BEACH, FL. 33441
PHONE: (561) 465-3145

DRAWN BY: J.S.

CHECKED BY: S.G.

DRAWING NO. : 176202-CE

SECTION 4
TOWNSHIP 24 SOUTH
RANGE 35 EAST

DATE: 06/28/2023

SHEET: 1 OF 2

REVISIONS: N/A

PROJECT NO. 176202-CE
PREPARED BY: LANDTEC SURVEYING AND LIEN



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

STATE OF WISCONSIN COUNTY OF BROWN:

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

Legal Notices

as published in **FLORIDA TODAY** in the issue(s) dated: or by publication on the newspaper's website, if authorized, on

08/07/2023

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

Sworn to and Subscribed before me this 7th of August 2023, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

9/19/25

My commission expires

Publication Cost: \$210.64

Ad No: 0005789330

Customer No: BRE-6BR327

This is not an invoice

of Affidavits 1

VICKY FELTY
Notary Public
State of Wisconsin

Ad#5789330 08/07/2023

LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF
A 7.50 FT. WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENT, PLAT OF "CA-
NAVERAL GROVES SUBDIVISION" IN SEC-
TION 04, TOWNSHIP 24 SOUTH, RANGE
35 EAST, COCOA, 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 DAVID A. BAGGALEY with the
Board of County Commissioners of Bre-
vard County, Florida, to request vacating
the following described property, to wit:
A PORTION OF A 7.5-FOOT PUBLIC UTILI-
TY AND DRAINAGE EASEMENT, LYING IN
LOT 14, BLOCK 25, CANAVERAL GROVES
SUBDIVISION, AS RECORDED IN PLAT
BOOK 13, PAGES 36-139, DESCRIBED AS
FOLLOWS: COMMENCING AT THE
SOUTHEAST CORNER OF BLOCK 25 (PLAT
BOOK 13, PAGES 136-139); THENCE N
00°00'00" E ALONG THE WESTERLY
RIGHT-OF-WAY LINE OF LIME STREET A
DISTANCE OF 367.50 FEET; THENCE
ALONG THE SOUTHERLY LINE OF A PLAT-
TED 7.5 FOOT PUBLIC UTILITY AND
DRAINAGE EASEMENT N 90°00'00" WA
DISTANCE OF 99.84 FEET TO THE POINT
OF BEGINNING; THENCE CONTINUE
ALONG THE AFOREMENTIONED LINE A
DISTANCE OF 3.20 FEET, THENCE N
17°32'23" E A DISTANCE OF 0.96 FOOT;
THENCE S 72°27'37" E 3.05 FEET TO THE
POINT OF BEGINNING.

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 A.M.
on August 22, 2023, at the Brevard
County Government Center Board
Room, Building C, 2725 Judge Fran Ja-
mieson Way, Viera, Florida, at which
time and place all those for or against
the same may be heard before final ac-
tion 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 these
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.



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

Ad#5811410 08/30/2023
LEGAL NOTICE

STATE OF FLORIDA COUNTY OF BREVARD

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

Legal Notices

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

08/30/2023

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or 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 19th of September, 2023, by legal clerk who is personally known to me

A handwritten signature in dark ink, appearing to be "mth mth", written over a horizontal line.

Affiant

A handwritten signature in dark ink, appearing to be "Vicky Felty", written over a horizontal line.

Notary State of Wisconsin County of Brown

9/19/25

My commission expires

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN PLAT "CANAVERAL GROVES REPLAT UNIT 2" COCOA, LYING IN SECTION 04, TOWNSHIP 24 SOUTH, RANGE 35 EAST - DAVID A. BAGGALEY

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 22nd day of August, 2023, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in "Canaveral Groves Replat Unit 2" Cocoa, lying in Section 04, Township 24 South, Range 35 East as petitioned by David A. Baggailey.

