

Resolution 2020 - _____

Vacating a part of two public utility easements in "Barefoot Bay Unit One" Subdivision, Barefoot Bay, Florida, lying in Section 15, Township 30 South, Range 38 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **NICK AND PENNY KORMYLO** with the Board of County Commissioners to vacate a portion of two public utility easements 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 a portion of two public utility easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of two public utility easements is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. 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 25TH day of February, 2020 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

SCOTT ELLIS, CLERK

Bryan Lober, Chair

As approved by the Board on:
February 25, 2020

Appraiser's Detail Sheet



Brevard County Property Appraiser Titusville • Merritt Island • Viera • Melbourne • Palm Bay PROPERTY DETAILS

Phone: (321) 264-6700
<https://www.bcpao.us>

Account	3007392
Owners	Kormylo, Nick; Kormylo, Penny
Mailing Address	1010 Shennecossett Rd Groton CT 06340
Site Address	805 Lychee Dr Barefoot Bay FL 32976
Parcel ID	30-38-15-01-20-3
Property Use	0020 - Vacant Mobile Home Site (Platted)
Exemptions	None
Taxing District	3400 - Unincorp District 3
Total Acres	0.18
Subdivision	Barefoot Bay Unit 1
Site Code	0001 - No Other Code Appl.
Plat Book/Page	0022/0100
Land Description	Barefoot Bay Unit 1 Lots 3, 4 Blk 20



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$13,000	\$13,000	\$12,500
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$13,000	\$13,000	\$5,500
Assessed Value School	\$13,000	\$13,000	\$12,500
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$13,000	\$13,000	\$5,500
Taxable Value School	\$13,000	\$13,000	\$12,500

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/25/2019	\$39,000	WD	Vacant	8528/1133
01/12/2017	\$49,500	WD	Vacant	7799/0517
12/09/2015	\$19,000	WD	Vacant	7515/2017
09/24/2001	\$9,000	WD	Vacant	4431/0026
06/01/1997	\$52,200	PT	Vacant	3684/0300
12/05/1985	\$4,900	WD	—	2569/1227
02/08/1985	—	PT	—	2578/1544
01/07/1985	\$5,500	WD	—	2569/1229

No Data Found

Fig. 1: Copy of Property Appraiser's detail sheet for lots 3, 4, Block 20, Barefoot Bay Uni 1, 805 Lychee Dr, Barefoot Bay, FL 32976, Section 15, Township 30 South, Range 38 East, District 3

