

Resolution 2022 -

Vacating a portion of a public utility easement in plat "Diana Shores Unit No. 8" Subdivision, Merritt Island, Florida, lying in Section 24, Township 24 South, Range 36 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Kerei H. Stampfel** 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 8th day of February, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Kristine Zonka, Chair

As approved by the Board on:
February 8, 2022

Brevard County Property Appraiser Detail Sheet

Account 2418525

Owners STAMPFEL, KEREI H

Mailing Address 410 ARTEMIS BLVD MERRITT ISLAND FL 32953

Site Address 410 ARTEMIS BLVD MERRITT ISLAND FL 32953

Parcel ID 24-36-24-LB-J-86

Property Use 0110 - SINGLE FAMILY RESIDENCE

Exemptions

HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

WDWW - WIDOW'S EXEMPTION FOR WIFE

Taxing District 2200 - UNINCORP DISTRICT 2

Total Acres 0.20

Subdivision DIANA SHORES UNIT NO 8

Site Code 0130 - CANAL FRONT

Plat Book/Page 0024/0078

Land Description DIANA SHORES UNIT NO 8 LOT 86 BLK J

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$443,070	\$396,650	\$391,270
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$278,060	\$396,650	\$268,070
Assessed Value School	\$278,060	\$396,650	\$268,070
Homestead Exemption	\$25,000	\$0	\$25,000
Additional Homestead	\$25,000	\$0	\$25,000
Other Exemptions	\$500	\$0	\$500
Taxable Value Non-School	\$227,560	\$396,650	\$217,570
Taxable Value School	\$252,560	\$396,650	\$242,570

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
02/27/2019	--	PB	Improved	8378/1717
01/28/2018	--	DC	Improved	8093/1120
12/20/2013	\$223,900	WD	Improved	7038/0425

