

Meeting Date
July 11, 2017



AGENDA	
Section	PUBLIC HEARING
Item No.	IV B

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Petition to Vacate, Re: Part of the 50.0 ft. wide Public Right-of-Way of Elmo Street – Unrecorded plat of “Shepard’s Clear Lake Village” – Cocoa – Erica Mitchell – District 2 (Fiscal impact: Petitioner paid \$640.00 Vacating Application Fee)
DEPT/OFFICE	Public Works Department – Surveying Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider the partial vacating of the public right-of-way of Elmo Street in the unrecorded plat of “Shepard’s Clear Lake Village”, Cocoa, Florida in Section 19, Township 24 South, Range 36 East. If approved, it is requested that the Board authorizes the Chairman to sign the attached Resolution approving the vacating.

Summary Explanation & 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 adjoining Lots 23 and 24, Block 8 and is requesting the partial vacating of the 50.0 ft. wide public right-of-way to allow for better security, improved maintenance and to enhance the general neighborhood aesthetics. Total area of right-of-way to be vacated is 0.146 acres or 6,375 square feet, more or less.

June 22, 2017, 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 and at this time, no objections have been received. The subject parcel is located in Cocoa as follows: Begin at the intersection of U.S. Highway No. 1 and Michigan Avenue; thence 0.55 miles west along Michigan Avenue; thence 0.50 miles south along Clear Lake Road; thence 0.11 miles west along Ruth Street to Elmo Street on the north (right).

Fiscal Impact: The petitioners are charged \$640 for processing, advertising, and recording costs associated with the vacating of a county right-of-way or easement. These fees are deposited in Fund 0002-30265-3699000, revenue account for vacatings. This action is in keeping with the County’s efforts to create cooperative partnerships between County Government and its citizenry. No additional funding will be requested for next year’s budget.

Name: Marc.Cazessus@brevardfl.gov Phone: Ext. 57315

Exhibits Attached: Resolution, Appraisers detail sheet, vicinity map, aerial map, plat (if applicable), petitioner’s deed, boundary survey (if available), boundary survey (right-of-way vacating) or sketch and description (easement vacating), comment summary sheet and legal notice of public hearing advertisement.

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

Contract / Agreement (If attached):		Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
Interim County Manager Frank Abbate	Assistant County Manager Venetta Valdengo	Interim Department Director / Extension						
	Interim Assistant County Manager John Denninghoff	Andrew J. Homes, P.E. / Ext. 57202						



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

July 28, 2017

M E M O R A N D U M

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

RE: Advertising Bills for Resolution Vacating Part of the 50.00 Foot Wide Public Right-of-Way of Elmo Street, Unrecorded Plat of Shepard's Clear Lake Village, Cocoa

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 17-118, vacating part of the 50.00 foot wide public right-of-way of Elmo Street, unrecorded plat of Shepard's Clear Lake Village, Cocoa, as petitioned by Erica Mitchell. Said Resolution was adopted and approved by the Board of County Commissioners, in regular session on July 11, 2017.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

July 28, 2017

Erica Mitchell
1648 Ruth Street
Cocoa, FL 32926

Dear Ms. Mitchell:

Re: Resolution Vacating Part of the 50.00 Foot Wide Public Right-of-Way of Elmo Street, Unrecorded Plat of Shepard's Clear Lake Village, Cocoa – Erica Mitchell

The Board of County Commissioners, in regular session on July 11, 2017, adopted Resolution No. 17-118, vacating part of the 50.00 foot wide public right-of-way of Elmo Street, unrecorded plat of Shepard's Clear Lake Village, Cocoa, as petitioned by you. Said Resolution has been recorded in ORBK 7945, Pages 1212 through 1216. 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

HC

**PARTIAL VACATING OF THE 50.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF ELMO STREET
IN THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE", COCOA,
FLORIDA, LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **ERICA MITCHELL** with the Board of County Commissioners to vacate a portion of a 50.0 ft. wide public right-of-way Elmo Street in Brevard County, Florida, described as follows:

SEE ATTACHED BOUNDARY SURVEY

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 partial vacating the public right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public right-of-way is hereby vacated; and Brevard County renounces and disclaims any rights in and to said right-of-way. 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 11th day of July, 2017 A.D.

ATTEST:



SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



CURT SMITH, CHAIRMAN

As approved by the Board on:
July 11, 2017

BOUNDARY SURVEY

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PARCEL NUMBER: 24-36-19-75-8-23

PURPOSE: VACATION OF PORTION OF ELMO STREET RIGHT OF WAY

SHEET 1 OF 2

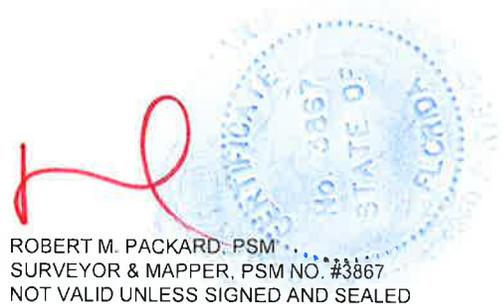
NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET, A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE" WHICH LIES NORTH OF THE NORTH RIGHT OF WAY LINE OF RUTH STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND LIES BETWEEN LOT 11, BLOCK 2 AND LOT 24, BLOCK 8 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 6,375 SQUARE FEET (0.146 ACRES).