Vicinity Map

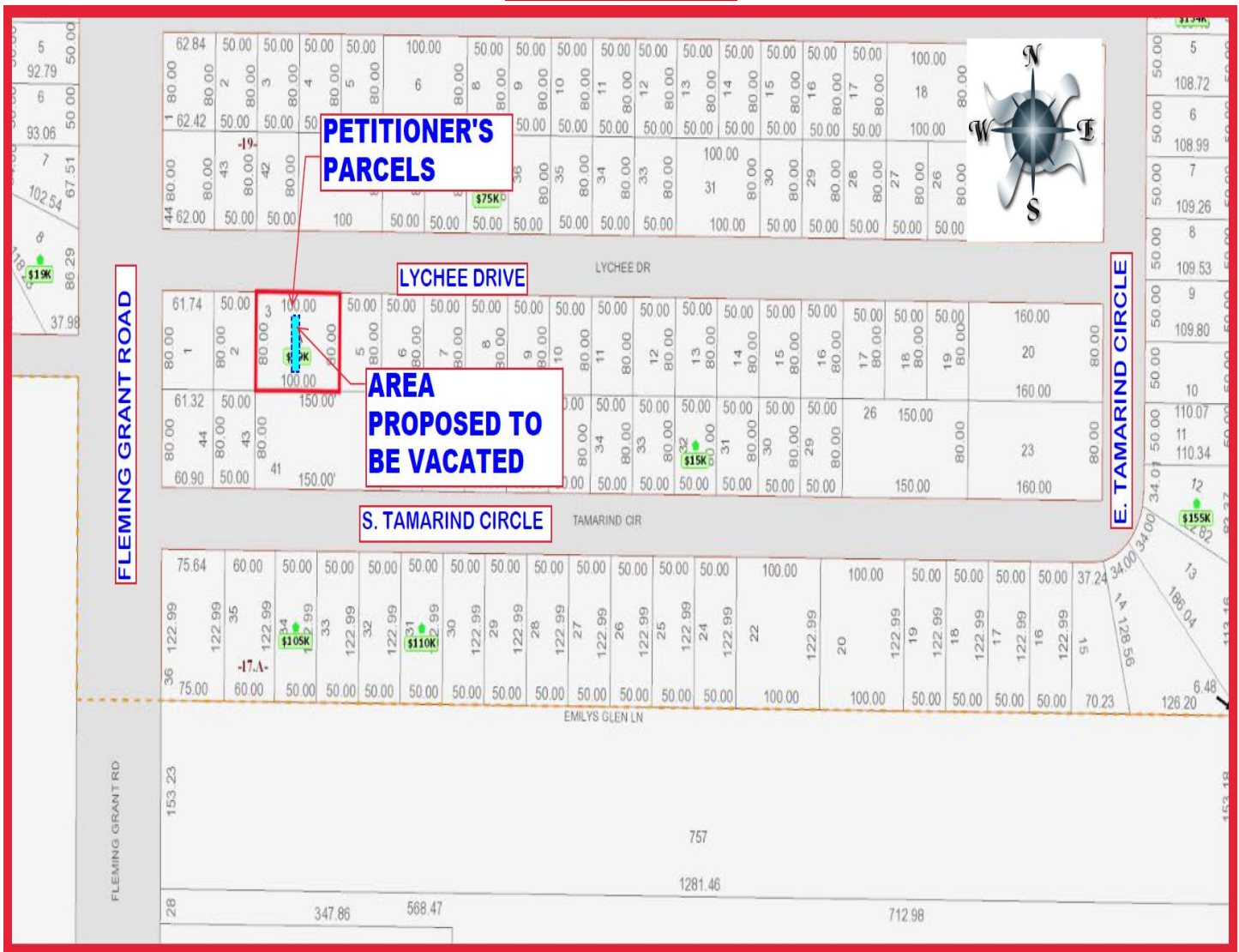


Fig. 2: Map of Lots 3 & 4, Block 20, Barefoot Bay Unit One, 805 Lychee Drive, Barefoot Bay, FL 32976

Nick & Penny Kormylo – Lots 3 & 4, Block 20,
 “Barefoot Bay Unit One” (Plat Book 22, Page 100) –
 805 Lychee Drive – Section 15, Township 30 South,
 Range 38 East – District 3 – Proposed Vacating of two
 6.0 ft. Wide Public Utility Easements centered along
 the Common Lot Lines