Vicinity Map

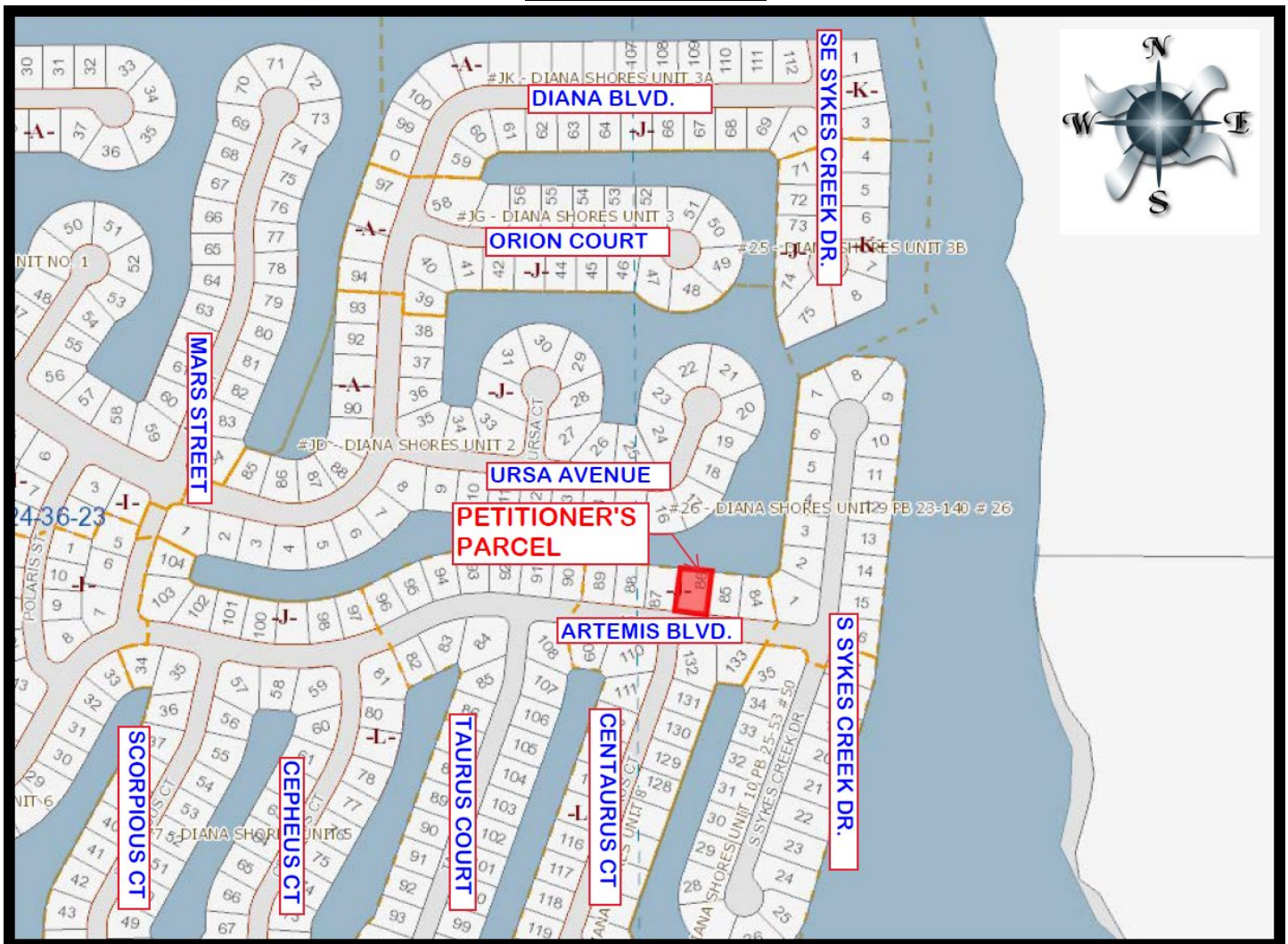


Figure 1: Map of Lot 86, Block J, Diana Shores Unit No. 8, 410 Artemis Blvd., Merritt Island, Florida, 32953.

Kerei H. Stampfel – 410 Artemis Blvd. –
Merritt Island, FL, 32953 – Lot 86, Block J, plat
of “Diana Shores Unit No. 8” – Plat Book 24,
Page 78 – Section 24, Township 24 South,
Range 36 East – District 2 – Proposed
Vacating of a portion of a 5.0 ft. Wide Public
Utility Easement

