

Resolution 2023 -

Vacating a portion of a public utility & drainage easement in plat "Replat of Haven Green, Pinewood Section", 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 **Deborah L. Dalton** 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 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 23rd day of May, 2023 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Rita Pritchett, Chair

As approved by the Board on:
May 23, 2023

Brevard County Property Appraiser Detail Sheet

Account 3005711

Owners DALTON, DEBORAH L

Mailing Address 915 SEQUOIA ST BAREFOOT BAY FL 32976

Site Address 915 SEQUOIA ST BAREFOOT BAY FL 32976

Parcel ID 30-38-10-50-5-6

Property Use 0213 - MANUFACTURED HOUSING - DOUBLE WIDE

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Taxing District 3400 - UNINCORP DISTRICT 3

Total Acres 0.17

Subdivision HAVEN GREEN PINWOOD SEC, REPLAT

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0024/0102

Land Description HAVEN GREEN PINWOOD SEC, REPLAT LOT 6

BLK 5

VALUE SUMMARY

Category	2022	2021	2020
Market Value	\$144,160	\$106,370	\$99,950
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$49,180	\$47,750	\$47,100
Assessed Value School	\$49,180	\$47,750	\$47,100
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$25,000
Taxable Value Non-School	\$24,180	\$22,750	\$22,100
Taxable Value School	\$24,180	\$22,750	\$22,100

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
11/07/2019	--	WD	Improved	8676/1933
05/31/2013	--	QC	Improved	6923/2851
01/04/2008	\$49,000	WD	Improved	5847/4915

