

Resolution 2025 -

Vacating a portion of a public right-of-way, known as Westways Drive, in plat "MacAdam Subdivision", Melbourne, Florida, lying in Section 17, Township 27 South, Range 37 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Martin Ramos** 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 right-of-way will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public right-of-way 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 28th day of January, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Rob Feltner, Chairman

As approved by the Board on:
January 28, 2025

Brevard County Property Appraiser Detail Sheet

Owners RAMOS, MARTIN

Mailing Address 690 ROCKINGHORSE RD MELBOURNE FL 32935

Site Address 690 ROCKINGHORSE RD MELBOURNE FL 32935

Parcel ID 27-37-17-28-*-12

Taxing District 4200 - UNINCORP DISTRICT 4

Exemptions TPML - TOTAL & PERMANENT - MILITARY

Property Use 0110 - SINGLE FAMILY RESIDENCE

Total Acres 0.50

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0013/0101

Subdivision MAC ADAM SUBD

Land Description MAC ADAM SUBD LOTS 12 THRU 14

VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$503,620	\$492,780	\$427,480
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$470,220	\$492,780	\$314,070
Assessed Value School	\$470,220	\$492,780	\$314,070
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$218,410	\$0	\$314,070
Taxable Value Non-School	\$251,810	\$492,780	\$0
Taxable Value School	\$251,810	\$492,780	\$0

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
06/13/2022	\$0	FJ	--	9535/0775
05/25/2016	\$27,800	WD	--	7637/2839
05/01/2015	\$9,300	WD	--	7361/1920