Aerial Map

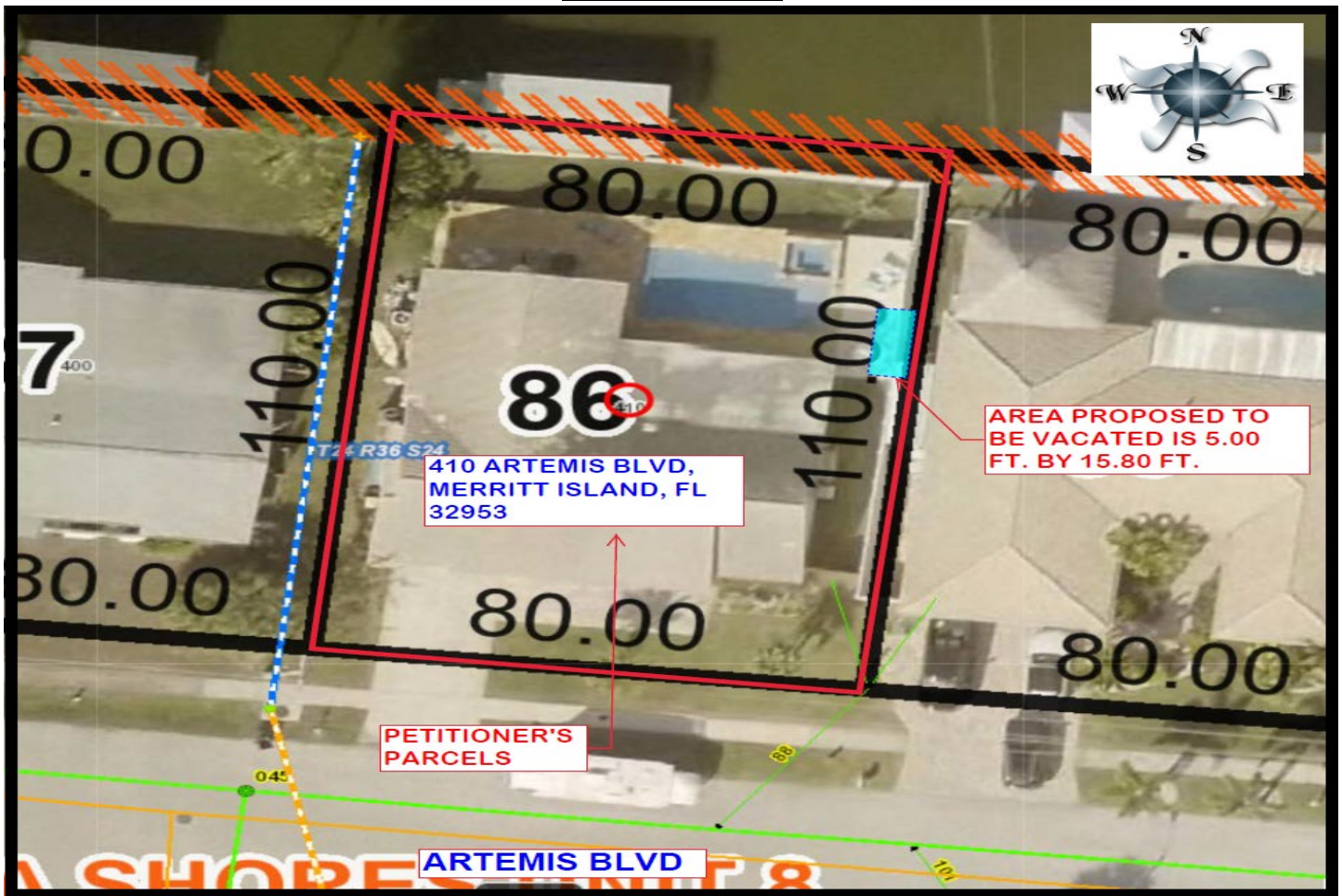


Figure 2: Aerial Map of Lot 86, Block J, Diana Shores Unit No. 8, 410 Artemis Blvd., Merritt Island, Florida, 32953.

