

Resolution 2022 -

Vacating a portion of a public drainage easement in plat "Woodland Estates Section II" Subdivision, Melbourne Beach, Florida, lying in Section 25, Township 29 South, Range 38 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **William J. Beauparlant** 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 22nd day of March, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Kristine Zonka, Chair

As approved by the Board on:
March 22, 2022

Brevard County Property Appraiser Detail Sheet

Account 2956352

Owners BEAUPARLANT, WILLIAM J

Mailing Address 4247 NW 42ND TER COCONUT CREEK FL 33073

Site Address 275 CAMINO PL MELBOURNE BEACH FL 32951

Parcel ID 29-38-25-26-*-14

Property Use 0110 - SINGLE FAMILY RESIDENCE

Exemptions NONE

Taxing District 3400 - UNINCORP DISTRICT 3

Total Acres 0.45

Subdivision WOODLAND ESTATES SEC II

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0027/0041

Land Description WOODLAND ESTATES SEC II LOT 14

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$408,940	\$387,270	\$396,480
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$408,940	\$387,270	\$253,800
Assessed Value School	\$408,940	\$387,270	\$253,800
Homestead Exemption	\$0	\$0	\$25,000
Additional Homestead	\$0	\$0	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$408,940	\$387,270	\$203,800
Taxable Value School	\$408,940	\$387,270	\$228,800

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
02/20/2019	\$448,000	WD	Improved	8373/0671
02/05/2010	\$349,000	WD	Improved	6109/2196
06/27/2002	\$88,000	WD	Improved	4631/1160

