

Resolution 2022 -

Vacating a portion of two public utility & drainage easements in plat "Sweetwater Downs" Subdivision, Mims, Florida, lying in Section 16, Township 21 South, Range 34 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Francis J. Sidoti** with the Board of County Commissioners to vacate two public easements 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 easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements 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

ATTEST:

Rachel Sadoff, Clerk

Kristine Zonka, Chair

As approved by the Board on:
August 2, 2022

Brevard County Property Appraiser Detail Sheet

Account 2100790

Owners SIDOTI, FRANCIS J

Mailing Address 6480 GREENWOOD AVE COCOA FL 32927

Site Address 2490 SWEETWATER CT MIMS FL 32754

Parcel ID 21-34-16-50-*-1

Property Use 0010 - VACANT RESIDENTIAL LAND (SINGLE FAMILY, PLATTED)

Exemptions NONE

Taxing District 1300 - UNINCORP DISTRICT 1

Total Acres 2.05

Subdivision SWEETWATER DOWNS

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0035/0081

Land Description SWEETWATER DOWNS LOTS 1 & 2

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$44,000	\$40,000	\$40,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$44,000	\$19,160	\$17,420
Assessed Value School	\$44,000	\$40,000	\$40,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$44,000	\$19,160	\$17,420
Taxable Value School	\$44,000	\$40,000	\$40,000

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/08/2020	\$51,000	WD	Vacant	8714/1989
05/03/2004	--	QC	--	5278/1352
09/24/2002	--	QC	--	4692/2342