LEGAL DESCRIPTION:

A PORTION OF A 7.5-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING IN LOT 14, BLOCK 25, CANAVERAL GROVES SUBDIVISION, AS RECORDED IN PLAT BOOK 13, PAGES 36-139, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 25 (PLAT BOOK 13, PAGES 136-139); THENCE N 00°00'00" E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LIME STREET A DISTANCE OF 367.50 FEET; THENCE ALONG THE SOUTHERLY LINE OF A PLATTED 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT N 90°00'00" WA DISTANCE OF 99.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED LINE A DISTANCE OF 3.20 FEET, THENCE N 17°32'23" E A DISTANCE OF 0.96 FOOT; THENCE S 72°27'37" E 3.05 FEET TO THE POINT OF BEGINNING. PREPARED BY: PABLO ALVAREZ, PSM.

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

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA
RACHEL M. SADOFF, CLERK
BY: Kimberly Powell, Clerk to the Board

Publication Cost \$66.26
Ad No: 0005811410
Customer No: BRE-6BR327

VICKY FELTY
Notary Public
State of Wisconsin



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

September 27, 2023

David A. Baggaley
1201 Tech Place
Cocoa, FL 32922

Dear Sir/Madam:

Re: Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Canaveral Groves Replat Unit 2", Cocoa

The Board of County Commissioners, in regular session on August 22, 2023, adopted Resolution No. 23-078, vacating a portion of a public utility and drainage easement in plat "Canaveral Groves Replat Unit 2", as petitioned by you. Said Resolution has been recorded in ORBK 9890, Pages 1477 through 1481. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for: Donna Scott
Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

September 27, 2023

M E M O R A N D U M

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

RE: Advertising Bills for Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Canaveral Groves Replat Unit 2", Cocoa

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 23-078, vacating a portion of a public utility and drainage easement in plat "Canaveral Groves Replat Unit 2", Cocoa, as petitioned by David A. Baggaley. Said Resolution was adopted by the Board of County Commissioners, in regular session on August 22, 2023.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for: Donna Scott
Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

Brevard County Property Appraiser Detail Sheet

Account 2401736
 Owners BAGGALEY, DAVID A
 Mailing Address 1201 TECH PLACE COCOA FL 32922
 Site Address 4550 LIME ST COCOA FL 32926
 Parcel ID 24-35-04-01-25-14
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Exemptions NONE
 Taxing District 1400 - UNINCORP DISTRICT 1
 Total Acres 1.00
 Subdivision CANAVERAL GROVES SUBD REPLAT UNIT 2 SHEET 4
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0013/0139
 Land Description CANAVERAL GROVES SUBD REPLAT UNIT 2 SHEET 4 LOT 14 BLK 25

VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$138,240	\$130,600	\$91,090
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$110,200	\$100,190	\$91,090
Assessed Value School	\$138,240	\$130,600	\$91,090
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$110,200	\$100,190	\$91,090
Taxable Value School	\$138,240	\$130,600	\$91,090

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/01/1993	\$--	QC	Improved	3309/3261
06/01/1966	\$1,500	--	Improved	0876/0689

