

Resolution 2020 - _____

**Vacating a portion of a public utility and drainage easement in "Lake View Hills Unit No. 2 Section B"
Subdivision, Titusville, Florida, lying in Section 30, Township 21 South, Range 35 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **WILLIAM L. AND BRENDA J. HATTAWAY** with the Board of County Commissioners to vacate a public utility and drainage 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 a public utility and drainage easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public utility and drainage easement are hereby vacated; and Brevard County renounces and disclaims any rights in and to said easement. 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 08th day of December, 2020 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rita Pritchett, Chair

SCOTT ELLIS, CLERK

As approved by the Board on:
December 08, 2020

Brevard County Property Appraiser Detail Sheet

Account 2107231

Owners Hattaway, William L; Hattaway, Brenda J

Mailing Address 4105 Dianthus Ln Titusville FL 32796

Site Address 4105 Dianthus Ln Titusville FL 32796

Parcel ID 21-35-30-51-G-13

Property Use 0110 - Single Family Residence

Exemptions HEX1 - Homestead First

HEX2 - Homestead Additional

Taxing District 1300 - Unincorp District 1

Total Acres 0.20

Subdivision Lakeview Hills Unit 2 Sec B

Site Code 0001 - No Other Code Appl.

Plat Book/Page 0021/0052

Land Description Lakeview Hills Unit 2 Sec B Lot 13 Blk G

VALUE SUMMARY

| Category | 2021 | 2020 | 2019 |
|---------------------------|-------------|-------------|-------------|
| Market Value | \$0 | \$127,350 | \$118,330 |
| Agricultural Land Value | \$0 | \$0 | \$0 |
| Assessed Value Non-School | \$0 | \$66,690 | \$65,200 |
| Assessed Value School | \$0 | \$66,690 | \$65,200 |
| Homestead Exemption | \$0 | \$25,000 | \$25,000 |
| Additional Homestead | \$0 | \$16,690 | \$15,200 |
| Other Exemptions | \$0 | \$0 | \$0 |
| Taxable Value Non-School | \$0 | \$25,000 | \$25,000 |
| Taxable Value School | \$0 | \$41,690 | \$40,200 |

SALES/TRANSFERS

| Date | Price | Type | Parcel | Deed |
|-------------|--------------|-------------|---------------|-------------|
| 07/22/2003 | \$84,000 | WD | Improved | 4999/3679 |
| 07/01/1991 | -- | QC | Improved | 3136/0361 |
| 04/01/1972 | \$25,000 | -- | -- | 1238/0786 |

Fig. 1: Copy of Property Appraiser's detail sheet for lot 13, block G, Lake View Hills Unit No. 2 Section B, 4105 Dianthus Lane, Titusville, FL 32796, Section 30, Township 21 South, Range 35 East, District 1