Vicinity Map

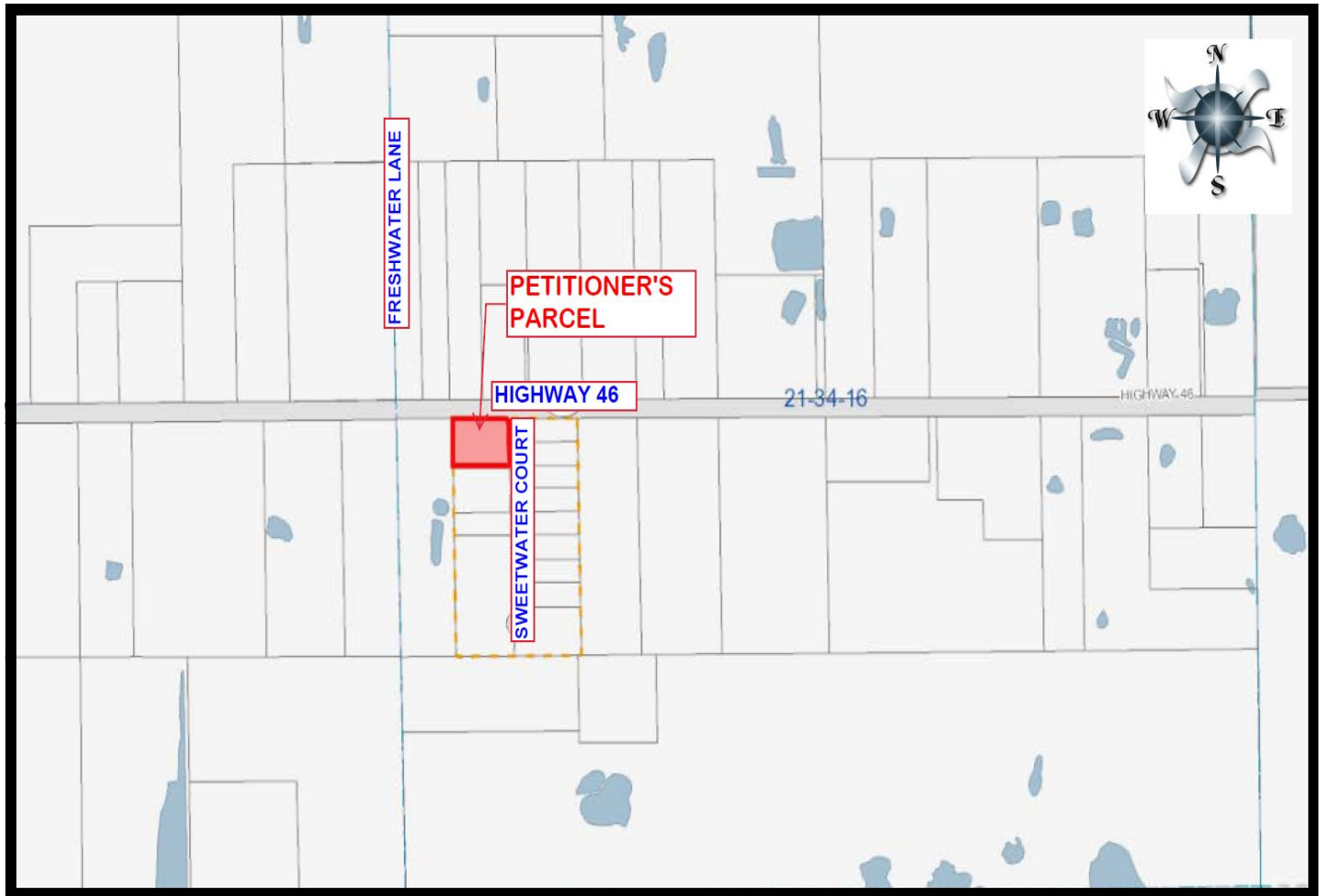


Figure 1: Map of Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Francis J. Sidoti – 2490 Sweetwater Court –
Mims, FL, 32754 – Lots 1 & 2, plat of
“Sweetwater Downs” – Plat Book 35, Page 81
– Section 16, Township 21 South, Range 34
East – District 1 – Proposed Vacating of a
portion of two 10.0 ft. Wide Public Utility &
Drainage Easements

Aerial Map



Figure 2: Aerial Map of Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Francis J. Sidoti – 2490 Sweetwater Court –
Mims, FL, 32754 – Lots 1 & 2, plat of
“Sweetwater Downs” – Plat Book 35, Page 81
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portion of two 10.0 ft. Wide Public Utility &
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Plat Reference

