

Resolution 2025 -

Vacating a portion of a public utility easement, Plat of "Barefoot Bay Mobile Home Subdivision, Unit Two, Part Eleven", Barefoot Bay, Florida, lying in Section 10, Township 30 South, Range 38 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Peter Barrett and Sam M. Dearnley** 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 22nd day of July, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Rob Feltner, Chairman

As approved by the Board on:
July 22, 2025

Brevard County Property Appraiser Detail Sheet

Account 3004348

Owners DEARNLEY, SUSAN M; DEARNLEY, PETER BARRETT

Mailing Address 616 PERIWINKLE CIR BAREFOOT BAY FL 32976

Site Address 616 PERIWINKLE CIR BAREFOOT BAY FL 32976

Parcel ID 30-38-10-JT-76-3

Taxing District 3400 - UNINCORP DISTRICT 3

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Property Use 0213 - MANUFACTURED HOUSING - DOUBLE WIDE

Total Acres 0.10

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0022/0116

Subdivision BAREFOOT BAY UNIT 2 PART 11

Land Description BAREFOOT BAY UNIT 2 PART 11 LOT 3 BLK 76

VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$171,380	\$164,560	\$262,100
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$54,910	\$53,320	\$51,770
Assessed Value School	\$54,910	\$53,320	\$51,770
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$4,910	\$3,320	\$1,770
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$25,000	\$25,000	\$25,000
Taxable Value School	\$29,910	\$28,320	\$26,770

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/16/2009	\$65,000	QC	--	6083/2427
09/29/2009	--	QC	--	6037/351