SURVEYOR'S NOTES:

- 1.) BEARING STRUCTURE - BASED ON AN ASSUMED MERIDIAN FOR COMPUTATIONAL PURPOSES. SPECIFICALLY, THE NORTH LINE OF THE S.E. 1/4 OF SECTION 19-24-36 = S89°06'11"W.
- 2.) UNDERGROUND IMPROVEMENTS - IF ANY, NOT LOCATED
- 3.) DATE OF FIELD SURVEY - APRIL 25, 2017



PREPARED FOR: **BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

ROBERT M. PACKARD, PSM
SURVEYOR & MAPPER, PSM NO. #3867
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: **R.M. PACKARD & ASSOC., INC.**
ADDRESS: 197 BOUGAINVILLEA DRIVE / SUITE D
ROCKLEDGE, FLORIDA 32955
LB NO. 6649
PHONE: (321) 632-6335
FAX: (321) 631-7392
EMAIL: packardsurvey@cfl.rr.com



DRAWN BY: RMP	CHECKED BY:	DRAWING NO. A-17-76
DATE: 4/24/17	SHEET 1 OF 2	REVISIONS 5/3/17

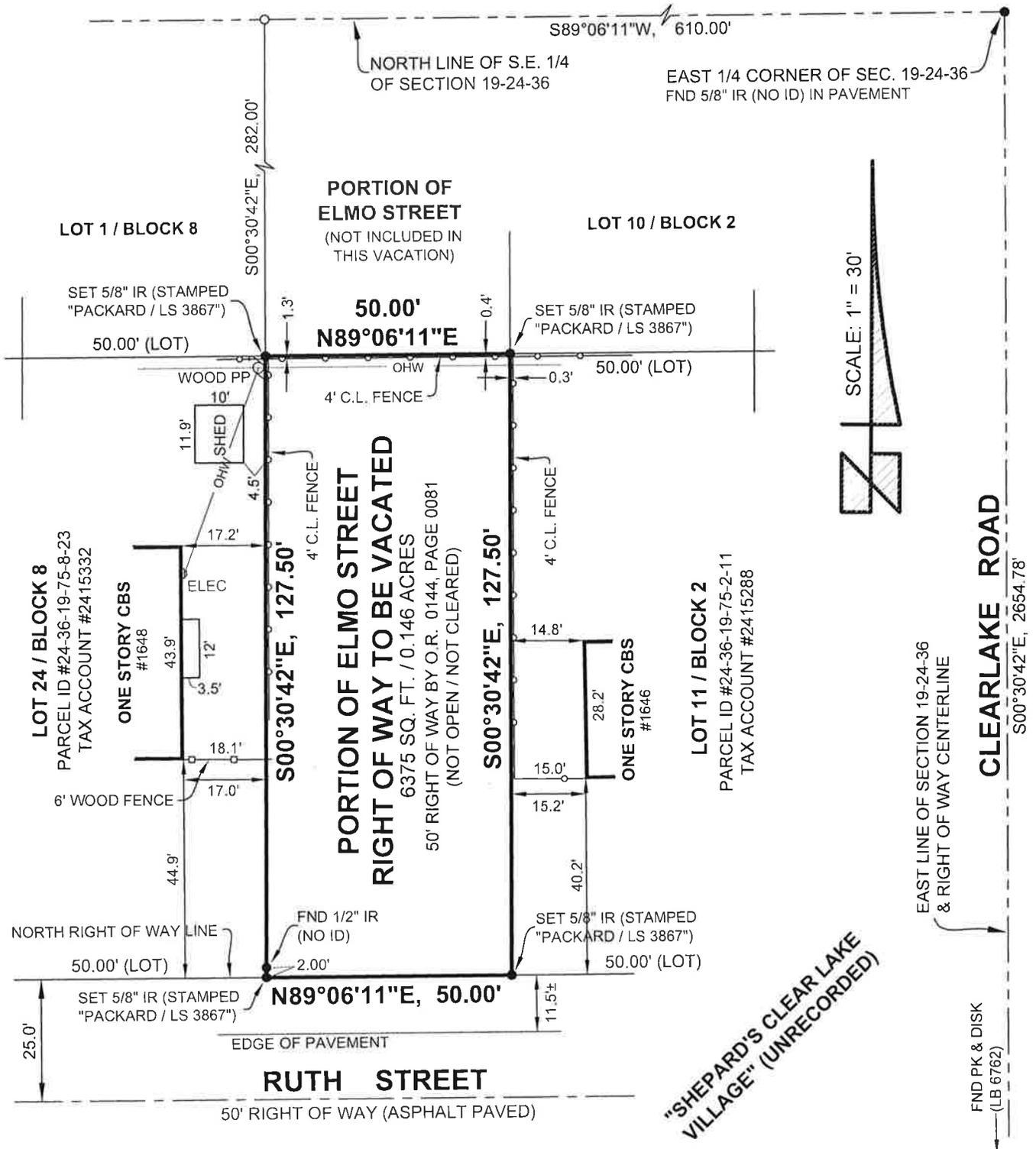
BOUNDARY SURVEY

SHEET 2 OF 2

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2

PARCEL NUMBER: 24-36-19-75-8-23



- | | |
|--------------------------|---------------------------------|
| SEC = SECTION | C.L. = CHAIN LINK |
| FND = FOUND | CBS = CONCRETE BLOCK STRUCTUIRE |
| ID = IDENTIFICATION | ELEC = ELECTRIC METER |
| IR = IRON ROD | LB = LAND SURVEYING BUSINESS |
| PK = "PARKER-KALON" NAIL | LS = LAND SURVEYOR |
| O.R. = OFFICIAL RECORDS | |

"SHEPARD'S CLEAR LAKE VILLAGE" (UNRECORDED)



BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

AD# 2220887

6/22/2017

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF THE 50.0 FT. WIDE PUBLIC RIGHT-OF-WAY OF ELMO STREET AS RECORDED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081 AND AS SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE" IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 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 ERICA MITCHELL 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 right of way at 5:00 P.M. on July 11, 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 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.

EXHIBIT "A"

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STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared Becky Holland, 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:

06/22/17

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 corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 22th of June 2017, by Becky Holland who is personally known to me

Ruby Royer
Notary Public for the State of Florida
My Commission expires

Publication Cost: \$211.60
Ad No: 0002220887
Customer No: BRE-6BR327

RUBY ROYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FFG88043
Expires 1/30/2018

AD# 2220887

6/22/2017

LEGAL NOTICE

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BREVARD CTY PUBLIC WORKS DEPT
