

Resolution 2022 -

Vacating a portion of two public utility and drainage easements in plat "Silver Hill Subdivision", Cocoa, Florida, lying in Section 05, Township 24 South, Range 36 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Richard Joseph and Jennifer L. Rasor** 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 11th day of January, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Kristine Zonka, Chair

As approved by the Board on:
January 11, 2022

Brevard County Property Appraiser Detail Sheet

Account 2410659
Owners RASOR, RICHARD JOSEPH; RASOR, JENNIFER L
Mailing Address 110 SILVER HILL LN COCOA FL 32926
Site Address 110 SILVER HILL LN COCOA FL 32926
Parcel ID 24-36-05-OJ-*-7
Property Use 0110 - SINGLE FAMILY RESIDENCE
Exemptions HEX1 - HOMESTEAD FIRST
HEX2 - HOMESTEAD ADDITIONAL
Taxing District 1400 - UNINCORP DISTRICT 1
Total Acres 0.24
Subdivision SILVER HILL SUBDIVISION
Site Code 0001 - NO OTHER CODE APPL.
Plat Book/Page 0035/0054
Land Description SILVER HILL SUBDIVISION LOT 7

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$172,800	\$173,370	\$174,640
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$120,870	\$119,210	\$116,530
Assessed Value School	\$120,870	\$119,210	\$116,530
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	\$70,870	\$69,210	\$66,530
Taxable Value School	\$95,870	\$94,210	\$91,530

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
09/24/2021	\$337,000	WD	Improved	9271/0476
05/30/1999	\$119,900	WD	Improved	4007/3502
08/30/1993	\$71,000	WD	Improved	3325/0325