Vicinity Map

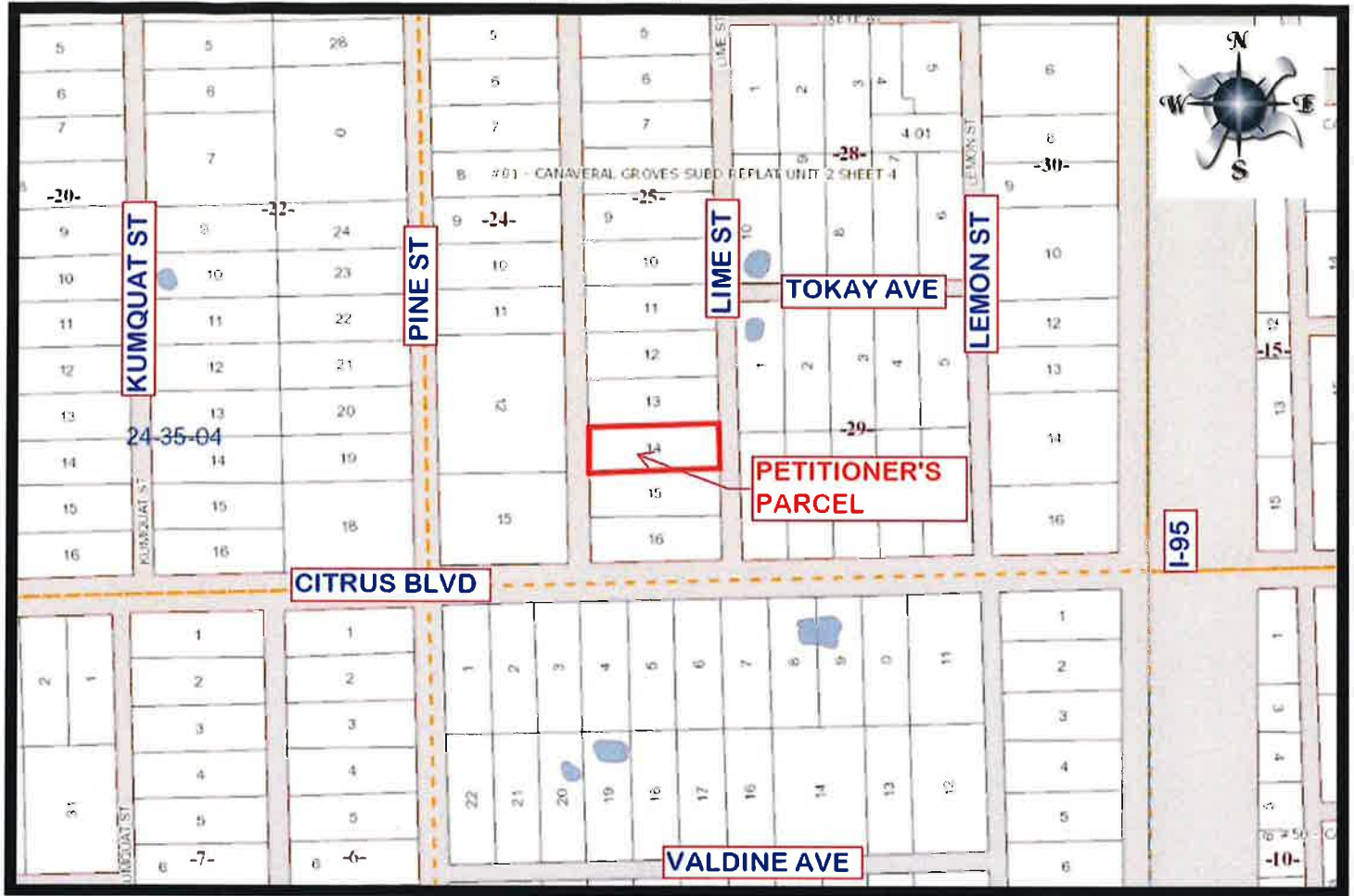


Figure 1: Map of Lot 14, Block 25, Canaveral Groves Replat Unit 2, 4550 Lime Street, Cocoa, Florida, 32926.

David A. Baggaley – 4550 Lime Street – Cocoa,
FL, 32926 – Lot 14, Block 25, plat of
“Canaveral Groves Replat Unit 2” – Plat Book
13, Page 139 – Section 04, Township 24
South, Range 35 East – District 1 – Proposed
Vacating of a portion of a 7.50 ft. Wide Public
Utility & Drainage Easement

Aerial Map



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

David A. Baggaley – 4550 Lime Street – Cocoa, FL, 32926 – Lot 14, Block 25, plat of “Canaveral Groves Replat Unit 2” – Plat Book 13, Page 139 – Section 04, Township 24 South, Range 35 East – District 1 – Proposed Vacating of a portion of a 7.50 ft. Wide Public Utility & Drainage Easement