2725 JUDGE FRAN JAMIESON WAY
BLDG A220
VIERA, FL 32940

AD# 2283444

LEGAL NOTICE

7/20/17

RESOLUTION VACATING PART OF THE 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY OF ELMO STREET, UNRECORDED PLAT OF SHEPARD'S CLEAR LAKE VILLAGE, COCOA - ERICA MITCHELL

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 11th day of July, 2017, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating part of the 50.00 foot wide public right-of-way of Elmo Street, unrecorded plat of Shepard's Clear Lake Village, Cocoa, as petitioned by Erica Mitchell.
SEE ATTACHED EXHIBIT "A"

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

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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STATE OF FLORIDA COUNTY OF BREVARD:
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Legal Notices

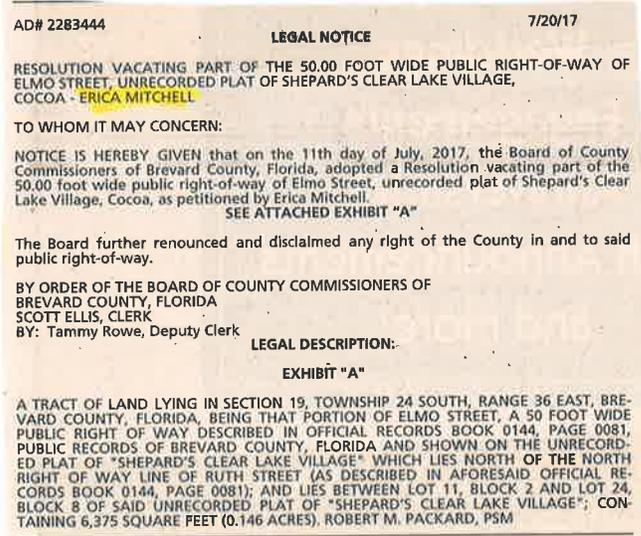
as published in FLORIDA TODAY in the issue(s) of:

07/20/17

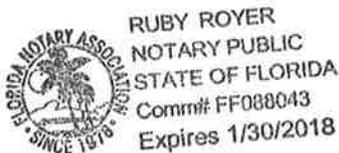
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Sworn to and Subscribed before me this 20th of July 2017, by Becky Holland who is personally known to me

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



Publication Cost: \$169.68
Ad No: 0002283444
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.: 0002283444
Pymt Method Invoice
Net Amt: \$169.68

Run Times: 1

No. of Affidavits: 1

Run Dates: 07/20/17

Text of Ad:

AD# 2283444 LEGAL NOTICE 7/20/17

RESOLUTION VACATING PART OF THE 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY OF ELMO STREET, UNRECORDED PLAT OF SHEPARD'S CLEAR LAKE VILLAGE, COCOA - ERICA MITCHELL

TO WHOM IT MAY CONCERN:

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

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LEGAL NOTICE

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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 July 20, 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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Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2415332
 Owners Oliphant, Erica D
 Mailing Address 1648 Ruth Street Cocoa FL 32926
 Site Address 1648 Ruth St Cocoa FL 32926
 Parcel ID 24-36-19-75-8-23
 Property Use 0110 - Single Family Residence
 Exemptions HEX1 - Homestead First \$25,000
 HEX2 - Homestead Additional \$25,000
 Taxing District 2300 - Unincorp District 2
 Total Acres 0.29
 Subdivision Clear Lake Village Unrec
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0000/0000
 Land Description Clear Lake Village Unrec Part Of NE 1/4 Of SE 1/4 As
 Des IN Orb 261 Pg 89 Known As Clear Lake Village
 Unrecorded Subd Lots 23,24 Blk 8



