

Resolution 2025 -

Vacating a portion of a public utility and drainage easement, Plat of “Brandywine North”, Mims, Florida, lying in Section 20, Township 21 South, Range 35 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Wayne Herring Family Trust** 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 12th day of August, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Rob Feltner, Chairman

As approved by the Board on:
August 12, 2025

Brevard County Property Appraiser Detail Sheet

Account 2110585

Owners WAYNE HERRING FAMILY TRUST

Mailing Address 2615 WINDSORGATE LN ORLANDO FL 32828

Site Address 2926 BRANDYWINE CIR TITUSVILLE FL 32796

Parcel ID 21-35-20-61-1-14

Taxing District 1300 - UNINCORP DISTRICT 1

Exemptions NONE

Property Use 0110 - SINGLE FAMILY RESIDENCE

Total Acres 0.49

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0037/0065

Subdivision BRANDYWINE NORTH

Land Description BRANDYWINE NORTH LOT 14 BLK 1

VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$344,250	\$321,350	\$295,530
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$344,250	\$136,930	\$132,950
Assessed Value School	\$344,250	\$136,930	\$132,950
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$136,930	\$132,950
Taxable Value Non-School	\$344,250	\$0	\$0
Taxable Value School	\$344,250	\$0	\$0

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
10/26/2023	--	DC	--	9998/1467
02/21/2023	--	WD	--	9744/2240

