

Resolution 2020 - \_\_\_\_\_

**Vacating two public utility easements in "Barefoot Bay Mobile Home Subdivision, 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 **BRADY G. AND TAMARAH L. MITCHELL** with the Board of County Commissioners to vacate 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 two public utility easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said 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 27<sup>th</sup> day of October, 2020 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

\_\_\_\_\_  
Scott Ellis, Clerk

\_\_\_\_\_  
Bryan Andrew Lober, Chair

As approved by the Board on:  
October 27, 2020

# Brevard County Property Appraiser Detail Sheet

Account 3007420  
 Owners Mitchell, Brady G; Mitchell, Tamarah L  
 Mailing Address 826 Tamarind Cir Barefoot Bay FL 32976  
 Site Address 826 Tamarind Cir Barefoot Bay FL 32976  
 Parcel ID 30-38-15-01-20-31  
 Property Use 0213 - Manufactured Housing - Double Wide  
 Exemptions HEX1 - Homestead First  
 HEX2 - Homestead Additional  
 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 31, 32 Blk 20

## VALUE SUMMARY

Category	2020	2019	2018
Market Value	\$134,170	\$111,850	\$102,400
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$121,730	\$104,340	\$102,400
Assessed Value School	\$121,730	\$104,340	\$102,400
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$71,730	\$54,340	\$52,400
Taxable Value School	\$96,730	\$79,340	\$77,400

## SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
09/03/2013	\$58,900	WD	Improved	6970/1791
07/05/2013	\$4,000	CT	Improved	6918/2412
06/20/2003	\$10,000	WD	Vacant	4960/1400
07/22/1982	\$4,900	WD	--	2382/0645
11/15/1970	--	PT	--	1152/0219

Fig. 1: Copy of Property Appraiser's detail sheet for lots 31 & 32, block 20, Barefoot Bay Mobile Home Subdivision Unit One, 826 Tamarind Circle, Barefoot Bay, FL 32976, Section 15, Township 30 South, Range 38 East, District 3