VALUE SUMMARY

Category	2016	2015	2014
Total Market Value	\$90,160	\$77,630	\$73,870
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$74,980	\$74,460	\$73,870
Assessed Value School	\$74,980	\$74,460	\$73,870
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$24,980	\$24,460	\$23,870
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$25,000	\$25,000	\$25,000
Taxable Value School	\$49,980	\$49,460	\$48,870

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
06/12/2012	\$48,000	WD	Improved	6641/0646
04/05/2006	--	WD	Improved	5630/3336
05/27/2005	--	QC	Improved	5478/7254
03/15/2002	\$80,000	WD	Improved	4564/1479
09/27/2001	\$65,800	WD	Improved	4564/1477
07/10/2001	--	CT	Improved	4381/1079
12/30/1991	\$62,900	WD	Improved	3167/3064
04/02/1982	--	WD	--	2360/2504
03/25/1981	\$57,000	WD	--	2290/0191
12/26/1980	\$6,000	WD	--	2273/2036

BUILDINGS

PROPERTY DATA CARD #1

Building Use	Year Built	Story Height	Floors	Residential Units	Commerical Units
0110 - Single Family Residence	1981	8	1	1	0

Materials	Sub Areas	
Exterior Wall	Stucco	1292
Frame	Masnryconc	500
Roof	Asph/Asb Shngl	56
	Base Area (1st)	
	Garage	
	Screen Porch	

APPRAISER'S DETAIL SHEET OF PETITIONER'S ADJOINING PARCEL

Prepared by and Return To:
Tonya Bader, an employee of
Prestige Title of Brevard, LLC
6450 North Wickham Road, Suite 106
Melbourne, Florida 32940

File Number: PF-01975

General Warranty Deed

Made this June 12, 2012 A.D. By **June L. Thomas-Cashe and Willie Cashe, wife and husband**, whose address is: PO Box 540423, Merritt Island, Florida 32954-0423, hereinafter called the **grantor**, to **Erlene D. Oliphant, a single woman**, whose post office address is: 1648 Ruth Street, Cocoa, Florida 32926, hereinafter called the **grantee**:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and their 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 Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz:

Begin at the East Quarter Section Corner of Section 19, Township 24 South, Range 36 East, Brevard County, Florida, at the Northeast Corner of the Southeast 1/4 of said Section, Township and Range; **thence** West on the East and West centerline of said Section a distance of 610 feet to a point; **thence** South and along the West line of Elmo Street and parallel to the East line of said Section, a distance of 282 feet to a Point of Beginning of the property to be include in this description; **thence** South and along the West line of Elmo Street a distance of 127.50 feet to a point on the north line of Ruth Street; **thence** West and along the North line of Ruth Street and parallel to the East and West centerline of said Section a distance of 100 feet to a point; **thence** North and parallel to the east line of said Section a distance of 127.50 feet to a point; **thence** East a distance of 100 feet to the Point of Beginning.

Parcel ID Number: **24-36-19-75-23**

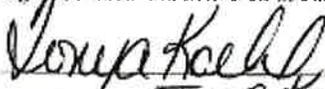
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

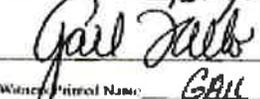
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2011.

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: Tonya Koehl

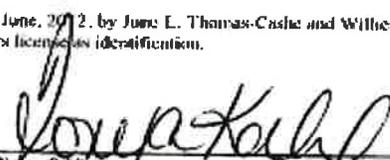
 (Seal)
June L. Thomas-Cashe
Address: PO Box 540423, Merritt Island, Florida 32954-0423