Plat Reference

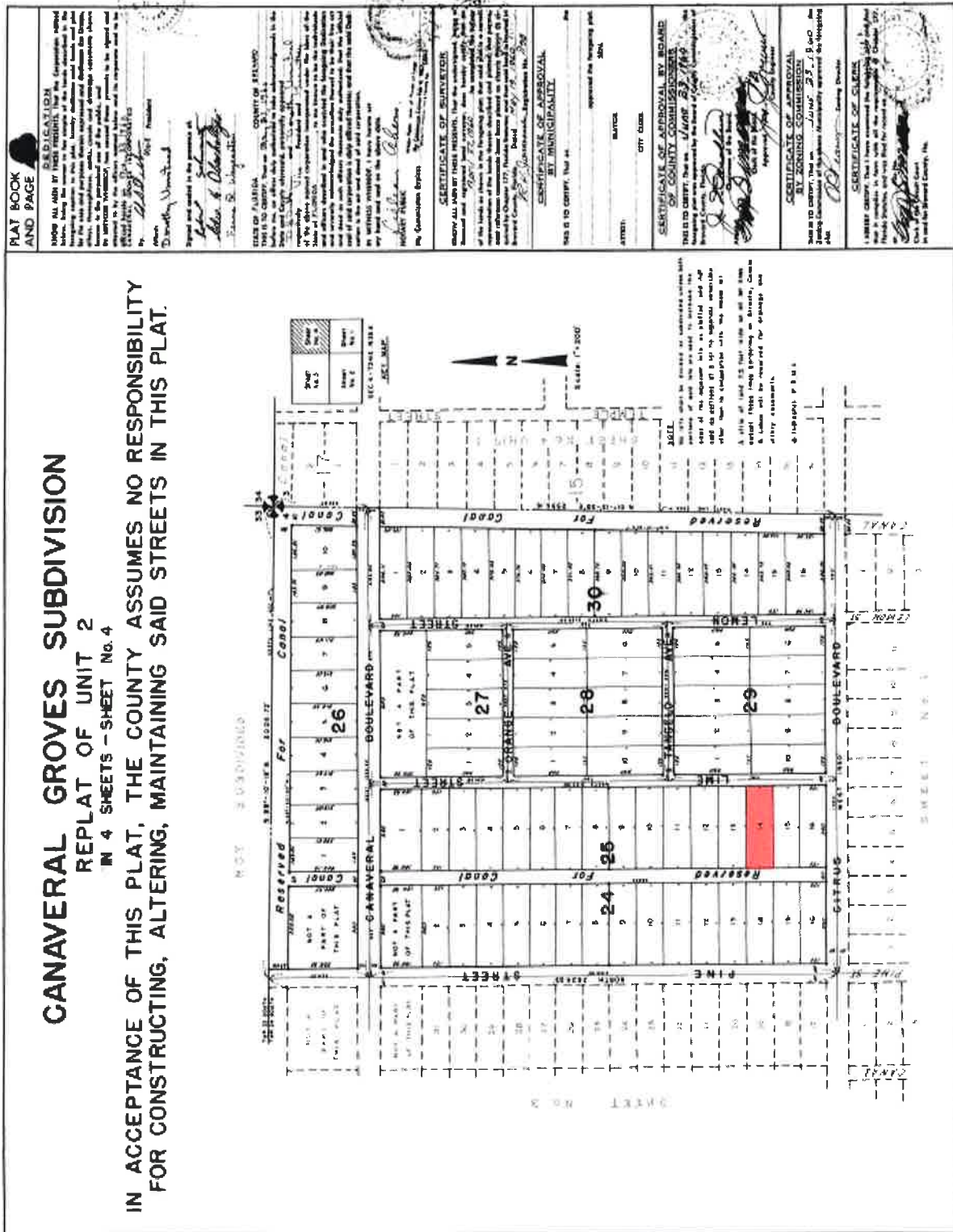


Figure 3: Copy of plat map "Canaveral Groves Replat, Unit 2" dedicated to Brevard County May 23, 1960.

