

Resolution 2024 -

Vacating a portion of two public utility easements in plat "Diana Shores Unit No. 2", Merritt Island, Florida, lying in Section 23, Township 24 South, Range 36 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Timothy Scott and Denise Irene Gannon** with the Board of County Commissioners to vacate a public utility 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 utility easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility 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 9th day of July, 2024 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Jason Steele, Chair

As approved by the Board on:
July 9, 2024

Brevard County Property Appraiser Detail Sheet

Account 2417445

Owners GANNON, TIMOTHY SCOTT; GANNON, DENISE IRENE

Mailing Address 285 DIANA BLVD MERRITT ISLAND FL 32953

Site Address 285 DIANA BLVD MERRITT ISLAND FL 32953

Parcel ID 24-36-23-JD-J-7

Taxing District 2200 - UNINCORP DISTRICT 2

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Property Use 0110 - SINGLE FAMILY RESIDENCE

Total Acres 0.22

Site Code 0130 - CANAL FRONT

Plat Book/Page 0020/0148

Subdivision DIANA SHORES UNIT NO 2

Land Description DIANA SHORES UNIT NO 2 LOT 7 BLK **VALUE SUMMARY**

Category	2023	2022	2021
Market Value	\$564,820	\$486,030	\$414,570
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$303,110	\$259,430	\$251,880
Assessed Value School	\$303,110	\$259,430	\$251,880
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$253,110	\$209,430	\$201,880
Taxable Value School	\$278,110	\$234,430	\$226,880

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
03/22/2024	--	QC	Improved	10021/1708
03/17/2016	\$404,000	WD	Improved	7574/0549
05/26/2004	\$435,000	WD	Improved	5310/0728