Vicinity Map

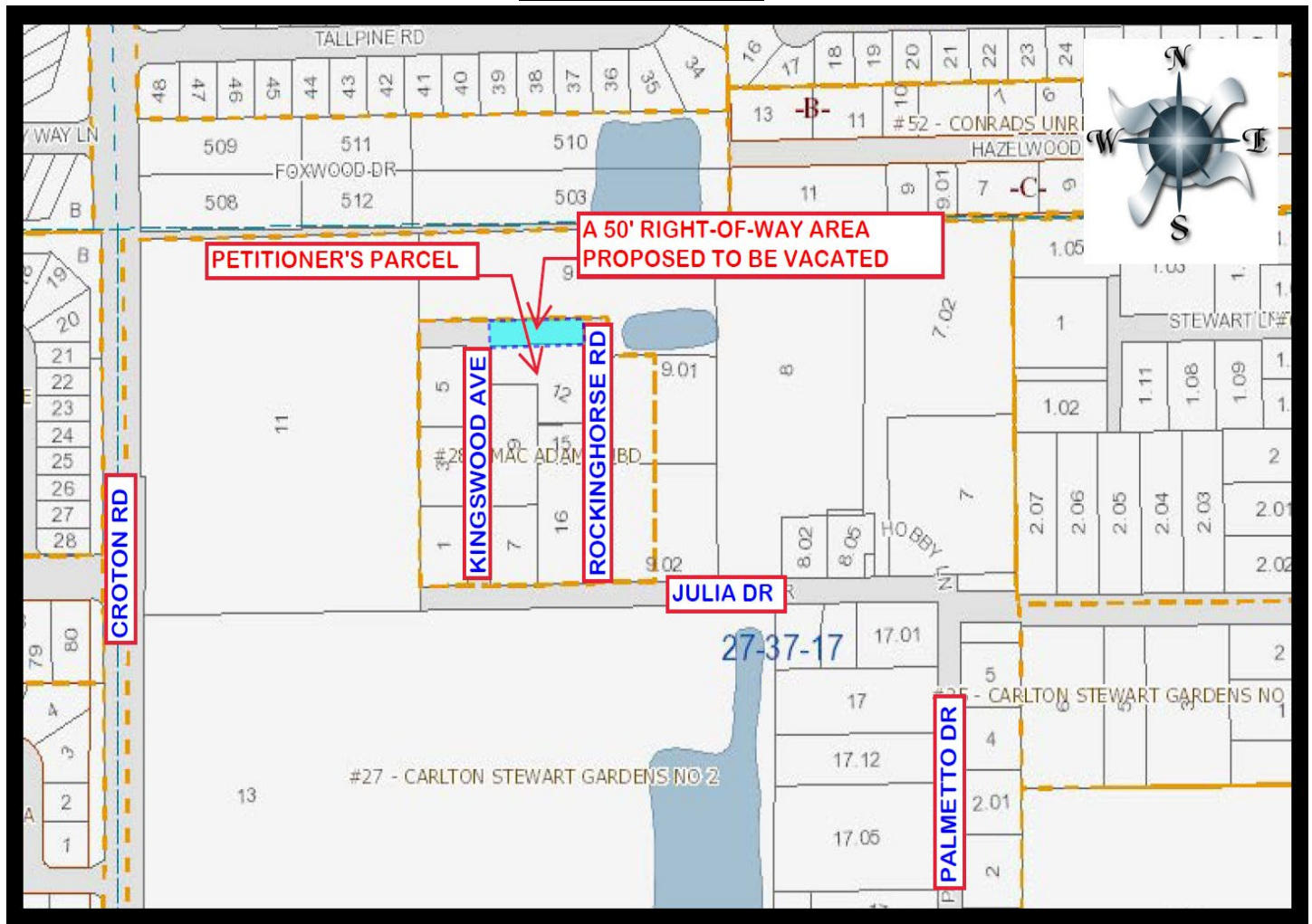


Figure 1: Map of Westways Drive, MacAdam Subdivision, Melbourne, Florida, 32935.

Martin Ramos – Westways Drive –
Melbourne, FL, 32935 – Lots 12-14, plat of
“MacAdam Subdivision” – Plat Book 13, Page
101 – Section 17, Township 27 South, Range
37 East – District 4 – Proposed Vacating of a
portion of a 50.0 ft. Wide Public Right-of-Way