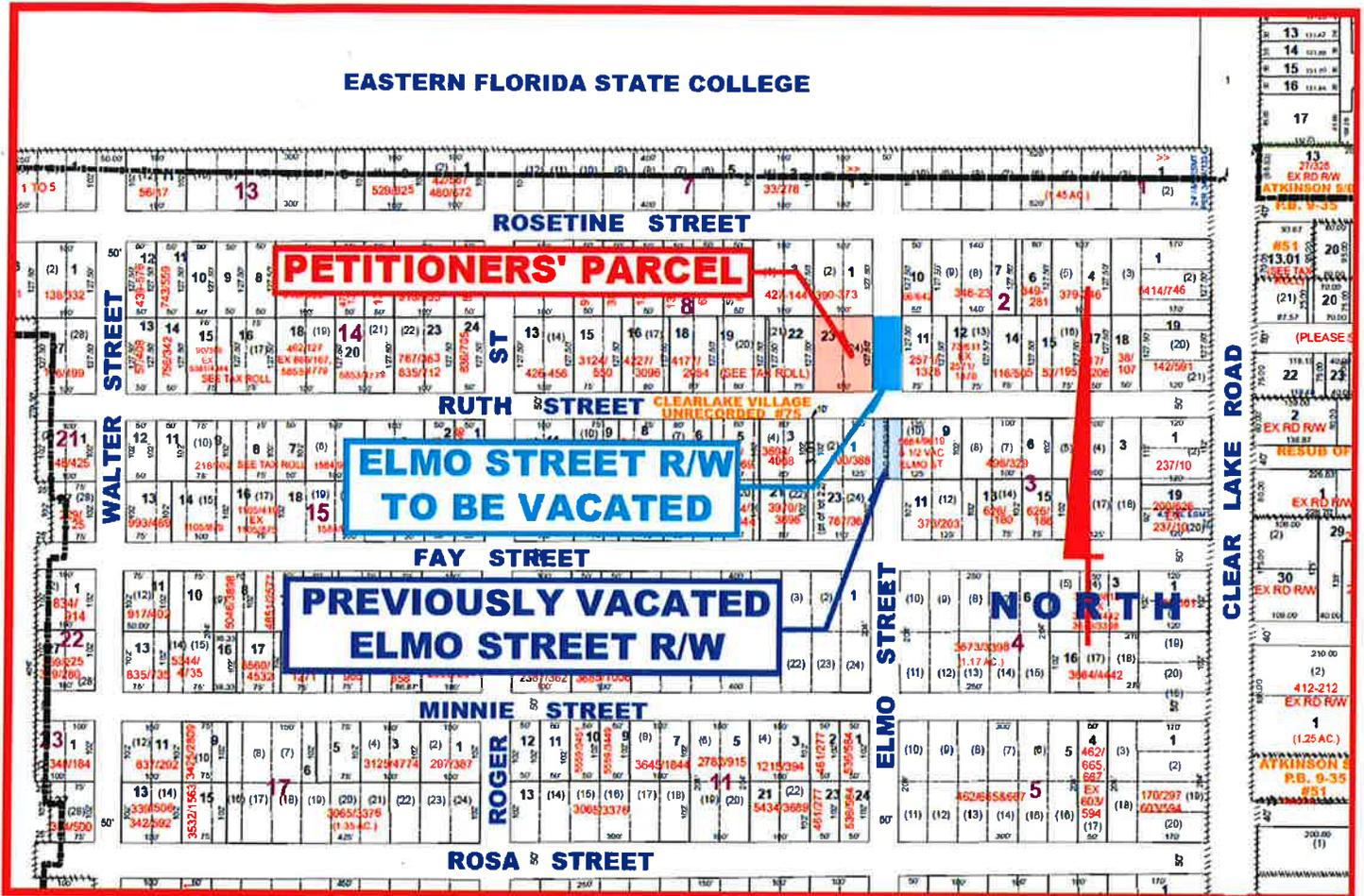

Witness Printed Name: GAIL FALCO

 (Seal)
Willie Cashe
Address:

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me this 12th day of June, 2012, by June L. Thomas-Cashe and Willie Cashe wife and husband, who I know personally known to me or who has produced drivers license as identification.


Notary Public
Print Name: TONYA KOEHL
My Commission Expires: 08/03/2012
NOTARY PUBLIC STATE OF FLORIDA
TONYA KOEHL
Commission # 00815503
BREVARD COUNTY, FLORIDA



VICINITY MAP

ERICA MITCHELL – 1648 RUTH STREET,
 COCOA, FL – LOTS 23-24, BLOCK 8,
 UNRECORDED PLAT OF “SHEPARD’S
 CLEAR LAKE VILLAGE” – SECTION 19,
 TOWNSHIP 24 SOUTH, RANGE 36 EAST
 – DISTRICT 2 – PROPOSED VACATING
 OF A PORTION OF ELMO STREET



A E R I A L M A P

ERICA MITCHELL – 1648 RUTH STREET, COCOA, FL – LOTS 23-24, BLOCK 8, UNRECORDED PLAT OF “SHEPARD’S CLEAR LAKE VILLAGE” – SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST – DISTRICT 2 – PROPOSED VACATING OF A PORTION OF ELMO STREET

WITNESSETH, Made this 27th day of September, A. D. 1958
ORLANDO ATLANTIC BEACH COMPANY, a corporation

having its principal place of business in the County of Brevard and State of Florida, County of BREVARD, STATE OF FLORIDA, of Titusville, Brevard County, Florida,

That the said party of the first part, for and in consideration of the sum of Ten dollars and other good and valuable considerations to it in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said party of the second part, and its successors and assigns forever, all that certain parcel of land lying and being in the County of Brevard and State of Florida

more particularly described as follows: The following streets in Shepard's Clear Lake Village, a subdivision of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East, Brevard County, Florida, and which said streets are described as follows, to wit: (a) Rosetine Street. The South 50 feet of the North 154.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (b) Ruth Street. The South 50 feet of the North 459.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (c) Fay Street. The South 50 feet of the North 713.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (d) Minnie Street. The South 50 feet of the North 967.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (e) Rosa Street. The South 50 feet of the North 1221.5 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (f) Elmo Street. The West 50 feet of the East 610 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (g) Roger Street. The West 50 feet of the East 1260 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East. (h) Walter Street. The West 50 feet of the East 1910 feet of the N 1/2 of the SE 1/4 of Section 19, Township 24 South, Range 36 East.