Aerial Map

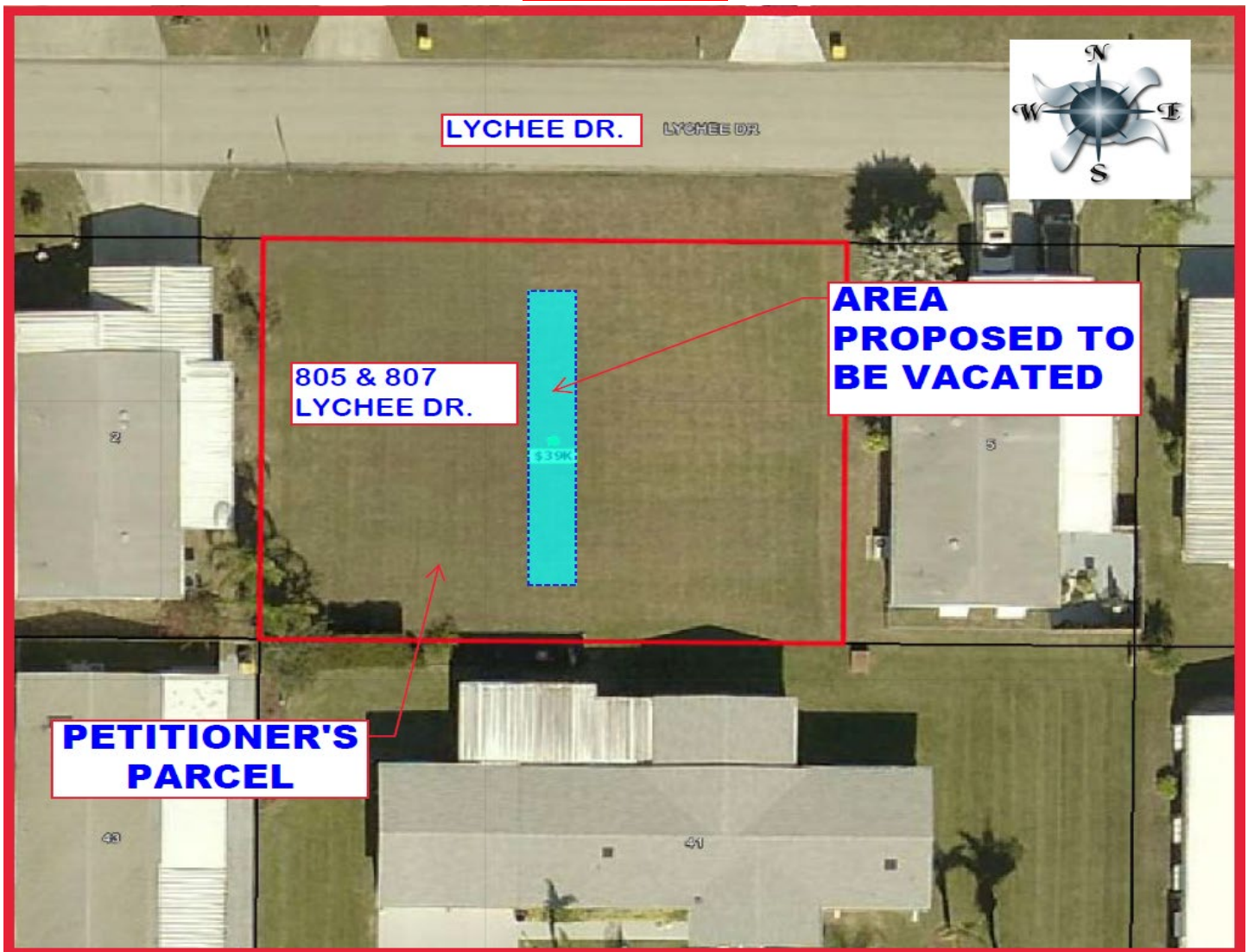


Fig. 3: Map of aerial view of Lots 3 & 4, Block 20, Barefoot Bay Unit One, 805 Lychee Drive, Barefoot Bay, FL 32976

Nick & Penny Kormylo – Lots 3 & 4, Block 20,
“Barefoot Bay Unit One” (Plat Book 22, Page 100) –
805 Lychee Drive – Section 15, Township 30 South,
Range 38 East – District 3 – Proposed Vacating of two
6.0 ft. Wide Public Utility Easements centered along
the Common Lot Lines