Vicinity Map

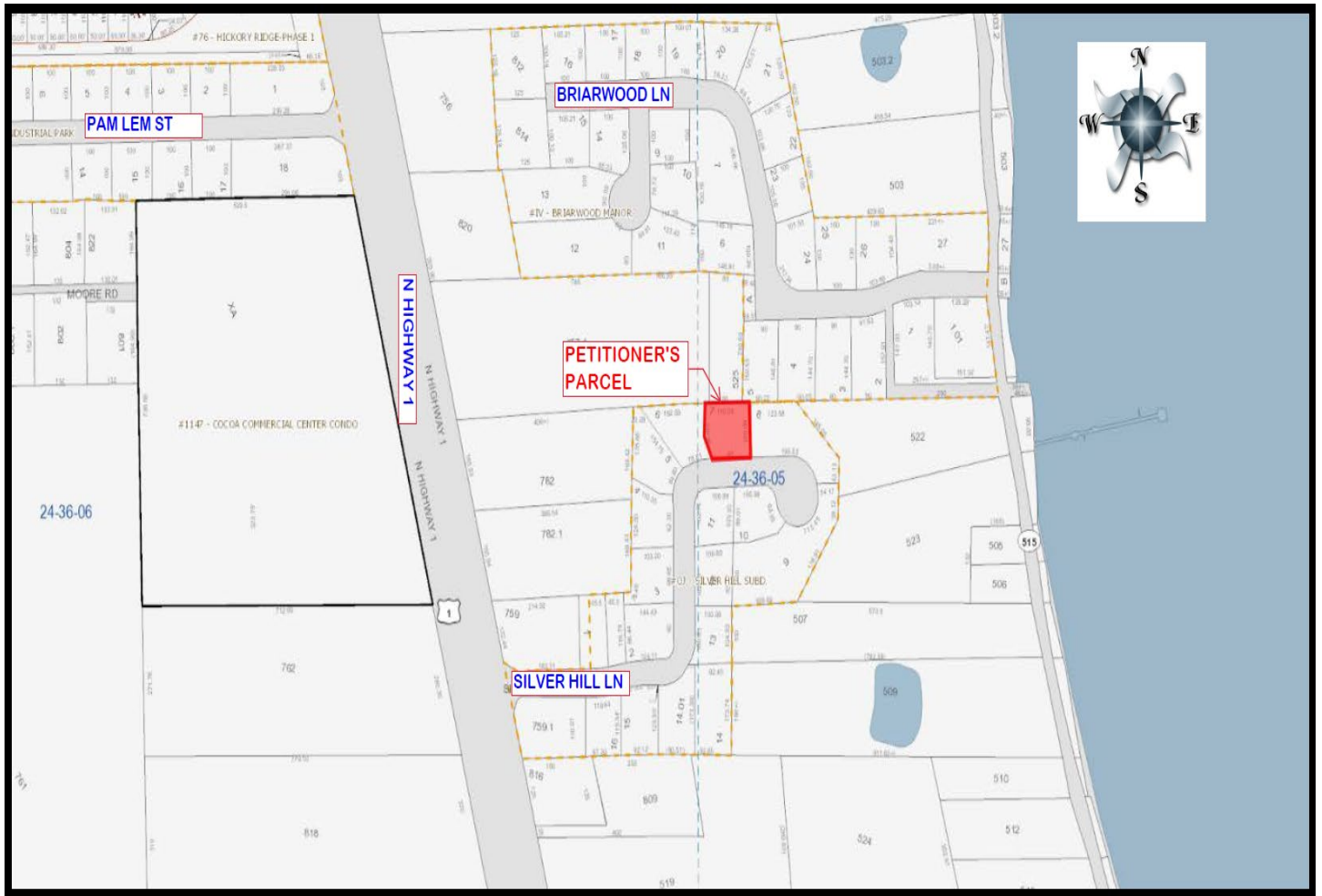


Figure 1: Map of Lot 7, Silver Hill Subdivision, 110 Silver Hill Lane, Cocoa, FL 32796.

Richard Joseph and Jennifer L. Rasor – 110 Silver Hill Lane – Cocoa, FL, 32926 – Lot 7, plat of “Silver Hill Subdivision” – Plat Book 35, Page 54 – Section 05, Township 24 South, Range 36 East – District 1 – Proposed Vacating of a portion of two Public Utility & Drainage Easements