Vicinity Map

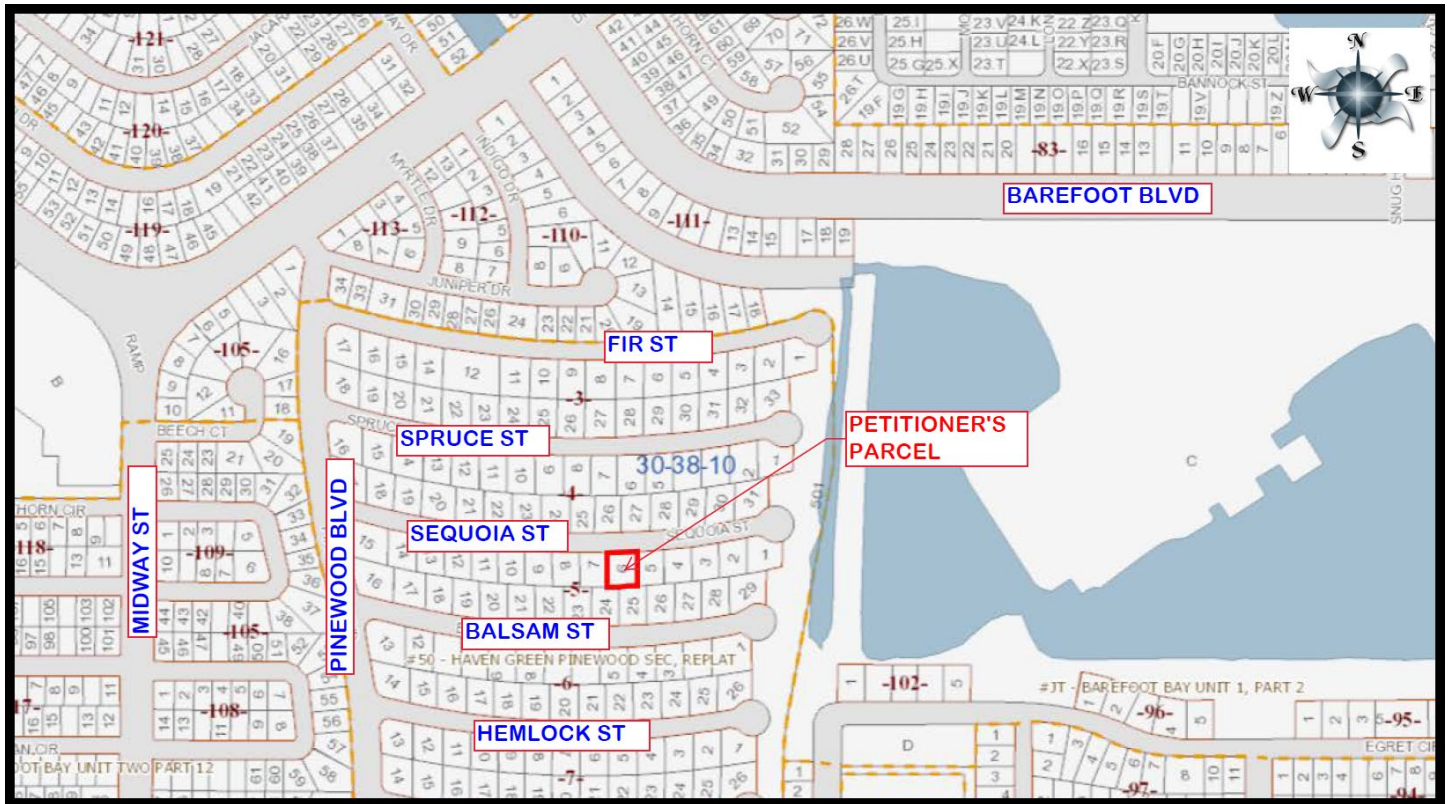


Figure 1: Map of Lot 6, Block 5, Replat of Haven Green, Pinewood Section, 915 Sequoia Street, Barefoot Bay, Florida, 32976.

Deborah L. Dalton – 915 Sequoia Street –
Barefoot Bay, FL, 32976 – Lot 6, Block 5, plat
of “Replat of Haven Green, Pinewood
Section” – Plat Book 24, Page 102 – Section
10, Township 30 South, Range 38 East –
District 3 – Proposed Vacating of a portion of
a 6.0 ft. Wide Public Utility & Drainage
Easement

75.01 75.03 75.13

HAVEN GREEN PIN...

PG 102 #50

SEQUOIA ST.

1.50 FOOT X 32.00 FOOT AREA PROPOSED TO BE VACATED

District 3

75.07 75.18 75.3

6 **5** **4**

915 SEQUOIA ST, BAREFOOT BAY, FL 32976

PETITIONER'S PARCELS

75.02 75.07 75.19 75.26

24 **25** **26**

Figure 2: Aerial Map of Lot 6, Block 5, Replat of Haven Green, Pinewood Section, 915 Sequoia Street, Barefoot Bay, Florida, 32976.

*Deborah L. Dalton – 915 Sequoia Street –
Barefoot Bay, FL, 32976 – Lot 6, Block 5, plat
of “Replat of Haven Green, Pinewood Section”
– Plat Book 24, Page 102 – Section 10,
Township 30 South, Range 38 East – District 3
– Proposed Vacating of a portion of a 6.0 ft.
Wide Public Utility & Drainage Easement*

[illegible]

Figure 3: Copy of plat map "Replat of Haven Green Pinewood Section" dedicated to Brevard County May 26, 1976.

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION

SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST
PARCEL ID NUMBER: 30-38-10-50-5-6

SHEET 1 OF 2
NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

PURPOSE OF SKETCH AND DESCRIPTION

TO VACATE A PORTION OF A 6.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT
LYING ON WEST SIDE OF LOT 6, BLOCK 5.

LEGAL DESCRIPTION:

THE EAST 1.50 FEET OF THE SOUTH 32.00 FEET OF THE NORTH 47.00 FEET OF THE WEST 6.00 FOOT
WIDE PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT OF LOT 6, BLOCK 5, REPLAT OF HAVEN
GREEN, PINWOOD SECTION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24,
PAGES 102 AND 103, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 48.00 SQUARE
FEET MORE OR LESS.


SURVEYOR'S NOTES:

SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE BASED ON THE WEST LINE OF LOT 6, BLOCK 5
AS N 00°42'00" 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.



PREPARED FOR: DEBORAH L. DALTON
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

 3-2-2023
THOMAS R. CECRLE, 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 tcecrle@bellsouth.net

DRAWN BY T.R.C.
DATE: 2-13-2023

CHECKED BY T.R.C.
SHEET 1 OF 2

DRAWN NO. 13-165-L1
REVISIONS: N/A

SECTION 10
TOWNSHIP 30 SOUTH
RANGE 38 EAST

Figure 4: Legal Description. Sheet 1 of 2. Section 10, Township 30 South, Range 38 East. Parcel ID number: 30-38-10-50-5-6.