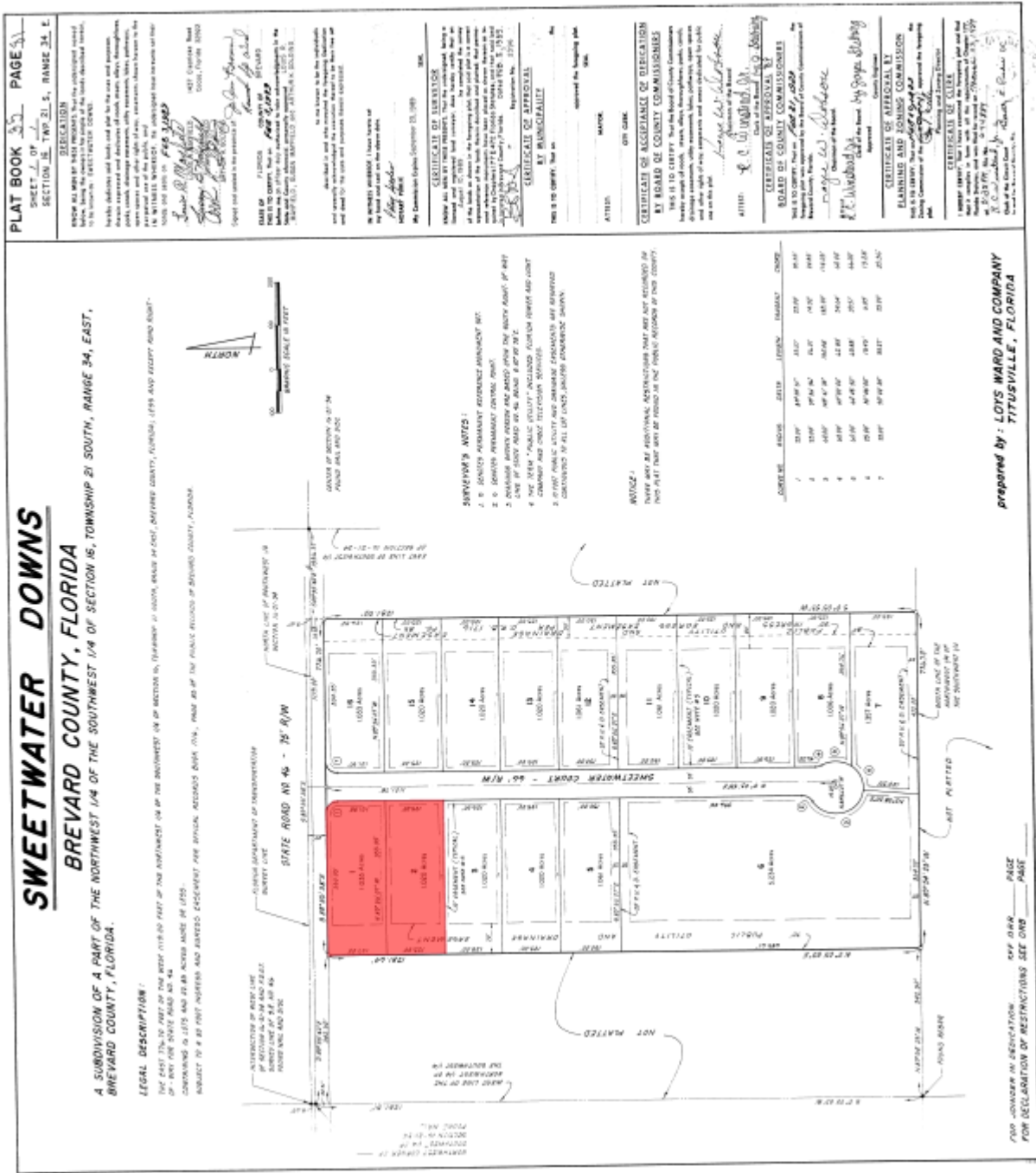


Figure 3: Copy of plat map "Sweetwater Downs" dedicated to Brevard County February 21, 1989.

Petitioner's Sketch & Description Sheet 1 of 2

J.O.# 37007-1

SKETCH AND DESCRIPTION: (FOR VACATING OF EASEMENT)

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

SECTION 16, T.21S., R.34E.
PETITIONER'S PARCEL ID NO. 21-34-16-50-*1
PREPARED FOR: FRANCIS J. SIDOTI

LEGAL DESCRIPTION:

THE 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF.

CONTAINING 5507 SQUARE FEET MORE OR LESS

THIS CERTIFIES THAT THE FOREGOING SKETCH AND LEGAL DESCRIPTION MEET THE APPLICABLE MINIMUM STANDARDS ESTABLISHED PURSUANT TO FLORIDA STATUTES 472.027 AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY, BUT ARE BASED ON INFORMATION FROM PUBLIC RECORDS WHICH MAY DIFFER.

THIS IS NOT A SURVEY

LEGAL DESCRIPTION REVISED AS PER BREVARD COUNTY --- 05/28/22
DRAWING REVISED --- 05/31/22

04/17/22
JOHN T. HOLLEY, P.S.M. # 5050
("NOT VALID WITHOUT THE ORIGINAL SIGNATURE
AND RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER")



SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

HOLLEY & ASSOCIATES INC.
REGISTERED LAND SURVEYORS L.B.#4595
1846 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-6113

Figure 4: Legal Description. Sheet 1 of 2. Section 16, Township 21 South, Range 34 East. Parcel ID number: 21-34-16-50-*1.

