



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.2.

3/12/2024

Subject:

Petition to Vacate, Re: Public Rights-of-ways - Virginia Avenue & Maple Street - "June Park Addition No. 3" Plat Book 4, Page 74 - Melbourne - Andrew W. Powshok - District 5

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 two public rights-of-ways (Virginia Ave & Maple St), "June Park Addition No. 3" in Section 13, Township 28 South, Range 36 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lots 24-31, Block 130, and is requesting the vacating of the remaining portion of two unopened public rights-of-ways adjacent to Lots 24-31, Block 130 to allow for the connection to water, sewer, and the annexation into the City of West Melbourne. The rights-of-ways to be vacated contain 13,754.00 square feet, (0.32 AC) more or less. The property is located in Melbourne North of Norfolk Pkwy and West of I-95.

On February 26, 2024, 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 no objections have been received. Several objections have been communicated to staff about the property owner being able to access the private roads without paying HOA fees, but the property has an ingress/egress easement granted across the private roads from the developer of the Sawgrass Lakes plat and recorded in the Official Records Book 7484, page 328 and was a requirement for the previously vacated rights-of-ways to not land lock the parcel. 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.

Brevard County Property Appraiser Detail Sheet

Account 2802899
 Owners POWSHOK, ANDREW W
 Mailing Address 3460 HIELD RD MELBOURNE FL 32904
 Site Address NONE
 Parcel ID 28-36-13-50-130-24
 Taxing District 5300 - UNINCORP DISTRICT 5
 Exemptions NONE
 Property Use 0010 - VACANT RESIDENTIAL LAND (SINGLE FAMILY,
 PLATTED)
 Total Acres 0.51
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0004/0074
 Subdivision JUNE PARK ADDN NO 3
 Land Description JUNE PARK ADDN NO 3 LOTS 24 TO 31 BLK 130

VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$12,750	\$10,200	\$8,930
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$10,170	\$9,250	\$8,410
Assessed Value School	\$12,750	\$10,200	\$8,930
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$10,170	\$9,250	\$8,410
Taxable Value School	\$12,750	\$10,200	\$8,930

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
05/09/2023	--	FJ	Vacant	9789/2723
01/25/2016	--	QC	Vacant	7539/2757
07/30/1943	--	WD	Vacant	268/552