Vicinity Map

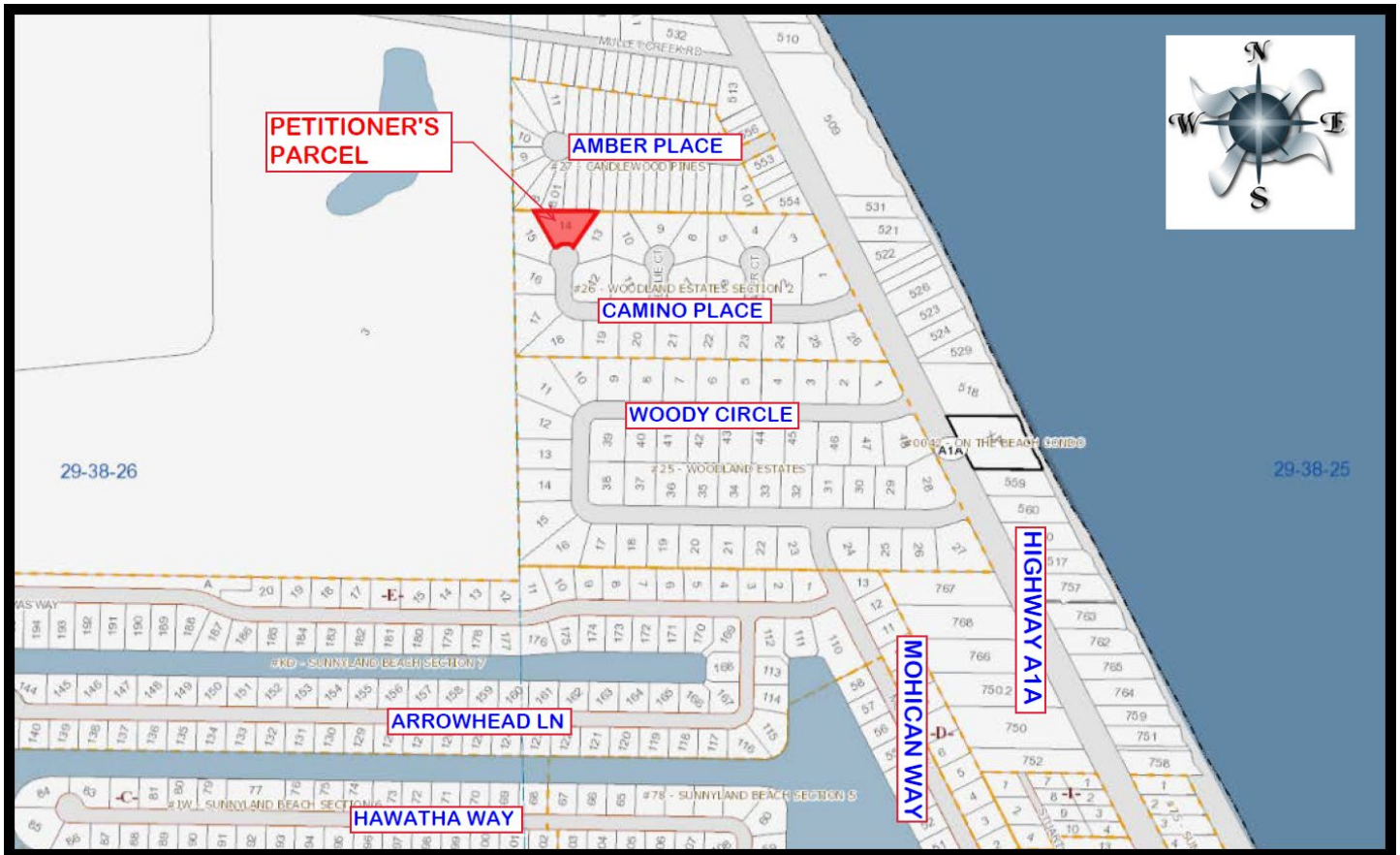


Figure 1: Map of Lot 14, Woodland Estates Section II, 275 Camino Place, Melbourne Beach, Florida, 32951.

William J. Beauparlant – 275 Camino Place –
Melbourne Beach, FL, 32951 – Lot 14, plat of
“Woodland Estates Section II” – Plat Book 27,
Page 41 – Section 25, Township 29 South,
Range 38 East – District 3 – Proposed
Vacating of a portion of a 20.0 ft. Wide Public
Drainage Easement

Aerial Map



Figure 2: Aerial Map of Lot 14, Woodland Estates Section II, 275 Camino Place, Melbourne Beach, Florida, 32951.

William J. Beauparlant – 275 Camino Place –
Melbourne Beach, FL, 32951 – Lot 14, plat of
“Woodland Estates Section II” – Plat Book 27,
Page 41 – Section 25, Township 29 South,
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Vacating of a portion of a 20.0 ft. Wide Public
Drainage Easement

[illegible]

SHEET 1 OF 2

Petitioner's Sketch & Description Sheet 1 of 2


<p><u>LEGAL DESCRIPTION</u></p> <p><u>PARCEL #1</u></p> <p>PARENT PARCEL ID# 29-38-25-26-*14</p> <p>PURPOSE: EASEMENT VACATION</p> <p><u>LEGAL DESCRIPTION: PARCEL #1 (PREPARED BY SURVEYOR)</u></p> <p>A PORTION OF THE REAR 20.00 FOOT DRAINAGE EASEMENT LYING WITHIN LOT 14, WOODLAND ESTATES SECTION II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCE AT THE NORTHWEST CORNER OF AFORESAID LOT 14, THENCE S 88°28'13" E ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 80.98 FEET; THENCE S 01°23'29" W 15.