Kerei H. Stampfel – 410 Artemis Blvd. –
Merritt Island, FL, 32953 – Lot 86, Block J, plat
of “Diana Shores Unit No. 8” – Plat Book 24,
Page 78 – Section 24, Township 24 South,
Range 36 East – District 2 – Proposed
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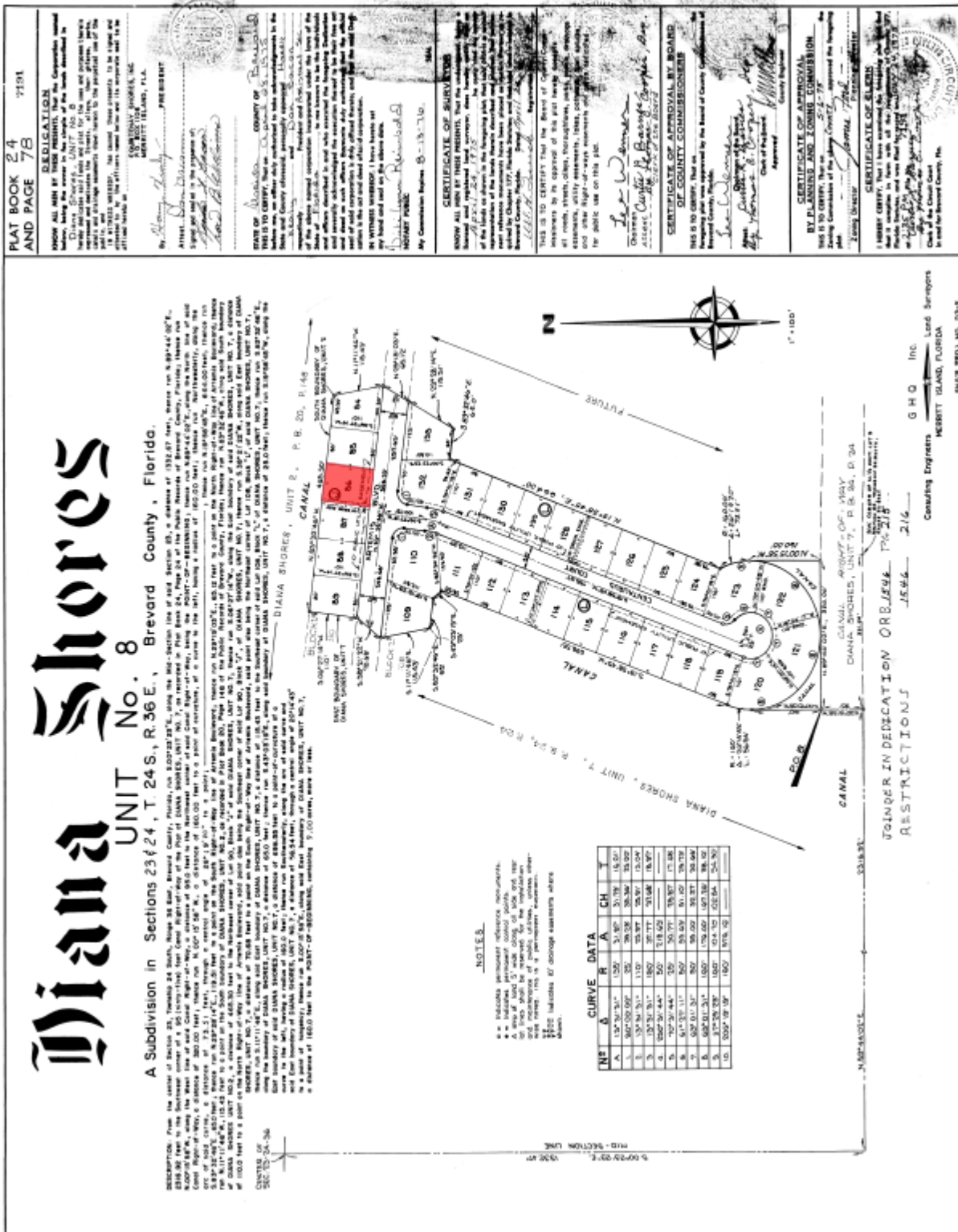


Figure 3: Copy of plat map "Diana Shores Unit No." dedicated to Brevard County July 24, 1975.

Petitioner's Sketch & Description Sheet 1 of 3

Legal Description

Section 24, Township 24 South, Range 36 East
Parcel ID Number: 24-36-24-LB-J-86
Purpose of Survey: Vacating a portion of a Public Utility Easement

Sheet 1 of 3

Not Valid without the Sketch on Sheet 2 of 3
or without the Detail Sketch on Sheet 3 of 3

LEGAL DESCRIPTION:

A portion of the 5 foot wide Public Utility Easement lying on the East side of Lot 86 in Block J of DIANA SHORES, UNIT 8, according to the plat thereof as recorded in Plat Book 24 at Page 78 of the Public Records of Brevard County, Florida, being more described as the East 5 feet of the South 15.80 feet of the North 40.18 feet of said Lot 86.

Containing 0.002 Acres, More or Less.