Vicinity Map

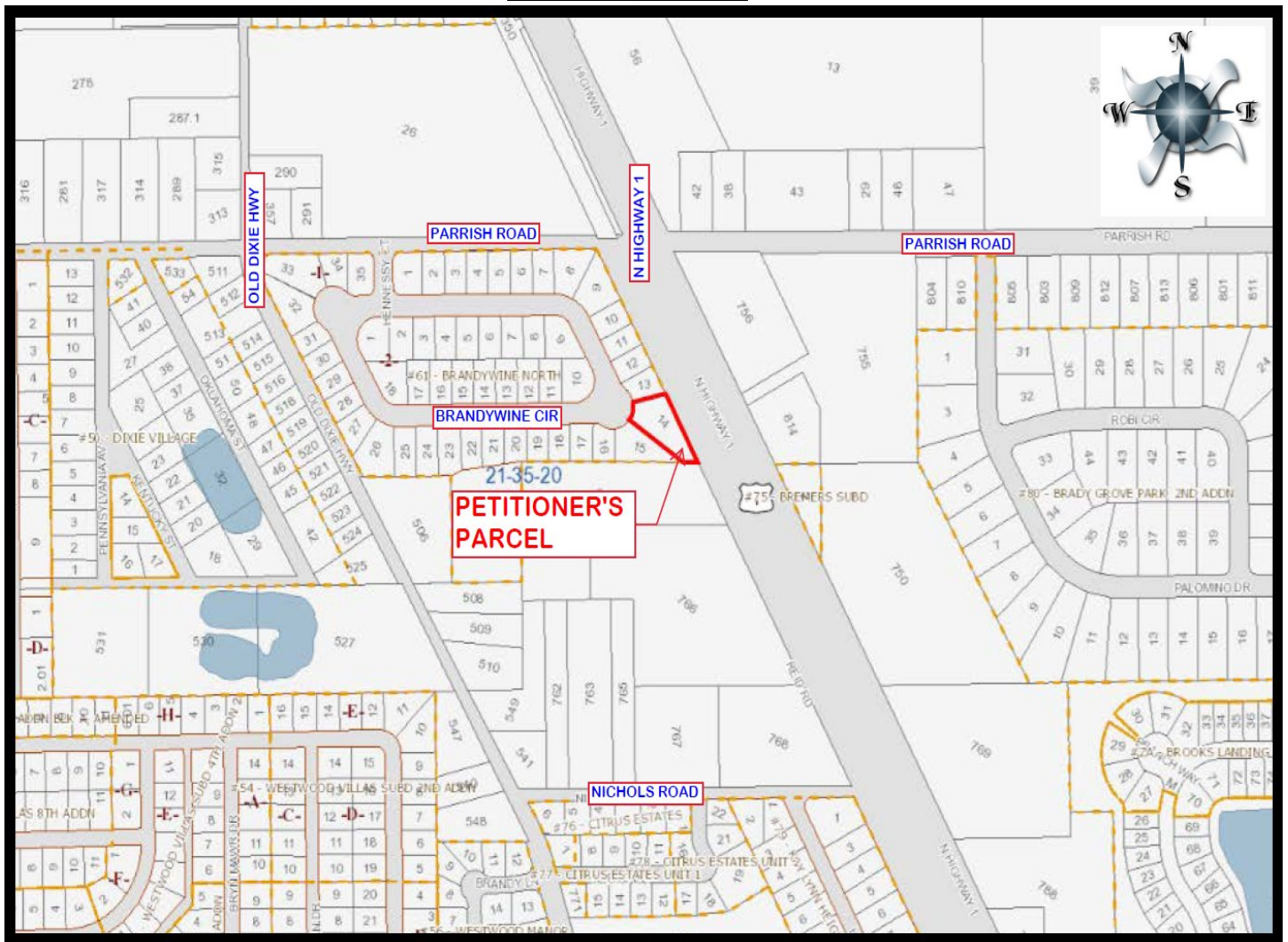


Figure 1: Map of Lot 14, Block 1, Brandywine North, 2926 Brandywine Circle, Titusville, Florida, 32796.

Wayne Herring Family Trust – 2926
Brandywine Circle, Titusville – Lot 14, Block
1, Brandywine North, Plat Book 37, Page 65
– Section 20, Township 21 South, Range 35
East – District 1 – Proposed Vacating of a
portion of a public utility and drainage
easement

Aerial Map



Figure 2: Aerial Map of Lot 14, Block 1, Brandywine North, 2926 Brandywine Circle, Titusville, Florida, 32796.

Wayne Herring Family Trust – 2926
Brandywine Circle, Titusville – Lot 14, Block
1, Brandywine North, Plat Book 37, Page 65
– Section 20, Township 21 South, Range 35
East – District 1 – Proposed Vacating of a
portion of a public utility and drainage
easement

Map Reference



Figure 3: Copy of Plat of Brandywine North, dedicated to Brevard County in March 1991.

Petitioner's Sketch & Description Sheet 1 of 2

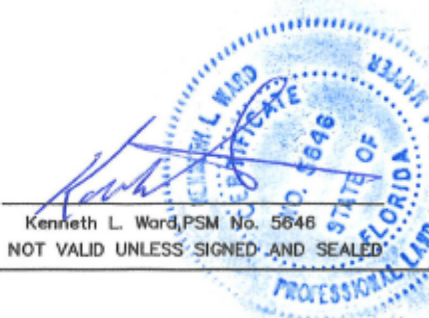
<u>LEGAL DESCRIPTION</u>		SHEET 1 OF 2	
<small>SECTION 20, TOWNSHIP 21 SOUTH, RANGE 35 EAST LOT 14, BRANDYWINE NORTH, Platbook 37, Page 65 PARCEL ID NUMBER: 21-35-20-61-1-14</small>		<small>NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2</small>	
<small>PURPOSE OF SURVEY: THIS IS NOT A BOUNDARY SURVEY VACATE A PORTION OF THE DRAINAGE & UTILITY EASEMENT WITHIN LOT 14, BLOCK 1, BRANDYWINE NORTH, AS RECORDED IN PLAT BOOK 37, PAGE 65, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA</small>			
<u>LEGAL DESCRIPTION:</u>			
<small>A part of that certain DRAINAGE AND UTILITY EASEMENT depicted on Lot 14, Block 1, BRANDYWINE NORTH, as recorded in Plat Book 37, Page 65 of the Public Records of Brevard County, Florida, being more particularly described as follows: COMMENCE that the northeast corner of the aforesaid Lot 14, run thence South 78 degrees 25 minutes 03 seconds West, along the north line of said Lot 14, a distance of 28.00 feet to the point of intersection of the westerly line of the aforesaid DRAINAGE AND UTILITY EASEMENT; Thence South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 28.58 feet to the POINT OF BEGINNING of the lands herein described; Thence continue South 10 degrees 40 minutes 11 seconds East, along said westerly line, a distance of 55.42 feet; Thence the following two courses and distances; North 04 degrees 00 minutes 32 seconds East, a distance of 53.61 feet; North 85 degrees 59 minutes 28 seconds West, a distance of 14.04 feet to a point on the aforesaid westerly line and the POINT OF BEGINNING. Containing: 376.4 Sq. Ft. more or less</small>			
<u>SURVEYOR'S NOTES:</u>			
<small>I hereby certify that this Sketch of Legal Description of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation of said lands and meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.053, Florida Administrative Code, pursuant to section 472.027, Florida Statutes. This Sketch is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper, except when the electronic signature and seal of a Florida licensed surveyor and mapper is affixed hereto.</small>			
<small>PREPARED FOR: Karyn Iscolica</small>		<div style="text-align: center;"> Kenneth L. Ward, PSM No. 5646 <small>NOT VALID UNLESS SIGNED AND SEALED</small></div>	
<small>PREPARED BY: Kenneth L. Ward, PSM No. 5646 ADDRESS: 7 INDIAN RIVER AVENUE, #507 TITUSVILLE, FLORIDA 32796 PHONE: 321.863.6189</small>			
<small>DRAWN BY: <u>KLW</u></small>	<small>CHECKED BY: <u>KLW</u></small>	<small>DRAWING NO. <u>0250707</u></small>	<small>SECTION <u>20</u> TOWNSHIP <u>21</u> SOUTH RANGE <u>35</u> EAST</small>
<small>DATE: <u>JULY 7, 2025</u></small>	<small>SHEET <u>1</u> OF <u>2</u></small>	<small>REVISIONS _____</small>	

