

Resolution 2024 -

Vacating a portion of two public utility easements in plat “Barefoot Bay Mobile Home Subdivision, Unit Two, Part Ten”, Barefoot Bay, Florida, lying in Section 9, Township 30 South, Range 38 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Todd & Patricia Sarris** 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 20th day of February, 2024 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Jason Steele, Chair

As approved by the Board on:
February 20, 2024

Brevard County Property Appraiser Detail Sheet

Owners SARRIS, TODD; SARRIS, PATRICIA
 Mailing Address 1175 BAREFOOT CIR BAREFOOT BAY FL 32976
 Site Address 1175 BAREFOOT CIR BAREFOOT BAY FL 32976
 Parcel ID 30-38-09-JS-51-5
 Taxing District 3400 - UNINCORP DISTRICT 3
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 Property Use 0213 - MANUFACTURED HOUSING - DOUBLE WIDE
 Total Acres 0.13
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0022/0105
 Subdivision BAREFOOT BAY UNIT 2 PART 10
 Land Description BAREFOOT BAY UNIT 2 PART 10 LOT 5 BLK 51

VALUE SUMMARY

| Category | 2023 | 2022 | 2021 |
|---------------------------|-----------|-----------|-----------|
| Market Value | \$231,390 | \$214,860 | \$158,390 |
| Agricultural Land Value | \$0 | \$0 | \$0 |
| Assessed Value Non-School | \$168,030 | \$163,140 | \$158,390 |
| Assessed Value School | \$168,030 | \$163,140 | \$158,390 |
| Homestead Exemption | \$25,000 | \$25,000 | \$25,000 |
| Additional Homestead | \$25,000 | \$25,000 | \$25,000 |
| Other Exemptions | \$0 | \$0 | \$25,000 |
| Taxable Value Non-School | \$118,030 | \$113,140 | \$108,390 |
| Taxable Value School | \$143,030 | \$138,140 | \$133,390 |

SALES/TRANSFERS

| Date | Price | Type | Parcel | Deed |
|------------|-----------|------|----------|-----------|
| 02/21/2020 | \$208,000 | WD | Improved | 8671/2133 |
| 05/24/2018 | -- | WD | Improved | 8176/1022 |
| 02/25/2015 | \$145,000 | WD | Improved | 7317/1252 |