Aerial Map

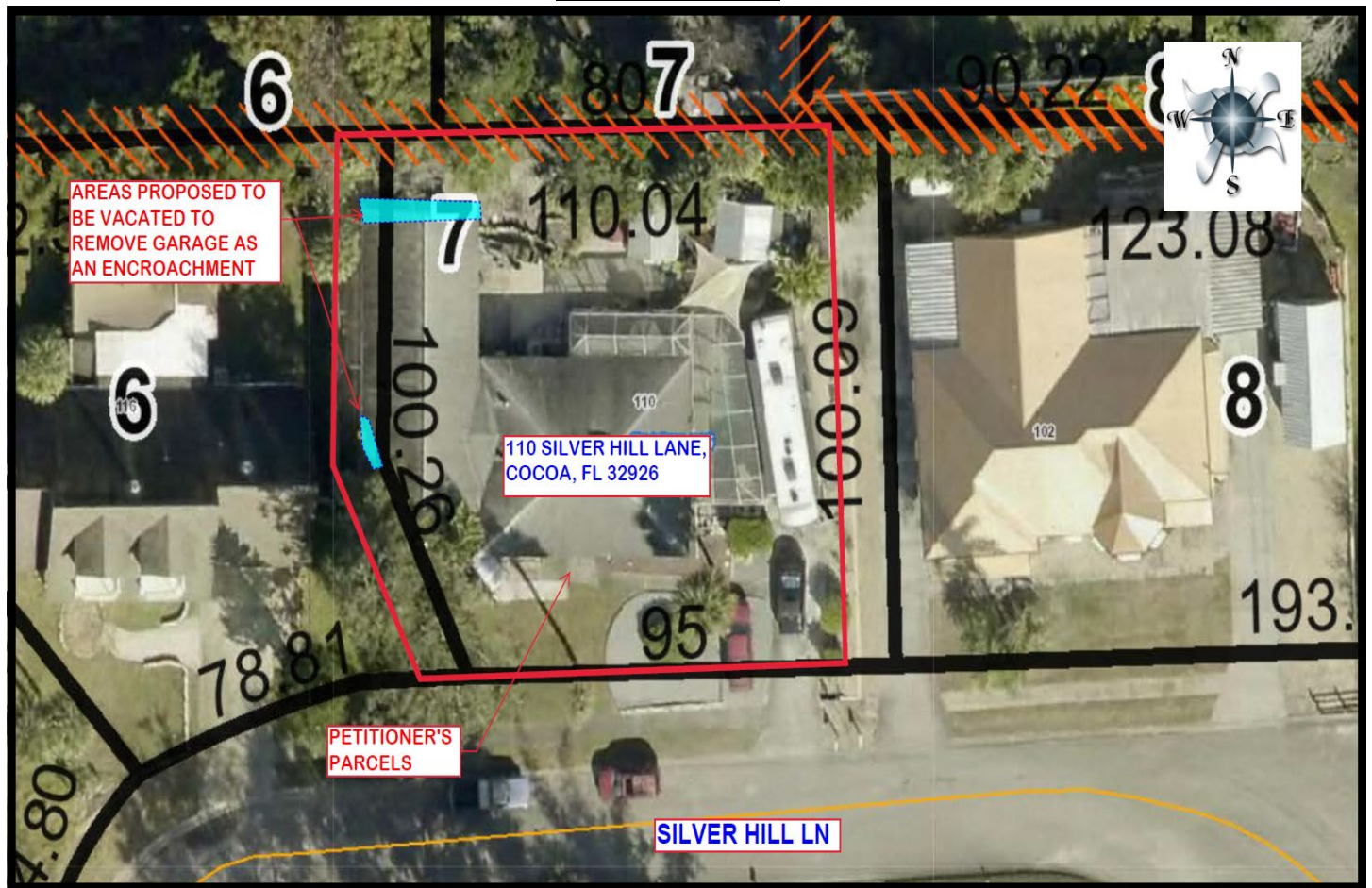


Figure 2: Map of aerial view of Lot 7, Silver Hill Subdivision, 110 Silver Hill Lane, Cocoa, FL 32796.

Richard Joseph and Jennifer L. Rasor – 110 Silver Hill Lane – Cocoa, FL, 32926 – Lot 7, plat of “Silver Hill Subdivision” – Plat Book 35, Page 54 – Section 05, Township 24 South, Range 36 East – District 1 – Proposed Vacating of a portion of two Public Utility & Drainage Easements