Petitioner's Sketch & Description Sheet 2 of 2

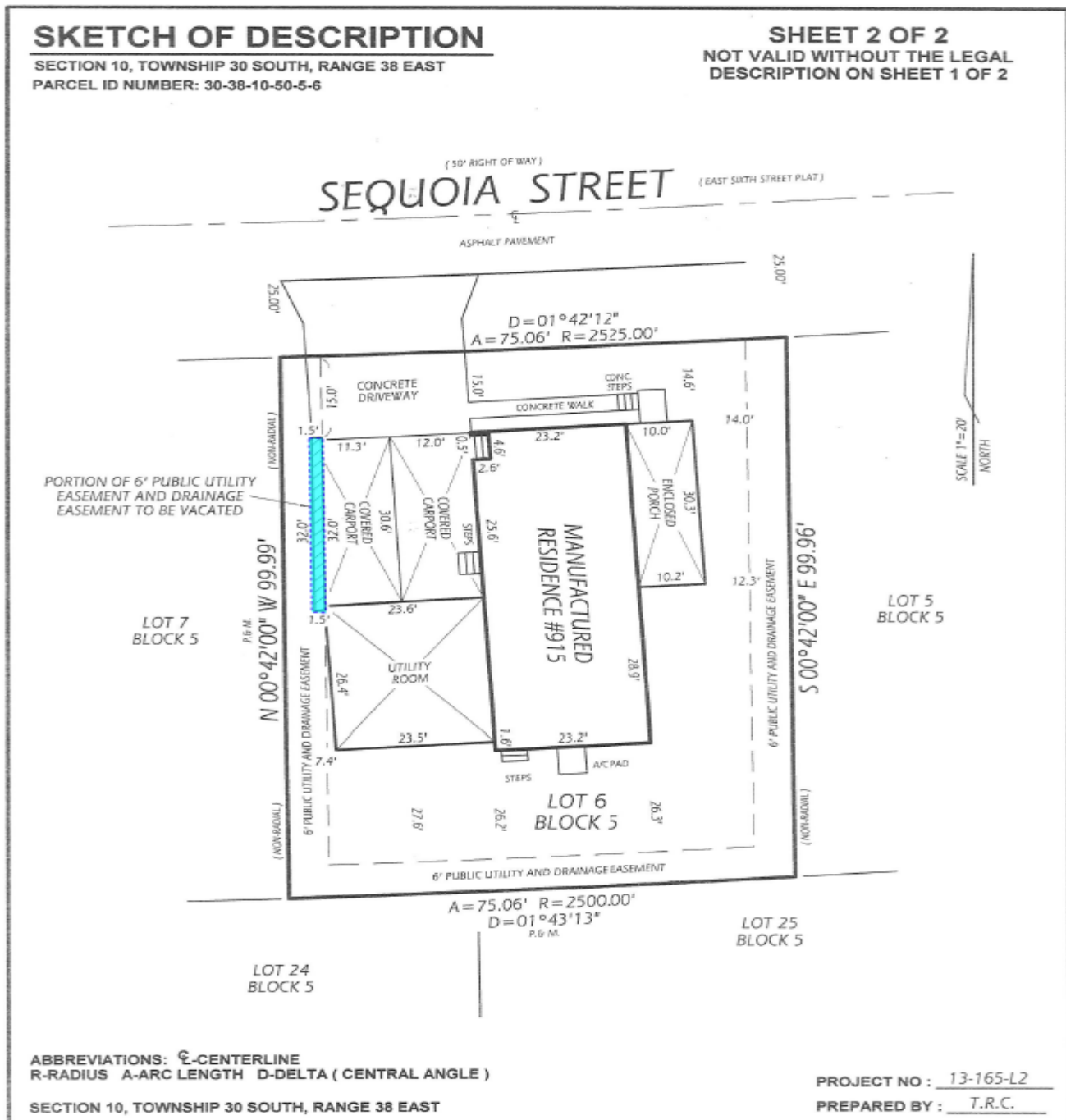


Figure 5: Sketch of description. Section 10, Township 30 South, Range 38 East. Parcel ID Number: 30-38-10-50-5-6.

The sketch illustrates a portion of a 6.00-foot wide public utility & drainage easement on Lot 6, Block 5, Replat of Haven Green Pinewood Section, Barefoot Bay, Florida. The coordinate of the North line depicted is as follows. North boundary – North 01°42'12" East 76.06 Feet; East boundary – South 00°42'00" East 99.96 Feet; South boundary – South 01°43'13" West 75.06' Feet; West boundary – North 00°42'00" West 99.99 Feet. Prepared by: Thomas R. Cecrle, Cecrle Land Surveying, Inc., LS 4896, Project NO: 13-165-L2.