Aerial Map

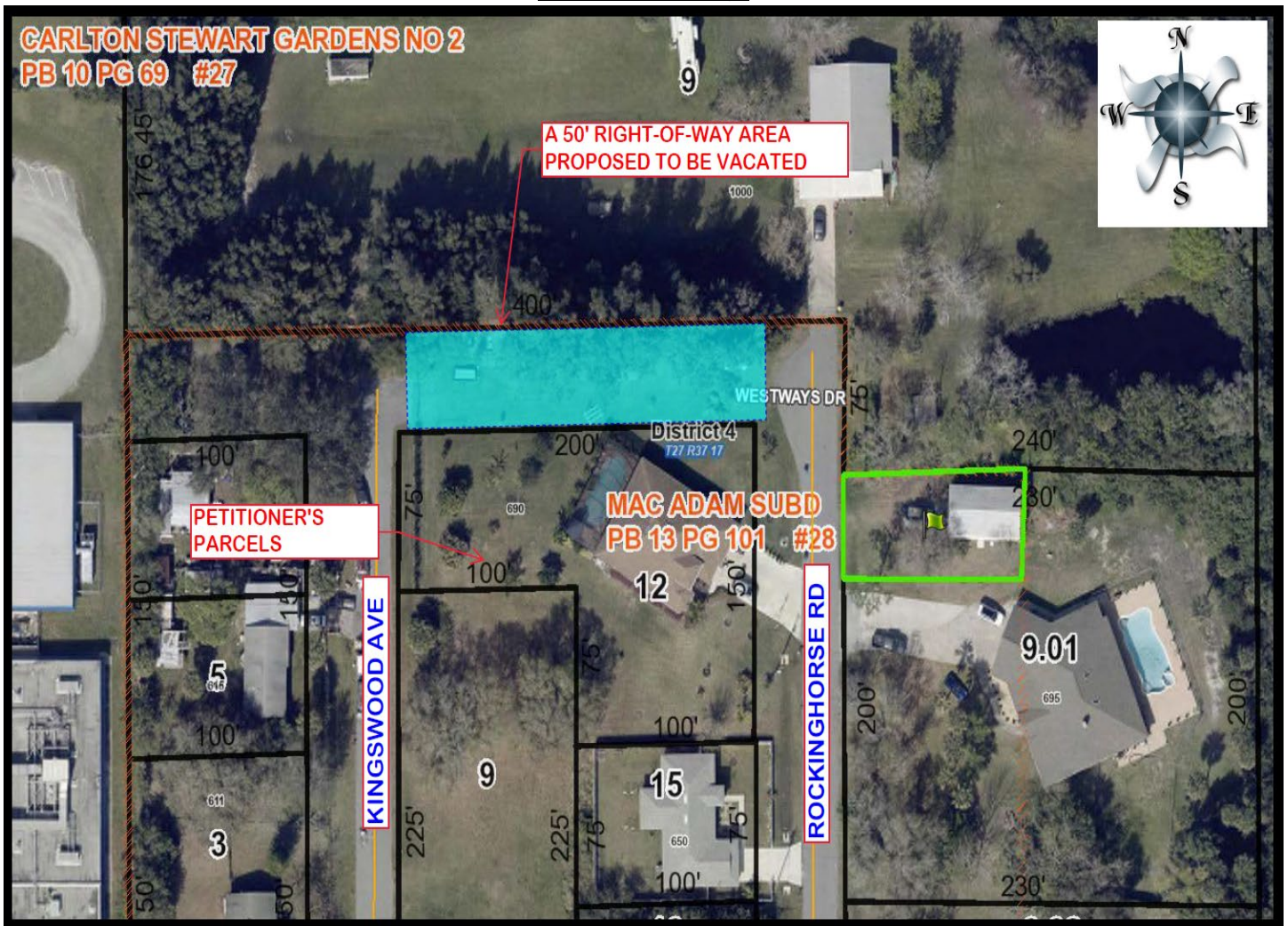


Figure 2: Aerial Map Westways Drive, MacAdam Subdivision, Melbourne, Florida, 32935.

Martin Ramos – Westways Drive –
Melbourne, FL, 32935 – Lots 12-14, plat of
“MacAdam Subdivision” – Plat Book 13, Page
101 – Section 17, Township 27 South, Range
37 East – District 4 – Proposed Vacating of a
portion of a 50.0 ft. Wide Public Right-of-Way

