



Agenda Report

2725 Judge Fran Jamieson Way Viera, FL 32940

Public Hearing

H.3. 8/2/2022

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement- 912 Harbor Pines Drive - "Harbor Pines" Plat Book 35, Page 26 - Merritt Island - Shawn & Jody Overdorf - District 2

Fiscal Impact:

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

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 and drainage easement, "Harbor Pines" in Section 06, Township 25 South, Range 37 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's own Lot 3, and are requesting the vacating of a 5.00 ft. portion of 10.00 ft. wide public utility and drainage easement on Lot 3, to allow for the construction of a pool. Easement to be vacated contains 300.00 square feet, more or less. The property is located in Merritt Island South of Highway 520 and East of Newfound Harbor Drive.

July 18, 2022, 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.



FLORIDA'S SPACE COAST

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



August 16, 2022

MEMORANDUM

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

RE: Advertising Bills for Resolution Vacating a Portion of a Public Utility Easement in Plat "Harbor Pines" Subdivision, Merritt Island

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 22-075, vacating a portion of a public utility easement in plat "Harbor Pines" Subdivision, Merritt Island, as petitioned by Shawn and Jody Overdorf. Said Resolution was adopted by the Board of County Commissioners, in regular session on August 2, 2022.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

Encls. (2)



FLORIDA'S SPACE COAST

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



August 16, 2022

Shawn and Jody Overdorf 912 Harbor Pines Drive Merritt Island, FL 32952

Dear Sir/Madam:

Re:

Resolution Vacating a Portion of a Public Utility and Drainage Easement in Plat "Harbor Pines" Subdivision, Merritt Island, Lying in Section 06, Township 25 South, Range 37 East

The Board of County Commissioners, in regular session on August 2, 2022, adopted Resolution No. 22-075, vacating a portion of a public utility and drainage easement in Plat "Harbor Pines" Subdivision, Merritt Island, lying in Section 06, Township 25 South, Range 37 East, as petitioned by you. Said Resolution has been recorded in ORBK 9587, Pages 1267 through 1271. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works

Brevard County Property Appraiser Detail Sheet

Account 2514830

Owners OVERDORF, SHAWN; OVERDORF, JODY

Mailing Address 912 HARBOR PINES DR MERRITT ISLAND FL 32952

Site Address 912 HARBOR PINES DR MERRITT ISLAND FL 32952

Parcel ID 25-37-06-05-*-3

Property Use 0110 - SINGLE FAMILY RESIDENCE

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Taxing District 2200 - UNINCORP DISTRICT 2

Total Acres 0.18

Subdivision HARBOR PINES

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0035/0026

Land Description HARBOR PINES LOT 3

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$292,560	\$254,790	\$255,090
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$244,770	\$241,400	\$235,980
Assessed Value School	\$244,770	\$241,400	\$235,980
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non- School	\$194,770	\$191,400	\$185,980
Taxable Value School	\$219,770	\$216,400	\$210,980

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/21/2021	\$414,000	WD		9371/2303
03/27/2018	\$272,500	WD		8126/2553
10/01/2010	\$180,000	WD		6252/2356

Vicinity Map ANGELL CITY 24 FOWLER DR PETITIONER'S PARCEL 13 25-37-06 HARBOR MILI AVENUE

Figure 1: Map of Lot 3, Harbor Pines, 912 Harbor Pines Drive, Merritt Island, Florida, 32952.

Shawn & Jody Overdorf – 912 Harbor Pines Drive – Merritt Island, FL, 32952 – Lot 3, plat of "Harbor Pines" - Plat Book 35, Page 26 -Section 06, Township 25 South, Range 37 East District 2 – Proposed Vacating of a 5.0 ft. portion of a 10.0 ft. Wide Public Utility & **Drainage Easement**

Aerial Map



Figure 2: Aerial Map of Lot 3, Harbor Pines, 912 Harbor Pines Drive, Merritt Island, Florida, 32952.

Shawn & Jody Overdorf – 912 Harbor Pines
Drive – Merritt Island, FL, 32952 – Lot 3, plat
of "Harbor Pines" – Plat Book 35, Page 26 –
Section 06, Township 25 South, Range 37 East
– District 2 – Proposed Vacating of a 5.0 ft.
portion of a 10.0 ft. Wide Public Utility &
Drainage Easement

Plat Reference



Figure 3: Copy of plat map "Harbor Pines" dedicated to Brevard County November 1, 1988.