## Vicinity Map

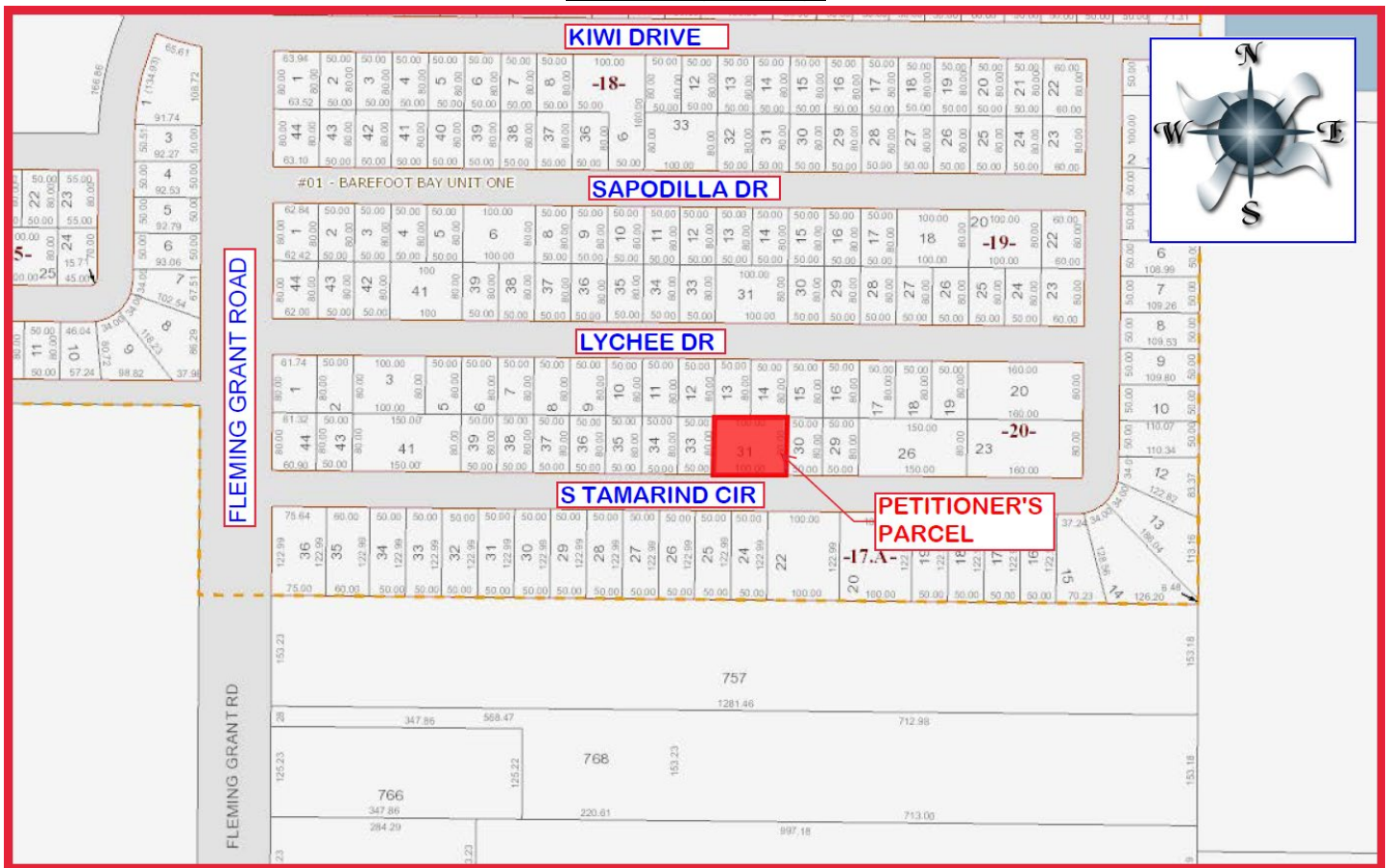


Fig. 2: Map of Lots 31 & 32, Block 20, Barefoot Bay Unit One, 826 Tamarind Circle, Barefoot Bay, FL 32976

Brady G. & Tamarah L. Mitchell – Lots 31 & 32, Block 20, “Barefoot Bay Unit One” (Plat Book 22, Page 100) – 826 S. Tamarind Circle – Section 15, Township 30 South, Range 38 East – District 3 – Proposed Vacating of two 6.0 ft. Wide Public Utility Easements along the common side lot lines.

