

Resolution 2025 -

Vacating a portion of a public drainage easement, Plat of "Creekwood", Melbourne, Florida, lying in Section 13, Township 27 South, Range 36 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Jason and Leah Reilly** with the Board of County Commissioners to vacate public easements in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH AND 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 said 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 20th day of May, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Rob Feltner, Chairman

As approved by the Board on:
May 20, 2025

Brevard County Property Appraiser Detail Sheet

Account 2735992

Owners REILLY, JASON; REILLY, LEAH

Mailing Address 1760 WILLIAMSBURG WAY MELBOURNE FL 32934

Site Address 1760 WILLIAMSBURG WAY MELBOURNE FL 32934

Parcel ID 27-36-13-81-*-15

Taxing District 5300 - UNINCORP DISTRICT 5

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Property Use 0110 - SINGLE FAMILY RESIDENCE

Total Acres 0.42

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0043/0008

Subdivision CREEKWOOD

Land Description CREEKWOOD LOT 15

VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$417,150	\$421,340	\$416,860
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$378,300	\$367,290	\$356,600
Assessed Value School	\$378,300	\$367,290	\$356,600
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	\$4,590	\$3,900	\$32,560
Taxable Value School	\$378,300	\$367,290	\$356,600

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
11/24/2021	\$475,000	WD	--	9338/0590
06/27/2019	\$300,000	WD	--	8477/1152
10/25/2007	\$0	QC	--	5824/483