Plat Reference

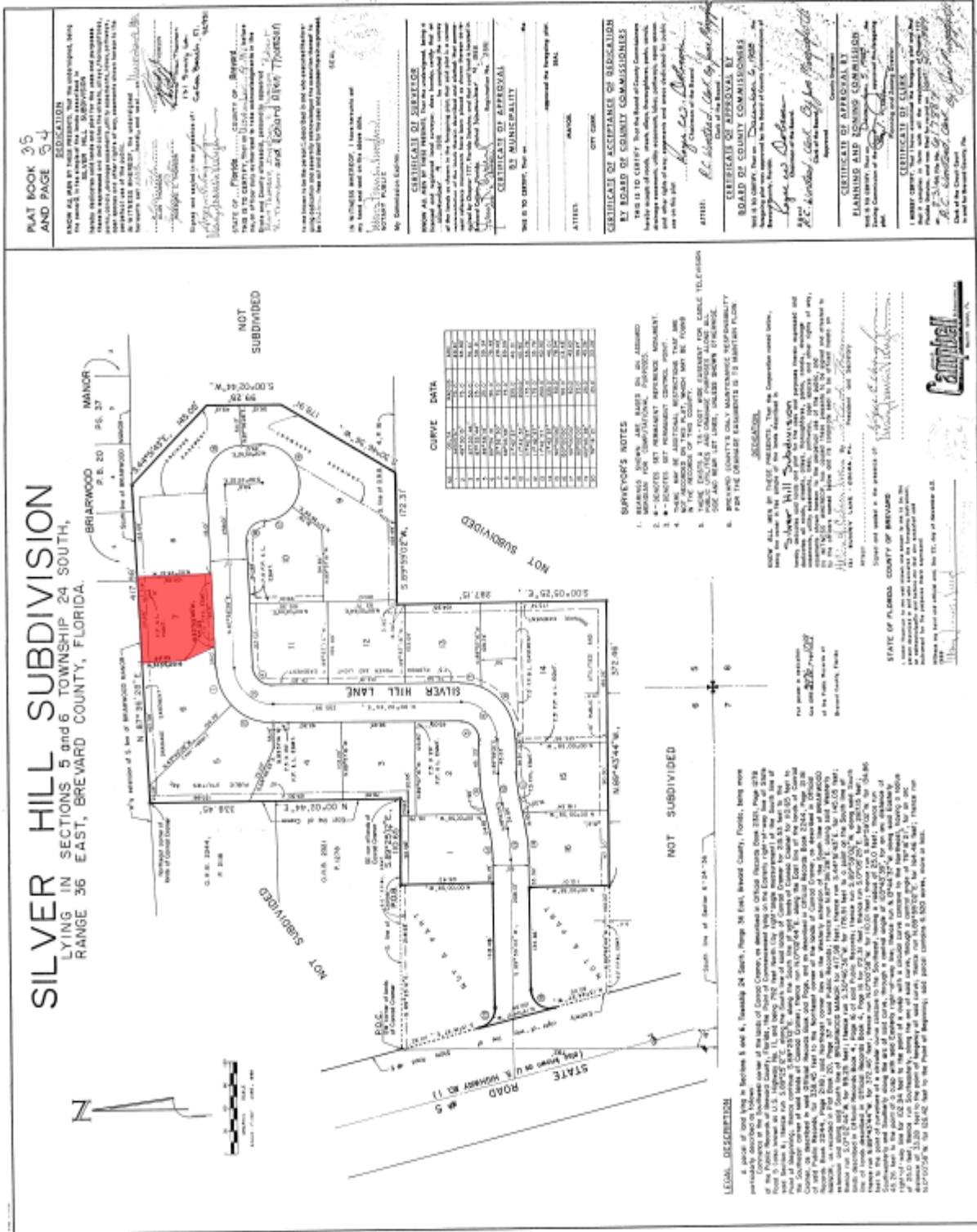


Figure 3: Copy of plat map " Silver Hill Subdivision" dedicated to Brevard County November 4, 1988