## Aerial Map

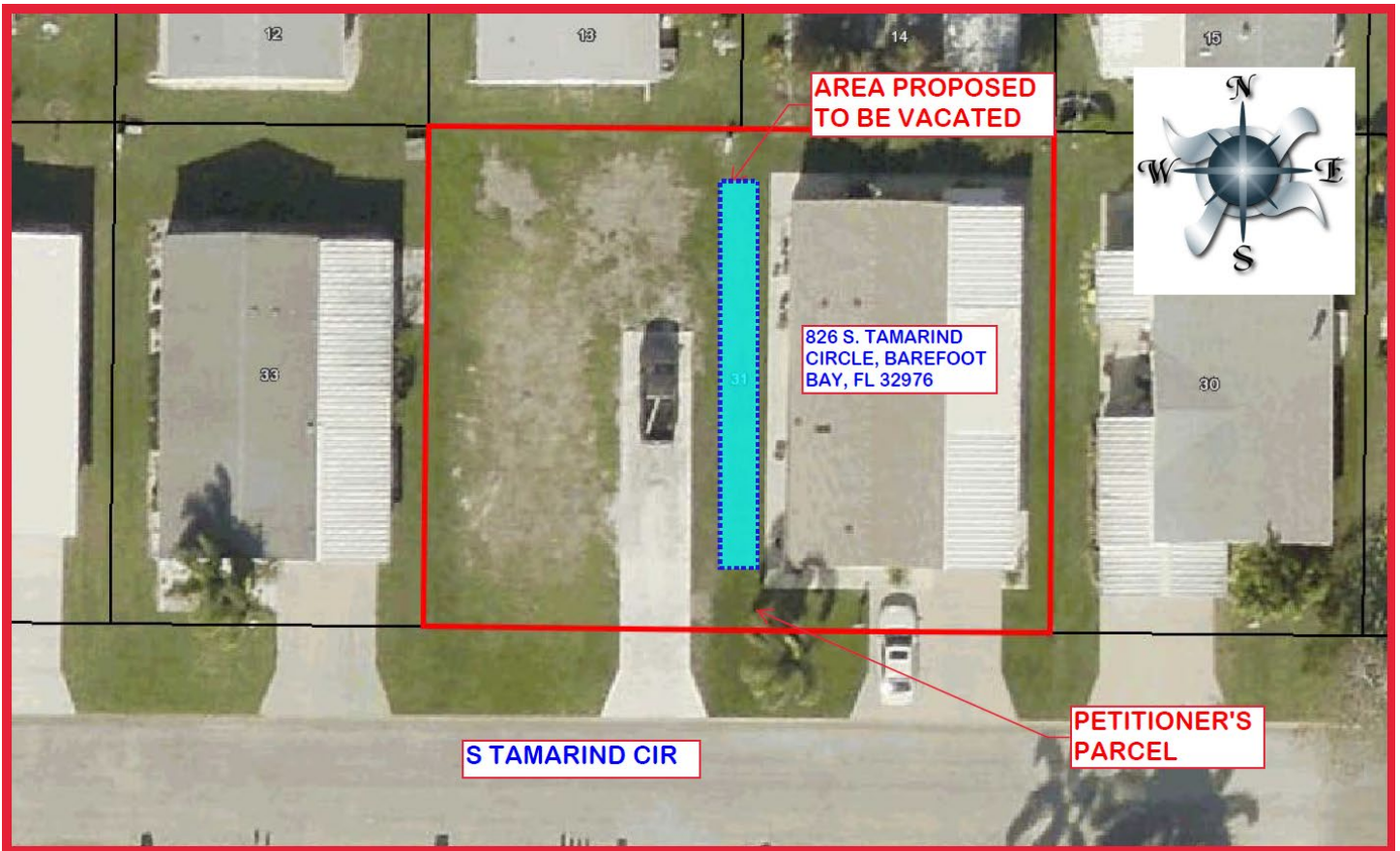


Fig. 3: Map of aerial view of Lots 31 & 32, Block 20, Barefoot Bay Unit One, 826 Tamarind Circle, Barefoot Bay, FL 32976

Brady G. & Tamarah L. Mitchell – Lots 31 & 32, Block 20, “Barefoot Bay Unit One” (Plat Book 22, Page 100) – 826 S. Tamarind Circle – Section 15, Township 30 South, Range 38 East – District 3 – Proposed Vacating of two 6.0 ft. Wide Public Utility Easements along the common side lot lines.