Vicinity Map

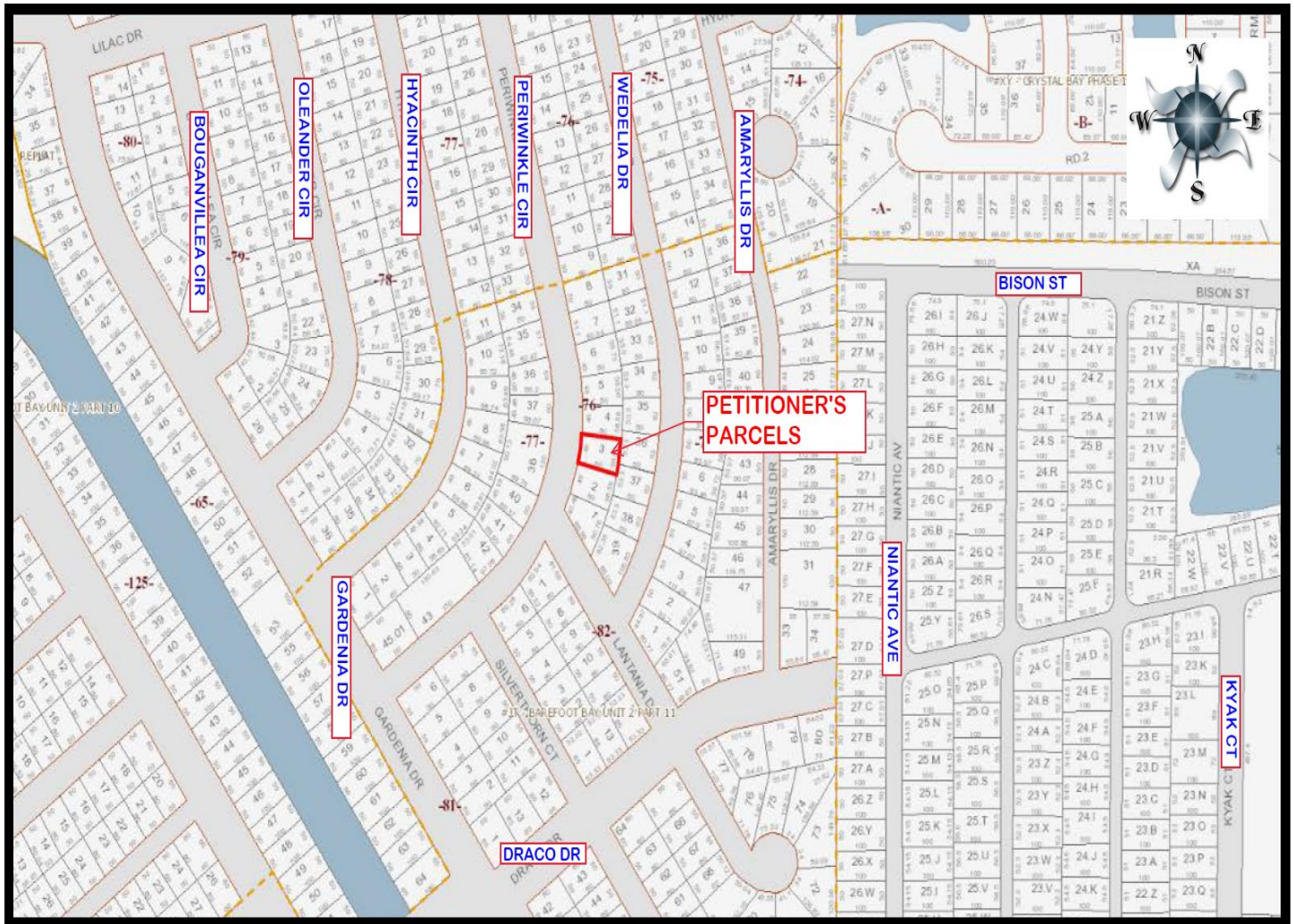


Figure 1: Map of Lot 3, Block 76, Barefoot Bay Unit 2, Part 11, 616 Periwinkle Circle, Barefoot Bay, Florida, 32976.

Peter Barrett and Susan M. Dearnley –
616 Periwinkle Circle, Barefoot Bay, Lot 3,
Block 76, Barefoot Bay Unit Two Part Eleven,
Plat Book 22, Page 116 – Section 10,
Township 30 South, Range 38 East –
District 3 –Proposed Vacating of a portion of
a public utility easement

37 619 88.67 60 8 617 120 7 6 60 40.48 88.89 90.76 5 50

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35 609 53.3 80 62 36 607 53.3 80 62 37 605 53.3 80 62 38 603 53.3 80 62 50

PERIWINKLE CIR

WEDELIA DR

LANTANIA DR

6.00 FOOT X 64.00 FOOT
PUBLIC UTILITY EASEMENT
PROPOSED TO BE VACATED

PETITIONER'S PARCELS

616 PERIWINKLE CIR,
BAREFOOT BAY, FL
32976

3 614 49 80 58.56 53.3 80 62 2 614 49 80 58.56 53.3 80 62 1 614 49 80 58.56 53.3 80 62

37 619 88.67 60 8 617 120 7 6 60 40.48 88.89 90.76 5 50

35 609 53.3 80 62 36 607 53.3 80 62 37 605 53.3 80 62 38 603 53.3 80 62 50

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Figure 2: Aerial Map of Lot 3, Block 76, Barefoot Bay Unit 2, Part 11, 616 Periwinkle Circle, Barefoot Bay, Florida, 32976.

Peter Barrett and Susan M. Dearnley –
616 Periwinkle Circle, Barefoot Bay, Lot 3,
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Plat Book 22, Page 116 – Section 10,
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Barefoot Bay

MOBILE HOME SUBDIVISION, MICCO, FLORIDA.
UNIT TWO, PART ELEVEN

A GULF AMERICAN CORPORATION SUBDIVISION

SCALE: 1 INCH = 100 FEET — SHEET 3 OF 8 SHEETS

SEE A.P.C. DRAWING
P/19/72

NOTE: PLANS LOT ELEVATIONS IS 10-00
UNLESS OTHERWISE SHOWN

SEE SHEET 4

SEE SHEET 2

SEE SHEET 1

SEE SHEET 5

HAVEN GREEN - PINWOOD SECTION (P.B. 12, PG. 107)

Figure 3: Copy of Plat of Barefoot Bay, dedicated to Brevard County in October 1969.