Vicinity Map

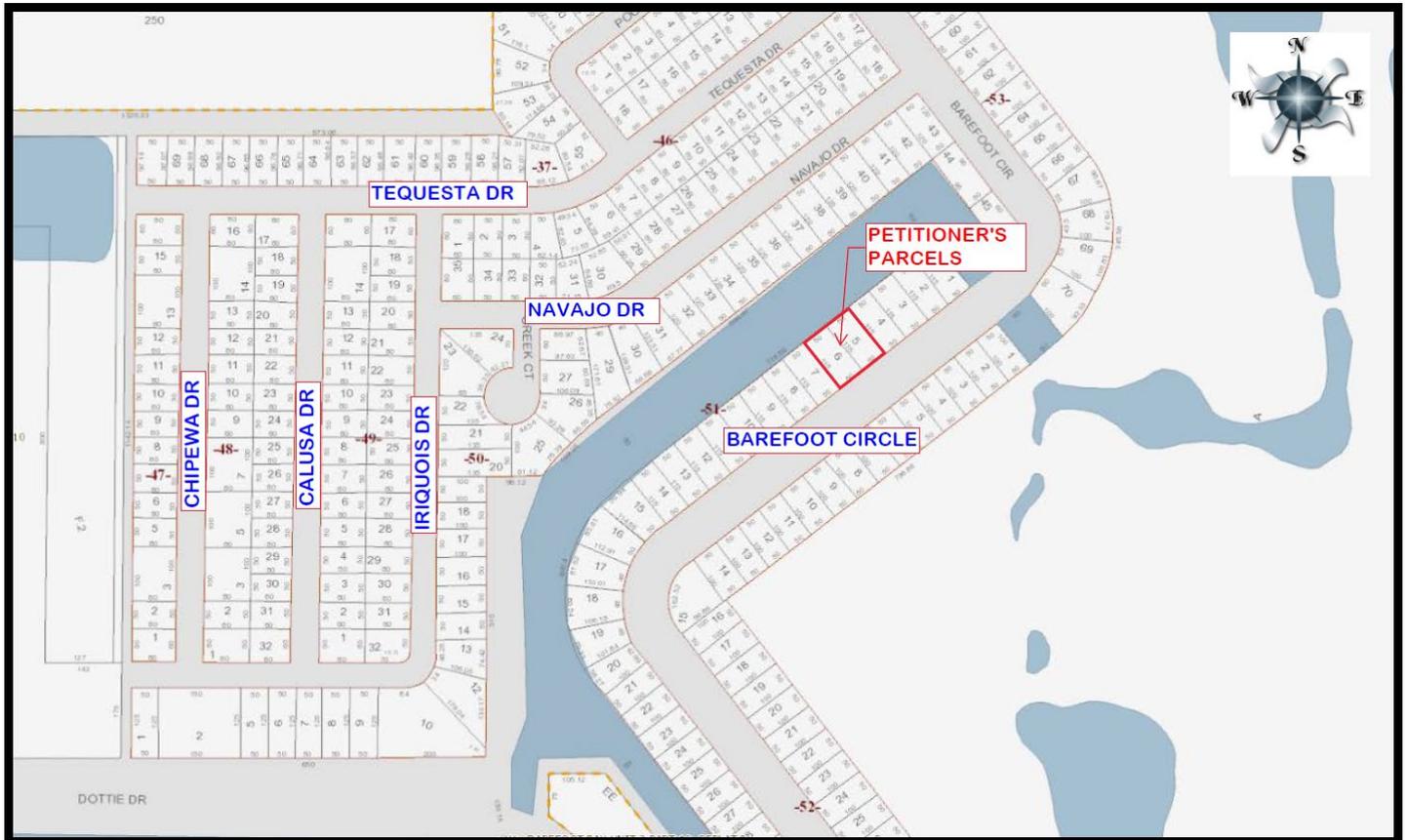


Figure 1: Map of Lots 5 & 6, Block 51, Barefoot Bay Mobile Home Subdivision, Unit Two, Part Ten, 1175 Barefoot Circle, Barefoot Bay, Florida, 32976.

Todd and Patricia Sarris – 1175 Barefoot Circle – Barefoot Bay, FL, 32976 – Lots 5 & 6, Block 51, plat of “Barefoot Bay Mobile Home Subdivision, Unit Two, Part Ten” – Plat Book 22, Page 105-115 – Section 9, Township 30 South, Range 38 East – District 3 – Proposed Vacating of a portion of two 6.0 ft. Wide Public Utility Easements

Aerial Map



Figure 2: Aerial Map of Lots 5 & 6, Block 51, Barefoot Bay Mobile Home Subdivision, Unit Two, Part Ten, 1175 Barefoot Circle, Barefoot Bay, Florida, 32976.

Todd and Patricia Sarris – 1175 Barefoot Circle – Barefoot Bay, FL, 32976 – Lots 5 & 6, Block 51, plat of “Barefoot Bay Mobile Home Subdivision, Unit Two, Part Ten” – Plat Book 22, Page 105-115 – Section 9, Township 30 South, Range 38 East – District 3 – Proposed Vacating of a portion of two 6.0 ft. Wide Public Utility Easements

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION

SECTION 09, TOWNSHIP 30 SOUTH, RANGE 38 EAST
 PARCEL ID NUMBER: 30-38-09-JS-51-5 and 30-38-09-JS-51-6

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

PURPOSE OF SKETCH AND DESCRIPTION

TO VACATE A PORTION OF TWO, 6.00 FOOT WIDE PUBLIC UTILITY EASEMENTS LYING ON BOTH SIDES OF THE COMMON LINE BETWEEN LOTS 5 AND 6, BLOCK 51.