Plat Reference

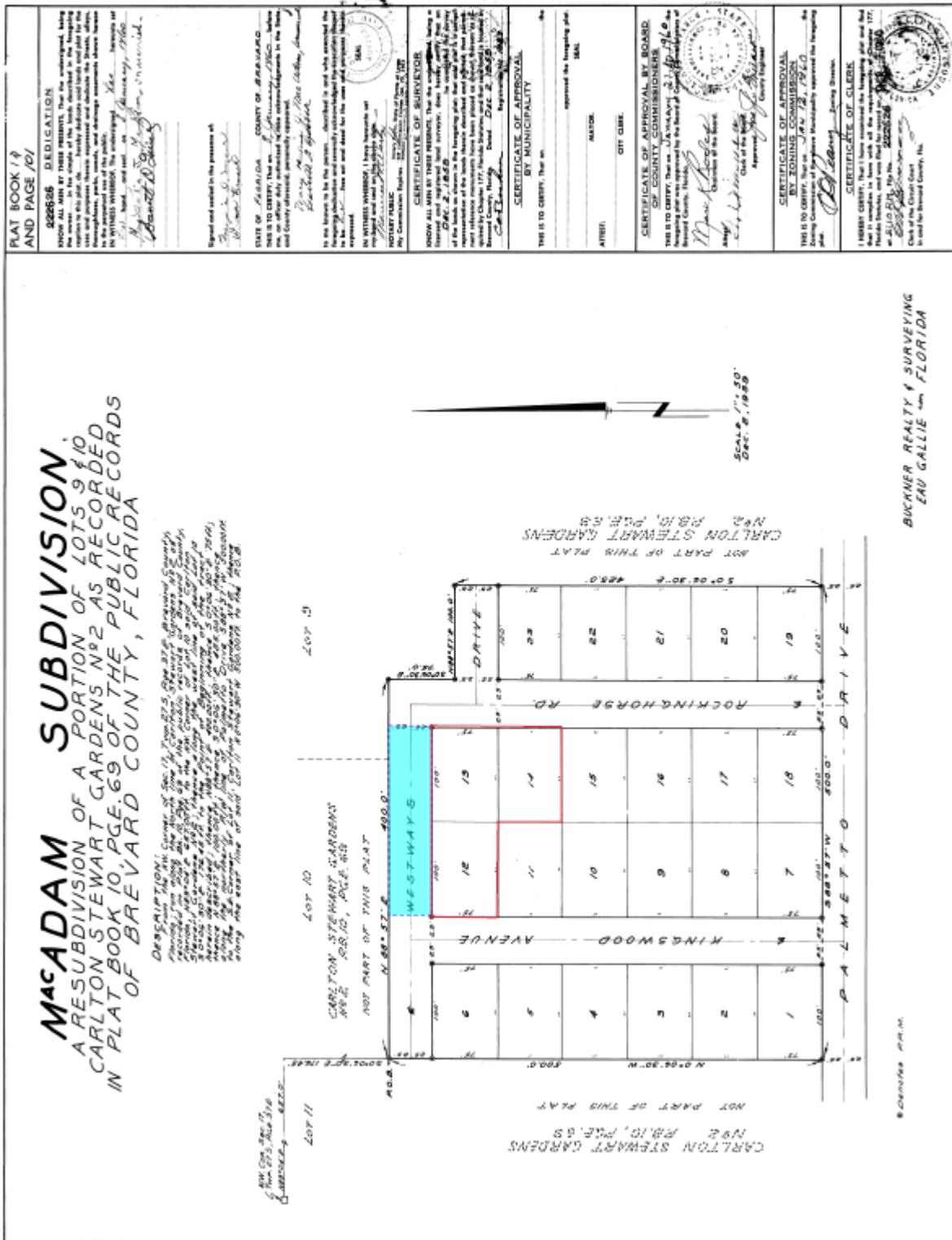


Figure 3: Copy of plat map "MacAdam Subdivision" dedicated to Brevard County December 1959.

Petitioner's Sketch & Description Sheet 1 of 2


LEGAL DESCRIPTION		EXHIBIT "A"	
PARENT PARCEL ID#: 27-37-17-28-*12		SHEET 1 OF 2	
SECTION 17, TOWNSHIP 27 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA		NOT VALID WITHOUT SHEETS 2 OF 2	
PURPOSE: VACATING A 50-FOOT WIDE PUBLIC RIGHT-OF-WAY.		<u>THIS IS NOT A SURVEY</u>	
<u>LEGAL DESCRIPTION: VACATED RIGHT-OF-WAY</u> <u>(PREPARED BY SURVEYOR)</u>			
DESCRIPTION: A PORTION OF WESTWAYS DRIVE, A 50-FOOT WIDE PUBLIC RIGHT-OF-WAY, MacADAM SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 101, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:			
BEGIN AT THE NORTHWEST CORNER OF LOT 12, SAID MacADAM SUBDIVISION, AND RUN NORTH 00°06'30" WEST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 12, A DISTANCE OF 50.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID WESTWAYS DRIVE; THENCE NORTH 88°57'00" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE THE EAST LINE OF LOT 13, SAID MacADAM SUBDIVISION; THENCE SOUTH 00°06'30" EAST ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 50.01 FEET TO THE NORTHEAST CORNER OF SAID LOT 13, SAID CORNER BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WESTWAYS DRIVE; THENCE SOUTH 88°57'00" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING .			
CONTAINING 10,000 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.			
<u>ABBREVIATIONS</u>			
B.B. = BASIS OF BEARINGS O.R.B. = OFFICIAL RECORDS BOOK R/W = RIGHT-OF-WAY S.F. = SQUARE FEET			
<u>SURVEYOR'S NOTES:</u>			
1. THIS SKETCH 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 SKETCH 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 SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.			
4. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN OWNERSHIP AND ENCUMBRANCE REPORT.			
5. BEARINGS ARE BASED ON A BEARING OF NORTH 88°57'00" EAST FOR THE NORTH RIGHT-OF-WAY LINE OF WESTWAYS DRIVE, MacADAM SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 143, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.			
PREPARED FOR AND CERTIFIED TO: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS			
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		LICENSED BUSINESS #6623	
DRAWN BY: DOUG W. GUARE	CHECKED BY: ANDREW W. POWSHOK	REVISION: REVISION: REVISION:	SECTION 17, TOWNSHIP 27 SOUTH, RANGE 37 EAST
DATE: 10-01-24	PROJECT # 36270		

Figure 4: Legal Description. Sheet 1 of 2. Section 17, Township 27 South, Range 37 East. Parcel ID number: 27-37-17-28-*12.