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION

SECTION 4, TOWNSHIP 24 SOUTH, RANGE 35 EAST
PARCEL ID NUMBER: 24-35-04-01-25-14

SHEET 1 OF 2

NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

PURPOSE OF DESCRIPTION:

TO VACATE A PORTION OF 7.5 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT
LYING ON THE NORTH SIDE OF LOT 14 BLOCK 25.

LEGAL DESCRIPTION:

A PORTION OF A 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING IN LOT 14,
BLOCK 25, CANAVERAL GROVES SUBDIVISION, AS RECORDED IN PLAT BOOK 13,
PAGES 136-139, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 25 (PLAT BOOK 13, PAGES 136-139):
THENCE N 00°00'00" E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LIME STREET A
DISTANCE OF 367.50 FEET; THENCE ALONG THE SOUTHERLY LINE OF A PLATTED 7.5 FOOT
PUBLIC UTILITY AND DRAINAGE EASEMENT N 90°00'00" W A DISTANCE OF 99.84 FEET TO THE
POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED LINE A DISTANCE
OF 3.20 FEET; THENCE N 17°32'23" E A DISTANCE OF 0.96 FOOT; THENCE S 72°27'37" E 3.05
FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES:

1. THE BEARINGS SHOWN ARE BASED ON THE CENTER LINE OF LIME STREET
S 00°00'00" E AS PER RECORD PLAT.
2. THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND
FOUNDATIONS, ENCROACHMENTS OR ANY IMPROVEMENTS EXCEPT AS SHOWN.
3. THE SKETCH IS NOT A BOUNDARY SURVEY.



PABLO ALVAREZ PROFESSIONAL SURVEYOR AND MAPPER, PSM. 7274
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR:
DEBORAH L. DALTON
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY: LANDTEC SURVEYING AND LEIN
ADDRESS: 700 WEST HILLSBORO BOULEVARD, SUITE 4-100 DEERFIELD BEACH, FL. 33441
PHONE: (904) 488-3145

DRAWN BY: J.S.

DATE: 05/28/2023

CHECKED BY: S.G.

SHEET: 1 OF 2

DRAWING NO.: 178202-CE

REVISIONS: N/A

SECTION 4
TOWNSHIP 24 SOUTH
RANGE 35 EAST

Figure 4: Legal Description. Sheet 1 of 2. Section 14, Township 24 South, Range 35 East. Parcel ID number: 24-35-04-01-25-14.

