



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 5554, **Version:** 1

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### **Subject:**

Petition to Vacate, Re: Public Utility & Drainage Easement- 2004 Blue Heron Drive - "Crane Creek Unit One"  
Plat Book 35, Page 98 - Melbourne - Steven & Carrie Ann Brozny - District 4

### **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 a 7.50-foot wide public utility & drainage easement, "Crane Creek Unit One" in Section 10, Township 26 South, Range 36 East. If approved, it is requested that the Board accepts the public utility and drainage easement described below and authorizes 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 petitioners own Lot 24, Block A, and a portion of Tract B and are requesting the vacating of a 7.50 ft. wide public utility & drainage easement on Lot 24, Block A, to allow for the construction of a pool. The easement to be vacated contains 355.00 square feet, more or less. The petitioner has agreed to dedicate a 7.50 ft. utility and drainage easement across Tract B to replace the area being vacated. The property is located in Melbourne North of Wickham Road and East of I-95.

On February 20, 2023, 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, provided the additional easement on Tract B.

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### **Clerk to the Board Instructions:**

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in the 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.