Petitioner's Sketch & Description Sheet 2 of 2

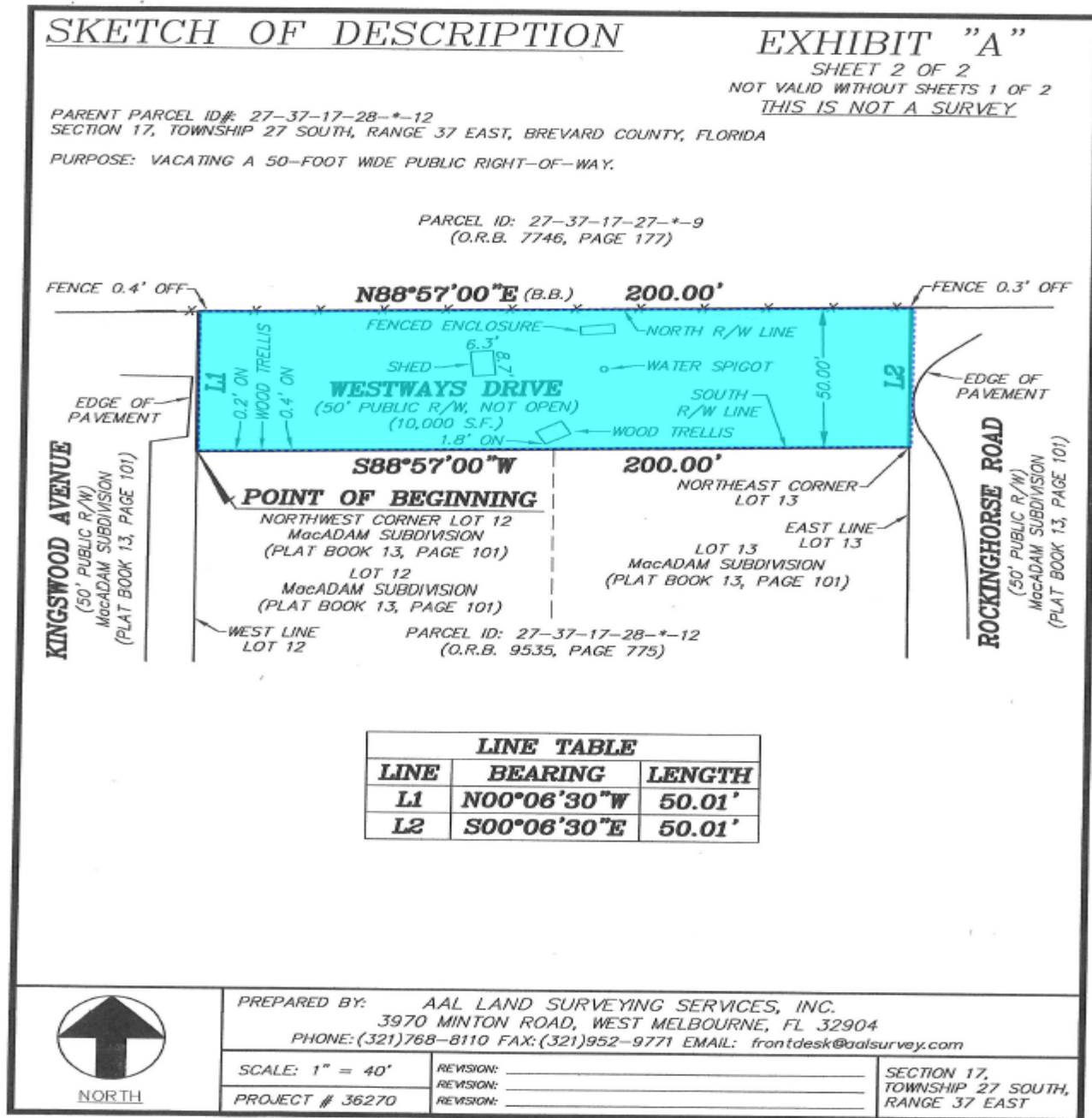


Figure 5: Sketch of description. Sheet 2 of 2. Section 17, Township 27 South, Range 37 East. Parcel ID number: 27-37-17-28-*12.