Vicinity Map

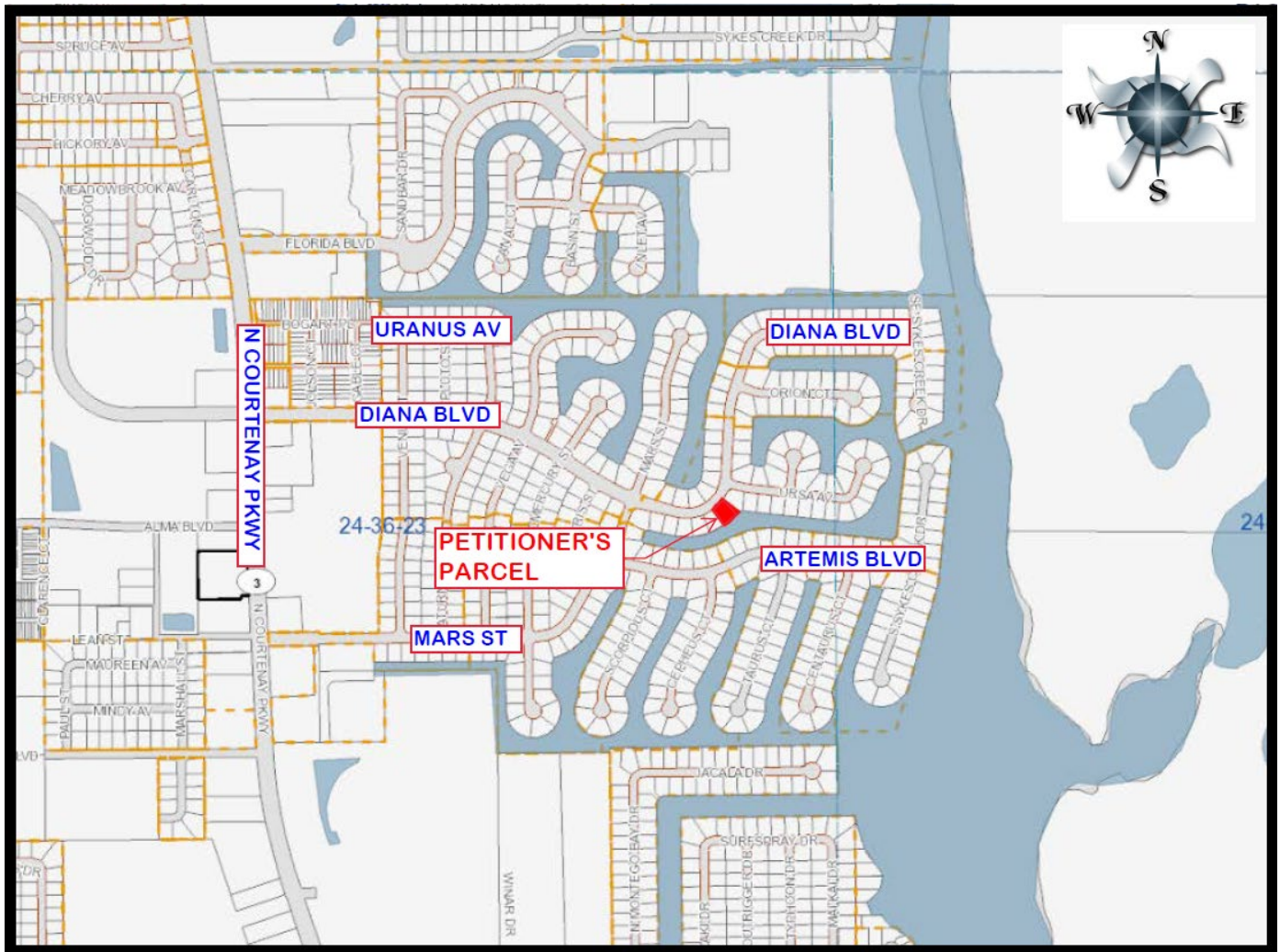


Figure 1: Map of the parcel for easements to be vacated at Lot 7, Block "J", Diana Shores Unit No. 2, Merritt Island.

Timothy Scott and Denise Irene Gannon – 285
Diana Blvd – Merritt Island – Lot 7, Block "J",
"Diana Shores Unit No. 2" – Plat Book 20,
Page 148 – Section 23, Township 24 South,
Range 36 East – District 2 – Proposed
Vacating of a portion of two Public Utility
Easements

Aerial Map



Figure 2: Aerial Map for easements to be vacated at Lot 7, Block "J", Diana Shores Unit No. 2, Merritt Island.

Timothy Scott and Denise Irene Gannon – 285
Diana Blvd – Merritt Island – Lot 7, Block "J",
"Diana Shores Unit No. 2" – Plat Book 20,
Page 148 – Section 23, Township 24 South,
Range 36 East – District 2 – Proposed
Vacating of a portion of two Public Utility
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Petitioner's Sketch & Description Sheet 2 of 2