Vicinity Map

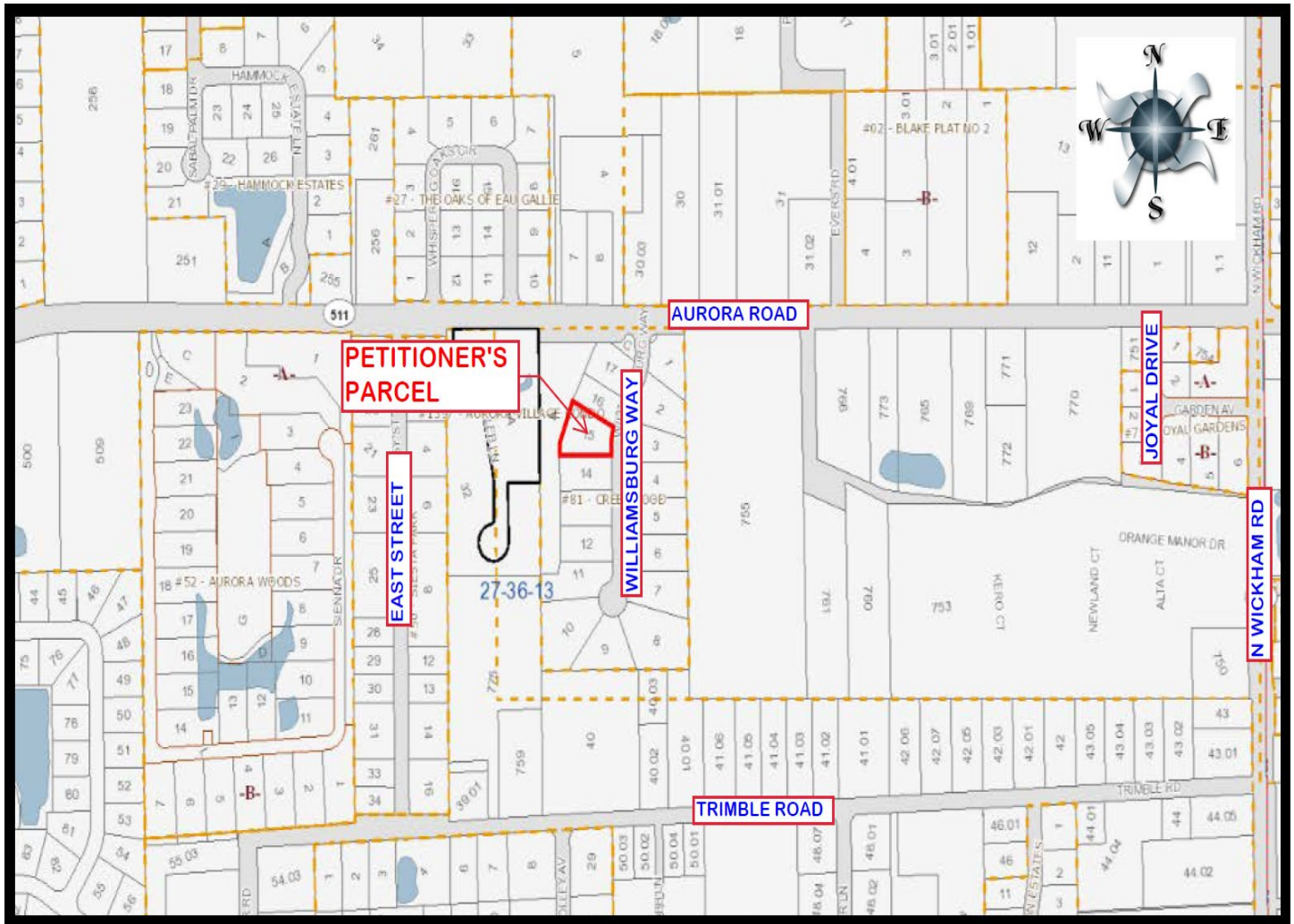


Figure 1: Map of Lot 15, Creekwood, 1760 Williamsburg Way, Melbourne, Florida, 32934.

Jason and Leah Reilly – Lot 15, Creekwood –
1760 Williamsburg Way, Melbourne, FL,
32934 – lying in Section 13, Township 27
South, Range 36 East – District 5 – Proposed
Vacating of a portion of a Public Drainage
Easement

**CREEKWOOD
PB 43 PG 8 #81**

**A
GARDENS**

16

14

WILLIAMSBURG WAY

**1760 WILLIAMSBURG WAY
MELBOURNE, FL 32934**

**EASEMENT AREA PROPOSED
TO BE VACATED (2.50 FEET
BY 27.34 FEET)**

**EASEMENT AREA TO
REMAIN IN YELLOW**

**PETITIONER'S
PARCELS**

2

3

4

1765

1760

1750

1740

1730

1720

1710

1700

1690

1680

1670

1660

1650

1640

1630

1620

1610

1600

1590

1580

1570

1560

1550

1540

1530

1520

1510

1500

1490

1480

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1450

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1200

1190

1180

1170

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1150

1140

1130

1120

1110

1100

1090

1080

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1060

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1040

1030

1020

1010

1000

990

980

970

960

950

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370

360

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340

330

320

310

300

290

280

270

260

250

240

230

220

210

200

190

180

170

160

150

140

130

120

110

100

90

80

70

60

50

40

30

20

10

0

Click to add a point

654.44

125.67

35.30

181.82

79.89

120.97

210.9

100.00

90.00

159.44

1760

1750

1740

1730

1720

1710

1700

1690

1680

1670

1660

1650

1640

1630

1620

1610

1600

1590

1580

1570

1560

1550

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1510

1500

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1260

1250

1240

1230

1220

1210

1200

1190

1180

1170

1160

1150

1140

1130

1120

1110

1100

1090

1080

1070

1060

1050

1040

1030

1020

1010

1000

990

980

970

960

950

940

930

920

910

Jason and Leah Reilly – Lot 15, Creekwood –
1760 Williamsburg Way, Melbourne, FL,
32934 – lying in Section 13, Township 27
South, Range 36 East – District 5 – Proposed
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Easement