Figure 4: Sketch & Description. Sheet 1 of 2. Section 20, Township 21 South, Range 35 East. Parcel ID number: 21-35-20-61-1-14.

Petitioner's Sketch & Description Sheet 2 of 2

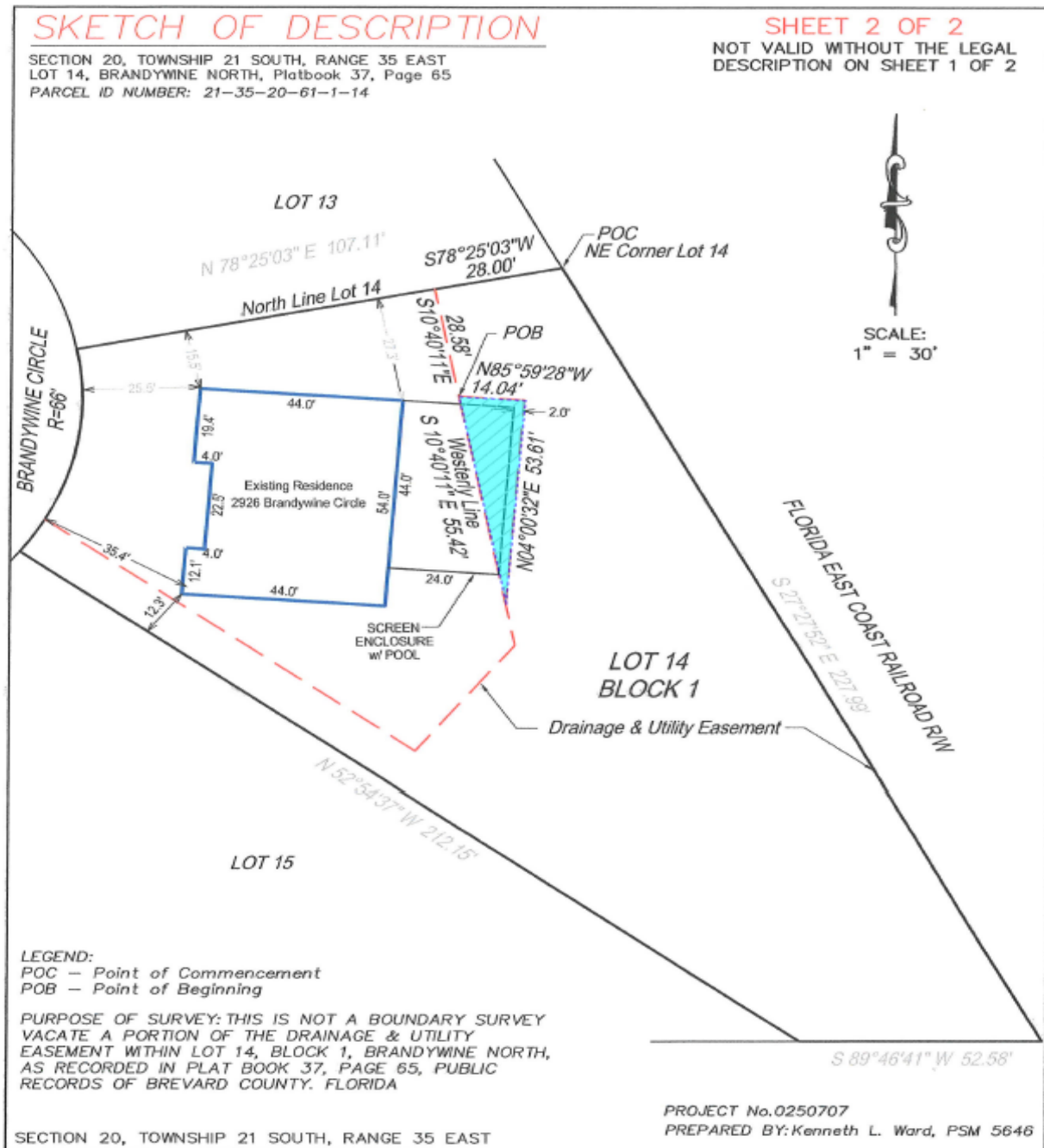


Figure 5: Sketch & Description. Sheet 2 of 2. Section 20, Township 21 South, Range 35 East. Parcel ID number: 21-35-20-61-1-14.