Vicinity Map

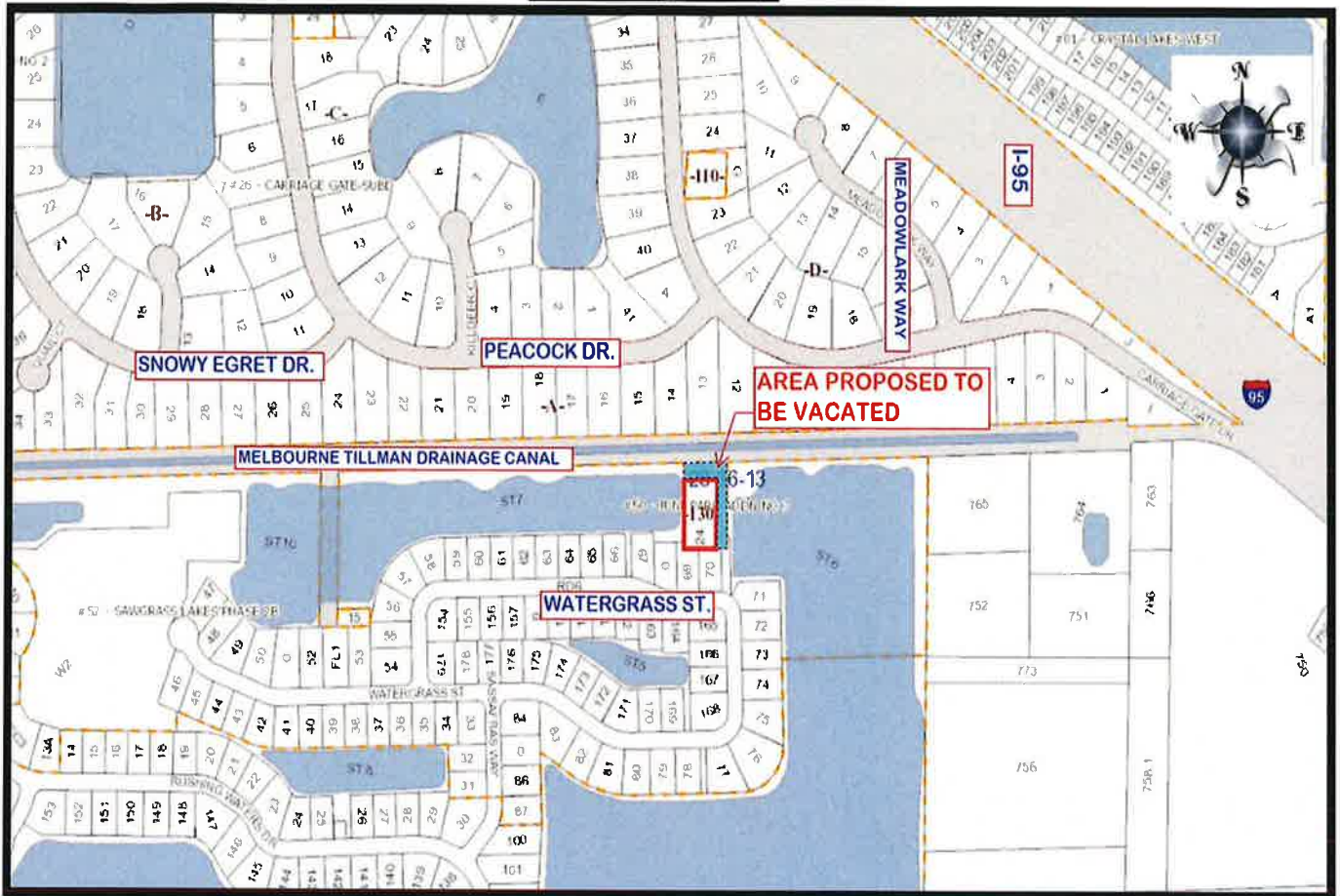


Figure 1: Map of Rights-of-Ways to be vacated and Lots 24-31, Block 130, June Park Addition No. 3, Melbourne.

Andrew W. Powshok – Virginia Ave & Maple St – Melbourne – Lots 24-31, Block 130, “June Park Addition No. 3” – Plat Book 4, Page 74 – Section 13, Township 28 South, Range 36 East – District 5 – Proposed Vacating of a portion of two Public Rights-of-Ways

Aerial Map



Figure 2: Aerial Map Rights-of-Ways to be vacated and Lots 24-31, Block 130, June Park Addition No. 3, Melbourne.

Andrew W. Powshok – Virginia Ave & Maple St – Melbourne – Lots 24-31, Block 130, “June Park Addition No. 3” – Plat Book 4, Page 74 – Section 13, Township 28 South, Range 36 East – District 5 – Proposed Vacating of a portion of two Public Rights-of-Ways