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION

SHEET 1 OF 2 NOT VALID WITHOUT SHEET 2 OF 2 THIS IS NOT A SURVEY

PARENT PARCEL ID#: 25-37-06-05-0-3 SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: VACATING PORTION OF UTILITY & DRAINAGE EASEMENT IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

LEGAL DESCRIPTION:

(PREPARED BY SURVEYOR)

THAT PORTION OF A 10 FOOT UTILITY & DRAINAGE EASEMENT LYING IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF SAID LOT 3, LESS AND EXCEPT THE EAST 7.50 FEET AND THE WEST 7.50 FEET.

SURVEYORS NOTES:

- THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
 THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE
- THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
- 3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
- 4. BEARINGS ARE BASED ON AN ASSUMED BEARING OF SOUTH 89°59'58" EAST FOR THE NORTH LINE OF LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

PREPARED FOR: DAMIEL D. GARNER, PLS 6189 PROFESSIONAL LICENSED SURVEYOR BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS AAL LAND SURVEYING SERVICES, INC. STATE OF 3970 MINTON ROAD, WEST MELBOURNE, FL 32904 PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk Goodsurvey, com LIGENSED BUSINESS #6623 DRAWN BY: DOUG W. GUARE CHECKED BY: ANDREW W. POWSHOK SURVE HEVISIONE SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST REVISIONS COUNTY COMMENTS 06-16-22 DATE: 06-09-22 PROJECT # 47188 REVISION:

Figure 4: Legal Description. Sheet 1 of 2. Section 06, Township 25 South, Range 37 East.

Petitioner's Sketch & Description Sheet 2 of 2

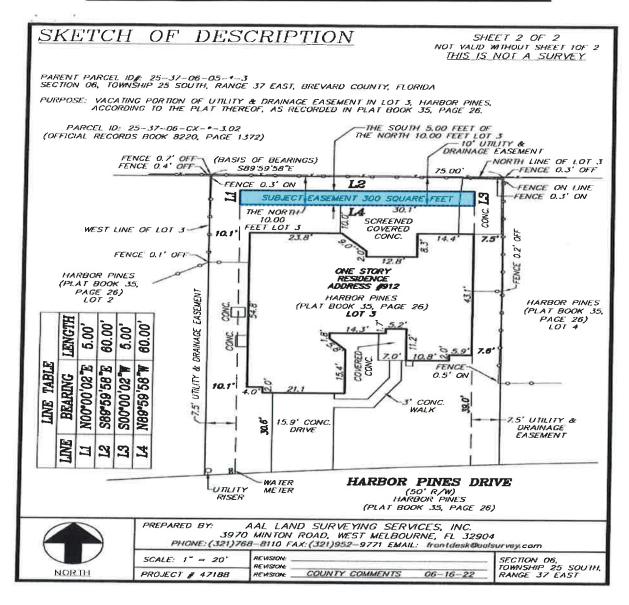


Figure 5: Sketch of description. Sheet 2 of 2. Section 06, Township 25 South, Range 37 East.

Sketch illustrates a 5.00-foot portion of a 10.00-foot wide public utility and drainage easement on Lot 3, Harbor Pines, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – North 89°59′58″ East 60.00′; East boundary – South 00°00′02″ West 5.00′; South boundary – North 89°59′58″ West 60.00′; West boundary – North 00°00′02″ East 5.00′. Prepared by: Daniel D. Garner, Project NO: 47188.

Boundary Survey with Proposed Pool

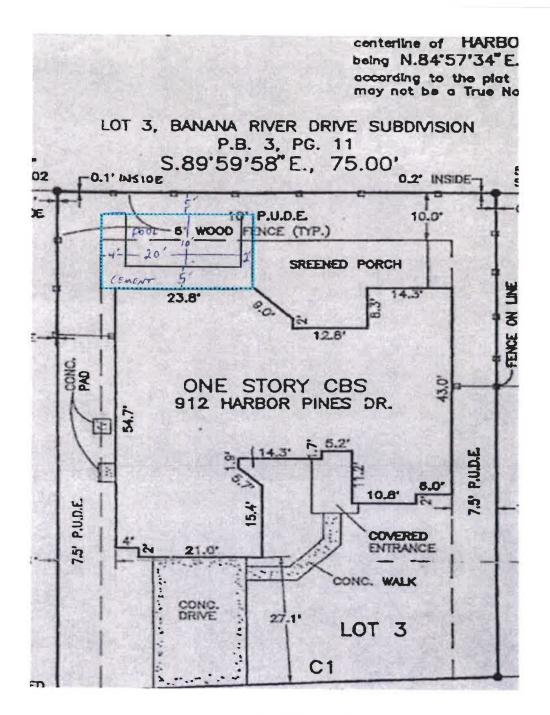


Figure 6: Boundary Survey.