Vicinity Map

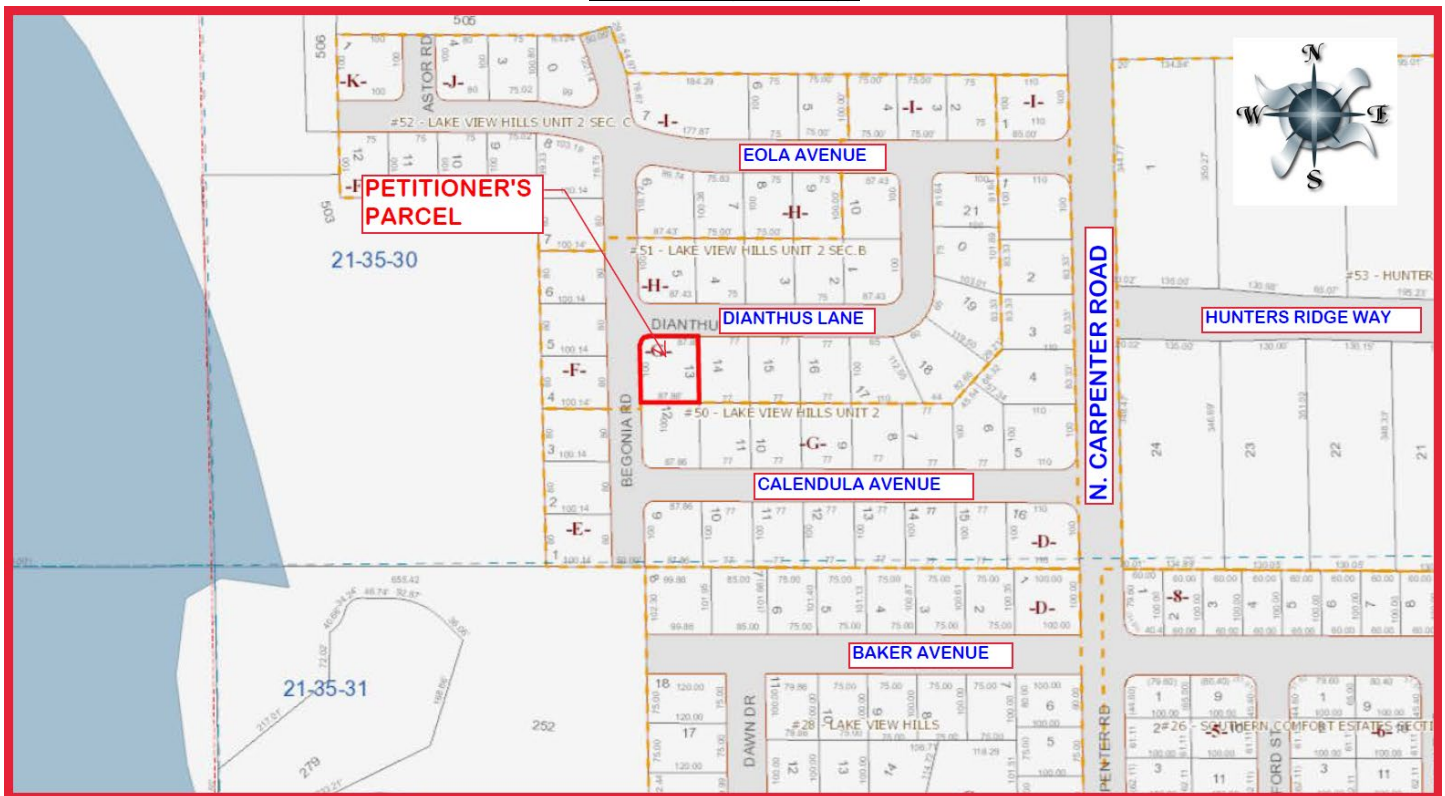


Fig. 2: Map of Lot 13, Block G, Lake View Hills Unit No. 2 Section B, 4105 Dianthus Lane, Titusville, FL 32796.

William L. & Brenda J. Hattaway – Lot 13, Block G,
“Lake View Hills Unit No. 2 Section B” (Plat Book 21,
Page 52) – 4105 Dianthus Lane – Section 30, Township
21 South, Range 35 East – District 1 – Proposed
Vacating 5.0 ft. of a 10.0 ft. Wide Public Utility &
Drainage Easement along the rear line.

Aerial Map



Fig. 3: Map of aerial view of Lot 13, Block G, Lake View Hills Unit No. 2 Section B, 4105 Dianthus Lane, Titusville, FL 32796

William L. & Brenda J. Hattaway – Lot 13, Block G, “Lake View Hills Unit No. 2 Section B” (Plat Book 21, Page 52) – 4105 Dianthus Lane – Section 30, Township 21 South, Range 35 East – District 1 – Proposed Vacating 5.0 ft. of a 10.0 ft. Wide Public Utility & Drainage Easement along the rear line.