Plat Reference

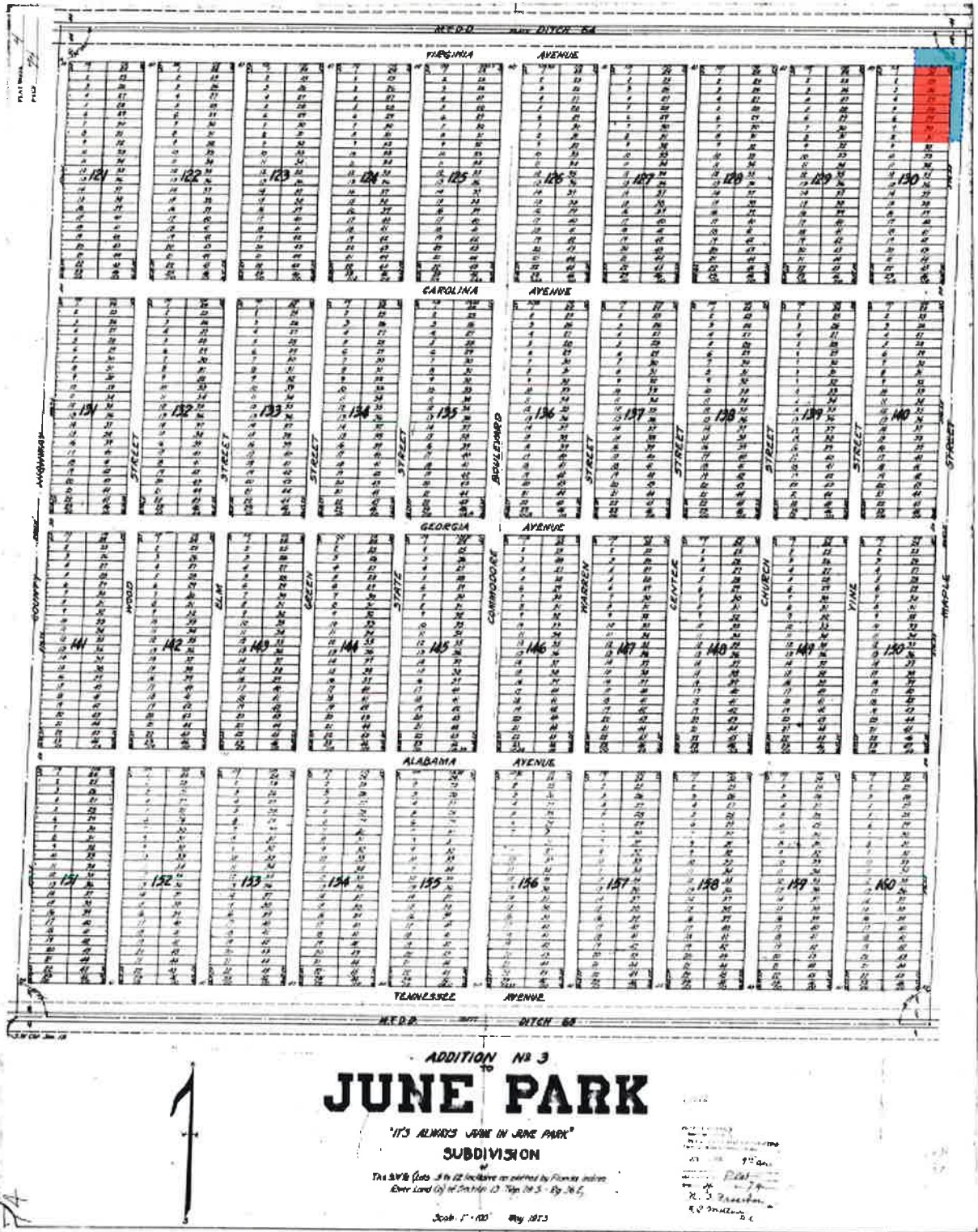


Figure 3: Copy of plat map " June Park Addition No. 3" dedicated to Brevard County May 1925.

Petitioner's Boundary Survey Sheet 1 of 3

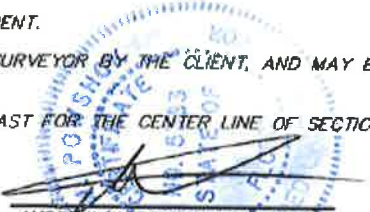
<u>LEGAL DESCRIPTION</u>		EXHIBIT "A"
PARENT PARCEL ID#: 28-36-13-50-130-24 SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA		SHEET 1 OF 3 NOT VALID WITHOUT SHEETS 2 AND 3 OF 3 <u>BOUNDARY SURVEY</u>
PURPOSE: VACATING A PORTION OF A 50 FOOT WIDE RIGHT OF WAY AND A PORTION OF A 33 FOOT WIDE RIGHT OF WAY.		
<u>LEGAL DESCRIPTION:</u> (PREPARED BY SURVEYOR)		
ALL THAT PORTION OF VIRGINIA AVENUE, A 50 FOOT WIDE RIGHT-OF-WAY, AND ALL THAT PORTION OF MAPLE STREET, A 33 FOOT WIDE RIGHT-OF-WAY, AS SHOWN IN THE PLAT OF JUNE PARK, ADDITION No. 3, AS RECORDED IN PLAT BOOK 4, PAGE 74, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING EASTERLY OF THE EAST LINE OF TRACT ST-7 AND NORTHERLY OF THE NORTH LINE OF LOT 70, AS SHOWN IN THE PLAT OF SAWGRASS LAKES PHASE TWO B, AS RECORDED IN PLAT BOOK 62, PAGES 4-6, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 13,754 SQUARE FEET OR 0.32 ACRES MORE OR LESS.		
<u>ABBREVIATIONS</u> C.M. = CONCRETE MONUMENT PLS = PROFESSIONAL LAND SURVEYOR PRM = PERMANENT REFERENCE MONUMENT R/W = RIGHT OF WAY		
<u>SURVEYORS NOTES:</u>		
1. THIS SURVEY 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 SURVEY 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 SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.		
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE COMMITMENT.		
5. THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT, AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS EITHER RECORDED OR IMPLIED.		
6. BEARINGS ARE BASED ON A ASSUMED BEARING OF NORTH 89°33'17" EAST FOR THE CENTER LINE OF SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST.		
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS		12-22-23  ANDREW W. POWSHOK, PLS 5383 PROFESSIONAL LAND SURVEYOR
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 LICENSE BUSINESS #6623		
DRAWN BY: DOUG W. GUARE	CHECKED BY: ANDREW W. POWSHOK	REVISION: _____ REVISION: _____ REVISION: _____
DATE: 09-08-23	PROJECT # 48566	SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST

Figure 4: Legal Description. Sheet 1 of 3. Section 13, Township 28 South, Range 36 East. Parcel ID number: 28-36-13-50-130-24.

Petitioner's Boundary Survey Sheet 2 of 3

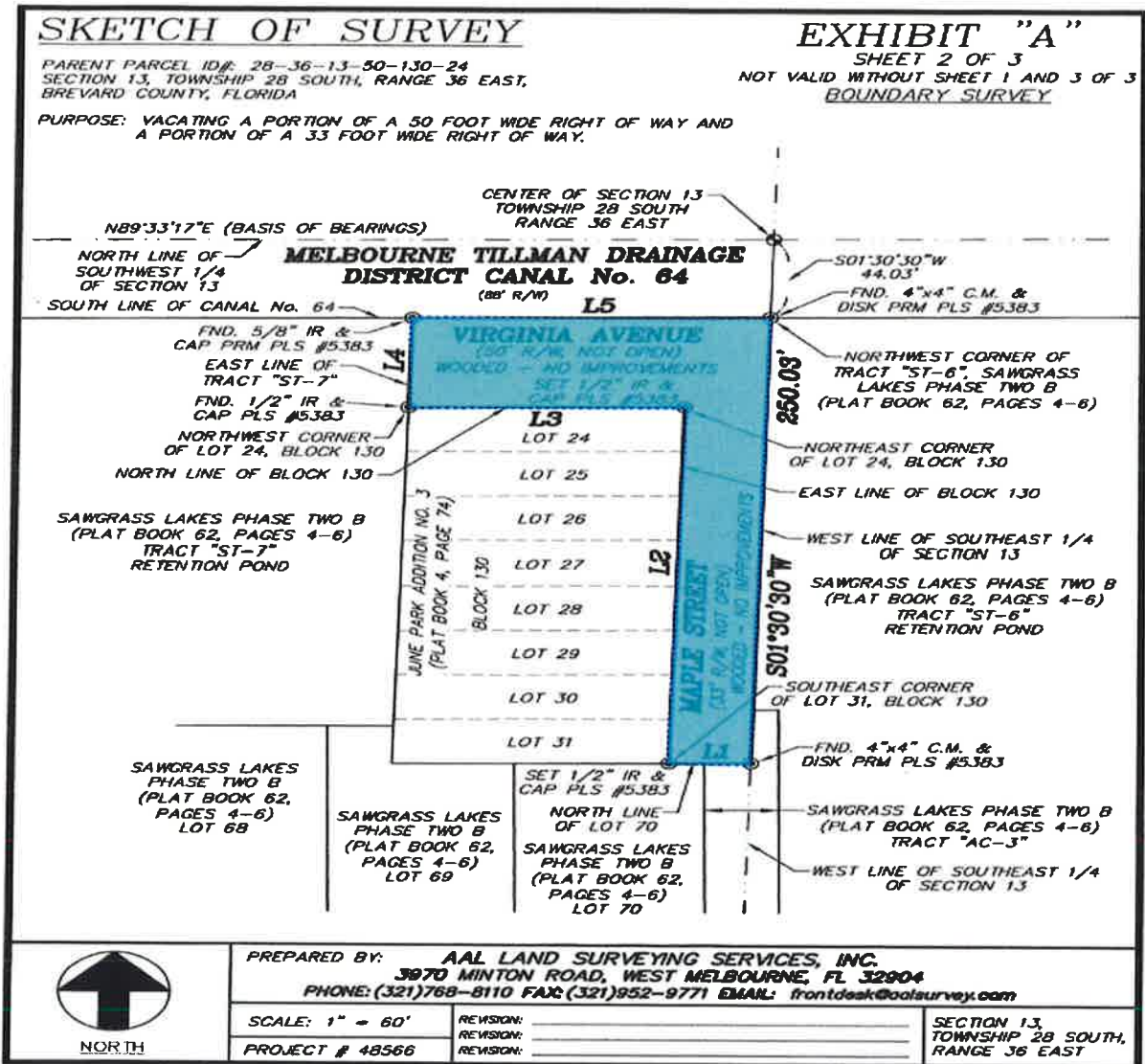


Figure 5: Sketch of description. Sheet 2 of 3. Section 13, Township 28 South, Range 36 East. Parcel ID number: 28-36-13-50-130-24.