Petitioner's Sketch & Description Sheet 1 of 2


LEGAL DESCRIPTION			SHEET 1 OF 2 NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2
SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST			
PARCEL ID NUMBER: 30-38-10-JT-76-3			
PURPOSE OF SKETCH AND DESCRIPTION TO VACATE A PORTION OF THE 6.00 FOOT WIDE PUBLIC UTILITY EASEMENTS LYING ON THE SOUTHERLY SIDE OF LOT 3, BLOCK 76.			
LEGAL DESCRIPTION: A PORTION OF THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY 6.00 FEET OF LOT 3, BLOCK 76, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART ELEVEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 116 THROUGH 120, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTHERLY 6.00 FEET OF LOT 3, BLOCK 76, LESS WESTERLY 10.0 FEET AND THE EASTERLY 6.00 FEET OF THE OF SAID 6.00 FOOT PUBLIC UTILITY EASEMENT. CONTAINING 360 SQUARE FEET MORE OR LESS.			
SURVEYOR'S NOTES: 1. BEARINGS SHOWN ARE BASED ON THE CHORD BEARING FROM THE NORTHERLY POINT OF CURVATURE TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 76 AS S 04°52'00" W AS PER RECORD PLAT. 2. NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED. 3. THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND FOUNDATIONS, ENCROACHMENTS OR ANY IMPROVEMENTS EXCEPT AS SHOWN. 4. THIS SKETCH IS NOT A BOUNDARY SURVEY. 5. THE LOCATION OF THE IMPROVEMENTS AS SHOWN HEREON IS BASED ON A SURVEY PREPARED BY THOMAS R. CERCLE, PLS NO. 4896, DATED MARCH 18, 2025, PROJECT NO. 25-58.			
PREPARED FOR: PETER B. DEARNLEY and SUSAN M. DEARNLEY BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS			 5-28-2025
THOMAS R. CERCLE, PLS 4896 NOT VALID UNLESS SIGNED AND SEALED			
PREPARED BY: CECRLE LAND SURVEYING, INC. CERTIFICATION OF AUTHORIZATION L.B. NO. 6637 ADDRESS: 10749 HIGHWAY US1, SUITE A, SEBASTIAN, FL 32958 PHONE: PHONE 772-388-0520 FAX 772-388-2012 EMAIL tcercle@bellsouth.net			
DRAWN BY T.R.C.	CHECKED BY T.R.C.	DRAWN NO. 25-58-L1	SECTION 10 TOWNSHIP 30 SOUTH RANGE 38 EAST
DATE: 5-17-2025	SHEET 1 OF 2	REVISIONS: 5-28-2025	

Figure 4: Sketch & Description. Sheet 1 of 2. Section 10, Township 30 South, Range 38 East. Parcel ID number: 30-38-10-JT-76-3.