Map Reference

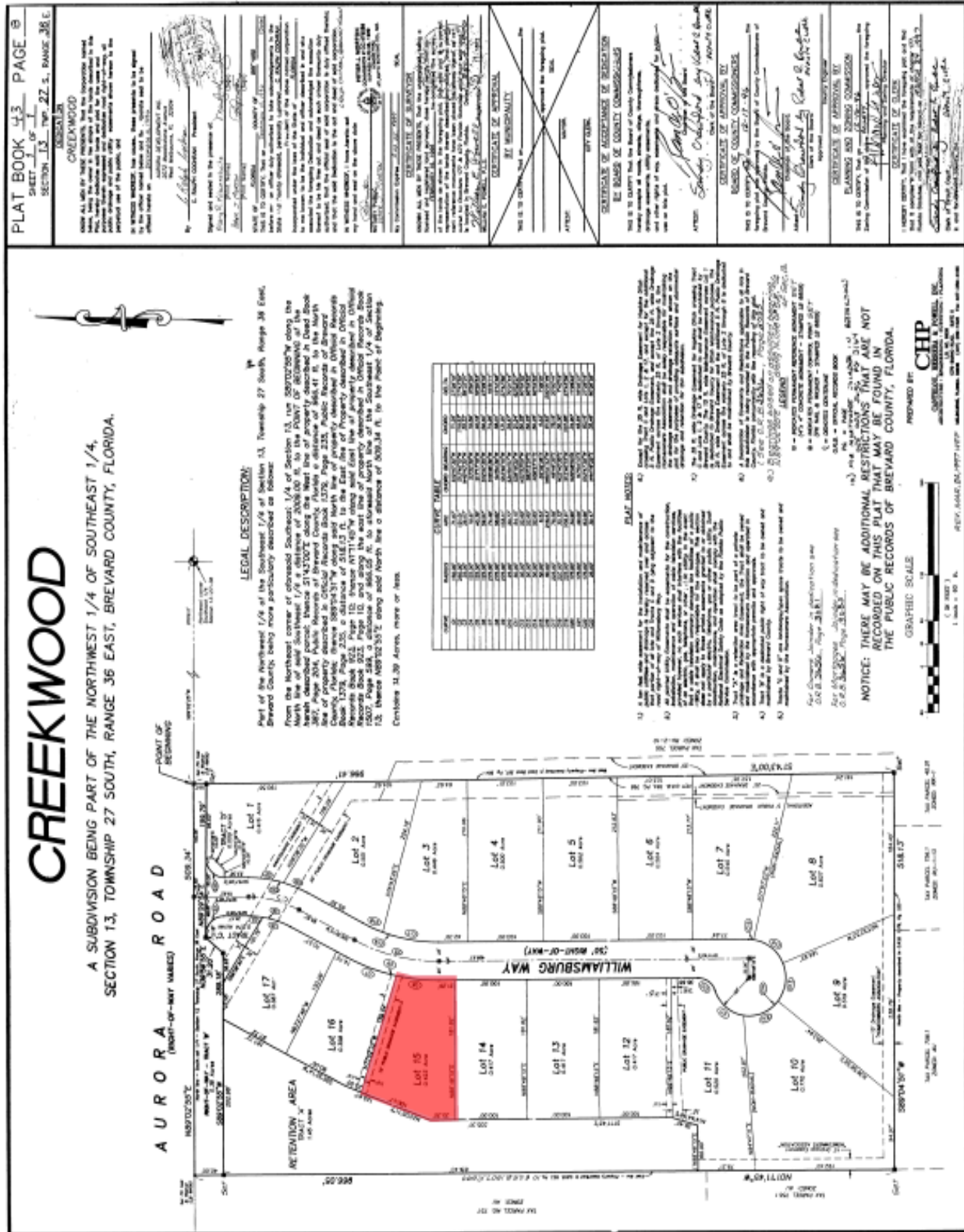


Figure 3: Copy of Plat of Creekwood, dedicated to Brevard County in December 1996.