The sketch illustrates a portion of two public rights-of-ways of Virginia Ave. and Maple St. adjacent to Lots 24-31, Block 130, June Park Addition No. 3, Melbourne, Florida. The coordinate of the North line depicted is as follows. North boundary – North 89°33'17" East 143.08 Feet; East boundary – South 01°30'30" West 250.03 Feet; South boundary – South 89°33'17" West 33.02 Feet; West boundary – North 01°30'30" East 115.00 Feet. Prepared by: Andrew W. Powshok, LS 5383, Project NO: 48566.

Petitioner's Boundary Survey Sheet 3 of 3

SKETCH OF SURVEY		EXHIBIT "A"																					
PARENT PARCEL ID#: 28-36-13-50-130-24 SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA		SHEET 3 OF 3 NOT VALID WITHOUT SHEET 1 AND 2 OF 3 <u>BOUNDARY SURVEY</u>																					
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Figure 6: Sheet 3 of 3. Section 13, Township 28 South, Range 36 East. Parcel ID number: 28-36-13-50-130-24.

Comment Sheet

Applicant: Powshok (Virginia Ave & Maple Street)

Updated by: Amber Holley 20240202 at 14:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20231229	20240102	Yes	No Objections
FL Power & Light	20231229	20240202	Yes	No Objections
At&t	20231229	20240102	Yes	No Objections
Charter/Spectrum	20231229	20240109	Yes	No Objections
Florida Gas Tran.	20231229	20231229	Yes	No Objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20231229	20240118	Yes	No Objections
Land Planning	20231229	20240108	Yes	No objections
Utility Services	20231229	20240102	Yes	No objections
Storm Water	20231229	20240108	Yes	No Objections
Zoning	20231229	20240108	Yes	No objections
LandAcquisition	20231229	20240102	Yes	No objections
Fire Dept	20231229	20231229	Yes	No Objection
Traffic.Eng	20231229	20240109	Yes	No Objections

Public Hearing Legal Advertisement

LEGAL NOTICE

NOTICE FOR THE VACATING OF TWO PUBLIC RIGHTS-OF-WAYS (50-FOOT VIRGINIA AVENUE & 33-FOOT MAPLE STREET), PLAT OF "JUNE PARK, ADDITION NO. 3" IN SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST, MELBOURNE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by ANDREW W. POWSHOK with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

ALL THAT PORTION OF VIRGINIA AVENUE, A 50-FOOT WIDE RIGHT-OF-WAY, AND ALL THAT PORTION OF MAPLE STREET, A 33-FOOT WIDE RIGHT-OF-WAY, AS SHOWN IN THE PLAT OF JUNE PARK, ADDITION No. 3, AS RECORDED IN PLAT BOOK 4, PAGE 74, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING EASTERLY OF THE EAST LINE OF TRACT ST-7 AND NORTHERLY OF THE NORTH LINE OF LOT 70, AS SHOWN IN THE PLAT OF SA WGRASS LAKES PHASE TWO B, AS RECORDED IN PLAT BOOK 62, PAGES 4-6, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 13,754 SQUARE FEET OR 0.32 ACRES MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, 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 March 12, 2024, 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.

Pub: 2/26/24; #9873954

Figure 7: Copy of public hearing advertisement as published on February 26, 2024. See the next page for full text.

Legal Notice Text

LEGAL NOTICE

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Resolution 2024 - 021

Vacating a portion of two public rights-of-ways in plat "June Park Addition No. 3", Melbourne, Florida, lying in Section 13, Township 28 South, Range 36 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Andrew W. Powshok** with the Board of County Commissioners to vacate a public right-of-way 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.