Petitioner's Sketch & Description Sheet 2 of 2

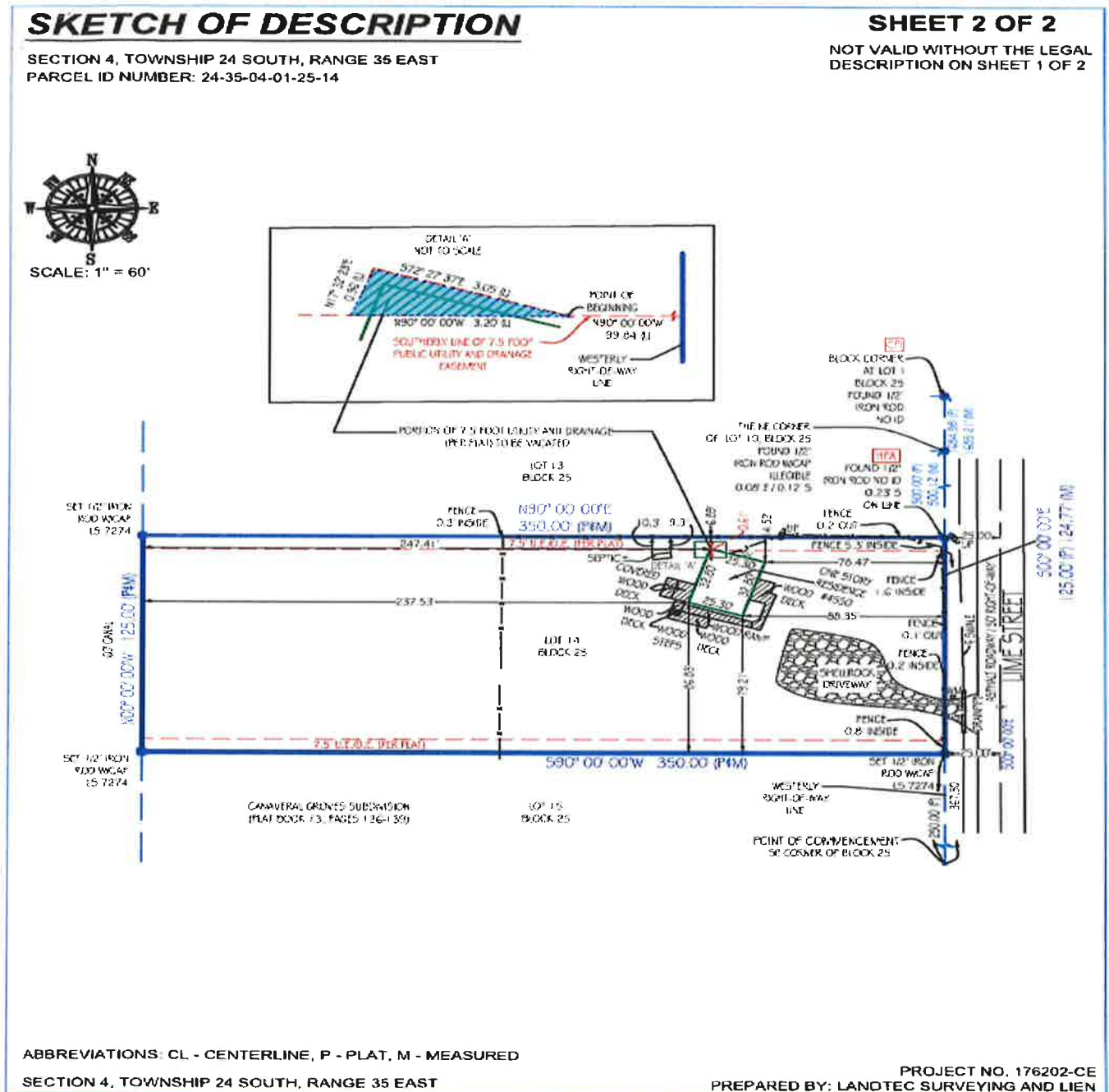


Figure 5: Sketch of description. Sheet 2 of 2. Section 14, Township 24 South, Range 35 East. Parcel ID number: 24-35-04-01-25-14.

The sketch illustrates a portion of a 7.50-foot-wide public utility & drainage easement on Lot 14, Block 25, Canaveral Groves Replat Unit 2, Cocoa, Florida. The coordinate of the North line depicted is as follows. North boundary – North 90°00'00" East 350.00 Feet; East boundary – South 00°00'00" East 125.00 Feet; South boundary – South 90°00'00" West 350.00 Feet; West boundary – North 00°00'00" West 125.00 Feet. Prepared by: Pablo Alvarez LS7274, Landtec Surveying & Lien, LLC, LB8507Project NO: 176202-CE.