Petitioner's Sketch & Description Sheet 1 of 2

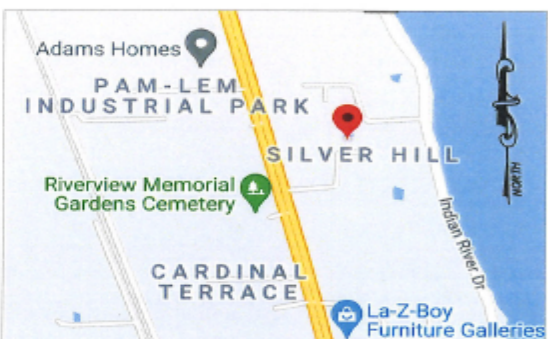

LEGAL DESCRIPTION	
SECTION 05, TOWNSHIP 24 SOUTH, RANGE 36 EAST PARCEL ID: 24-36-05-OJ-*7 PURPOSE: EASEMENT VACATING	
PROPERTY ADDRESS: 110 SILVER HILL LANE COCOA, FL 32926	
LEGAL DESCRIPTION	
PARCEL 1 A PORTION OF 10' PUBLIC UTILITY & DRAINAGE EASEMENT ALONG THE NORTHERLY LINE OF LOT 7, SILVER HILL SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 54, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE RUN SOUTH 50°40'04" EAST A DISTANCE 11.38 FEET; TO THE POINT OF BEGINNING THENCE RUN SOUTH 88°41'15" EAST A DISTANCE OF 21.10 FEET, THENCE S 01°18'45"W A DISTANCE OF 1.07 FEET; THENCE SOUTH 87°36'28" WEST A DISTANCE OF 21.14 FEET; THENCE NORTH 01°18'45"E A DISTANCE OF 2.43 FEET TO THE POINT OF BEGINNING. CONTAINING: 36.89 SQ. FT. ±	 VICINITY MAP NOT TO SCALE
PARCEL 2 A PORTION OF 7.5' PUBLIC UTILITY & DRAINAGE EASEMENT ALONG THE WESTERLY LINE OF LOT 7, SILVER HILL SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 54, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE RUN SOUTH 00°53'02"EAST ALONG THE WEST BOUNDARY OF SAID LOT 7 A DISTANCE 58.03 FEET; THENCE SOUTH 83°27'24"EAST A DISTANCE OF 6.77 FEET TO THE POINT OF BEGINNING THENCE NORTH 01°18'45"E A DISTANCE OF 8.02 FEET; THENCE RUN SOUTH 88°41'15" EAST A DISTANCE OF 0.50 FEET; THENCE SOUTH 00°53'02" EAST A DISTANCE OF 5.60 FEET; THENCE SOUTH 23°53'05" EAST A DISTANCE OF 2.68 FEET; THENCE NORTH 88°41'15"W A DISTANCE OF 1.84 FEET TO THE POINT OF BEGINNING. CONTAINING: 6.37 SQ. FT. ±	
ABBREVIATION LEGEND CH=CHORD L=LENGTH N.R.=NON RADIAL P=PLAT P.B.=PLAT BOOK PG.=PAGE P.I.D.=PARCEL IDENTIFICATION NUMBER P.O.B.=POINT OF BEGINNING P.O.C.=POINT OF COMMENCEMENT R=RADIUS U.E.=UTILITY EASEMENT	
NOTES: 1. NO FIELD WORK PERFORMED IN THE PREPARATION OF THIS LEGAL AND SKETCH. 2. THIS DRAWING IS NOT FULL AND COMPLETE WITHOUT ALL OF ITS ACCOMPANYING PAGES. 3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE WEST LINE OF LOT 7, HAVING A BEARING OF N00°53'02"W.	
SURVEY NO. 499978 SKETCH DATE: 09-15-2021	
SHEET 1 OF 2 NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2	
<div><div><p>THIS IS NOT A SURVEY, TO ACCOMPANY DESCRIPTION ONLY SURVEYORS CERTIFICATE HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.</p><p>Kenneth Osborne (SIGNED) KENNETH J. OSBORNE PROFESSIONAL SURVEYOR AND MAPPER #0415</p></div><div><p>SKETCH AND DESCRIPTION</p><p>Digitally signed by Kenneth Osborne Date: 2021.11.18 14:08:05 -05'00'</p><p>TARGET SURVEYING, LLC LB #7893 SERVING FLORIDA 6250 N. MILITARY TRAIL, SUITE 102 WEST PALM BEACH, FL 33407 PHONE: (561) 640-4800 STATEWIDE PHONE: (800) 226-4807 STATEWIDE FACSIMILE: (800) 741-0576 WEBSITE: http://targetsurveying.net</p></div></div>	

Figure 4: Legal description. Sheet 1 of 2. Legal description for a portion of two public utility and drainage easements on lot 7, Silver Hill Subdivision.