Plat Reference

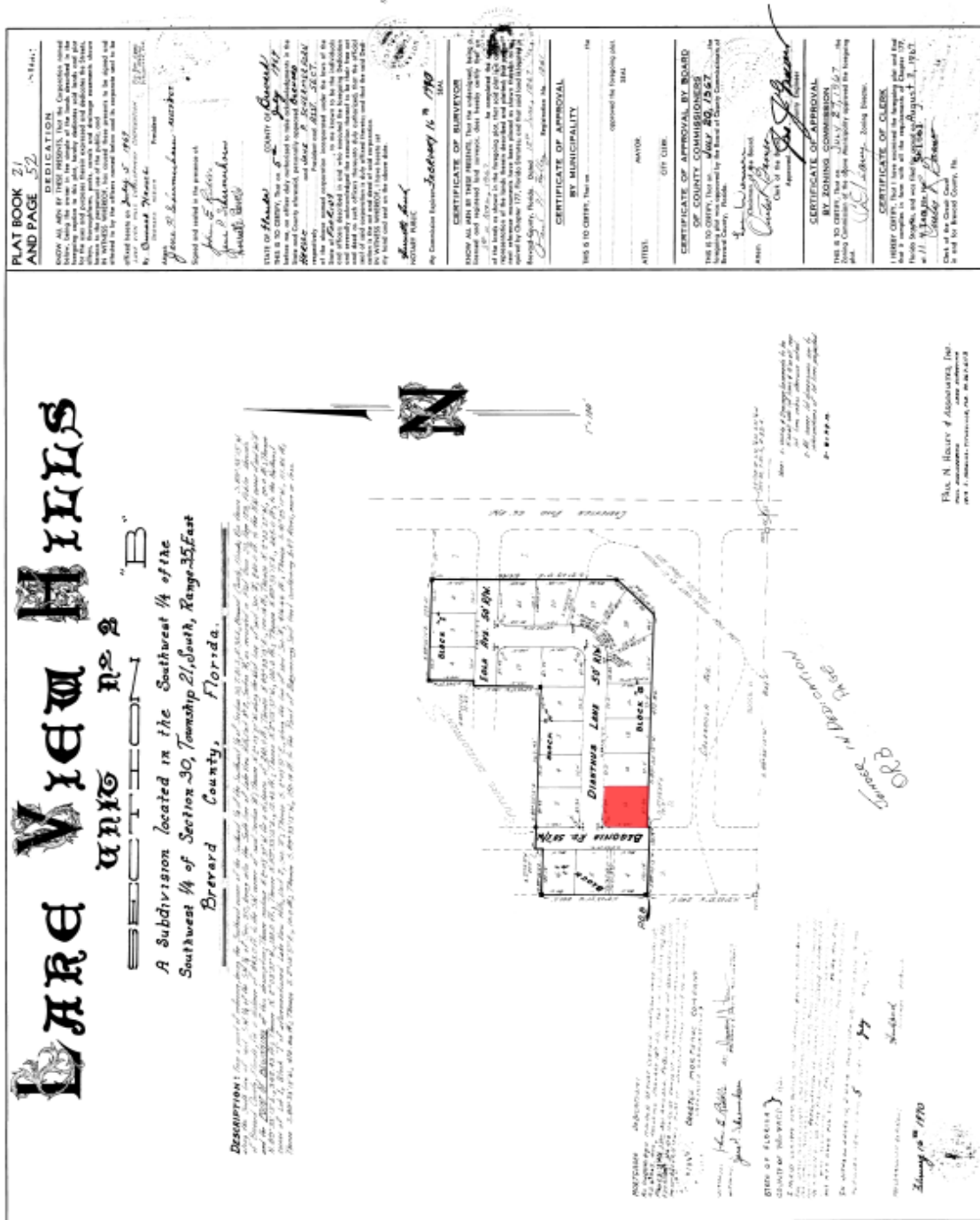


Fig. 4: Copy of plat map "Lake View Hills Unit No. 2 Section B" dedicated to Brevard County July 05, 1967.

LEGAL DESCRIPTION

SECTION 30, TOWNSHIP 21 SOUTH, RANGE 35 EAST
PARCEL ID NUMBER: 21-35-30-51-G-13
PURPOSE OF DESCRIPTION: VACATE EASEMENT

SHEET 1 OF 2
EXHIBIT "A"

NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION:


THAT PORTION OF THE TEN (10.00) FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AS ESTABLISHED BY THE PLAT OF LAKE VIEW HILLS UNIT NO. 2 SECTION B ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 52, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH FIVE (5.00) FOOT OF THE SOUTH TEN (10.00) FOOT, LESS AND EXCEPT THE EAST TWELVE AND ONE HALF (12.50) FOOT, AND THE WEST TWENTY (20.00) FOOT OF LOT 13, BLOCK G, SAID LAKE VIEW HILLS SUBDIVISION ACCORDING TO THE PLAT THEROF AS RECORDED IN PLAT BOOK 21 AT PAGE 52 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
CONTAINING 277 SQ. FT./0.006 ACRES

SURVEYOR'S NOTES:

1. BEARING SHOWN HEREON ARE BASED ON THE SOUTH R/W LINE OF DIANTHUS LANE AS BEING S 89°33'13" W, ACCORDING TO THE PLAT OF LAKE VIEW HILLS UNIT NO. 2 AS RECORDED IN PLAT BOOK 21, AT PAGE 52 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
2. THIS SKETCH IS PREPARED AND CERTIFIED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON.
3. UNLESS THIS SKETCH OF LEGAL DESCRIPTION BEARS THE SIGNATURE AND RAISED SEAL OF JOHN W. COOPER PLS 5093, IT IS FOR INFORMATION PURPOSES ONLY AND IS NOT A VALID SURVEY.
4. ADDITIONS OR DELETIONS TO THIS SKETCH OF SURVEY BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.
5. NO UNDERGROUND UTILITIES OR IMPROVEMENTS WERE LOCATED UNLESS OTHERWISE SHOWN.
6. THIS IS NOT A BOUNDARY SURVEY.
7. FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP 120092C0115G DATED MARCH 17, 2014.

PREPARED FOR: WILLIAM L. HATTAWAY and
BRENDA J. HATTAWAY
BREVARD COUNTY BOARD OF COMMISSIONERS


JOHN W. COOPER
Professional Land Surveyor No. 5093
State of Florida
NOT VALID UNLESS SIGNED & SEALED

PREPARED BY: JOHN W. COOPER LAND SURVEYING, INC.

ADDRESS: 2326 S. HOPKINS AVENUE, TITUSVILLE, FLORIDA 32780

PHONE: 321-268-5646 L.B. NO. 6544

DRAWN BY: GPL

CHECKED BY: JWC

DRAWING NO. 20-09-24

SECTION 30

DATE: 10/6/20

SHEET 1 OF 2

REVISIONS 10/14/20

TOWNSHIP 21 SOUTH

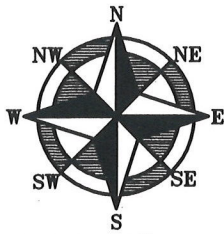
RANGE 35 EAST

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SHEET 2 OF 2
EXHIBIT "A"

SECTION 30, TOWNSHIP 21 SOUTH, RANGE 35 EAST
PARCEL ID NUMBER: 21-35-30-51-G-13
PURPOSE OF DESCRIPTION: VACATE EASEMENT

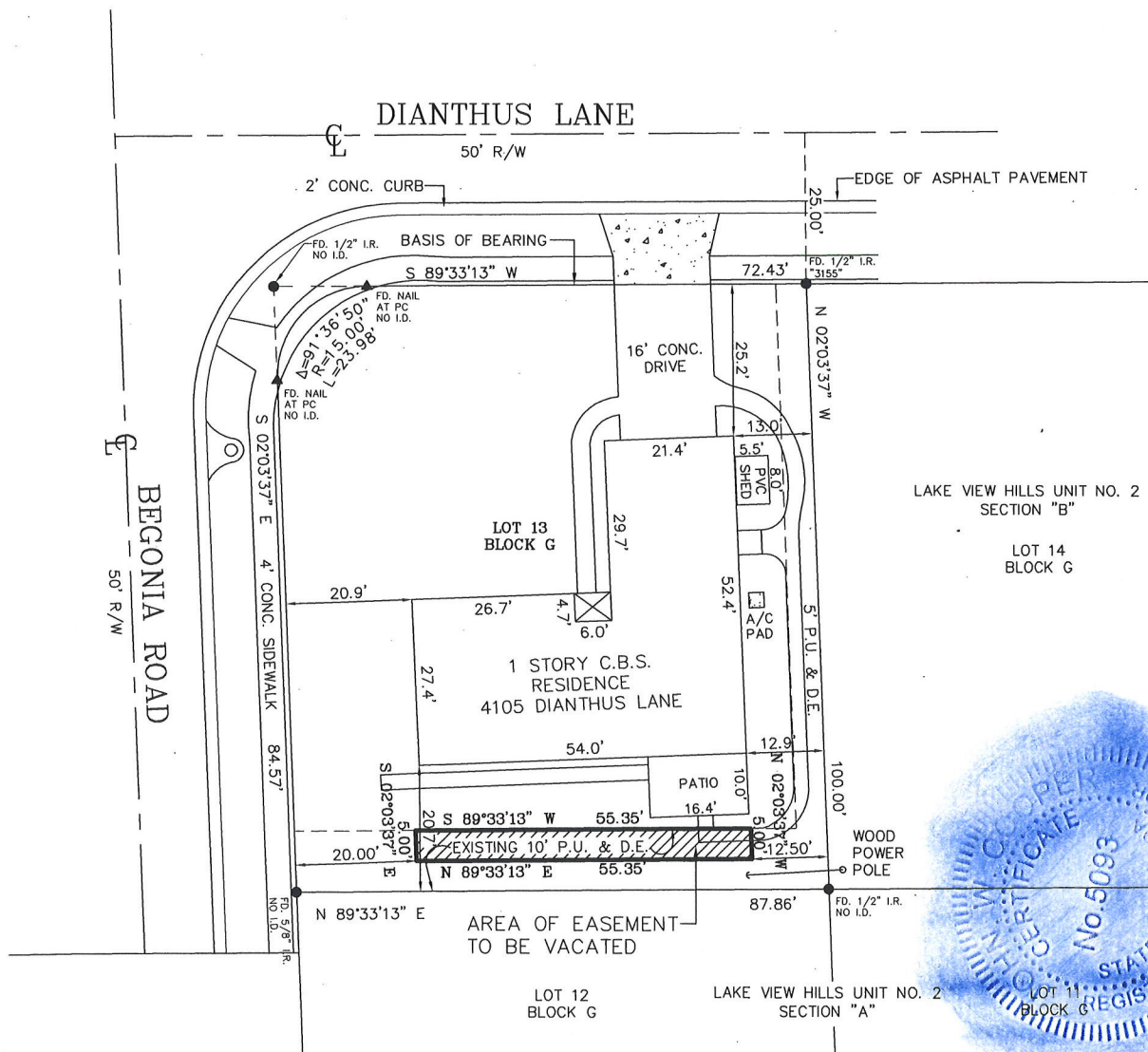
NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2