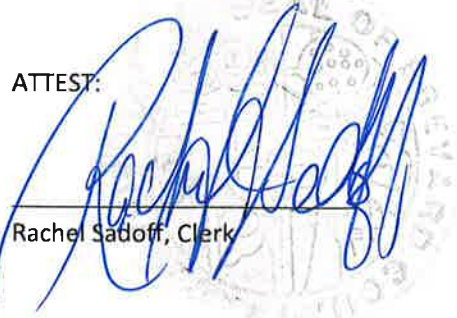
WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public rights-of-ways will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public rights-of-ways 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 12th day of March, 2024 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk


Jason Steele, Chair

As approved by the Board on:
March 12, 2024

LEGAL DESCRIPTION

EXHIBIT "A"

PARENT PARCEL ID#: 28-36-13-50-130-24
SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST,
BREVARD COUNTY, FLORIDA

SHEET 1 OF 3
NOT VALID WITHOUT SHEETS 2 AND 3 OF 3
BOUNDARY SURVEY

PURPOSE: VACATING A PORTION OF A 50 FOOT WIDE RIGHT OF WAY AND
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ABBREVIATIONS

C.M. = CONCRETE MONUMENT
PLS = PROFESSIONAL LAND SURVEYOR
PRM = PERMANENT REFERENCE MONUMENT
R/W = RIGHT OF WAY

SURVEYORS NOTES:

1. THIS SURVEY 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.
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6. BEARINGS ARE BASED ON A ASSUMED BEARING OF NORTH 89°33'17" EAST FOR THE CENTER LINE OF SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST.

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

12-22-23

ANDREW W. POWSHOK, PLS 5383
PROFESSIONAL LAND SURVEYOR

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 LICENSE BUSINESS #6623

DRAWN BY: DOUG W. GUARE	CHECKED BY: ANDREW W. POWSHOK	REVISION: _____ REVISION: _____ REVISION: _____	SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST
DATE: 09-08-23	PROJECT # 48566		