Boundary Survey with Proposed Garage

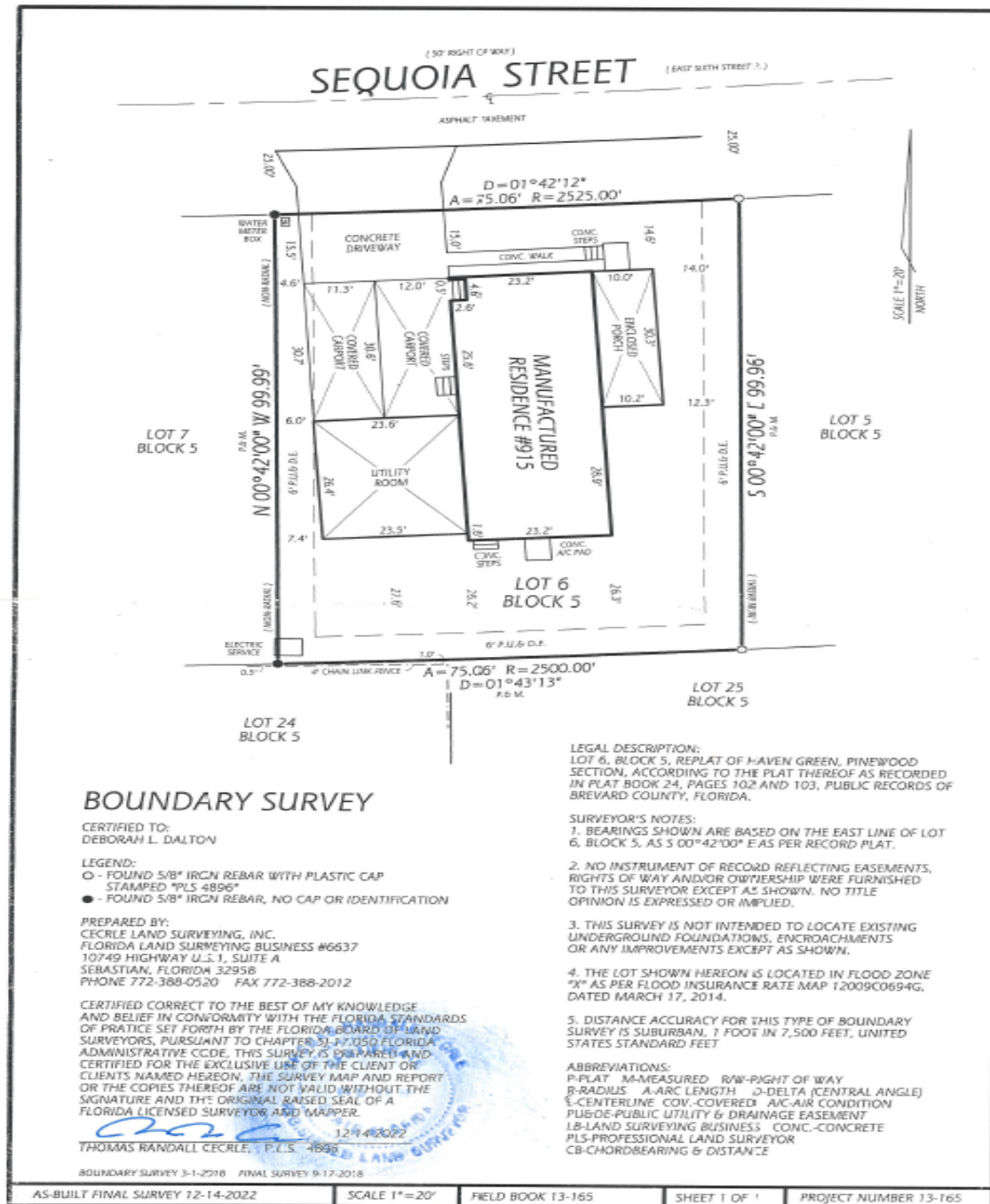


Figure 6: Boundary Survey.

The survey illustrates the existing single-family home, covered carport, utility room, and enclosed porch all lying within Lot 6, Block 5, Replat of Haven Green Pinewood Section, 915 Sequoia Street, Barefoot Bay, Florida, 32976.

Comment Sheet

Applicant: Deborah A. Dalton

Updated by: Amber Holley 20230421 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20230404	20230405	Yes	No objections
FL Power & Light	20230404	20230421	Yes	No objections
At&t	20230404	20230404	Yes	No objections
Charter/Spectrum	20230404	20230404	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20230404	20230413	Yes	No objections
Land Planning	20230404	20230412	Yes	No objections
Utility Services	20230404	20230405	Yes	No objections
Storm Water	20230404	20230404	Yes	No objections
Zoning	20230404	20230412	Yes	No objections

Public Hearing Legal Advertisement

Ad#5691083

05/08/2023

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 6.0 FT. WIDE PUBLIC UTILITY & DRAINAGE EASEMENT, PLAT OF "REPLAT OF HAVEN GREEN, PINWOOD SECTION" 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 **DEBORAH L. DALTON** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE EAST 1.50 FEET OF THE SOUTH 32.00 FEET OF THE NORTH 47.00 FEET OF THE WEST 6.00 FOOT WIDE PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT OF LOT 6, BLOCK 5, REPLAT OF HAVEN GREEN, PINWOOD SECTION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, PAGES 102 AND 103, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 48.00 SQUARE FEET MORE OR LESS. PREPARED BY: THOMAS R. CECRLE, 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 May 23, 2023** 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 May 8, 2023. See next page for full text.

Legal Notice Text

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