Attached hereto and incorporated herein and made a part of this deed by these words of reference is a copy of the Plat of Shepard's Clear Lake Village showing the streets hereinabove set out. It being the intention to convey the streets as shown on said Plat.

With all the covenants, servitudes and appurtenances, both by privilege, right, title and otherwise, which in anywise appertain to the same in fee simple forever. And the said party of the first part doth covenant with the said party of the second part that it is lawfully seized of the said premises; that they are free of all incumbrances, and that it has good right and lawful authority to sell the same; and that the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever. In WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its President, and its corporate seal to be hereunto affixed, attested by its Assistant Secretary the day and year above written.

Signed, Sealed and Delivered in Our Presence:
Dorcas B. Curry
Elizabeth D. Staffer
ORLANDO ATLANTIC BEACH COMPANY,
By: John B. Shepard, President
Martha S. Edwards, Assistant Secretary

State of FLORIDA, County of BREVARD
I, Marjorie Corbett, Notary Public, do hereby certify that on this 27th day of September, 1958, before me in said County and State personally appeared John B. Shepard and Martha S. Edwards, respectively, President and Assistant Secretary of Orlando Atlantic Beach Company, a corporation, in and known to be the individuals, officers described in and who executed the foregoing Deed and who acknowledged the execution thereof to be their free act and deed as such officers therunto duly authorized; and that the official seal of said corporation is duly affixed thereto, and that the said conveyance is the act and deed of said corporation. WITNESS my signature and official seal at Cocoa in the County and State aforesaid, the day and year last aforesaid.

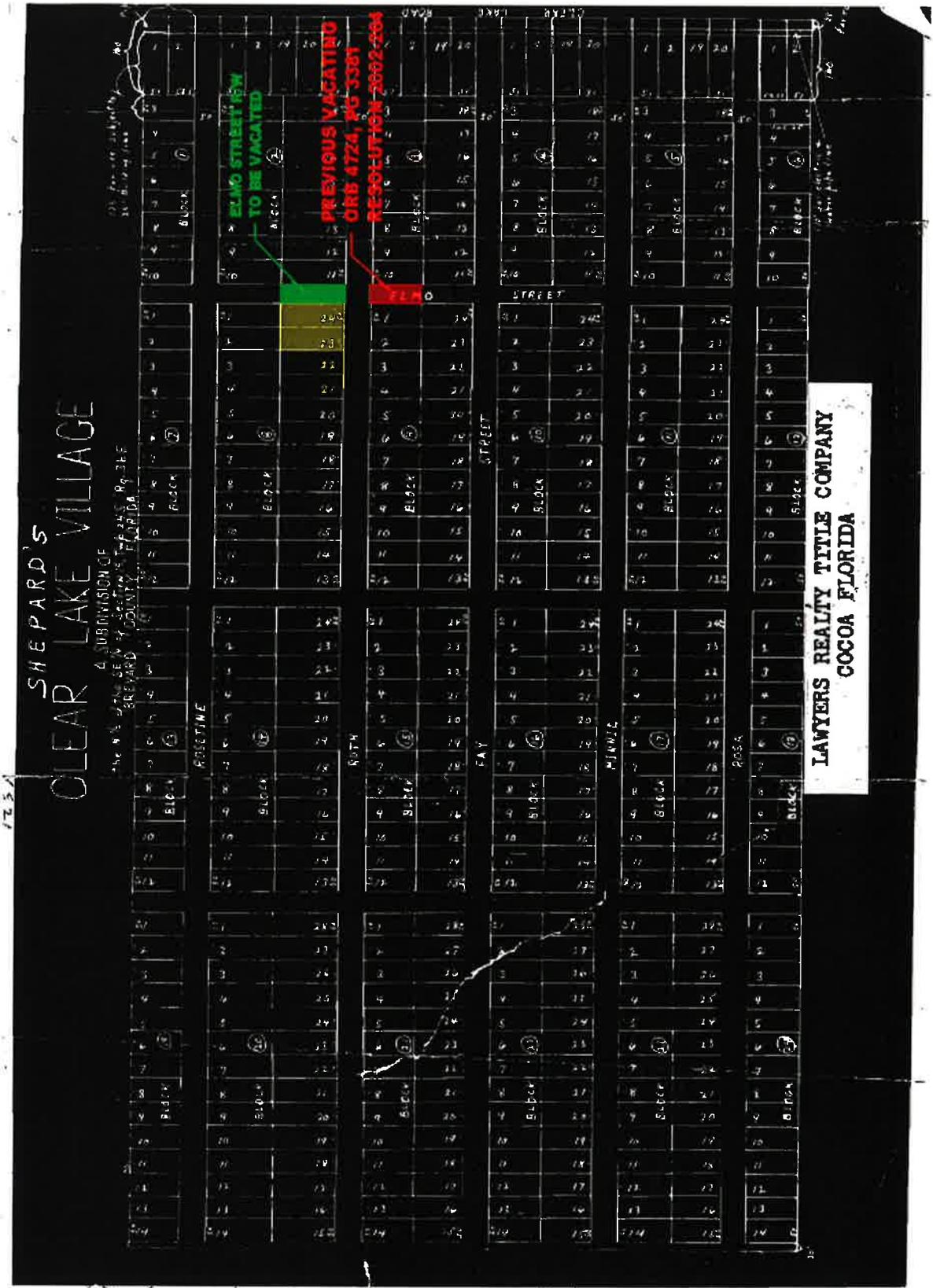
Dorcas B. Curry, Notary Public in and for the State of Florida, My Commission Expires: 8/20/60