SURVEY REPORT:

1. The intended purpose of this survey is for information only, as shown hereon.
2. The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible that there are documents of record unrecorded deeds, easements or other instruments that could affect the boundaries to the subject property.
3. This survey does not reflect or determine ownership.
4. This survey meets or exceeds the minimal horizontal control accuracy of 1:7500 for a suburban survey.
5. Measurements shown hereon are expressed in feet and decimal parts thereof.
6. Dimensions shown are taken at the exposed areas of improvements, underground footers, foundations, utilities or other subsurface structures are not located for the purpose of this survey.
7. Bearings are assumed, referenced to N 83°32'46" W along the Northerly Right of Way Line of Artemis Boulevard, per Plat.
8. This drawing is not valid unless bearing an original signature and embossed land surveyors seal.



115 Alma Blvd., Suite 102
Mailing Address: P.O. Box 541866
Merritt Island, FL 32954
Phone: (321) 507-4811
LICENSED BUSINESS #7978



PREPARED FOR: Kerei H Stampfel

SITE ADDRESS: 410 Artemis Boulevard, Merritt Island, FL 32953

PREPARED BY: John R. Campbell Surveying, LLC.
ADDRESS: 115 Alma Boulevard, Suite 102, Merritt Island 32953
PHONE: (321) 507-4811

DRAWN BY: Z.A. Dyer
DATE: 9-8-2021

CHECKED BY: J.R. Campbell
Sheet 1 of 3

DRAWING NO. 2021-205
REVISIONS: 0

SECTION 24
TOWNSHIP 24 SOUTH
RANGE 36 EAST

Figure 4: Legal Description. Sheet 1 of 3. Section 24, Township 24 South, Range 36 East. Parcel ID number: 24-36-24-LB-J-86.