Survey illustrates the existing single-family home and proposed pool all lying within Lot 3, Harbor Pines, 912 Harbor Pines Drive, Merritt Island, Florida, 32952.

Comment Sheet

Applicant: Overdorf

Updated by: Amber Holley 20220708 at 15:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20220622	20220622	Yes	No objections
FL Power & Light	20220622	20220627	Yes	No objections
At&t	20220622	20220706	Yes	No objections
Charter/Spectrum	20220622	20220706	Yes	No objections
City of Cocoa	20220622	20220629	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20220622	20220707	Yes	No Objections
Land Planning	20220622	20220627	Yes	No objections
Utility	20220622	20220623	Yes	No objections
Services				
Storm Water	20220622	20220708	Yes	No Objections
Zoning	20220622	20220627	Yes	No objections

Public Hearing Legal Advertisement

EE446E280A 7/18/2022 LEGAL NOTICE NOTICE FOR THE PARTIAL YACATING OF A 18.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE GASEMENTS, PLAT OF "HAR-BOR PINES" IN SECTION OG, TOWNSHIP 25 SOUTH, RANGE 37 EAST, MERRITY ISLAND, PL NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Breward County Code, a petition has been filed by SHAWN & JODY OVERDORF with the Board of County Commissioners of Broward County, Florida, to request vacating the following described proper-Wicating the following described property, to wit:
THAT PORTION OF A 10 FOOT UTILITY &
DRAMAGE EASEMENT LYING IN LOT 3.
HARBOR PINES, ACCORDING TO THE
PLAT THRREOF, AS RECORDED IN PLAT
BOOK 35, PAGE 26. OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA,
BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS: THE SOUTH 5.00 FEET OF
THE MORTH 10.00 FEET OF SAID LOT 5. THE MORTH 10.00 REET OF SAID LOT 5, LESS AND EXCEPT THE EAST 7.50 FEET AND THE WEST 7. 50 FEET. CONTAINING 300 SQUARE FEET, MORE OH LESS. PRE-PARED BY: DANIEL D. GARNER, 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 August 2, 2022 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 testi-mony 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 im-paired 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 July 18, 2022. See next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "HARBOR PINES" IN SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 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 **SHAWN & JODY OVERDORF** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF A 10 FOOT UTILITY & DRAINAGE EASEMENT LYING IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF SAID LOT 3, LESS AND EXCEPT THE EAST 7.50 FEET AND THE WEST 7. 50 FEET. CONTAINING 300 SQUARE FEET, MORE OR LESS. PREPARED BY: DANIEL D. GARNER, 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 August 2, 2022** 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.

Resolution 2022 - 075

Vacating a portion of a public utility & drainage easement in plat "Harbor Pines" Subdivision, Merritt Island, Florida, lying in Section 06, Township 25 South, Range 37 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **SHAWN &**JODY OVERDORF 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 2nd day of August, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA

TTECT

Rachel Sadoff Clark

Kristine Zonka, Chair

As approved by the Board on: August 2, 2022

CFN 2022201440, OR BK 9587 PAGE 1267, Recorded 08/16/2022 at 09:57 AM, Rachel M, Sadoff, Clerk of Courts, Brevard County

LEGAL DESCRIPTION

SHEET 1 OF 2 NOT VALID WITHOUT SHEET 2 OF 2 THIS IS NOT A SURVEY

PARENT PARCEL ID#: 25-37-06-05-*-3 SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: VACATING PORTION OF UTILITY & DRAINAGE EASEMENT IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, AS RECORDED IN PLAT BOOK 35. PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)

THAT PORTION OF A 10 FOOT UTILITY & DRAINAGE EASEMENT LYING IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF SAID LOT 3, LESS AND EXCEPT THE EAST 7.50 FEET AND THE WEST 7.50 FEET.

SURVEYORS NOTES:

- 1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
- 2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
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- 4. BEARINGS ARE BASED ON AN ASSUMED BEARING OF SOUTH 89'59'58" EAST FOR THE NORTH LINE OF LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

PREPARED FOR: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

DANIEL D. GARNER, PLS 6189 PROFESSIONAL LICENSED SURVEYOR

STATE OF

PREPARED BY:

AAL LAND SURVEYING SERVICES, INC.