Petitioner's Sketch & Description Sheet 2 of 2

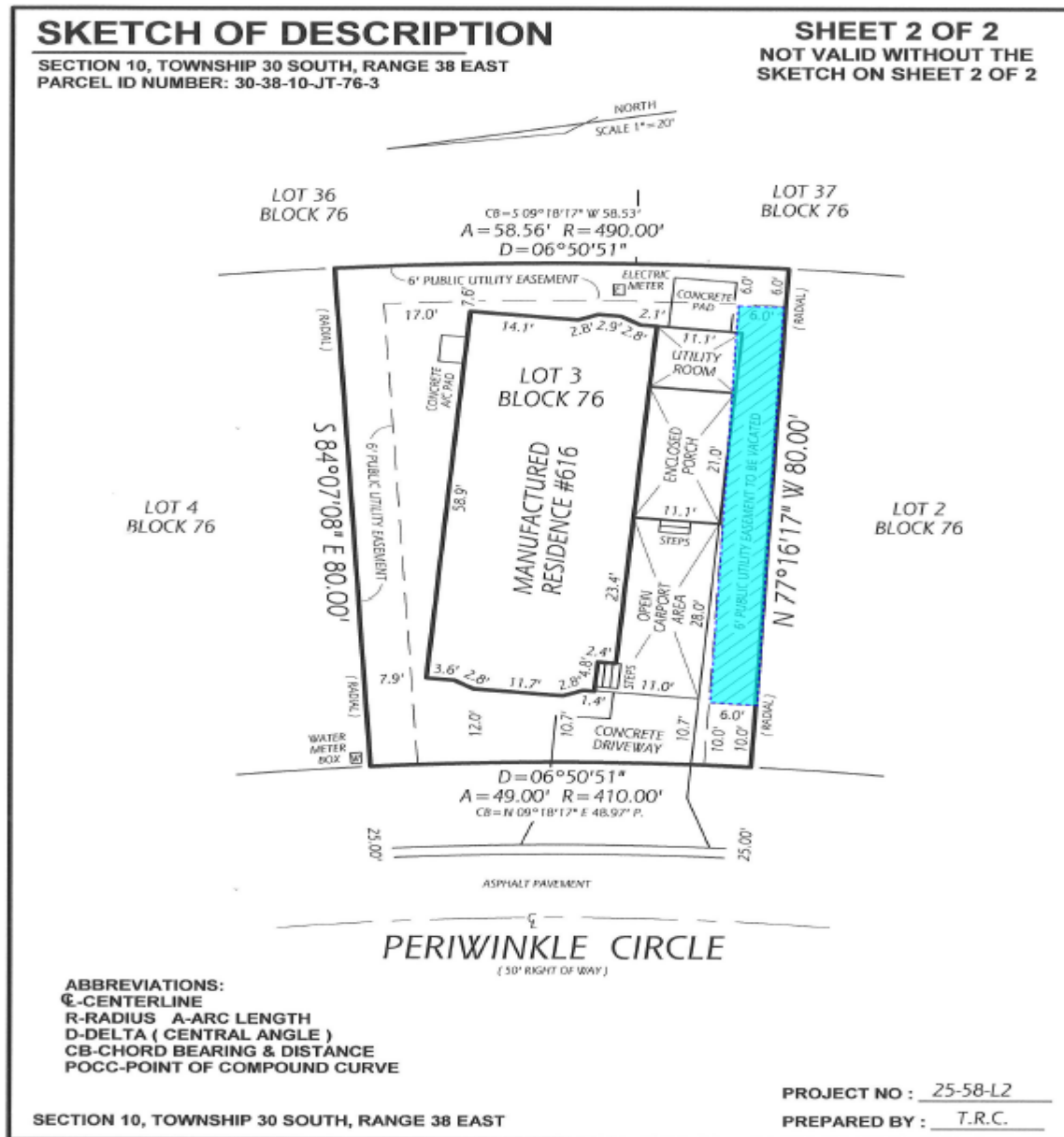


Figure 5: Sketch of Description. Sheet 2 of 2. Section 10, Township 30 South, Range 38 East. Parcel ID number: 30-38-10-JT-76-3.

The sketch illustrates a portion of a public utility easement, per the Plat of Barefoot Bay Unit Two, Part Eleven. The coordinates of the lot are as follows: North boundary – South 84°07'08" East 80.00 feet; East boundary – South 09°18'17" West 58.53 Feet; South boundary – North 77°16'17" West 80.00 Feet; West boundary – North 09°18'17" East 48.97 feet. Prepared by: Thomas R. Cecrle, PLS.

Comment Sheet

Applicant: Dearnley

Updated by: Amber Holley 20250624 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20250528	20250624	Yes	No comment
FL Power & Light	20250528	20250624	Yes	No objections
At&t	20250528	20250529	Yes	No objections
Charter/Spectrum	20250528	20250616	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20250528	2025	Yes	No objections
Land Planning	20250528	20250528	Yes	No objections
Utility Services	20250528	20250604	Yes	No objections
Storm Water	20250528	20250617	Yes	No objections
Zoning	20250528	20250528	Yes	No objections

Public Hearing Legal Advertisement

Ad#11454516

07/07/2025

Public Hearing Legal Notice

NOTICE FOR THE VACATING OF A PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART ELEVEN", IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, 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 PETER BARRETT AND SUSAN M. DEARNELY with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: A PORTION OF THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY 6.00 FEET OF LOT 3, BLOCK 76, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART ELEVEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 116 THROUGH 120, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTHERLY 6.00 FEET OF LOT 3, BLOCK 76, LESS WESTERLY 10.0 FEET AND THE EASTERLY 6.00 FEET OF THE OF SAID 6.00 FOOT PUBLIC UTILITY EASEMENT. CONTAINING 360 SQUARE FEET MORE OR LESS.

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 July 22, 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 6: Copy of public hearing advertisement published on July 7, 2025. See the next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PUBLIC UTILITY EASEMENT, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART ELEVEN", IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, FL

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