Petitioner's Sketch & Description Sheet 2 of 3

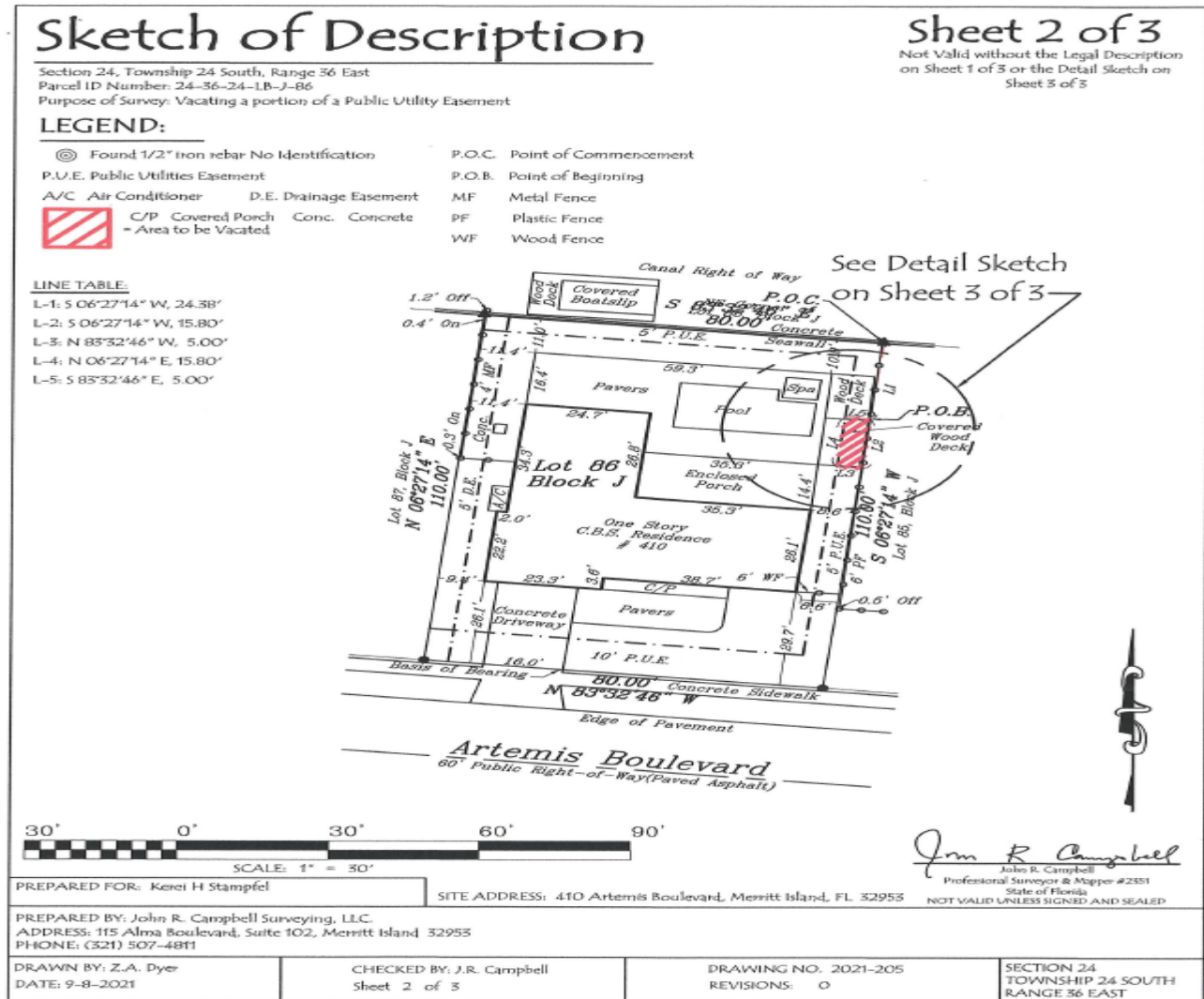


Figure 5: Sketch of description. Section 24, Township 24 South, Range 36 East. Parcel ID Number: 24-36-24-LB-J-86.

Sketch illustrates 5.00-foot of a 5.00-foot public utility easement on Lot 86, Block J, Diana Shores Un No. 8, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – South 83°32'46" East 80.00'; East boundary – South 06°27'14" West 110.00'; South boundary – North 83°32'46" West 80.00'; West boundary – North 06°27'14" East 110.00'. Prepared by: John R. Campbell Surveying, LLC, LS 2351, Drawing NO: 2021-205.