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S 88°28'13" E 59.03 FEET; THENCE S 01°23'29" W 5.00 FEET; THENCE N 88°28'13" W 59.03 FEET; THENCE N 01°23'29" E 5.00 FEET TO THE POINT OF BEGINNING. CONTAINING 295 SQUARE FEET MORE OR LESS.</p>		<p>EXHIBIT "A"</p> <p>SHEET 1 OF 2</p> <p>NOT A SURVEY</p> <p>NOT VALID WITHOUT SHEET 2 OF 2</p>		
<p><u>SURVEYOR'S NOTES:</u></p> <p>1. BEARINGS BASED ON C/L BEING N 01°30'45" E AS PER PLAT (SEE SKETCH)</p> <p>2. THIS SKETCH AND DESCRIPTION CONTAINS TWO SHEETS. EACH SHEET IS NOT FULL OR COMPLETE WITHOUT THE OTHER.</p> <p>3. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER WHICH CAN BE FOUND ON SHEET 1 OF 2.</p>		<p><u>LEGEND:</u></p> <p>BLDG = BUILDING BRG = BEARING C/L = CENTERLINE COR = CORNER ESMT = EASEMENT FND = FOUND No. = NUMBER P.B. = PLAT BOOK POB = POINT OF BEGINNING POC = POINT OF COMMENCEMENT PUDE = PUBLIC UTILITY AND DRAINAGE EASEMENT REF = REFERENCE R/W = RIGHT OF WAY S.F. = SQUARE FEET</p>		
<p>PREPARED BY: Kane Surveying, Inc.</p> <p>FLORIDA LICENSED BUSINESS No. LB 7838 505 DISTRIBUTION DRIVE MELBOURNE, FLORIDA 32904 (321) 676-0427 FAX (321) 984-1448</p>		<p>PREPARED FOR AND CERTIFIED TO:</p> <p>MILAN J. BEAUPARLANT</p>  <p>JOEL A. SEYMOUR, S 6133 PROFESSIONAL SURVEYOR & MAPPER NOT VALID UNLESS SIGNED AND SEALED</p>		
DRAWN BY: JED	PROJECT NO. 24775	DATE: 10/8/21	DESCRIPTION	SECTION 25
		REVISION: 2/22/22		TOWNSHIP 29 SOUTH
DATE: 2/23/22	DRAWING: WOODLND/L14	REVISION: 2/23/22		RANGE 38 EAST