Petitioner's Boundary Survey

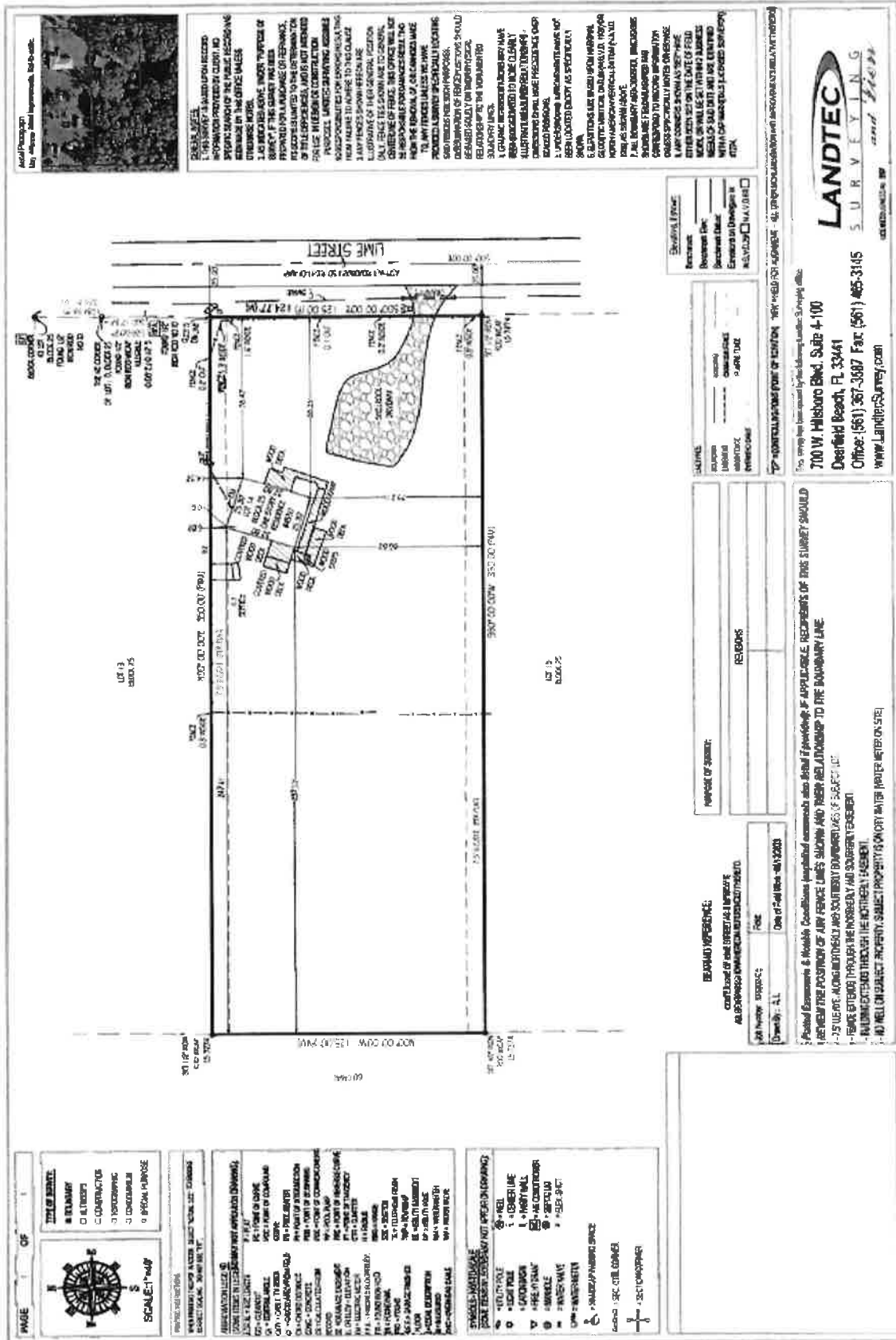


Figure 6: Boundary Survey. 4550 Lime Street, Cocoa, FL 32926. Section 04, Township 24 South, Range 35 East.