Petitioner's Sketch & Description Sheet 1 of 2

<u>LEGAL DESCRIPTION</u>		EXHIBIT "A"	
		SHEET 1 OF 2	
PARENT PARCEL ID# 27-36-13-81-*--15		NOT VALID WITHOUT SHEET 2 OF 2	
PURPOSE: VACATING EASEMENT		<u>THIS IS NOT A SURVEY</u>	
<p><u>LEGAL DESCRIPTION:</u></p> <p>A PORTION OF A PUBLIC DRAINAGE EASEMENT WITHIN LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NE CORNER OF LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, RUN N73°02'32"W, ALONG THE NORTHERLY LINE OF SAID LOT 15, A DISTANCE OF 114.12 FEET; THENCE RUN S16°57'28"W, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S16°57'28"W, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN N73°02'32"W, A DISTANCE OF 27.34 FEET TO A POINT, THENCE RUN N16°57'28"E, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN S73°02'32"E, A DISTANCE OF 27.34 FEET TO THE POINT OF BEGINNING. SAID AREA OF VACATED EASEMENT CONTAINING 68.35 SQUARE FEET MORE OR LESS.</p>			
<p><u>SURVEYORS' NOTES:</u></p> <p>ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AND MEASURED, UNLESS OTHERWISE SHOWN.</p> <p>P.U.&P.D.E. = PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT.</p> <p>P.D.E. = PUBLIC DRAINAGE EASEMENT.</p> <p>P.U.E. = PUBLIC UTILITY EASEMENT.</p> <p>P.O.C. = POINT OF COMMENCEMENT.</p> <p>P.O.B. = POINT OF BEGINNING.</p> <p>BEARINGS ARE BASED UPON THE ASSUMED BEARING FOR THE NORTHERLY LINE OF LOT 15, CREEKWOOD.</p> <p>ALL ELEVATIONS SHOWN ARE BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD'88).</p>			
PREPARED FOR AND CERTIFIED TO:		<div style="display: flex; align-items: center; justify-content: center;"><div><p>BILL HYATT</p><p>2025.03.10</p><p>10:48:16 -04'00'</p><p>Professional Surveyor</p></div></div>	
BREVARD COUNTY		<p>SURVEYOR, BILL HYATT LS#4636</p> <p>PROFESSIONAL SURVEYOR & MAPPER</p> <p><small>NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL, SHREDDED OR ELECTRONIC SEAL OF THE FLORIDA LICENSED SURVEYOR. THE SURVEYOR HEREBY CERTIFIES THAT THE ELECTRONIC SIGNATURE AND ORIGINAL SIGNATURE MOVED PROCEEDURES SET FORTH IN CHAPTER 471.005 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 471.005, FLORIDA STATUTES. THE SURVEYOR HEREBY CERTIFIES THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS, SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 471.005 AND 471.006 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 471.005, FLORIDA STATUTES.</small></p>	
PREPARED BY:		<p>KIN SURVEYORS</p> <p>PROFESSIONAL SURVEYING AND MAPPING</p> <p>LICENSED BUSINESS #8553</p>	
DRAWN BY: MS	CHECKED BY: BH	PROJECT NO.	
DATE: 2/13/2025	DRAWING:	REVISIONS	DATE
		DESCRIPTION	
		SECTION 13	
		TOWNSHIP 27 SOUTH	
		RANGE 36 EAST	

Figure 4: Legal Description. Sheet 1 of 2. Section 13, Township 27 South, Range 36 East. Parcel ID number: 27-36-13-81-*--15.