Plat Reference

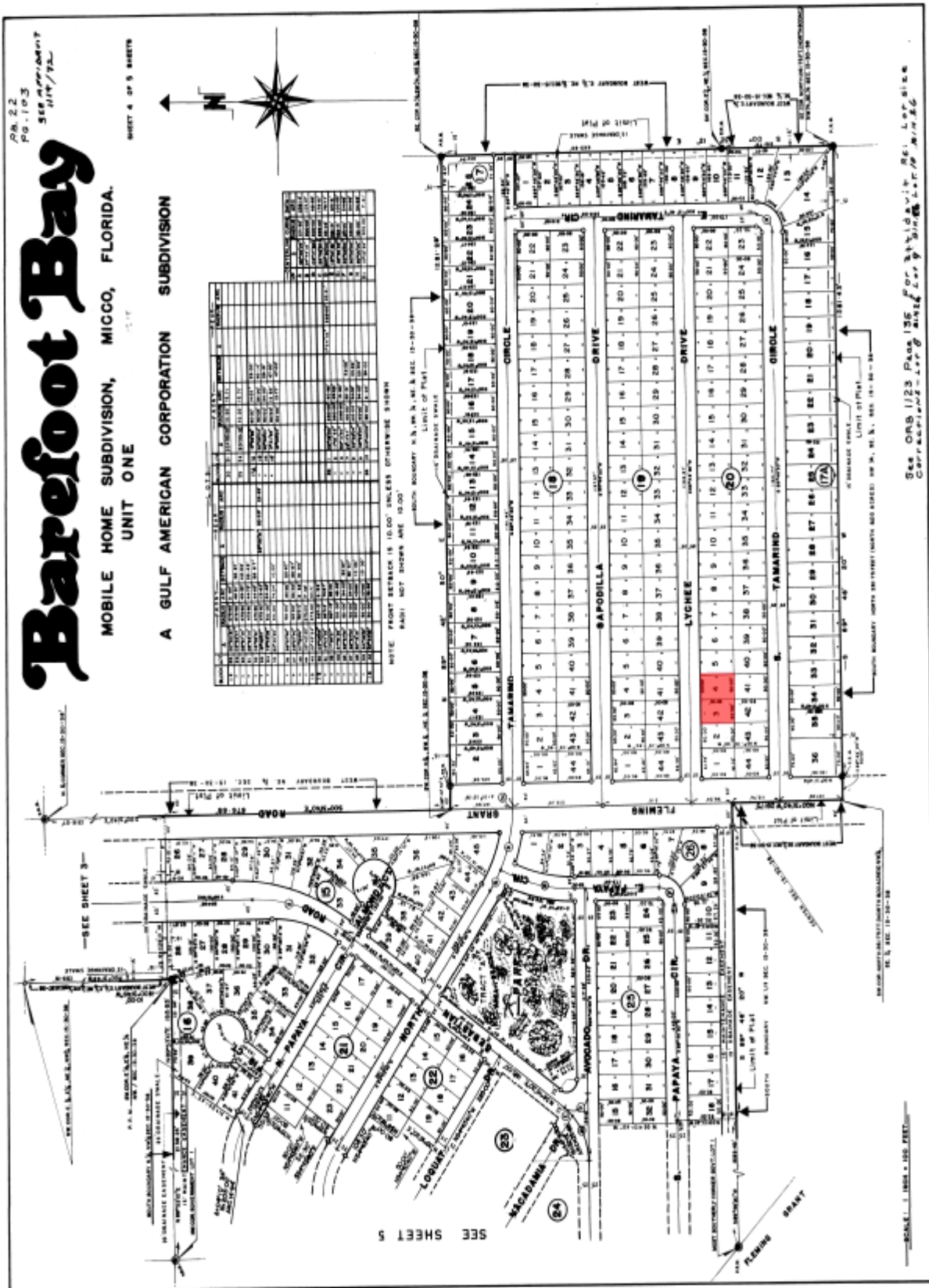


Fig. 4: Copy of plat map “Barefoot Bay Unit One” dedicated to Brevard County October 23, 1969

Petitioner's Deed

CFN 2019191967, OR BK 8528 Page 1133, Recorded 08/30/2019 at 12:21 PM Scott Ellis, Clerk of Courts, Brevard County Doc. D: \$273.00

10-
273-

Return to:
Name: Professional Title of Indian River, Inc.
Address: 1546 N. US Highway 1
Sebastian, FL 32958
This instrument prepared by: Cindy Rich
Professional Title of Indian River, Inc.
1546 N. US Highway 1
Sebastian, FL 32958
File No: 2019-51208

FedEx

WARRANTY DEED

This Warranty Deed Made this 25 day of July, 2019 by Joel Therrien and Cheryl Deanne Murphy, Husband and Wife hereinafter called the grantor, whose post office address is: 3080 6th Avenue, Baker Lake, Nunavut, Canada X0C0A0

to: Nick Kormylo and Penny Kormylo, Husband and Wife whose post office address is: 1010 Shennecusett Road, Groton, CT 06340 hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of Ten Dollars, and other variable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Brevard County, Florida, viz.