3970 MINTON ROAD, WEST MELBOURNE, FL 32904 PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com LIGENSED BUSINESS #6623

DRAWN BY: DOUG W. GUARE	CHECKED BY: ANDREW W. POWSHOK	REVISION:		SURVE	SECTION 06, TOWNSHIP 25 SOUTH,
DATE: 06-09-22	PROJECT # 47188	REVISION:	COUNTY COMMENTS	06-16-22	RANGE 37 EAST

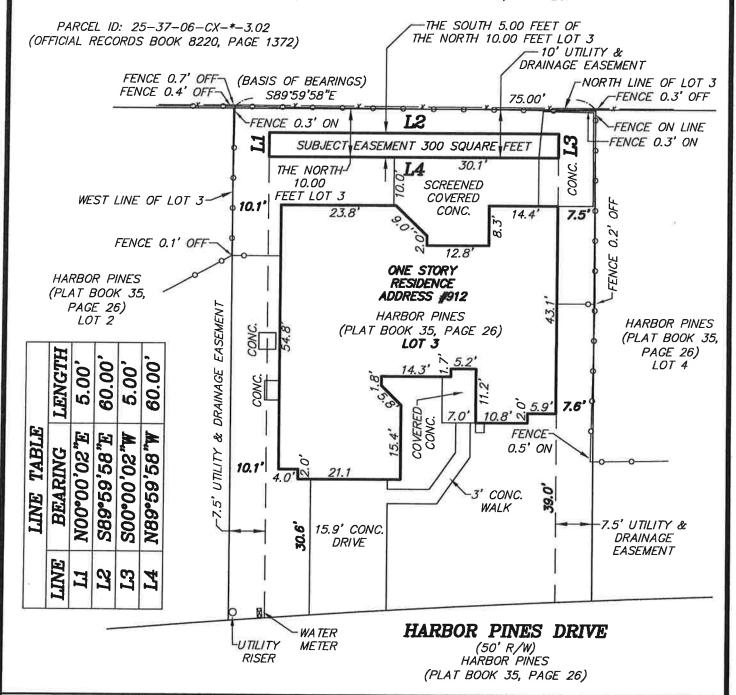
SKETCH OF DESCRIPTION

SHEET 2 OF 2 NOT VALID WITHOUT SHEET 10F 2 THIS IS NOT A SURVEY

SOUTH,

PARENT PARCEL ID#: 25-37-06-05-*-3
SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: VACATING PORTION OF UTILITY & DRAINAGE EASEMENT IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26.





PREPARED BY: AAL LAND SURVEYING SERVICES, INC.
3970 MINTON ROAD, WEST MELBOURNE, FL 32904
PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

SCALE: 1" = 20'	REVISION:		SECTION 06, TOWNSHIP 25 SO	
PROJECT # 47188	REVISION:	COUNTY COMMENTS		RANGE 37 EAST



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

Notice Public Hearing

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

07/18/2022

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 18th of July 2022, by legal clerk who is personally known to me

Affiant

Notary

My commission expires Publication Cost: \$181.30 Ad No: 0005336433 Customer No: BRE-6BR327

This is not an invoice

of Affidavits1

VICKY FELTY Notary Public State of Wisconsin

Ad#5336433

Ad#5336433
7/18/2022
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF
A 10.0 FT. WIDE PUBLIC UTILITY AND
DRAINAGE EASEMENTS, PLAT OF "HARBOR PINES" IN SECTION 06, TOWNSHIP
25 SOUTH, RANGE 37 EAST, MERRITT
ISLAND FI

25 SOUTH, RANGE 37 EAST, MERRITT ISLAND, FL.
NOTICE IS HEREBY GIVEN that pursuant to Chapter 336,09, Florida Statutes, and Chapter 88, Article II, Section 86-36, Brevard County Code, a petition has been filled by SHAWN & JODY OVERDORF with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property to wit:

Vacating the following described property, to wit:

THAT PORTION OF A 10 FOOT UTILITY &
DRAINAGE EASEMENT LYING IN LOT 3,
HARBOR PINES, ACCORDION TO THE
PLAT THEREOF, AS RECORDED IN PLAT
BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA,
BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS: THE SOUTH 5.00 FEET OF
THE NORTH 10.00 FEET OF SAID LOT 3,
LESS AND EXCEPT THE EAST 7.50 FEET
AND THE WEST 7. 50 FEET, CONTAINING
30 SQUARE FEET, MORE OR LESS, PREPARED BY-DANIEL D. GARNER, PSM.