The sketch illustrates a portion of a 50.00-foot-wide public right-of-way, MacAdam Subdivision, Melbourne, Florida. The coordinates of the area to be vacated are as follows: North boundary – North 88°57'00" East 200.00 Feet; East boundary – South 00°06'30" East 50.01 Feet; South boundary – South 88°57'00" West 200.00 Feet; West boundary – North 00°06'30" West 50.01 feet. Prepared by: Andrew W. Powshok, AAL Land Surveying Services, Inc., LB 6623, Project NO: 36270.

Comment Sheet

Applicant: Ramos

Updated by: Amber Holley 20241107 at 14:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20241011	20241106	Yes	No Comment
FL Power & Light	20241011	20241106	Yes	No Objection
At&t	20241011	20241023	Yes	No Objections
Charter/Spectrum	20241011	20241014	Yes	No Objections
Florida Gas Tran.	20241011	20241014	Yes	No Objections
City of Melbourne	20241011	20241014	Yes	No Objection

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20241011	20241024	Yes	No Objections with an easement
Land Planning	20241011	20241021	Yes	No objections
Utility Services	20241011	20241011	Yes	No objections
Storm Water	20241011	20241024	Yes	No Objections with an easement
Zoning	20241011	20241021	Yes	No objections with an easement
Land Acquisition	20241011	20241107	Yes	No objections
Fire Dept	20241011	20241014	Yes	No Objection
Traffic Eng	20241011	20241023	Yes	No Objections with an easement

Public Hearing Legal Advertisement

Ad#10921298 1/13/2025

LEGAL NOTICE

**NOTICE FOR THE PARTIAL
VACATING OF A 50.00 FT. WIDE
PUBLIC RIGHT-OF-WAY, PLAT
OF "MAC ADAM SUBDIVISION"
IN SECTION 17, TOWNSHIP 27
SOUTH, RANGE 37 EAST,
MELBOURNE, 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 MARTIN RAMOS with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF WESTWAYS DRIVE, A 50-FOOT WIDE PUBLIC RIGHT-OF-WAY, MacADAM SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 101, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 12, SAID MacADAM SUBDIVISION, AND RUN NORTH 00°06'30" WEST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 12, A DISTANCE OF 50.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID WESTWAYS DRIVE; THENCE NORTH 88°57'00" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 13, SAID MacADAM SUBDIVISION; THENCE SOUTH 00°06'30" EAST ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 50.01 FEET TO THE NORTHEAST CORNER OF SAID LOT 13, SAID CORNER BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WESTWAYS DRIVE, THENCE SOUTH 88°57'00" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10,000 SQUARE FEET OR 0.23 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 right-of-way at 9:00 A.M. on January 28, 2025, 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 6: Copy of public hearing advertisement as published on January 28, 2025. See the next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 50.00 FT. WIDE PUBLIC RIGHT-OF-WAY, PLAT OF "MAC ADAM SUBDIVISION" IN SECTION 17, TOWNSHIP 27 SOUTH, RANGE 37 EAST, MELBOURNE, FL

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Roadway, Drainage, Utility, and Sidewalk Easement

Prepared by and return to: Jean Kremitzki
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A211, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 27-37-17-28-*-12

ROADWAY, DRAINAGE, UTILITY, AND SIDEWALK EASEMENT

THIS INDENTURE, made this 18th day of December, 2024, between Martin Ramos and Migdalia Ramos, husband and wife, whose address is 690 Rockinghorse Road, Melbourne, FL 32935, as the first party, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, Florida.

WITNESSETH that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of reconstructing, reconfiguring, and maintaining roadway, drainage, County utilities, and sidewalk facilities and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 17, Township 27 South, Range 37 East, Brevard County, Florida, and being more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein.