SCALE: 1" = 30'

LEGEND OF ABBREVIATIONS

| | |
|-------------|------------------------------------|
| C | CENTERLINE |
| FD. | FOUND |
| I.D. | IDENTIFICATION |
| I.R. | IRON ROD |
| L.B. | LICENSED BUSINESS |
| N/D | NAIL & DISC |
| ORB | OFFICIAL RECORDS BOOK |
| (M) | MEASURED |
| (P) | PLAT |
| P.U. & D.E. | PUBLIC UTILITY & DRAINAGE EASEMENT |
| PCP | PERMANENT CONTROL POINT |
| PLS | PROFESSIONAL LAND SURVEYOR |
| R/W | RIGHT OF WAY |



SECTION 30, TOWNSHIP 21 SOUTH, RANGE 35 EAST

PROJECT NO. 20-09-24
PREPARED BY: JOHN W. COOPER

Comment Sheet

Applicant: William and Brenda Hattaway

Updated by: Amber Holley 20201118 at 12:30 hours

| Utilities | Notified | Received | Approved | Remarks |
|--------------------|----------|----------|----------|---------------|
| FL City Gas Co | 20201104 | 20201105 | Yes | No objections |
| FL Power & Light | 20201104 | 20201116 | Yes | No objections |
| At&t | 20201104 | 20201118 | Yes | No objections |
| Charter/Spectrum | 20201104 | 20201105 | Yes | No objections |
| City of Titusville | 20201104 | 20201110 | Yes | No objections |

| County Staff | Notified | Received | Approved | Remarks |
|------------------|----------|----------|----------|---------------|
| Road & Bridge | 20201104 | 20201105 | Yes | No objections |
| Land Planning | 20201104 | 20201105 | Yes | No objections |
| Utility Services | 20201104 | 20201118 | Yes | No objections |
| Storm Water | 20201104 | 20201106 | Yes | No objections |
| Zoning | 20201104 | 20201105 | Yes | No objections |

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

Public Hearing Legal Advertisement

Ad#4475957

11/23/2020

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "LAKE VIEW HILLS UNIT NO. 2 SECTION B" IN SECTION 30, TOWNSHIP 21 SOUTH, RANGE 35 EAST, TITUSVILLE, 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 L. AND BRENDA J. HATTAAWAY** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THAT PORTION OF THE TEN (10.00) FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AS ESTABLISHED BY THE PLAT OF LAKE VIEW HILLS UNIT NO. 2 SECTION B ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 52, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **5:00 P.M. on December 08, 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 November 23, 2020 see next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "LAKE VIEW HILLS UNIT NO. 2 SECTION B" IN SECTION 30, TOWNSHIP 21 SOUTH, RANGE 35 EAST, TITUSVILLE, FL