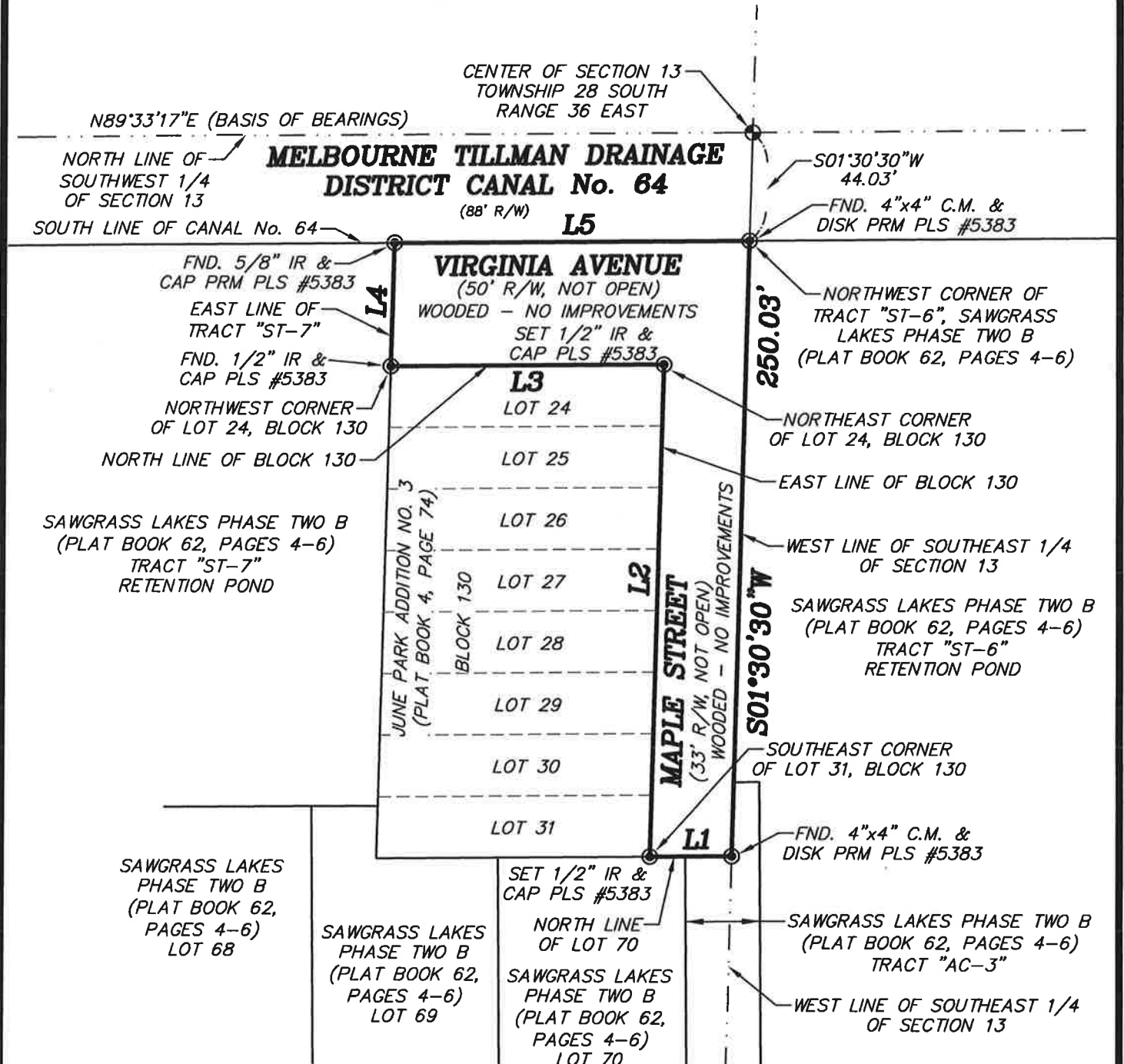
SKETCH OF SURVEY

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 SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST,
 BREVARD COUNTY, FLORIDA

SHEET 2 OF 3
 NOT VALID WITHOUT SHEET 1 AND 3 OF 3
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PURPOSE: VACATING A PORTION OF A 50 FOOT WIDE RIGHT OF WAY AND
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NORTH

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" = 60'

PROJECT # 48566

REVISION: _____
 REVISION: _____
 REVISION: _____

SECTION 13,
 TOWNSHIP 28 SOUTH,
 RANGE 36 EAST

SKETCH OF SURVEY

EXHIBIT "A"

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SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST,
BREVARD COUNTY, FLORIDA

SHEET 3 OF 3
NOT VALID WITHOUT SHEET 1 AND 2 OF 3
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LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°33'17"W	33.02'
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L4	N01°30'30"E	50.03'
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3970 MINTON ROAD, WEST MELBOURNE, FL 32904
PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

SCALE: N/A

REVISION: _____

REVISION: _____

PROJECT # 48566

REVISION: _____

SECTION 13,
TOWNSHIP 28 SOUTH,
RANGE 36 EAST



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

PROOF OF PUBLICATION

Amber Holley
Brevard County Clerk Donna Scott -Survey
Brevard Cty Public Works Dept
2725 Judge Fran Jamieson Way Bldg A
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the 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 Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

02/26/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/26/2024

Legal Clerk

Notary, State of WI, County of Brown

1-7-25

My commission expires

Publication Cost:	\$268.40	
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KATHLEEN ALLEN
Notary Public
State of Wisconsin

LEGAL NOTICE

NOTICE FOR THE VACATING OF TWO PUBLIC RIGHTS-OF-WAYS (50-FOOT VIRGINIA AVENUE & 33-FOOT MAPLE STREET), PLAT OF "JUNE PARK, ADDITION NO. 3" IN SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST, MELBOURNE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by ANDREW W. POWSHOK with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

ALL THAT PORTION OF VIRGINIA AVENUE, A 50-FOOT WIDE RIGHT-OF-WAY, AND ALL THAT PORTION OF MAPLE STREET, A 33-FOOT WIDE RIGHT-OF-WAY, AS SHOWN IN THE PLAT OF JUNE PARK, ADDITION No. 3, AS RECORDED IN PLAT BOOK 4, PAGE 74, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING EASTERLY OF THE EAST LINE OF TRACT ST-7 AND NORTHERLY OF THE NORTH LINE OF LOT 70, AS SHOWN IN THE PLAT OF SA WGRASS LAKES PHASE TWO B, AS RECORDED IN PLAT BOOK 62, PAGES 4-6, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 13,754 SQUARE FEET OR 0.32 ACRES MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, 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 March 12, 2024, 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.