AND THE WEST 7: 50 FEET, CONTAINING 300 SQUARE FEET, MORE OR RESS. PREPARED BY: DANIEL D. GARNER, 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 August 2, 2022 at the Brevard County Covernment 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 appeals to 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 meetinghearing by any person wishing assistance.



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 <u>FLORIDA TODAY</u>, 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 <u>FLORIDA TODAY</u> in the issue(s) dated: or by publication on the newspaper's website, if authorized, on

08/11/2022

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 11th of August 2022, by legal clerk who is personally known to me

Notary State of Wisconsin

County of Brown

My commission expires
Publication Cost: \$119.90
Ad No: 0005369854
Customer No: BRE-6BR327
This is not an invoice

VICKY FELTY Notary Public State of Wisconsin

AD#5369854

08/11/2022 LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASE-MENT IN PLAT "HARBOR PINES" SUBDI-VISION, MERRITI ISLAND, LYING IN SEC-TION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST – SHAWN AND JODY OVERDORF

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 2ND day of August, 2022, the Board of County Commissioners of Brevand County, Florida, adopted a Rosolution vacating a postion of a public utility and drainage essement in plat "Harbor Pines" Subdivision, Menritt Island, lying in Section 08, 10 (Township 25 South, Range 37 Est as petitioned by Shawn and Jody Overdorf.

LEGAL DESCRIPTION:

THAT PORTION OF A 10 FOOT UTILITY & DRAINAGE EASEMENT LYING IN LOT 3, HARBOR PIMES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT THOM 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 5.00 FEET OF THE MORTH 10.00 FEET OF SAID LOT 3, LESS AND EXCEPT THE EAST 7.35 FEET AND THE WEST 7.50 FEET. CONTAINING 300 SQUARE FEET, MORE OR LESS, PREPARED BY: DANIEL D. GARNER, 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

of Affidavits1

Samantha McDaniel

From:

Holley, Amber < Amber. Holley@brevardfl.gov>

Sent:

Wednesday, August 3, 2022 1:46 PM

To:

Samantha McDaniel; Nicole Summers; Deborah Thomas; Priyanka Patel

Cc:

Donna Scott; Kimberly Powell

Subject:

August 2, 2022 Commission Meeting

Attachments:

LEGAL DESCRIPTION-SIDOTI.docx; LEGAL DESCRIPTION 1751 N CARPENTER EASMENT-

Townsend.docx; Legal Description-Overdorf.docx

Ladies, please find attached the legal description from the approval on the 8/2 meeting.

Owner information:

- Francis J. Sidoti, 6480 Greenwood Ave., Cocoa, FL 32927.
- Nicholas J. Townsend, 203 Brant Creek Circle, Saint Mary, GA 31558.
- Shawn & Jody Overdorf, 912 Harbor Pines Drives, Merritt Island, FL 32952.

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."

This email was scanned by Bitdefender

Overdorf

THAT PORTION OF A 10 FOOT UTILITY & DRAINAGE EASEMENT LYING IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF SAID LOT 3, LESS AND EXCEPT THE EAST 7.50 FEET AND THE WEST 7. 50 FEET. CONTAINING 300 SQUARE FEET, MORE OR LESS. PREPARED BY: DANIEL D. GARNER, PSM.

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT IN PLAT "HARBOR PINES" SUBDIVISION, MERRITT ISLAND, LYING IN SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST – SHAWN AND JODY OVERDORF

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 2ND day of August, 2022, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility and drainage easement in plat "Harbor Pines" Subdivision, Merritt Island, lying in Section 06, Township 25 South, Range 37 East as petitioned by Shawn and Jody Overdorf.

LEGAL DESCRIPTION:

THAT PORTION OF A 10 FOOT UTILITY & DRAINAGE EASEMENT LYING IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF SAID LOT 3, LESS AND EXCEPT THE EAST 7.50 FEET AND THE WEST 7.50 FEET. CONTAINING 300 SQUARE FEET, MORE OR LESS. PREPARED BY: DANIEL D. GARNER, 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

Florida TODAY:

Please advertise in the August 11, 2022, issue of the Florida TODAY. Bill the Board of County Commissioners Account Number BRE-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.