Petitioner's Sketch & Description Sheet 3 of 3

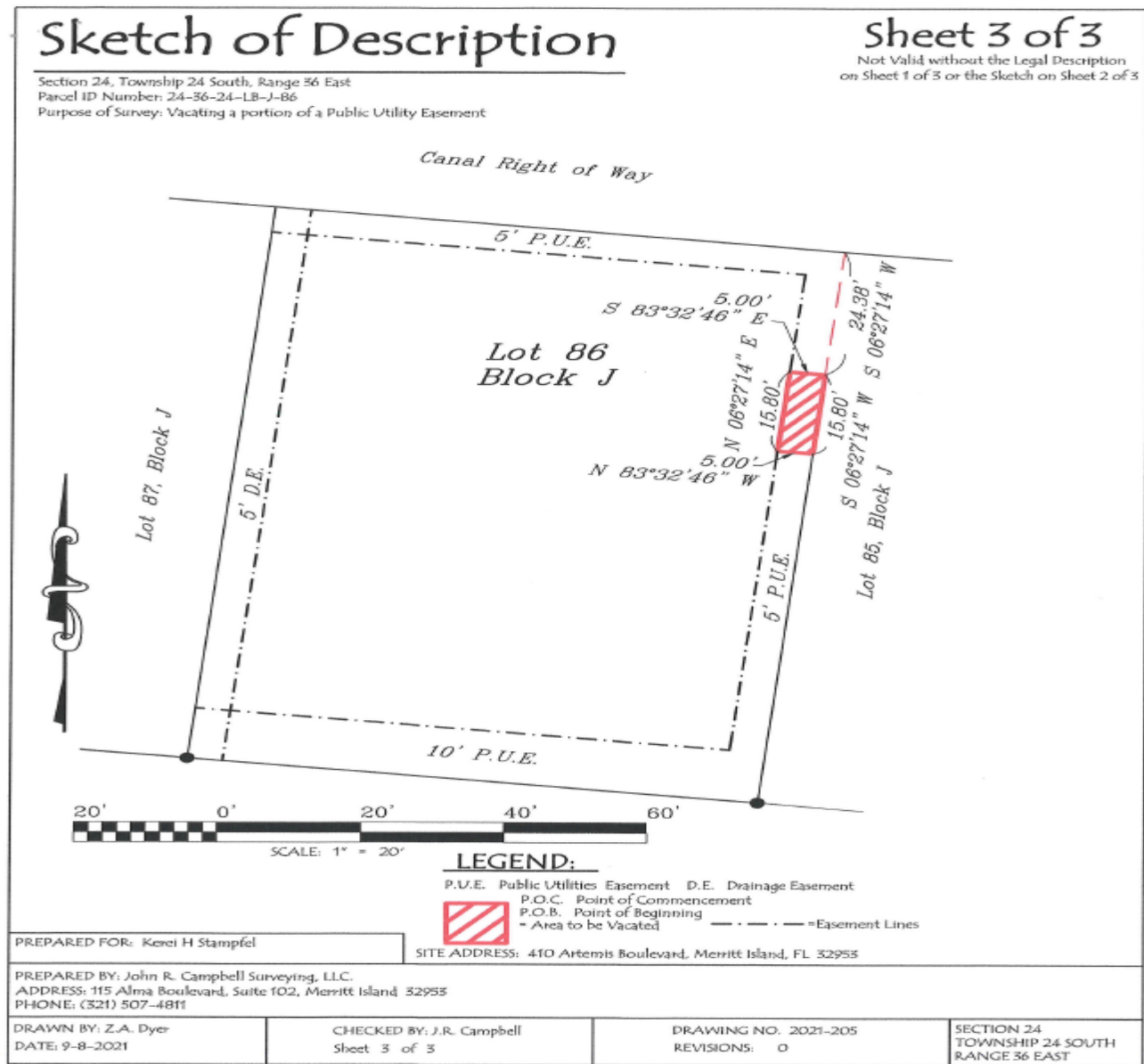


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Comment Sheet

Applicant: Kerei Stampfel

Updated by: Amber Holley 20220114 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20211109	20211110	Yes	No objections
FL Power & Light	20211109	20220114	Yes	No response
At&t	20211109	20211220	Yes	No objections
Charter/Spectrum	20211109	20211110	Yes	No objections
City of Cocoa	20211109	20211109	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20211109	20211123	Yes	No objections
Land Planning	20211109	20211110	Yes	No objections
Utility Services	20211109	20211110	Yes	No objections
Storm Water	20211109	20211118	Yes	No objections
Zoning	20211109	20211110	Yes	No objections

Public Hearing Legal Advertisement

Ad#5093735

01/24/2022

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 5.0 FT. WIDE PUBLIC UTILITY EASE- MENT, PLAT OF "DIANA SHORES, UNIT EIGHT" IN SECTION 24, 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 KEREI H. STAMPFEL with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit: **A portion of the 5-foot-wide Public Utility Easement lying on the East side of Lot 86 in Block J of DIANA SHORES, UNIT 8, according to the plat thereof as recorded in Plat Book 24 at Page 78 of the Public Records of Brevard County, Florida, being more described as the East 5 feet of the South 15.80 feet of the North 40.18 feet of said Lot 86. Containing 0.002 Acres, More or Less. Prepared by: John R. Campbell, 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 February 8, 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

Figure 7: Copy of public hearing advertisement as published on January 24, 2022. See next page for full text.

Legal Notice Text

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