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Proposed Pool Plan

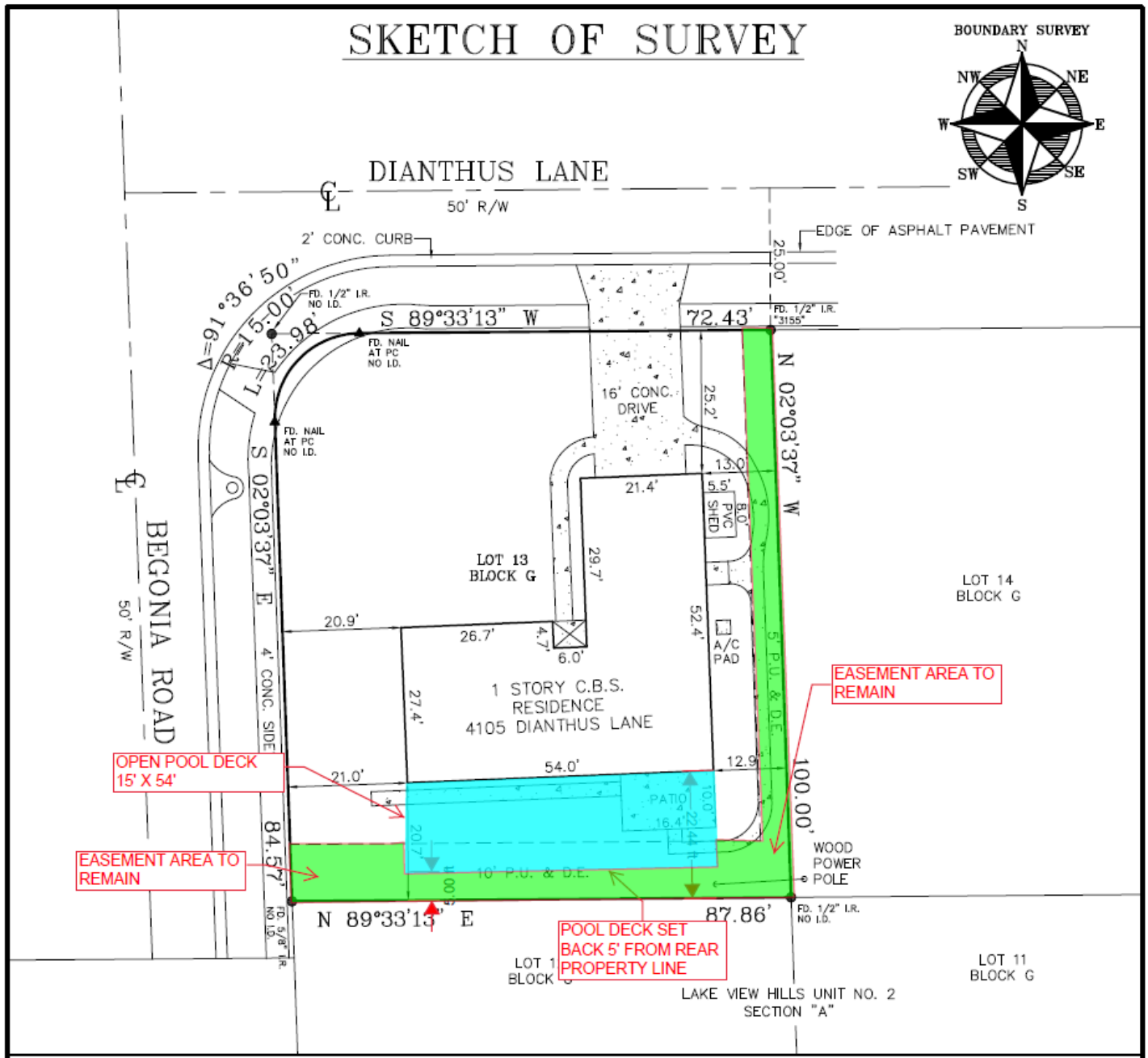


Fig. 9: Copy of proposed pool plan area 15 feet by 54 feet open pool deck with a 5-foot set back from property line (highlighted in blue).