Petitioner's Sketch & Description Sheet 2 of 2

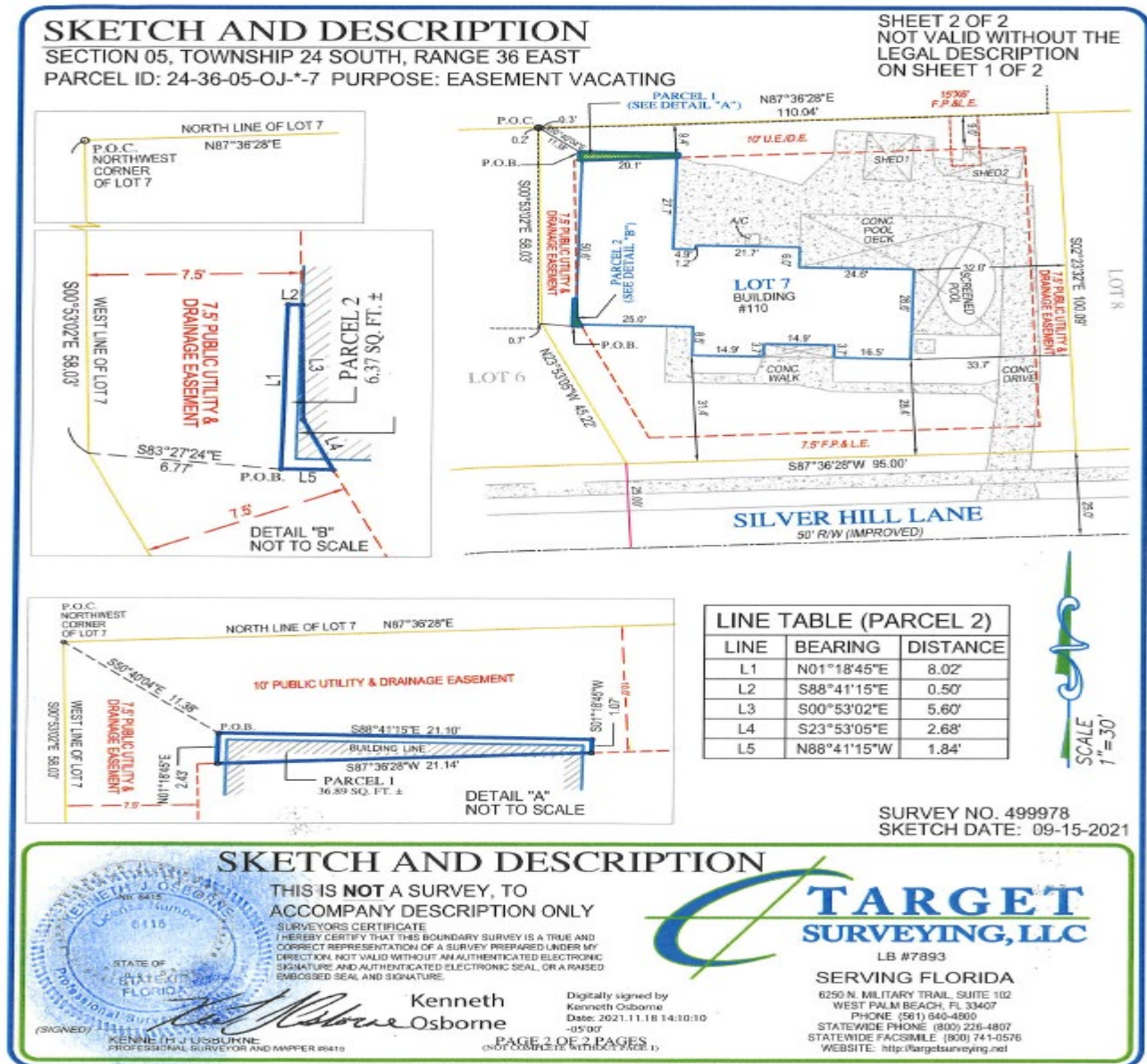


Figure 5: Sketch of description. Situated in Section 05, Township 24 South, Range 36 East. Parent Parcel # 24-36-05-OJ-*7. Sheet 2 of 2.

Sketch illustrates a portion of two public utility & drainage easements on Lot 7, 110 Silver Hill Lane, Cocoa, Florida. The coordinate of the North line depicted is as follows: North boundary – N 87°36'28" E 110.04'; East boundary – S 02°23'32" E 100.09'; South boundary – S 87°36'28" West 95.00'; West boundary – N 23°53'05" W 45.22'. Prepared by: Target Surveying, Inc., LB 7893, Survey NO: 499978.

Comment Sheet

Applicant: Richard and Jennifer Rasor

Updated by: Amber Holley 20211221 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20211122	20211123	Yes	No objections
FL Power & Light	20211122	20211202	Yes	No objections
At&t	20211122	20211201	Yes	No objections
Charter/Spectrum	20211122	20211202	Yes	No objections
City of Cocoa	20211122	20211122	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20211122	20211221	Yes	No objections
Land Planning	20211122	20211208	Yes	No objections
Utility Services	20211122	20211122	Yes	No objections
Storm Water	20211122	20211202	Yes	No objections
Zoning	20211122	20211208	Yes	No objections