Comment Sheet

Applicant: Baggaley

Updated by: Amber Holley 20230802 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20230719	20230802	Yes	No Comment
FL Power & Light	20230719	20230725	Yes	No Objection
At&t	20230719	20230802	Yes	No Comment
Charter/Spectrum	20230719	20230720	Yes	No objections
City of Cocoa	20230719	20230721	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20230719	20230725	Yes	No objections
Land Planning	20230719	20230728	Yes	No objections
Utility Services	20230719	20230720	Yes	No objections
Storm Water	20230719	20230720	Yes	No objections
Zoning	20230719	20230728	Yes	No objections

Public Hearing Legal Advertisement

Ad#5789330

08/07/2023

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 7.50 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "CA- NAVERAL GROVES SUBDIVISION" IN SEC- TION 04, TOWNSHIP 24 SOUTH, RANGE 35 EAST, COCOA, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by DAVID A. BAGGALEY with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:
A PORTION OF A 7.5-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING IN LOT 14, BLOCK 25, CANAVERAL GROVES SUBDIVISION, AS RECORDED IN PLAT BOOK 13, PAGES 36-139, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 25 (PLAT BOOK 13, PAGES 136-139); THENCE N 00°00'00" E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LIME STREET A DISTANCE OF 367.50 FEET; THENCE ALONG THE SOUTHERLY LINE OF A PLATED 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT N 90°00'00" W A DISTANCE OF 99.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED LINE A DISTANCE OF 3.20 FEET, THENCE N 17°32'23" E A DISTANCE OF 0.96 FOOT; THENCE S 72°27'37" E 3.05 FEET TO THE POINT OF BEGINNING.

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 A.M. on August 22, 2023**, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is 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.

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

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 7.50 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "CANAVERAL GROVES SUBDIVISION" IN SECTION 04, TOWNSHIP 24 SOUTH, RANGE 35 EAST, COCOA, FL

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

A PORTION OF A 7.5-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING IN LOT 14, BLOCK 25, CANAVERAL GROVES SUBDIVISION, AS RECORDED IN PLAT BOOK 13, PAGES 36-139, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 25 (PLAT BOOK 13, PAGES 136-139); THENCE N 00°00'00" E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LIME STREET A DISTANCE OF 367.50 FEET; THENCE ALONG THE SOUTHERLY LINE OF A PLATTED 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT N 90°00'00" WA DISTANCE OF 99.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED LINE A DISTANCE OF 3.20 FEET, THENCE N 17°32'23" E A DISTANCE OF 0.96 FOOT; THENCE S 72°27'37" E 3.05 FEET TO THE POINT OF BEGINNING.

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 A.M. on August 22, 2023**, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is 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.

Samantha McDaniel

From: Holley, Amber <Amber.Holley@brevardfl.gov>
Sent: Tuesday, August 22, 2023 3:31 PM
To: Samantha McDaniel
Cc: Nicole Summers; Donna Scott
Subject: August 22, 2023 Commission Meeting
Attachments: LEGAL DESCRIPTION-BAGGALEY.docx

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

Ladies, please find attached the legal description from the approval on the 8/22 meeting.

Owner information:

- G.1. David A. Baggaley, 1201 Tech Place, Cocoa, FL 32922. (4550 Lime Street, Cocoa, FL 32926)

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

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

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LEGAL DESCRIPTION:

A PORTION OF A 7.5-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LYING IN LOT 14, BLOCK 25, CANAVERAL GROVES SUBDIVISION, AS RECORDED IN PLAT BOOK 13, PAGES 36-139, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 25 (PLAT BOOK 13, PAGES 136-139); THENCE N 00°00'00" E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LIME STREET A DISTANCE OF 367.50 FEET; THENCE ALONG THE SOUTHERLY LINE OF A PLATTED 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT N 90°00'00" W A DISTANCE OF 99.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED LINE A DISTANCE OF 3.20 FEET, THENCE N 17°32'23" E A DISTANCE OF 0.96 FOOT; THENCE S 72°27'37" E 3.05 FEET TO THE POINT OF BEGINNING. PREPARED BY: PABLO ALVAREZ, PSM.