# Plat Reference

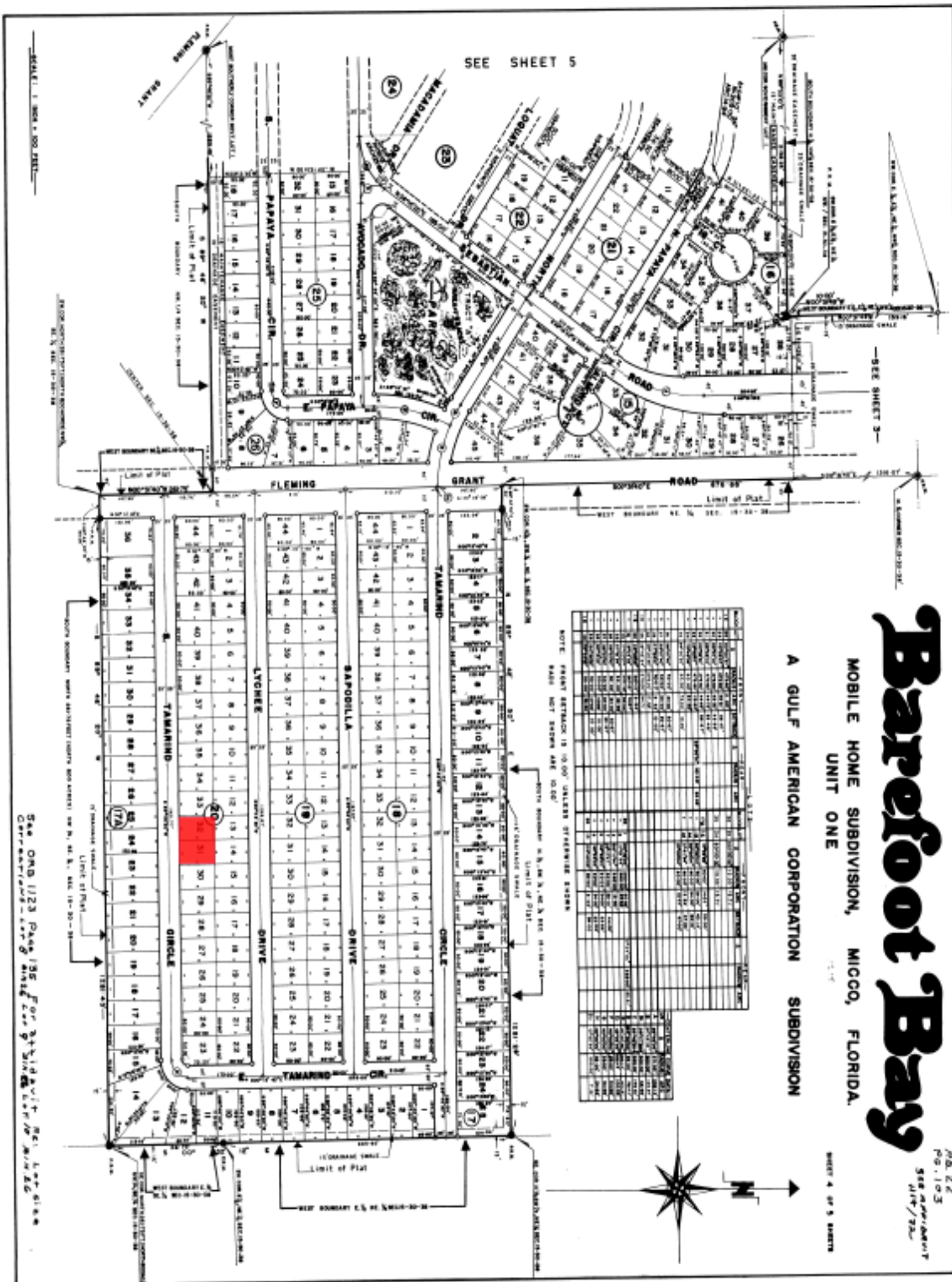


Fig. 4: Copy of plat map "Barefoot Bay Unit One" dedicated to Brevard County October 23, 1969

# LEGAL DESCRIPTION

SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST  
PARCEL ID NUMBER: 30-38-15-01-20-31

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 31 AND 32, BLOCK 20.

## LEGAL DESCRIPTION:

THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE EASTERLY 6.00 FEET OF LOT 32 AND  
THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 31, 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 S. TAMARIND  
CIRCLE AS S 89°46'20" 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.



8-31-2020

PREPARED FOR: BRADY G. MITCHELL and TAMARAH L. MITCHELL  
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. 17-215-L1