Petitioner's Sketch & Description Sheet 2 of 2

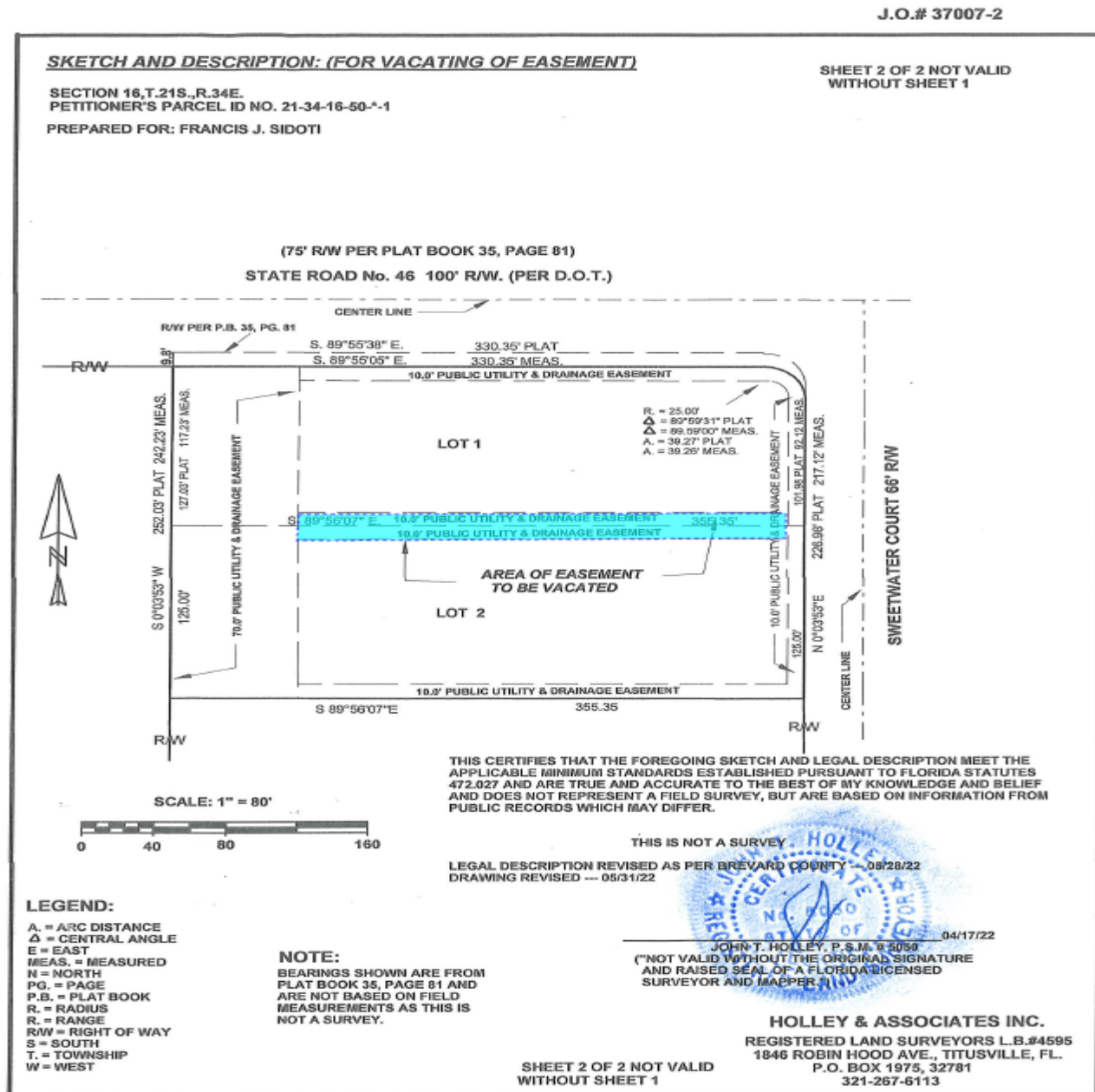


Figure 5: Sketch of description. Section 16, Township 21 South, Range 34 East. Parcel ID Number: 21-34-16-50-*1.

Sketch illustrates a portion of two 10.00-foot wide public utility & drainage easements on Lots 1 & 2, Sweetwater Downs, Mims, Florida. The coordinate of the North line depicted is as follows. North boundary – South 89°55’05” East 330.35’; East boundary – North 00°03’53” East 217.12’; South boundary – South 89°56’07” East 355.35.00’; West boundary – South 00°03’53” West 242.23’. Prepared by: John T. Holley, Holley & Associates, Inc., LS 5050, Job NO: 37007-2.