Figure 4: Legal Description. Sheet 1 of 2. Section 25, Township 29 South, Range 38 East. Parcel ID number: 29-38-25-26-*14.

Petitioner's Sketch & Description Sheet 2 of 2

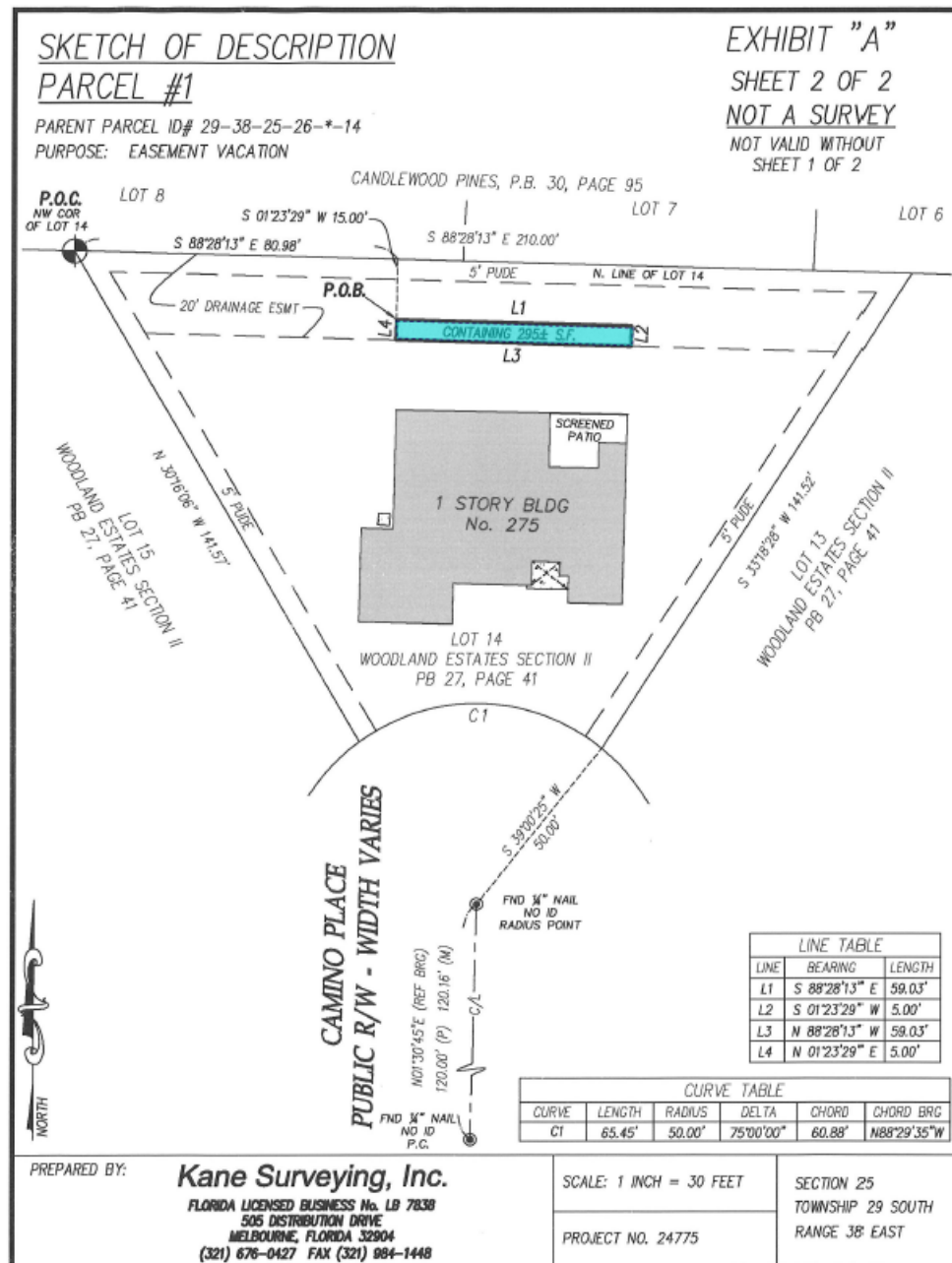


Figure 5: Sketch of description. Section 25, Township 29 South, Range 38 East. Parcel ID Number: 29-38-25-26-* -14.

Sketch illustrates 5.00-foot of a 20.00-foot public drainage easement on Lot 14, Woodland Estates Section II, Melbourne Beach, Florida. The coordinate of the North line depicted is as follows. North boundary – South 88°28'13" East 210.00'; East boundary – South 33°18'28" West 141.52'; South boundary – North 88°29'35" West 65.45'; West boundary – North 30°16'06" West 141.57'. Prepared by: Joel A. Seymour, Kane Surveying, Inc., LS 6133, Project NO: 24775.