SECTION 15  
TOWNSHIP 30 SOUTH  
RANGE 38 EAST

DATE: 8-31-2020

SHEET 1 OF 2

REVISIONS: 8-31-2020

# Petitioner's Sketch & Description Sheet 2 of 2

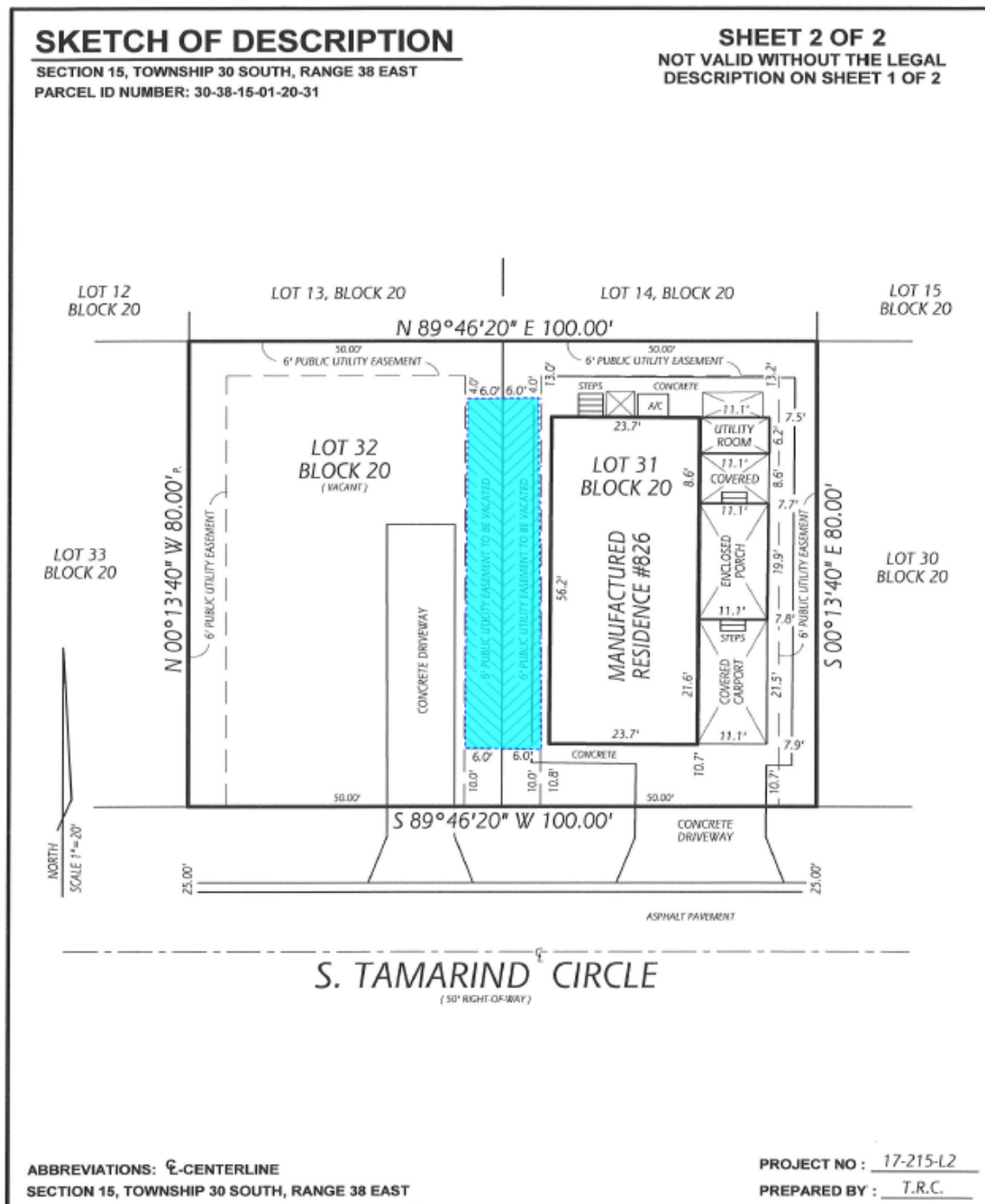


Fig. 6: Sketch of Description. Situated in Section 15, Township 30 South, Range 38 East, Parent Parcel: #30-38-15-01-20-31. Sheet 2 of 2. Not valid without sheet 1 of 2. Sketch illustrates two lots (31 & 32) that reside on Tamarind Circle, Barefoot Bay, Florida. Two 6-foot public utility easements along the common line of lots 31 and 32. The coordinates of the area depicted is as follows moving North to East clockwise. North boundary – North  $89^{\circ}46'20''$  East  $100.00'$ ; East boundary South  $00^{\circ}13'40''$  East  $80.00'$ , South boundary – South  $89^{\circ}46'20''$  West  $100.00'$ . Prepared by: Cercle Land Surveying, Inc., FL LB# 6637. Project NO: 17-215-L2.

## Comment Sheet

Applicant: Brady & Tamarah Mitchell

Updated by: Amber Holley 20200930 at 1600 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20200911	20200930	Yes	No objections
FL Power & Light	20200911	20200911	Yes	No objections
At&t	20200911	20200916	Yes	No objections
Charter/Spectrum	20200911	20200914	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20200911	20200917	Yes	No objections
Land Planning	20200911	20200916	Yes	No objections
Utility Services	20200911	20200923	Yes	No objections
Storm Water	20200911	20200929	Yes	No objections
Zoning	20200911	20200916	Yes	No objections

Fig. 7: Copy of comment sheet for utility review.



# Public Hearing Legal Advertisement

AD#4410259 10/12/2020

## LEGAL NOTICE

**NOTICE FOR THE VACATING OF TWO 6.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, 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 **BRADY G. AND TAMARAH L. MITCHELL** 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 32 AND THE 6.00 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE WESTERLY 6.00 FEET OF LOT 31, 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 October 27, 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.

Fig. 8: Copy of public hearing advertisement as published on October 12, 2020 see next page for full text.

## Legal Notice Text

### LEGAL NOTICE

NOTICE FOR THE VACATING OF TWO 6.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "BAREFOOT BAY MOBILE HOME SUBDIVISION, UNIT ONE" IN SECTION 15, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BAREFOOT BAY, FL

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