TO HAVE AND TO HOLD said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

(Signatures and Notary on next page)

Roadway, Drainage, Utility, and Sidewalk Easement

IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Lisa J. Kruse

Print Name

2725 Judge Fran Sammons Way

Address Old # RM 211
Viera, FL 32940

Witness

Jean Kremitzki

Print Name

2725 Judge Fran Sammons Way

Address Old # RM 211
Viera, FL 32940

By:

Martin Ramos

By:

Migdalia Ramos

Migdalia Ramos

STATE OF FLORIDA

COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization on this 18th day of December, 2024, by Martin Ramos and Migdalia Ramos, as husband and wife. Martin Ramos is ☐ personally known or ☒ produced FL DL L12520-500-10-10-2024 as identification. Migdalia Ramos is ☐ personally known or ☒ produced FL DL L12520-500-10-10-2024 as identification.

Jean A. Kremitzki
Notary Signature

SEAL

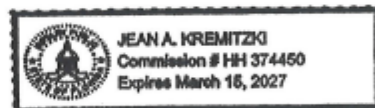


Figure 7: Easement signature page for Martin Ramos and Migdalia Ramos signed December 18, 2024.

Roadway, Drainage, Utility, and Sidewalk Easement

LEGAL DESCRIPTION

PARCEL ID #800

PARENT PARCEL ID#: 27-37-17-28-*~12

SECTION 17, TOWNSHIP 27 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: ROADWAY, DRAINAGE, UTILITY AND SIDEWALK EASEMENT.

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEETS 2 OF 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 800, ROADWAY, DRAINAGE, UTILITY AND SIDEWALK EASEMENT (PREPARED BY SURVEYOR)

DESCRIPTION: A PORTION OF WESTWAYS DRIVE, A 50-FOOT WIDE PUBLIC RIGHT-OF-WAY, MacADAM SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 101, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 12, SAID MacADAM SUBDIVISION, AND RUN NORTH 00°06'30" WEST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 12, A DISTANCE OF 50.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID WESTWAYS DRIVE; THENCE NORTH 88°57'00" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE THE EAST LINE OF LOT 13, SAID MacADAM SUBDIVISION; THENCE SOUTH 00°06'30" EAST ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 50.01 FEET TO THE NORTHEAST CORNER OF SAID LOT 13, SAID CORNER BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WESTWAYS DRIVE; THENCE SOUTH 88°57'00" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 10,000 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

ABBREVIATIONS

B.B. = BASIS OF BEARINGS
O.R.B. = OFFICIAL RECORDS BOOK
R/W = RIGHT-OF-WAY
S.F. = SQUARE FEET

SURVEYORS NOTES:

1. THIS SKETCH 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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PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

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 LICENSED BUSINESS #6623

DRAWN BY:
DOUG W. GUARE

CHECKED BY:
ANDREW W. POWSHOK

REVISION:

REVISION:

REVISION: COUNTY COMMENTS

11-20-24

DATE: 10-01-24

PROJECT # 36270

SECTION 17,
TOWNSHIP 27 SOUTH,
RANGE 37 EAST

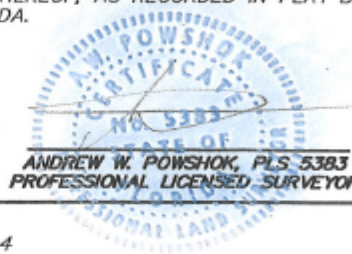


Figure 8: Legal Description. Page 1 of 2. Section 17, Township 27 South, Range 37 East.