The sketch illustrates a portion of a public utility and drainage easement, per the Plat of Brandywine North. The coordinates of the lot are as follows: North boundary – South 78°25'03" East 107.11 feet; East boundary – South 27°27'52" East 227.99 Feet; South boundary – South 89°46'41" West 52.58 Feet; West boundary – North 52°54'37" West 212.15 feet. Prepared by: Kenneth L. Ward, PSM.

Comment Sheet

Applicant: Wayne Herring Family Trust

Updated by: Amber Holley 20250716 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20250707	20250716	Yes	No comment
FL Power & Light	20250707	20250714	Yes	No objections
At&t	20250707	20250707	Yes	No objections
Charter/Spectrum	20250707	20250707	Yes	No objections
City of Titusville	20250707	20250708	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20250707	20250709	Yes	No objections
Land Planning	20250707	20250716	Yes	No objections
Utility Services	20250707	20250707	Yes	No objections
Storm Water	20250707	20250714	Yes	No objections
Zoning	20250707	20250716	Yes	No objections

Public Hearing Legal Advertisement

Ad#11514456 07/28/2025
LEGAL NOTICE
NOTICE FOR THE VACATING OF
A PORTION OF A PUBLIC UTILITY
AND DRAINAGE EASEMENT, PLAT OF "BRANDYWINE
NORTH", IN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 35 EAST,
TITUSVILLE, 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 WAYNE
HERRING FAMILY TRUST with
the Board of County Commissioners
of Brevard County, Florida, to
request vacating the following
described property, to wit:
A part of that certain DRAINAGE
AND UTILITY EASEMENT
depicted on Lot 14, Block 1,
BRANDYWINE NORTH, as
recorded in Plat Book 37, Page 65
of the Public Records of Brevard
County, Florida, being more particularly
described as follows:
COMMENCE that the northeast
corner of the aforesaid Lot 14, run
thence South 78 degrees 25 minutes
03 seconds West, along the north
line of said Lot 14, a distance of
28.00 feet to the point of intersection
of the westerly line of the
aforesaid DRAINAGE AND UTILITY
EASEMENT; Thence South 10
degrees 40 minutes 11 seconds
East, along said westerly line, a
distance of 28.58 feet to the POINT
OF BEGINNING of the lands
herein described; Thence continue
South 10 degrees 40 minutes 11
seconds East, along said westerly
line, a distance of 55.42 feet;
Thence the following two courses
and distances; North 04 degrees 00
minutes 32 seconds East, a
distance of 53.61 feet; North 85
degrees 59 minutes 28 seconds
West, a distance of 14.04 feet to a
point on the aforesaid westerly line
and the POINT OF BEGINNING.
Containing: 376.4 square feet, more
or less. Prepared by: Kenneth L.
Ward, 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 August 12, 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 28, 2025. See the next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "SHADY VILLAS UNIT 2", IN SECTION 19, TOWNSHIP 21 SOUTH, RANGE 35 EAST, MIMS, 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 AND CHRISTINE MEISTER with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF THE 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ABUTTING THE WEST LINE OF LOT 2, BLOCK C, SHADY VILLAS UNIT 2, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGE 85, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK C; THENCE N. 89°17'03" E., ALONG THE SOUTH LINE OF LOT 2, BLOCK C, A DISTANCE OF 10.00 FEET; THENCE N. 01°01'42" W., PARALLEL WITH THE WEST LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N. 01°01'42" W., PARALLEL WITH THE WEST LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 28.00 FEET; THENCE S. 89°17'03" W., PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 1.00 FEET; THENCE S. 01°01'42" E., PARALLEL WITH THE WEST LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 28.00 FEET; THENCE N. 89°17'03" E., PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, BLOCK C, A DISTANCE OF 1.00 FEET TO THE POINT OF BEGINNING. (CONTAINING 28 SQ. FT.) PREPARED BY: JOHN W. COOPER, 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 August 12, 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.