Lot(s) 3 and 4, Block 20, Barefoot Bay Mobile Home Subdivision, Unit One, according to the map or plat thereof, as recorded in Plat Book 22, Page(s) 100 through 104, inclusive, of the Public Records of Brevard County, Florida

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to 12/31/2018, reservations, restrictions and easements of record, if any.

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates)

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written

Signed, Sealed and Delivered in Our Presence.

Sylvain LEMOYNE
Witness

Joel Therrien
Joel Therrien

Cheryl Deanne Murphy
Witness

Cheryl Deanne Murphy
Cheryl Deanne Murphy

STATE OF Territory of Nunavut
COUNTY OF

The foregoing instrument was acknowledged before me this 25 day of July, 2019 by Joel Therrien and Cheryl Deanne Murphy, Husband and Wife

Who is/are personally known to me or who has/have produced driver license(s) as identification.

Sylvain LEMOYNE
Notary Public
My Commission expires. MA
A member of the Royal Canadian Mounted Police
and a Commissioner of Oaths in the
Territory of Nunavut

Fig. 5: Copy of deed of sale for lots 3 and 4, Block 20, Barefoot Bay Unit One, 805 Lychee Drive, Barefoot Bay, FL to Nick and Penny Kormylo on July 25, 2019.

Petitioner's Boundary Survey

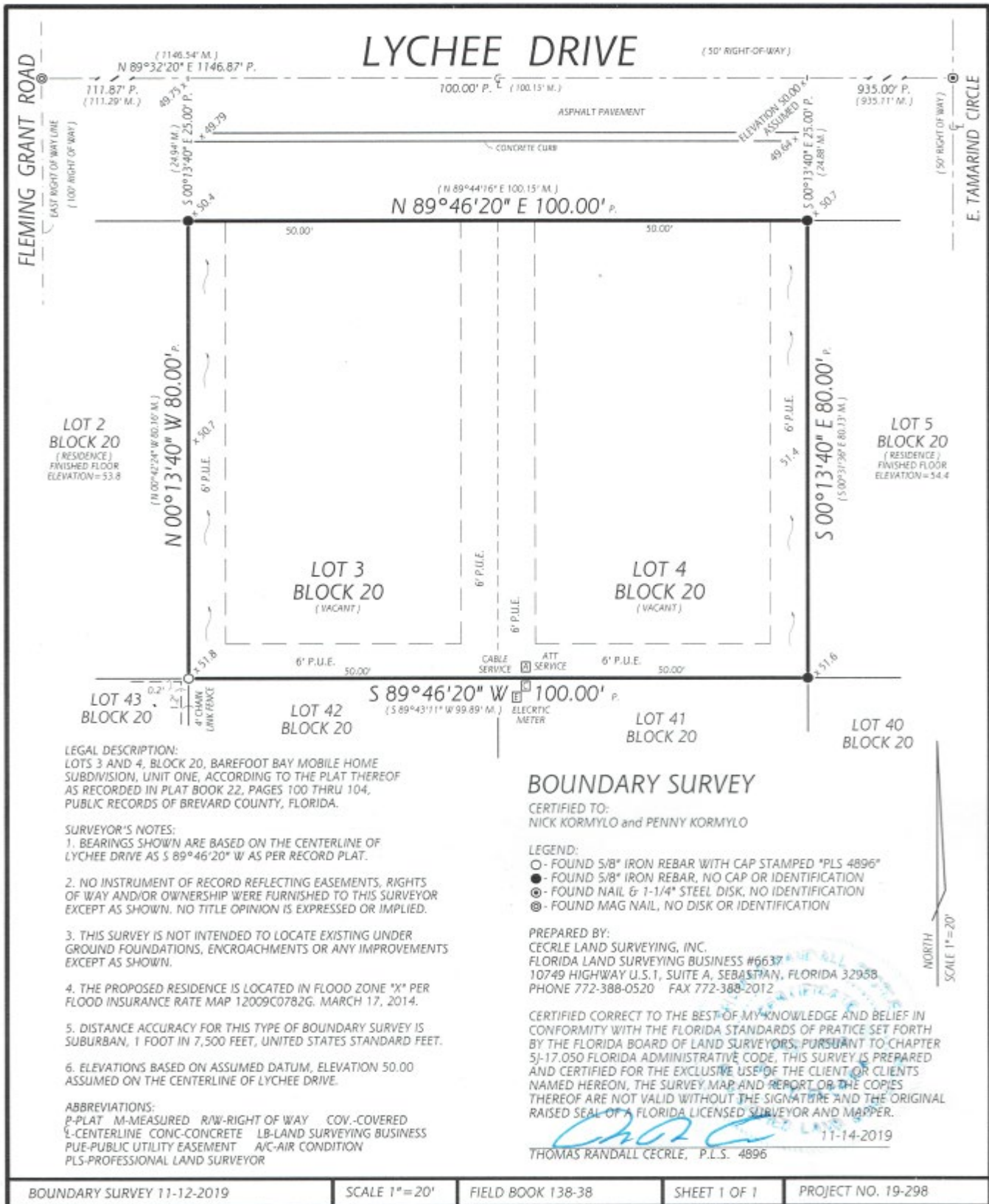


Fig. 6: Copy of the boundary survey of lots 3 and 4, Block 20, Barefoot Bay Unit One.

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION

SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST
PARCEL ID NUMBER: 30-38-15-01-20-3

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 3 AND 4, BLOCK 20.

LEGAL DESCRIPTION:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 3 AND
THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 4, BLOCK
20, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY,
FLORIDA, LESS AND EXCEPT THE SOUTHERLY 10.00 FEET AND THE NORTHERLY 10.00 FEET
OF SAID EASEMENTS. CONTAINING 720.00 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE BASED ON THE CENTERLINE OF LYCHEE
DRIVE AS N 89°46'20" E 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: NICK KORMYLO and PENNY KORMYLO
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 T.R.C.

CHECKED BY T.R.C.

DRAWN NO. 19-298-L1

SECTION 15
TOWNSHIP 30 SOUTH
RANGE 38 EAST

DATE: 11-14-2019

SHEET 1 OF 2

REVISIONS: N/A

Fig. 7: Copy of legal description sheet 1 of 2 for lots 3 and 4, Block 20, Barefoot Bay Unit One.