Public Hearing Legal Advertisement

Ad#5059888 12/27/2021
LEGAL NOTICE
NOTICE FOR THE PARTIAL VACATING OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SILVER HILL SUBDIVISION" IN SECTION 05, TOWNSHIP 24 SOUTH, RANGE 36 EAST, COCOA, 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 RICHARD JOSEPH AND JENNIFER L. RASOR with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:
PARCEL 1
A PORTION OF 10' PUBLIC UTILITY & DRAINAGE EASEMENT ALONG THE NORTHERLY LINE OF LOT 7, SILVER HILL SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 54, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE RUN SOUTH 50°40'04" EAST A DISTANCE 11.38 FEET TO THE POINT OF BEGINNING THENCE RUN SOUTH 88°41'15" EAST A DISTANCE OF 21.10 FEET; THENCE S 01°18'45" W A DISTANCE OF 1.07 FEET; THENCE SOUTH 87° 36'28" WEST A DISTANCE OF 21.14 FEET; THENCE NORTH 01°18'45" E A DISTANCE OF 2.43 FEET TO THE POINT OF BEGINNING, CONTAINING: 36.89 SQ. FT.±
AND PARCEL 2
A PORTION OF 7.5' PUBLIC UTILITY & DRAINAGE EASEMENT ALONG THE WESTERLY LINE OF LOT 7, SILVER HILL SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 54, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE RUN SOUTH 00°53'02" EAST ALONG THE WEST BOUNDARY OF SAID LOT 7 A DISTANCE 58.03 FEET; THENCE SOUTH 83°27'24" EAST A DISTANCE OF 6.77 FEET TO THE POINT OF BEGINNING THENCE NORTH 01°18'45" E A DISTANCE OF 8.02 FEET; THENCE RUN SOUTH 88°41'15" EAST A DISTANCE OF 0.50 FEET; THENCE SOUTH 00°53'02" EAST A DISTANCE OF 5.60 FEET; THENCE SOUTH 23°53'05" EAST A DISTANCE OF 2.68 FEET; THENCE NORTH 88°41'15" W A DISTANCE OF 1.84 FEET TO THE POINT OF BEGINNING, CONTAINING: 6.37 SQ. FT.±
PREPARED BY: KENNETH OSBORNE, 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 January 11, 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 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 December 27, 2021 see next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SILVER HILL SUBDIVISION" IN SECTION 05, TOWNSHIP 24 SOUTH, RANGE 36 EAST, COCOA, 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 RICHARD JOSEPH AND JENNIFER L. RASOR with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

PARCEL 1

A PORTION OF 10' PUBLIC UTILITY & DRAINAGE EASEMENT ALONG THE NORTHERLY LINE OF LOT 7, SILVER HILL SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 54, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE RUN SOUTH 50°40'04" EAST A DISTANCE 11.38 FEET; TO THE POINT OF BEGINNING THENCE RUN SOUTH 88°41'15" EAST A DISTANCE OF 21.10 FEET, THENCE S 01°18'45"W A DISTANCE OF 1.07 FEET; THENCE SOUTH 87° 36'28" WEST A DISTANCE OF 21.14 FEET; THENCE NORTH 01°18'45"E A DISTANCE OF 2.43 FEET TO THE POINT OF BEGINNING. CONTAINING: 36.89 SQ. FT.±

AND PARCEL 2

A PORTION OF 7.5' PUBLIC UTILITY & DRAINAGE EASEMENT ALONG THE WESTERLY LINE OF LOT 7, SILVER HILL SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 54, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE RUN SOUTH 00°53'02"EAST ALONG THE WEST BOUNDARY OF SAID LOT 7 A DISTANCE 58.03 FEET; THENCE SOUTH 83°27'24"EAST A DISTANCE OF 6.77 FEET TO THE POINT OF BEGINNING THENCE NORTH 01°18'45"E A DISTANCE OF 8.02 FEET; THENCE RUN SOUTH 88°41'15" EAST A DISTANCE OF 0.50 FEET; THENCE SOUTH 00°53'02" EAST A DISTANCE OF 5.60 FEET; THENCE SOUTH 23°53'05" EAST A DISTANCE OF 2.68 FEET: THENCE NORTH 88°41'15"W A DISTANCE OF 1.84 FEET TO THE POINT OF BEGINNING. CONTAINING: 6.37 SQ. FT.± PREPARED BY: KENNETH OSBORNE, 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 January 11, 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 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.