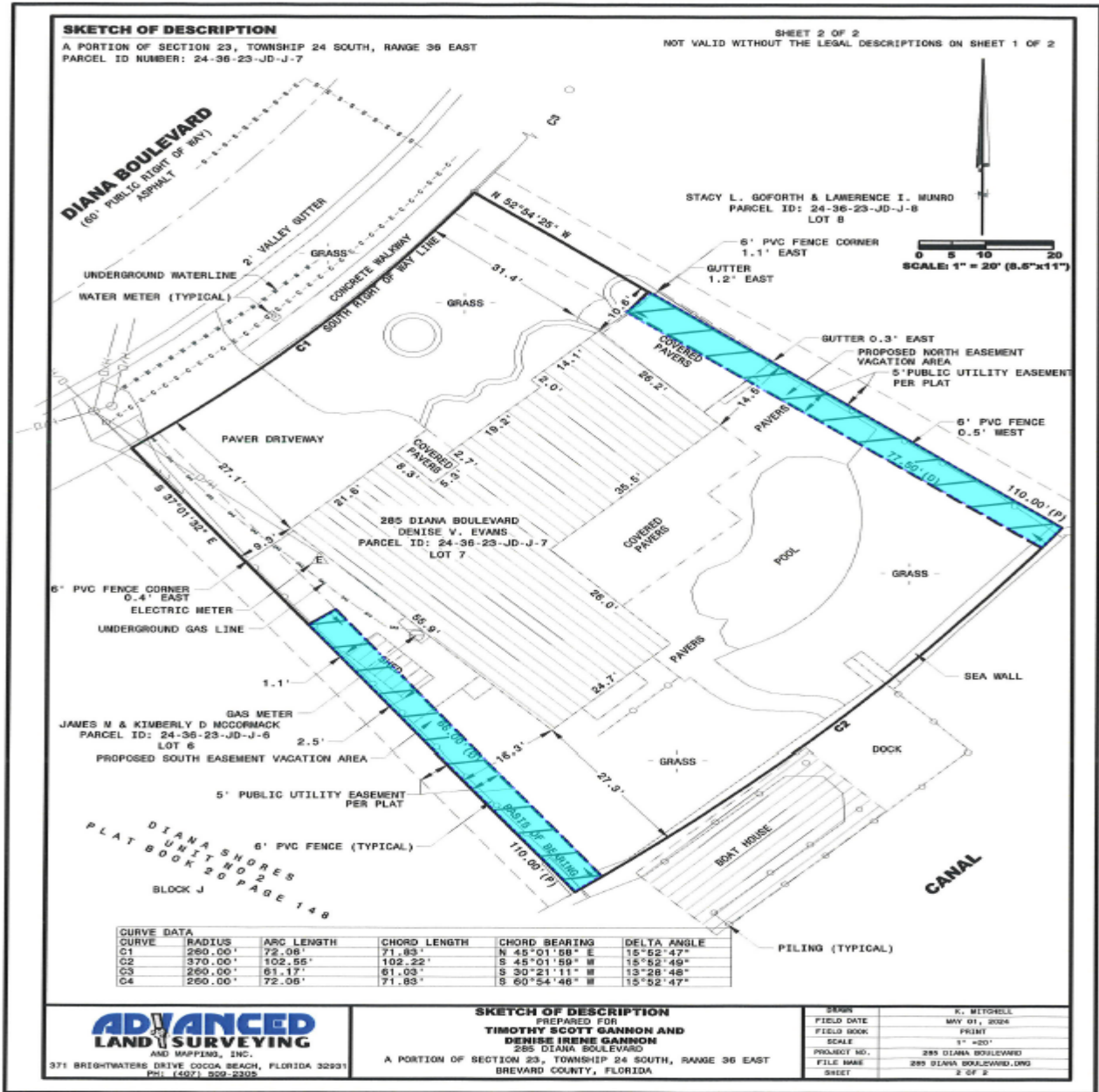


Figure 5: Sketch of description. Sheet 2 of 3. Section 23, Township 24 South, Range 36 East. Parcel ID number: 24-36-23-JD-J-7.

The sketch illustrates a portion of two public utility easements on Lot 7, Block "J", Diana Shores Unit No. 2, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – North 45°01'58" East 71.83 Feet; East boundary – North 52°54'25" West 110.00 Feet; South boundary – South 45°01'59" West 102.22 Feet; West boundary – South 37°01'32" East 110.00 Feet. Prepared by: Kirk B. Mitchell, LS 5682.

Comment Sheet

Applicant: Gannon

Updated by: Amber Holley 20240618 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20240510	20240514	Yes	No objections
FL Power & Light	20240510	20240618	Yes	No response
At&t	20240510	20240618	Yes	No response
Charter/Spectrum	20240510	20240510	Yes	No objections
City of Cocoa	20240510	20240513	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20240510	20240617	Yes	No objections
Land Planning	20240510	20240513	Yes	No objections
Utility Services	20240510	20240513	Yes	No objections
Storm Water	20240510	20240524	Yes	No objections
Zoning	20240510	20240513	Yes	No objections

Public Hearing Legal Advertisement

Ad#10299426 6/24/2024

LEGAL NOTICE

**NOTICE FOR THE VACATING OF
A PORTION OF TWO PUBLIC
UTILITY EASEMENTS, PLAT OF
"DIANA SHORES**

**UNIT NO. 2" IN SECTION 23,
TOWNSHIP 24 SOUTH, RANGE 36
EAST, MERRITT ISLAND, 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 TIMO-
THY SCOTT AND DENISE IRENE
GANNON with the Board of County
Commissioners of Brevard County,
Florida, to request vacating the
following described property, to wit:**

**A PORTION OF A 5.00 FOOT
PUBLIC UTILITY EASEMENT
LYING WITHIN LOT 7, BLOCK J,
DIANA SHORES UNIT No. 2, A
SUBDIVISION ACCORDING TO
THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 20,
PAGE 148, THE PUBLIC
RECORDS OF BREVARD
COUNTY, FLORIDA, BEING**

**MORE PARTICULARLY
DESCRIBED AS FOLLOWS: THE
NORTH 5.00 FEET OF THE EAST
77.50 FEET OF SAID LOT 7,
CONTAINING 0.0089 ACRES OR
388 SQUARE FEET, MORE OR
LESS. A PORTION OF A 5.00
FOOT PUBLIC UTILITY EASE-
MENT LYING WITHIN LOT 7,
BLOCK J, DIANA SHORES UNIT
No. 2, A SUBDIVISION ACCORD-
ING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 20,
PAGE 148, THE PUBLIC
RECORDS OF BREVARD
COUNTY, FLORIDA, BEING
MORE PARTICULARLY
DESCRIBED AS FOLLOWS: THE
SOUTH 5.00 FEET OF THE EAST
66.00 FEET OF SAID LOT 7,
CONTAINING 0.0046 ACRES OR
330 SQUARE FEET, MORE OR
LESS. PREPARED BY: KIRK B.
MITCHELL, 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 July 9, 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.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO PUBLIC UTILITY EASEMENTS, PLAT OF "DIANA SHORES UNIT NO. 2" IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, 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 TIMOTHY SCOTT AND DENISE IRENE GANNON with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF A 5.00 FOOT PUBLIC UTILITY EASEMENT LYING WITHIN LOT 7, BLOCK J, DIANA SHORES UNIT No. 2, A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 148, THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 5.00 FEET OF THE EAST 77.50 FEET OF SAID LOT 7. CONTAINING 0.0089 ACRES OR 388 SQUARE FEET, MORE OR LESS. A PORTION OF A 5.00 FOOT PUBLIC UTILITY EASEMENT LYING WITHIN LOT 7, BLOCK J, DIANA SHORES UNIT No. 2, A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 148, THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 5.00 FEET OF THE EAST 66.00 FEET OF SAID LOT 7, CONTAINING 0.0046 ACRES OR 330 SQUARE FEET, MORE OR LESS. PREPARED BY: KIRK B. MITCHELL, 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 July 9, 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.