Petitioner's Sketch & Description Sheet 2 of 2

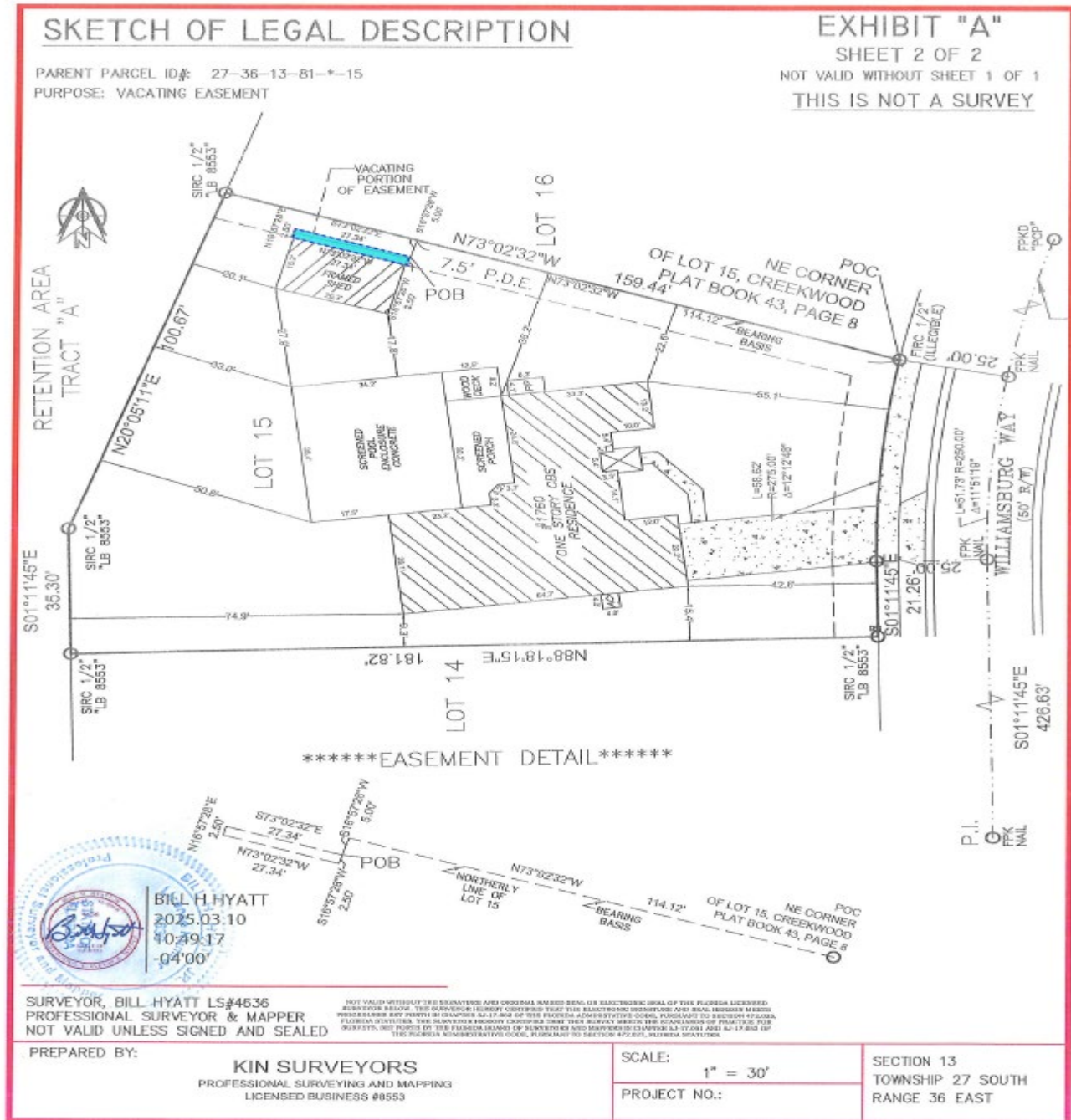


Figure 5: Sketch of Description. Sheet 2 of 2. Section 13, Township 27 South, Range 36 East. Parcel ID number: 27-36-13-81-* -15.

The sketch illustrates a portion of a 7.50-foot-wide public drainage easement, per the Plat of Creekwood. The coordinates of the area to be vacated are as follows: North boundary – North 73°02'32" West 159.44 Feet; East boundary – South 01°11'45" East 79.88 Feet; South boundary – North 88°18'15" East 181.82 Feet; West boundary – North 20°05'11" East 100.67 feet. Prepared by: Bill H. Hyatt, PLS.

Comment Sheet

Applicant: Reilly

Updated by: Amber Holley 20250414 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20250320	20250414	Yes	No Objections
FL Power & Light	20250320	20250414	Yes	No Objections
At&t	20250320	20250414	Yes	No objections
Charter/Spectrum	20250320	20250325	Yes	No objections
City of Melbourne	20250320	20250321	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20250320	20250321	Yes	No objections
Land Planning	20250320	20250325	Yes	No objections
Utility Services	20250320	20250324	Yes	No objections
Storm Water	20250320	20250321	Yes	No objections
Zoning	20250320	20250325	Yes	No objections

Public Hearing Legal Advertisement

ad# 11269495 05/05/25

LEGAL NOTICE
NOTICE FOR THE VACATING OF
A PORTION OF A PUBLIC
DRAINAGE EASEMENT, PLAT
OF "CREEKWOOD", IN SECTION
13, TOWNSHIP 27 SOUTH, RANGE
36 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 JASON AND LEAH REILLY with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:
A PORTION OF A PUBLIC DRAINAGE EASEMENT WITHIN LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF LOT 15, CREEKWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 8, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, RUN N73°02'32"W, ALONG THE NORTHERLY LINE OF SAID LOT 15, A DISTANCE OF 114.12 FEET; THENCE RUN S16°57'28"W, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S16°57'28"W, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN N73°02'32"W, A DISTANCE OF 27.34 FEET TO A POINT, THENCE RUN N16°57'28"E, A DISTANCE OF 2.50 FEET TO A POINT; THENCE RUN S73°02'32"E, A DISTANCE OF 27.34 FEET TO THE POINT OF BEGINNING. SAID AREA OF VACATED EASEMENT CONTAINING 68.35 SQUARE FEET MORE OR LESS.
PREPARED BY: BILL H. HYATT, PLS.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on May 20, 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 hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance.

Figure 8: Copy of public hearing advertisement published on May 5, 2025. See the next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF A PUBLIC DRAINAGE EASEMENT, PLAT OF "CREEKWOOD", IN SECTION 13, TOWNSHIP 27 SOUTH, RANGE 36 EAST, MELBOURNE, FL

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