Proposed Pool Plan

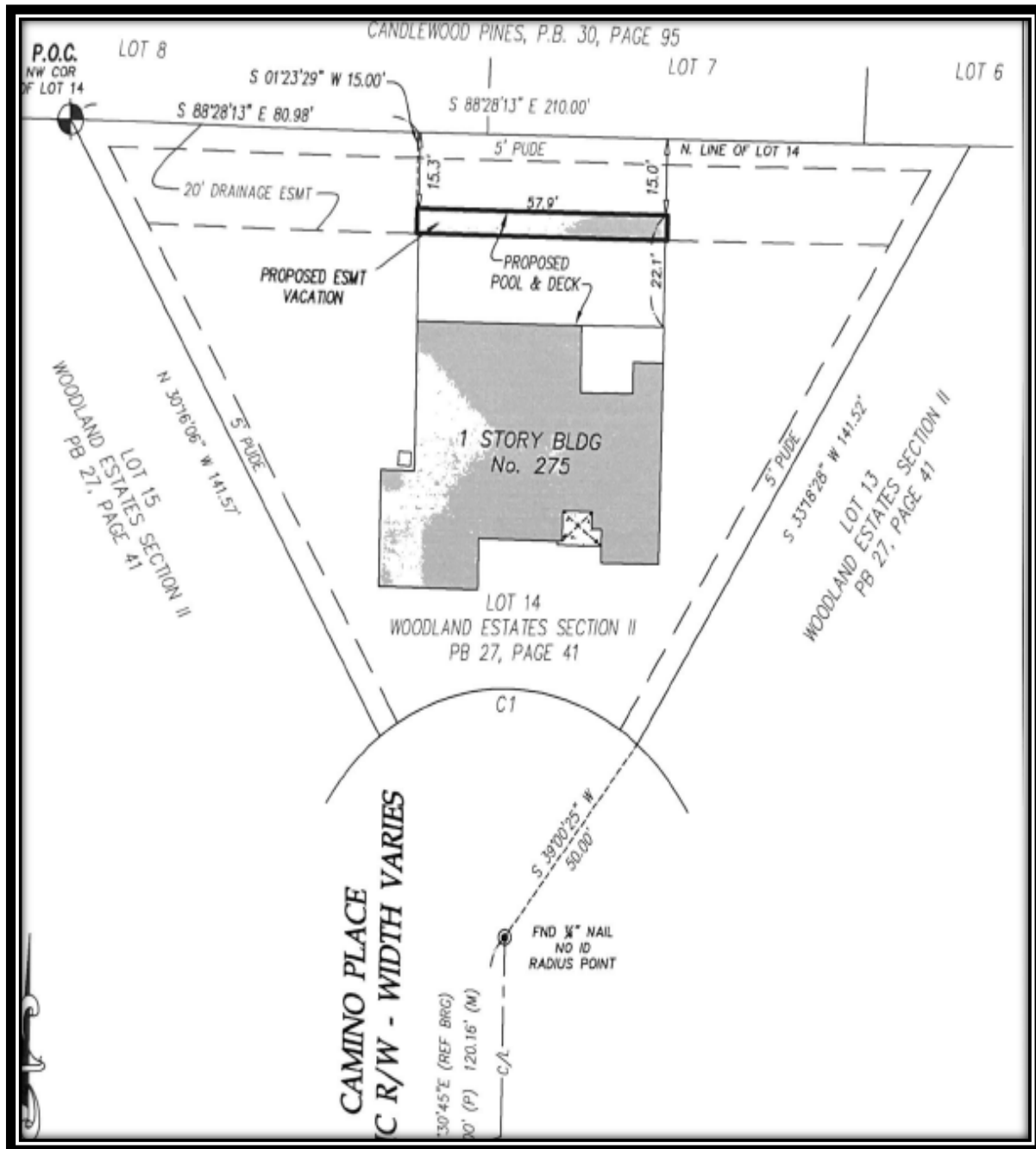


Figure 6: Proposed pool plan.

Sketch illustrates a 5.00-foot portion of a 20.00-foot public drainage easement together with the proposed pool plan for the area of the easement to be vacated. The proposed pool plan is 22.10 feet on the east and west lines and 57.90 feet on the north and south lines. Sketch also illustrates the existing single-family home all lying within Lot 14, Woodland Estates Section II, 275 Camino Place, Melbourne Beach, Florida, 32951.

Comment Sheet

Applicant: William J. Beauparlant

Updated by: Amber Holley 20211022 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20211022	20211025	Yes	No objections
FL Power & Light	20211022	20211025	Yes	No objections
At&t	20211022	20211028	Yes	No objections
Charter/Spectrum	20211022	20211101	Yes	No objections
City of Melbourne	20211022	20211122	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20211022	20211119	Yes	No objections to 5' only
Land Planning	20211022	20211122	Yes	No objections
Utility Services	20211022	20211022	Yes	No objections
Storm Water	20211022	20211116	Yes	No objections
Zoning	20211022	20211122	Yes	No objections

Public Hearing Legal Advertisement

Ad#5157793 03/07/2022

LEGAL NOTICE

**NOTICE FOR THE PARTIAL VACATING OF
A 20.0 FT. WIDE PUBLIC DRAINAGE EASE-
MENT, PLAT OF "WOODLAND ESTATES
SECTION II" IN SECTION 25, TOWNSHIP
29 SOUTH, RANGE 38 EAST,
MELBOURNE BEACH, 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 **WILLIAM J. BEAUPARLANT** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF THE REAR 20.00 FOOT DRAINAGE EASEMENT LYING WITHIN LOT 14, WOODLAND ESTATES SECTION II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 41, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF AFORESAID LOT 14, THENCE S. 88°28'13" E. ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 80.98 FEET; THENCE S. 01°23'29" W. 15.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S. 88°28'13" E. 59.03 FEET; THENCE S. 01°23'29" W. 5.00 FEET; THENCE N. 88°28'13" W. 59.03 FEET; THENCE N. 01°23'29" E. 5.00 FEET TO THE POINT OF BEGINNING. CONTAINING 295 SQUARE FEET MORE OR LESS. PREPARED BY: JOEL A. SEYMOUR, PSM.

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 March 22, 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 7: Copy of public hearing advertisement as published on March 7, 2022. See next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 20.0 FT. WIDE PUBLIC DRAINAGE EASEMENT, PLAT OF "WOODLAND ESTATES SECTION II" IN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 38 EAST, MELBOURNE BEACH, FL

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