Pub: 2/26/24; #9873954



Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Samantha McDaniel
Brevard County Clerk Donna Scott -Survey
Brevard Cty Public Works Dept
2725 Judge Fran Jamieson Way Bldg A
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the 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 Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

03/20/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/20/2024

Legal Clerk

Nancy Heyrman

Notary, State of WI, County of Brown
5.15.27

My commission expires

Publication Cost: \$185.15

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NANCY HEYRMAN
Notary Public
State of Wisconsin

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LEGAL NOTICE

RESOLUTION VACATING A PORTION OF TWO PUBLIC RIGHTS-OF-WAY IN PLAT "JUNE PARK ADDITION NO. 3", MELBOURNE, LYING IN SECTION 13, TOWNSHIP 28 SOUTH, RANGE 36 EAST - ANDREW W. POWSHOK TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN that on the 12th of March, 2024, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public rights-of-way in plat "June Park Addition No. 3", Melbourne, lying in Section 13, Township 28 South, Range 36 East, as petitioned by Andrew W. Powshok.

LEGAL DESCRIPTION:

ALL THAT PORTION OF VIRGINIA A VENUE, A 50 FOOT WIDE RIGHT-OF-WAY, AND ALL THAT PORTION OF MAPLE STREET, A 33 FOOT WIDE RIGHT-OF-WAY, AS SHOWN IN THE PLAT OF JUNE PARK, ADDITION No. 3, AS RECORDED IN PLAT BOOK 4, PAGE 74, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING EAST-ERLY OF THE EAST LINE OF TRACT ST-7 AND NORTHERLY OF THE NORTH LINE OF LOT 70, AS SHOWN IN THE PLAT OF SA WGRASS LAKES PHASE TWO B, AS RECORDED IN PLAT BOOK 62, PAGES 4-6, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 13,754 SQUARE FEET OR 0.32 ACRES MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, PSM.

The Board further renounced and disclaimed any right of the County in and to said public rights-of-way. BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA RACHEL M. SADOFF, CLERK BY: Kimberly Powell, Clerk to the Board

Samantha McDaniel

From: Holley, Amber <Amber.Holley@brevardfl.gov>
Sent: Wednesday, March 13, 2024 10:37 AM
To: Samantha McDaniel
Cc: Donna Scott; Nicole Summers
Subject: [EXTERNAL EMAIL]March 12, 2024 Commission Meeting
Attachments: Legal Description-Powshok.docx

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

Ladies, please find attached the legal description from the approval on the 3/12 meeting.

Owner information:

- G.2. Andrew W. Powshok, 3460 Hield Road, West Melbourne, FL 32904.

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."

ALL THAT PORTION OF VIRGINIA A VENUE, A 50 FOOT WIDE RIGHT-OF-WAY, AND ALL THAT PORTION OF MAPLE STREET, A 33 FOOT WIDE RIGHT-OF-WAY, AS SHOWN IN THE PLAT OF JUNE PARK, ADDITION No. 3, AS RECORDED IN PLAT BOOK 4, PAGE 74, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING EASTERLY OF THE EAST LINE OF TRACT ST-7 AND NORTHERLY OF THE NORTH LINE OF LOT 70, AS SHOWN IN THE PLAT OF SA WGRASS LAKES PHASE TWO B, AS RECORDED IN PLAT BOOK 62, PAGES 4-6, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 13,754 SQUARE FEET OR 0.32 ACRES MORE OR LESS. PREPARED BY: ANDREW W. POWSHOK, PSM.

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"JUNE PARK ADDITION NO. 3", MELBOURNE, LYING IN SECTION 13, TOWNSHIP 28
SOUTH, RANGE 36 EAST – ANDREW W. POWSHOK

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 rights-of-way.

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 March 20, 2024, 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.**



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

March 28, 2024

Andrew Powshok
3460 Hield Road
West Melbourne, FL 32904

Dear Sir/Madam:

Re: Resolution Vacating a Portion of Two Public Rights-of-Way in Plat "June Park Addition No. 3", Melbourne

The Board of County Commissioners, in regular session on March 12, 2024, adopted Resolution No. 24-021, vacating a portion of two public rights-of-way in plat "June Park Addition No. 3", Melbourne, as petitioned by you. Said Resolution has been recorded in ORBK 10023, Pages 554 through 559. 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



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

March 28, 2024

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 Two Public Rights-of-Way in Plat "June Park Addition No. 3", Melbourne

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 24-021, vacating a portion of two public rights-of-way in plat "June Park Addition No. 3", Melbourne, as petitioned by Andrew W. Powshok. Said Resolution was adopted by the Board of County Commissioners, in regular session on March 12, 2024.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/sm

Encls. (2)