

Resolution 2022 - 033**Vacating a portion of a public utility easement in plat "Barefoot Bay Mobile Home Subdivision Unit Two Part Ten" Subdivision, Barefoot Bay, Florida, lying in Section 10, Township 30 South, Range 38 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Charlotte A. Jillson** 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 will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easement is 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 5th day of April, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:


Rachel Sadoff, Clerk
Kristine Zonka, Chair

As approved by the Board on:
April 5, 2022

LEGAL DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST
PARCEL ID NUMBER: 30-38-10-JS-69-17

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

PURPOSE OF SKETCH AND DESCRIPTION

TO VACATE A PORTION OF A 6.00 FOOT WIDE PUBLIC UTILITY EASEMENTS LYING
ON SOUTH SIDE OF THE LOT 17, BLOCK 69.

LEGAL DESCRIPTION:

THE NORTH 1.00 FEET OF THE WEST 5.00 FEET OF THE EAST 58.00 FEET OF THE SOUTH 6.00 FOOT
PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTH LINE OF LOT 17, BLOCK 69, BAREFOOT BAY
MOBILE HOME SUBDIVISION, UNIT TWO PART TEN, ACCORDING TO THE PLAT THEREOF AS RECORDED
IN PLAT BOOK 22, PAGES 105 THROUGH 115, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
CONTAINING 5.00 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE BASED ON THE CENTERLINE OF EAST
PERIWINKLE CIRCLE AS S 15°30'00" E AS PER RECORD PLAT.
2. NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHTS
OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR
EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED.
3. THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND
FOUNDATIONS, ENCROACHMENTS OR ANY IMPROVEMENTS
EXCEPT AS SHOWN.
4. THIS SKETCH IS NOT A BOUNDARY SURVEY.



12-24-2021

PREPARED FOR: CHARLOTTE A. JILLSON
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

THOMAS R. CECRLE, PLS 4896
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: CECRLE LAND SURVEYING, INC. CERTIFICATION OF AUTHORIZATION L.B. NO. 6637

ADDRESS: 10749 HIGHWAY US1, SUITE A, SEBASTIAN, FL 32958

PHONE: PHONE 772-388-0520 FAX 772-388-2012 EMAIL tcecrle@bellsouth.net

DRAWN BY T.R.C.

CHECKED BY T.R.C.