LEGAL DESCRIPTION:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHWESTERLY 6.00 FEET OF LOT 5 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHEASTERLY 6.00 FEET OF LOT 6, BLOCK 51, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART TEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 105 THRU 115, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHWESTERLY 10.00 FEET AND THE SOUTHEASTERLY 10.00 FEET OF SAID EASEMENTS CONTAINING 1,400.00 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE BASED ON THE CENTERLINE OF BAREFOOT CIRCLE AS S 52°00'00" 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.



Thomas R. Cecrle

12-26-2023

PREPARED FOR: TODD SARRIS and PATRICIA SARRIS
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

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 <u>T.R.C.</u> | CHECKED BY <u>T.R.C.</u> | DRAWN NO. <u>13-59-L1</u> | SECTION 09 |
| DATE: <u>12-26-2023</u> | SHEET <u>1</u> OF <u>2</u> | REVISIONS: <u>N/A</u> | TOWNSHIP 30 SOUTH |
| | | | RANGE 38 EAST |

Figure 4: Legal Description. Sheet 1 of 2. Section 9, Township 30 South, Range 38 East. Parcel ID number: 30-38-09-JS-51-5.

Petitioner's Sketch & Description Sheet 2 of 2

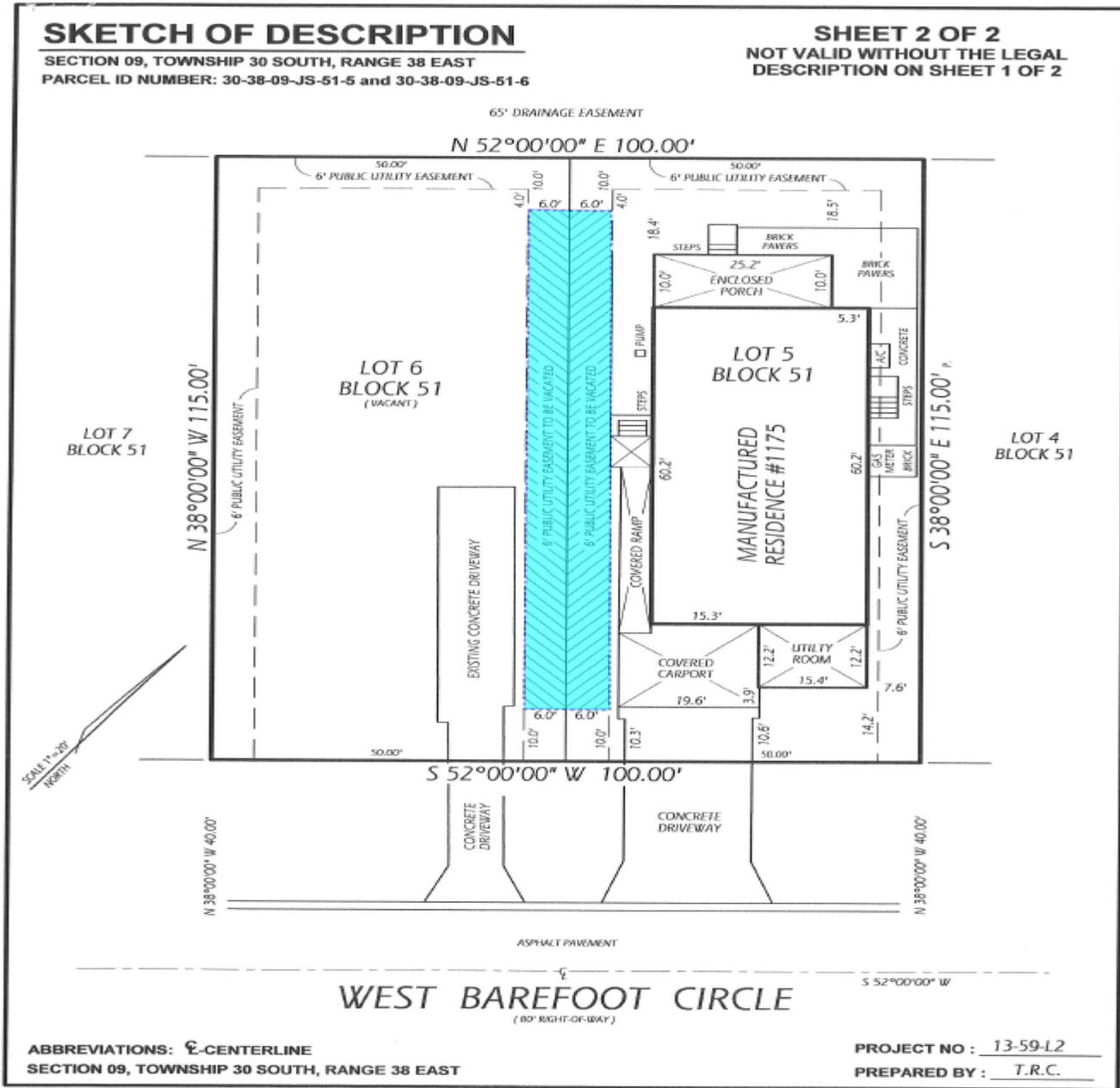


Figure 5: Sketch of description. Section 9, Township 30 South, Range 38 East. Parcel ID Number: 30-38-09-JS-51-5.

The sketch illustrates a portion of two 6.00-foot-wide public utility easements on Lots 5 & 6, Block 51, Barefoot Bay, Unit Two, Part Ten, Barefoot Bay, Florida. The coordinate of the North line depicted is as follows. North boundary – North 52°00'00" East 100.00 Feet; East boundary – South 38°00'00" East 115.00 Feet; South boundary – South 52°00'00" West 100.00 Feet; West boundary – North 38°00'00" West 115.00 Feet. Prepared by: Thomas R. Cecrle, Cecrle Land Surveying, Inc., LS 4896, Project NO: 13-59-L2.