Petitioner's Sketch & Description Sheet 2 of 2

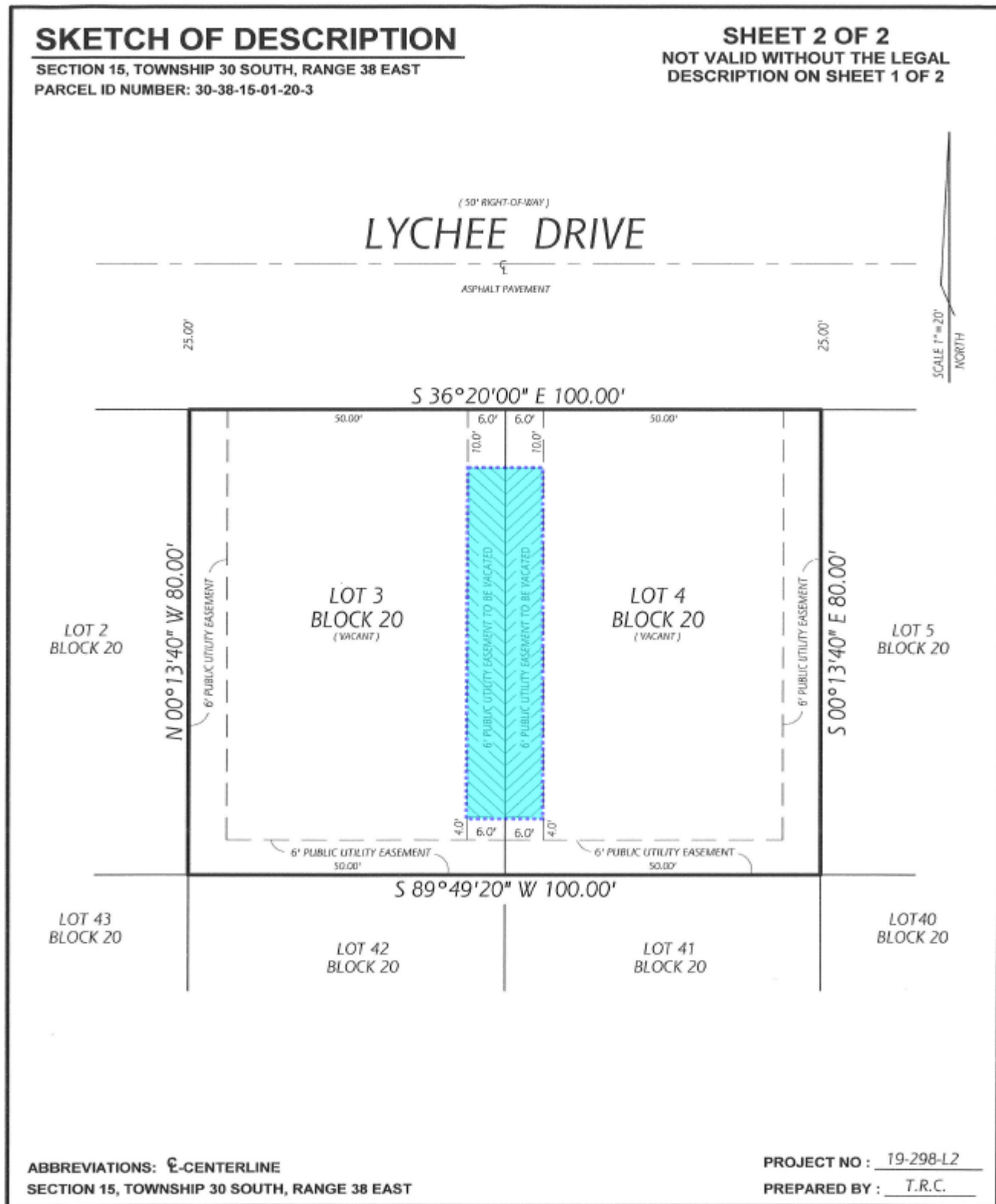


Fig. 8: Copy of sketch sheet 2 of 2 of lots 3 and 4, Block 20, Barefoot Bay Unit One.

COMMENT SUMMARY

UPDATED / BY: Amber Holley 20200210 @ 8:30 hours

Fig. 9: Copy of comment sheet for utility review.

Public Hearing Legal Advertisement

Florida Today | Legal Notices

AD#4040604 02/10/2020 LEGAL NOTICE NOTICE FOR THE PARTIAL VACATING OF TWO 6.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "BAREFOOT BAY UNIT ONE" IN SECTION 15, 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 NICK & PENNY KORMYLO 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 EASTERLY 6.00 FEET OF LOT 3 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 4, BLOCK 20, BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 100 THRU 104, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE SOUTHERLY 10.00 FEET AND THE NORTHERLY 10.00 FEET OF SAID EASEMENTS. CONTAINING 720.00 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 25, 2020 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.

[Click for less text](#)

Fig. 10: Copy of public hearing advertisement as published on February 10, 2020 see next page for full text.

Legal Notice Text

Requested by: Public Works Department of Brevard County, Florida

Corrina Gumm / Interim Director

By: Amber Holley / Vacating Acquisition & Review Specialist

Florida Today:

Please advertise in the February 10, 2020 issue of Florida TODAY.

PLEASE NOTE! Please use account #BRE-6BR327 and Purchase Order No. 4500092228-10, forward invoice and proof of publication to Amber Holley, Brevard County Public Works Dept., Surveying & Mapping Program, 2725 Judge Fran Jamieson Way, Room A-220, Viera, FL, 32940

LEGAL NOTICE

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