Boundary Survey with Proposed Garage

J.O.#36444-29556

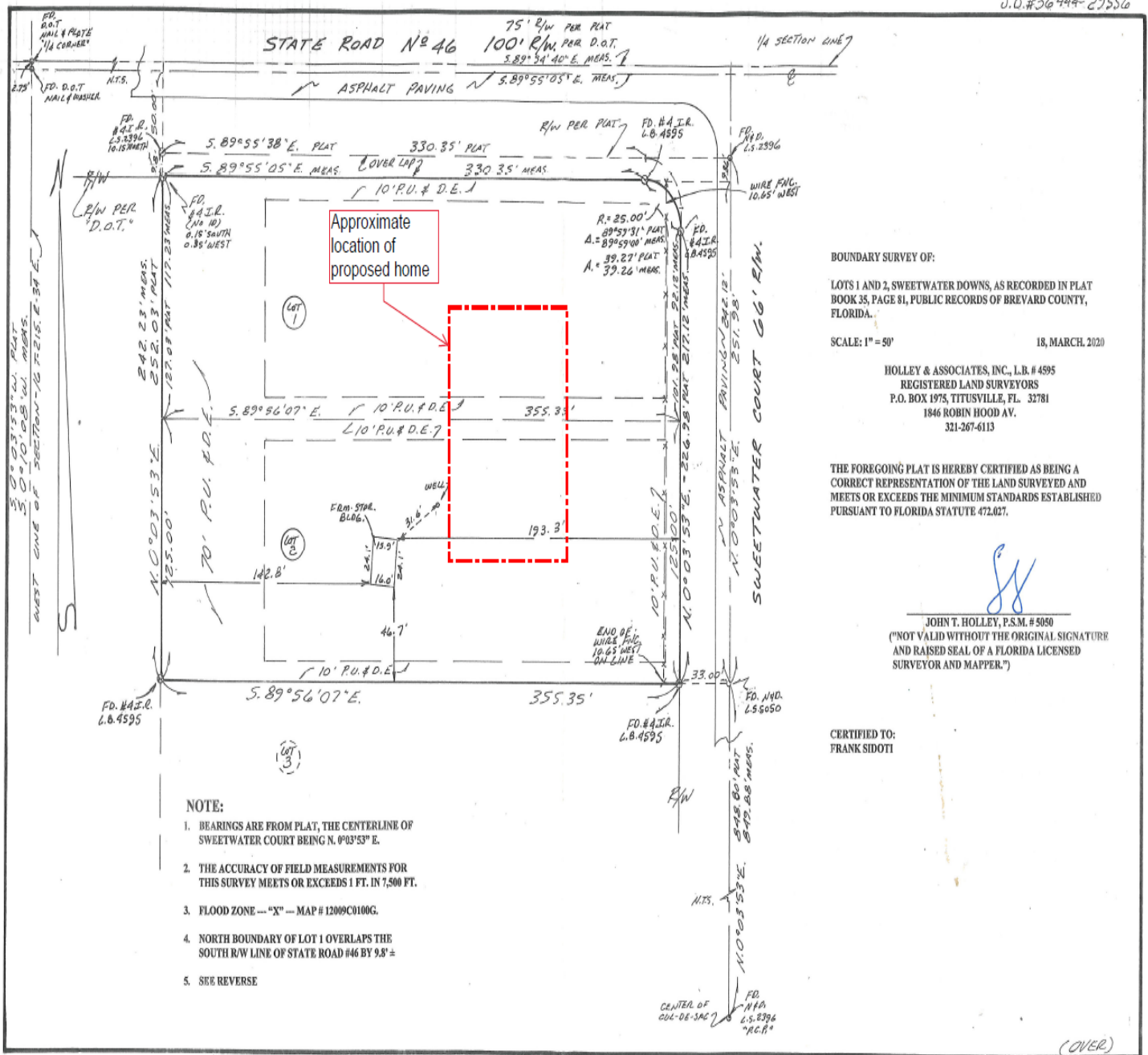


Figure 6: Boundary Survey.

Survey illustrates the existing vacant lots and proposed single family home all lying within Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Comment Sheet

Applicant: Sidoti

Updated by: Amber Holley 20220628 at 15:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20220608	20220608	Yes	No objections
FL Power & Light	20220608	20220628	Yes	No objections
At&t	20220608	20220628	Yes	No comment
Charter/Spectrum	20220608	20220609	Yes	No objections
City of Titusville	20220608	20220620	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20220608	20220620	Yes	No Objections
Land Planning	20220608	20220621	Yes	No objections
Utility Services	20220608	20220608	Yes	No objections
Storm Water	20220608	20220624	Yes	No Objections
Zoning	20220608	20220621	Yes	No objections

Public Hearing Legal Advertisement

Ad#5327829

7/18/2022

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SWEETWATER DOWNS" IN SECTION 16, TOWNSHIP 21 SOUTH, RANGE 34 EAST, MIMS, 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 FRANCIS J. SIDOTI with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF. CONTAINING 5507 SQUARE FEET MORE OR LESS. PREPARED BY: JOHN T. HOLLEY, 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.

Figure 7: Copy of public hearing advertisement as published on July 18, 2022. See next page for full text.

Legal Notice Text

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