DRAWN NO. 18-187-L1

SECTION 10

DATE: 12-24-2021

SHEET 1 OF 2

REVISIONS: N/A

TOWNSHIP 30 SOUTH
RANGE 38 EAST

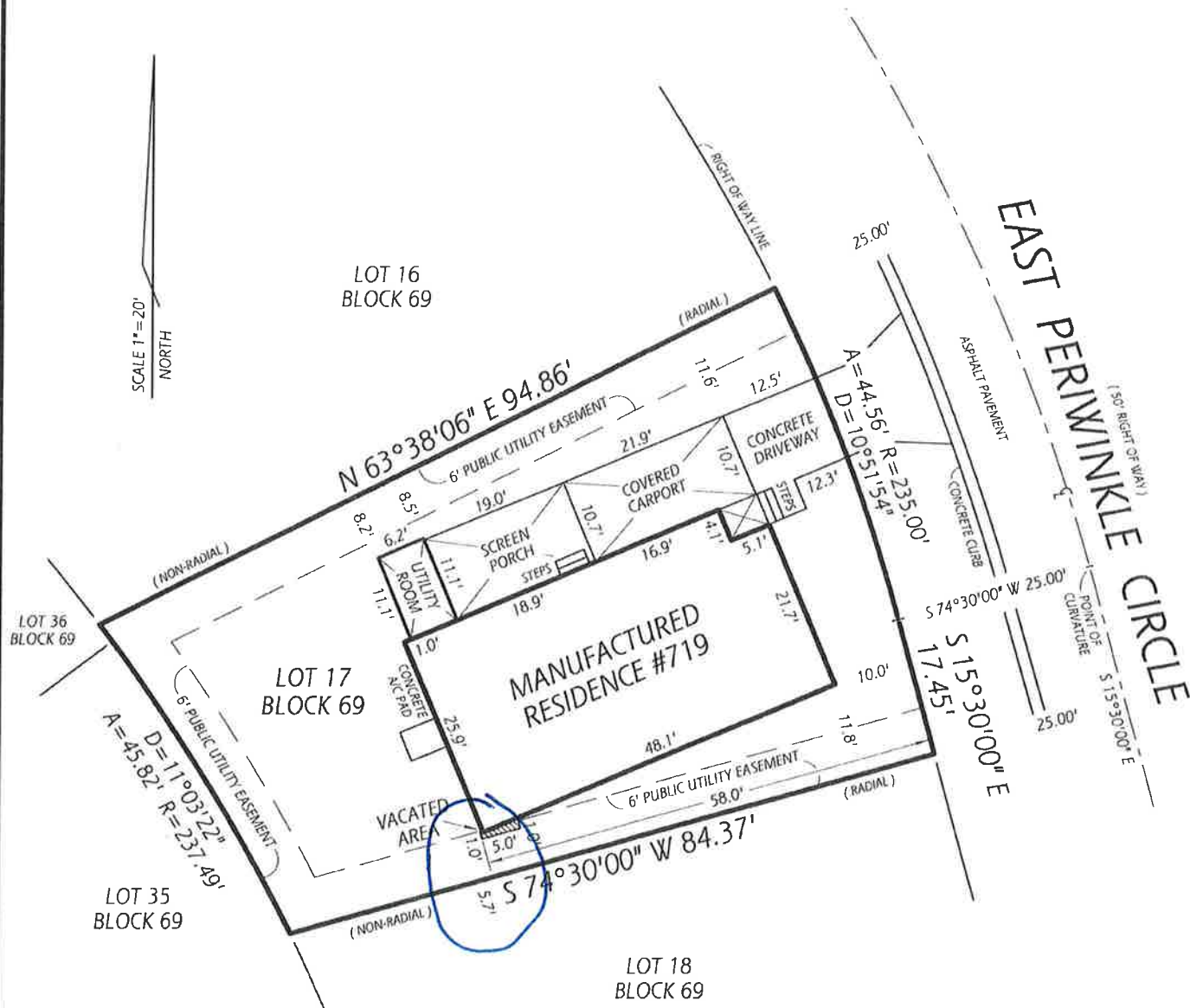
17

SKETCH OF DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST
PARCEL ID NUMBER: 30-38-10-JS-69-17

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2



ABBREVIATIONS: C-CENTERLINE, R-RADIUS, A-ARC LENGTH, D-DELTA (CENTRAL ANGLE)
SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST

PROJECT NO: 18-187

PREPARED BY: T.R.C.

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Amber Holley, 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,
on

03/21/2022

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 21th of March 2022, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

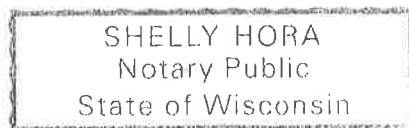
Publication Cost: \$191.08

Ad No: 0005176197

Customer No: BRE-6BR327

This is not an invoice

of Affidavits 1



AD#5176197 03/21/2022
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF A 6.0 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY UNIT MOBILE HOME SUBDIVISION TWO PART TEN" IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, FL
NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 85, Article II, Section 86-36, Brevard County Code, a petition has been filed by CHARLOTTE A. HILSON with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: THE NORTH 1.00 FEET OF THE WEST 5.00 FEET OF THE EAST 58.00 FEET OF THE SOUTH 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTH LINE OF LOT 17, BLOCK 69, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO PART TEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 105 THROUGH 115, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 5.00 SQUARE FEET MORE OR LESS, PREPARED BY: THOMAS R. CECILE, 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 April 5, 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 desires 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.

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

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

Legal Notices

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

04/12/2022

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 12th of April 2022,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

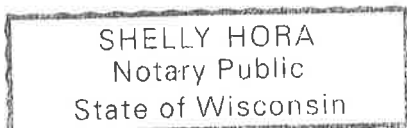
Publication Cost: \$148.70

Ad No: 0005211368

Customer No: BRE-6BR327

This is not an invoice

of Affidavits 1



Ad#5211368 04/12/2022
LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY EASEMENT IN PLAT "BAREFOOT BAY MOBILE HOME SUBDIVISION UNIT TWO PART TEN", BAREFOOT BAY, LYING IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST - CHARLOTTE A. JILLSON

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 5TH day of April, 2022, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility easement in plat "Barefoot Bay Mobile Home Subdivision Unit Two Part Ten", Barefoot Bay, lying in Section 10, Township 30 South, Range 38 East as petitioned by Charlotte A. Jillson.

LEGAL DESCRIPTION:

THE NORTH 1.00 FEET OF THE WEST 5.00 FEET OF THE EAST 58.00 FEET OF THE SOUTH 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTH LINE OF LOT 17, BLOCK 69, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO PART TEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 105 THROUGH 115, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 5.00 SQUARE FEET MORE OR LESS. PREPARED BY: THOMAS R. CECILE, 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

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