Boundary Survey with Proposed Garage

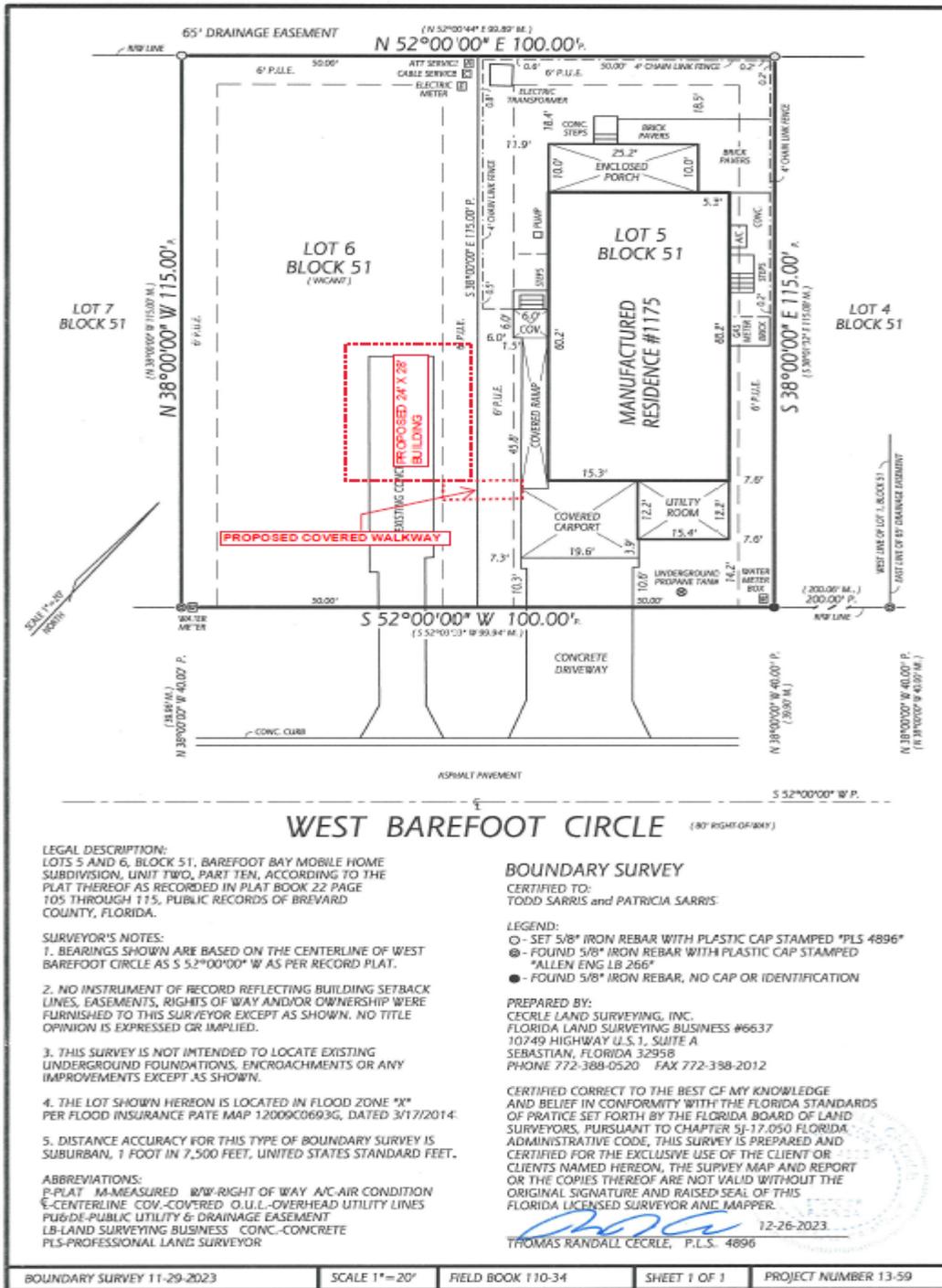


Figure 6: Boundary Survey.

The survey illustrates the existing single-family home, covered carport, utility room, enclosed porch, and proposed garage building with a breezeway (walkway) all lying within Lot 5, Block 51, Barefoot Bay Unit Two, Part Ten, 1175 Barefoot Circle, Barefoot Bay, Florida, 32976.

Comment Sheet

Applicant: Todd and Patricia Sarris

Updated by: Amber Holley 20240117 at 1630 hours

| Utilities | Notified | Received | Approved | Remarks |
|------------------|----------|----------|----------|---------------|
| FL City Gas Co | 20240104 | 20240104 | Yes | No objections |
| FL Power & Light | 20240104 | 20240117 | Yes | No objections |
| At&t | 20240104 | 20240109 | Yes | No objections |
| Charter/Spectrum | 20240104 | 20240109 | Yes | No objections |

| County Staff | Notified | Received | Approved | Remarks |
|-----------------|----------|----------|----------|---------------|
| Road & Bridge | 20240104 | 20240109 | Yes | No objections |
| Land Planning | 20240104 | 20240108 | Yes | No objections |
| UtilityServices | 20240104 | 20240105 | Yes | No objections |
| Storm Water | 20240104 | 20240108 | Yes | No objections |
| Zoning | 20240104 | 20240108 | Yes | No objections |

Public Hearing Legal Advertisement

Ad#9794931 2/5/2024

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 6.00 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "BAREFOOT BAY, UNIT TWO, PART TEN" IN SECTION 9, 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 11, Section 86-36, Brevard County Code, a petition has been filed by TODD & PATRICIA SARRIS with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHWESTERLY 6.00 FEET OF LOT 5 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHEASTERLY 6.00 FEET OF LOT 6, BLOCK 51, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT TWO, PART TEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 105 THRU 115, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHWESTERLY 10.00 FEET AND THE SOUTHEASTERLY 10.00 FEET OF SAID EASEMENTS CONTAINING 1,400.00 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 February 20, 2024, 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 February 5, 2024. See the next page for full text.

Legal Notice Text

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