Roadway, Drainage, Utility, and Sidewalk Easement

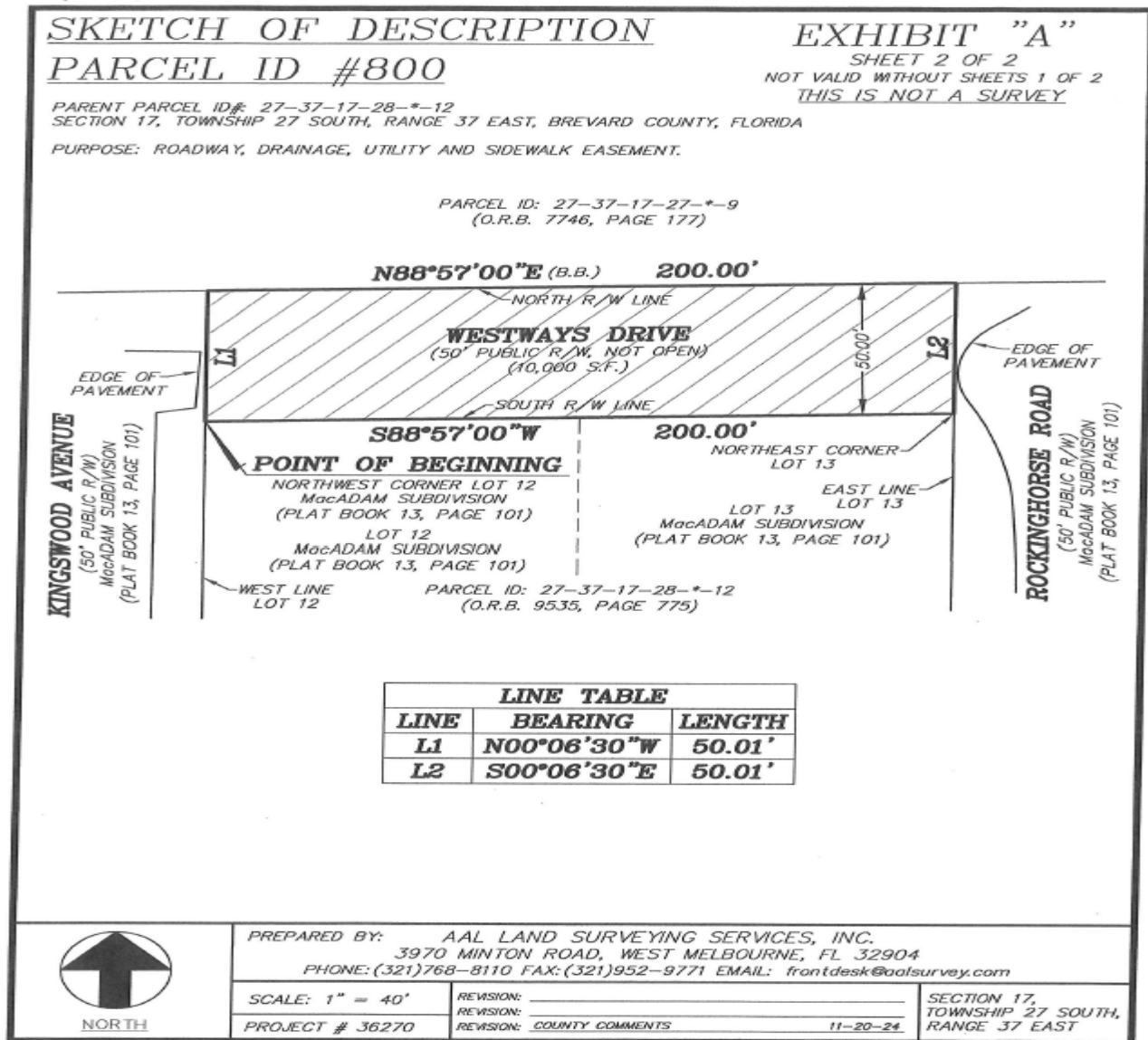


Figure 9: Sketch of description. Page 2 of 2. The area shown is of the easement to be conveyed on Westways Drive, MacAdam Subdivision.

The sketch illustrates a portion of a 50.00-foot-wide public right-of-way, MacAdam Subdivision, Melbourne, Florida. The coordinates of the area to be vacated are as follows: North boundary – North 88°57'00" East 200.00 Feet; East boundary – South 00°06'30" East 50.01 Feet; South boundary – South 88°57'00" West 200.00 Feet; West boundary – North 00°06'30" West 50.01 feet. Prepared by: Andrew W. Powshok, AAL Land Surveying Services, Inc., LB 6623, Project NO: 36270.