DEED FOR RIGHTS-OF-WAY TO BREVARD COUNTY

177105

FILED IN RECORDS OF BREVARD COUNTY, FLORIDA





PLAT REFERENCE

BOUNDARY SURVEY

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PARCEL NUMBER: 24-36-19-75-8-23

PURPOSE: VACATION OF PORTION OF ELMO STREET RIGHT OF WAY

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

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET, A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE" WHICH LIES NORTH OF THE NORTH RIGHT OF WAY LINE OF RUTH STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND LIES BETWEEN LOT 11, BLOCK 2 AND LOT 24, BLOCK 8 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 0.375 SQUARE FEET (0.146 ACRES).

SURVEYOR'S NOTES:

- 1.) BEARING STRUCTURE - BASED ON AN ASSUMED MERIDIAN FOR COMPUTATIONAL PURPOSES. SPECIFICALLY, THE NORTH LINE OF THE S.E. 1/4 OF SECTION 19-24-36 = S89°06'11"W.
- 2.) UNDERGROUND IMPROVEMENTS - IF ANY, NOT LOCATED
- 3.) DATE OF FIELD SURVEY - APRIL 25, 2017

PREPARED FOR: **BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**


ROBERT M. PACKARD, PSM
SURVEYOR & MAPPER, PSM NO. #3867
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: **R.M. PACKARD & ASSOC., INC.**

ADDRESS: 197 BOUGAINVILLEA DRIVE / SUITE D
ROCKLEDGE, FLORIDA 32955
LB NO. 6649

PHONE: (321) 632-6335
FAX: (321) 631-7392
EMAIL: packardsurvey@cfl.r.com

DRAWN BY: RMP

CHECKED BY:

DRAWING NO. A-17-76

DATE: 4/24/17

SHEET 1 OF 2

REVISIONS 5/3/17



PETITIONER'S BOUNDARY SURVEY:

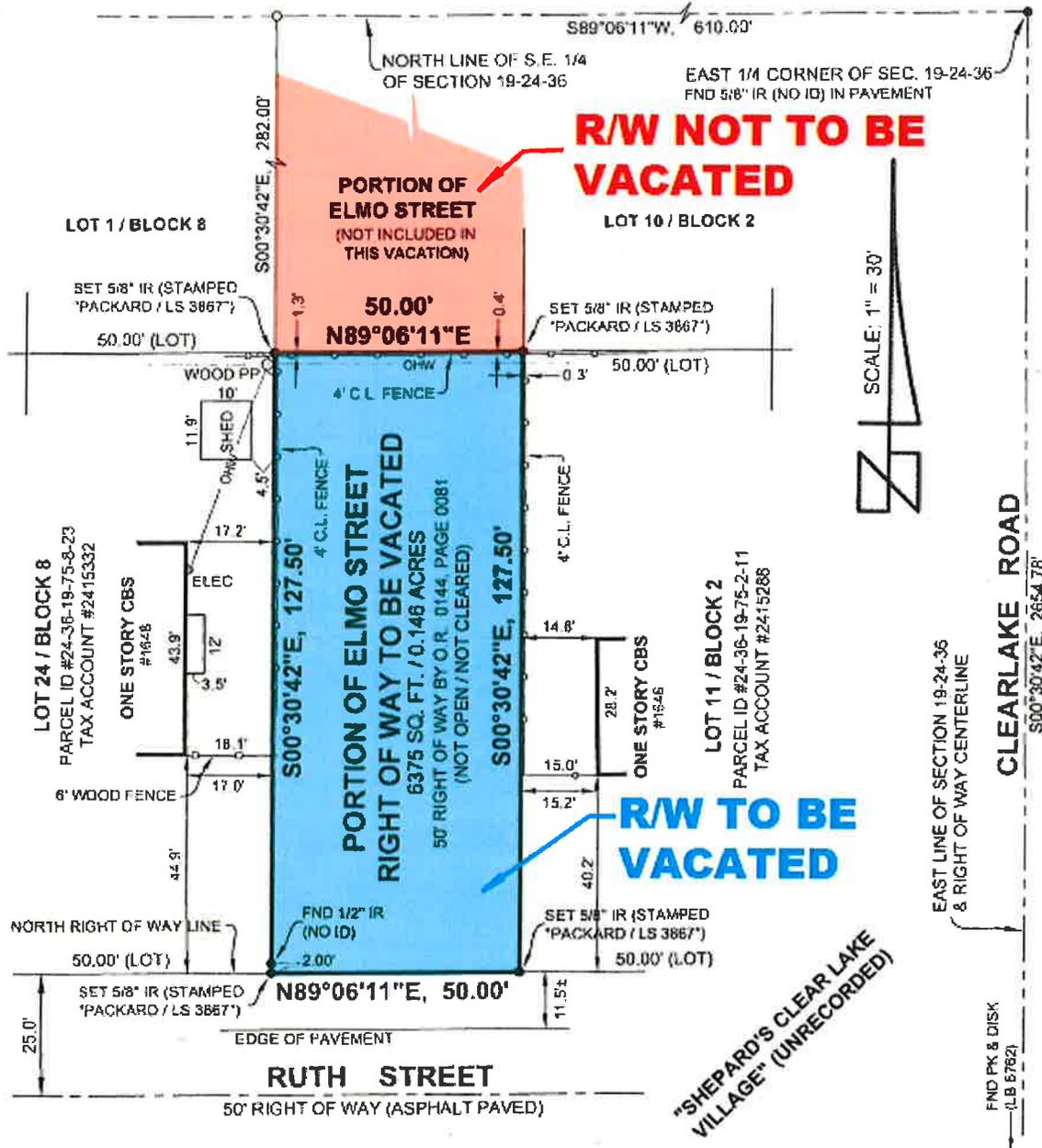
SHEET 1 OF 2

BOUNDARY SURVEY

SHEET 2 OF 2

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST
 PARCEL NUMBER: 24-36-19-75-8-23

NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 2



- | | |
|--------------------------|--------------------------------|
| SEC = SECTION | C.L. = CHAIN LINK |
| FND = FOUND | CBS = CONCRETE BLOCK STRUCTURE |
| ID = IDENTIFICATION | ELEC = ELECTRIC METER |
| IR = IRON ROD | LB = LAND SURVEYING BUSINESS |
| PK = "PARKER-KALON" NAIL | LS = LAND SURVEYOR |
| O.R. = OFFICIAL RECORDS | |

PROJECT NO.: 17-76
 PREPARED BY
 R.M. PACKARD & ASSOC., INC

SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST

PETITIONER'S BOUNDARY SURVEY

SHEET 2 OF 2

COMMENT SUMMARY

APPLICANT: ERICA MITCHELL

UPDATE BY/DATE: MARC CAZESSUS, PLS - 20170526 @ 17:00 HRS

COMPANIES	NOTIFIED	COMMENTS		STIPULATIONS/REMARKS
		RECEIVED	APPROVED	
UTILITIES				
CITY OF COCOA	20170501	20170509	YES	NO OBJECTIONS
FLORIDA CITY GAS	20170501	20170502	YES	NO OBJECTIONS
FLORIDA GAS TRANSMISSION	20170501	20170501	YES	NO OBJECTIONS
FPL	20170501	N/A	N/A	NO RESPONSE
AT & T	20170501	20170503	YES	NO OBJECTIONS
BRIGHT HOUSE NETWORKS	20170501	20170502	YES	NO OBJECTIONS
COUNTY STAFF				
ROAD & BRIDGE	20170501	20170508	YES	NO OBJECTIONS - SUSAN JACKSON
LAND PLANNING	20170501	20170501	YES	NO OBJECTIONS - REBECCA RAGAIN
UTILITY SERVICES	20170501	20170501	YES	NO OBJECTIONS - TAMMY HURLEY
TRAFFIC ENGINEERING	20170501	20170518	YES	NO OBJECTIONS - DEVIN SWANSON
FIRE AND RESCUE	20170501	20170501	YES	NO OBJECTIONS - FIRE MARSHALL DOUG CARTER
NRMD / STORM WATER	20170501	20170505	YES	NO OBJECTIONS - HARVEY WHEELER
ZONING	20179501	20170501	YES	NO OBJECTIONS - PAUL BODY
LAND ACQUISITION	20170501	20170501	YES	NO OBJECTIONS - BLAISE MANCINI

COMMENT SHEET

EXHIBIT "A"

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET, A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE" WHICH LIES NORTH OF THE NORTH RIGHT OF WAY LINE OF RUTH STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND LIES BETWEEN LOT 11, BLOCK 2 AND LOT 24, BLOCK 8 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 6,375 SQUARE FEET (0.146 ACRES). ROBERT M. PACKARD, PSM

PUBLIC HEARING LEGAL
ADVERTISEMENT

A TRACT OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THAT PORTION OF ELMO STREET, A 50 FOOT WIDE PUBLIC RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 0144, PAGE 0081, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SHOWN ON THE UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE" WHICH LIES NORTH OF THE NORTH RIGHT OF WAY LINE OF RUTH STREET (AS DESCRIBED IN AFORESAID OFFICIAL RECORDS BOOK 0144, PAGE 0081); AND LIES BETWEEN LOT 11, BLOCK 2 AND LOT 24, BLOCK 8 OF SAID UNRECORDED PLAT OF "SHEPARD'S CLEAR LAKE VILLAGE"; CONTAINING 6,375 SQUARE FEET (0.146 ACRES). ROBERT M. PACKARD, PSM