

Resolution 2020 - _____

Vacating a public utility and drainage easement in "Villa De Palmas Unit No. 4" Subdivision, Merritt Island, Florida, lying in Section 14, Township 24 South, Range 36 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **JARED F. AND SUSANNE H. MAHER** 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 is 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 10th day of November, 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:
November 10, 2020

Brevard County Property Appraiser Detail Sheet

Account 2412485
 Owners Maher, Jared F; Maher, Susanne H
 Mailing Address 200 Cadiz CT Merritt Island FL 32953
 Site Address 200 Cadiz CT Merritt Island FL 32953
 Parcel ID 24-36-14-03-G-27
 Property Use 0110 - Single Family Residence
 Exemptions
 DIML - Disability - Military
 HEX1 - Homestead First
 HEX2 - Homestead Additional
 Taxing District 2200 - Unincorp District 2
 Total Acres 0.27
 Subdivision Villa DE Palmas Unit 4
 Site Code 0130 - Canal Front
 Plat Book/Page 0025/0120
 Land Description Villa DE Palmas Unit 4 Lot 27 Blk G

VALUE SUMMARY

Category	2020	2019	2018
Market Value	\$405,470	\$389,980	\$397,990
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$256,370	\$250,610	\$245,940
Assessed Value School	\$256,370	\$250,610	\$245,940
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$5,000	\$5,000	\$5,000
Taxable Value Non-School	\$201,370	\$195,610	\$190,940
Taxable Value School	\$226,370	\$220,610	\$215,940

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/15/2020	\$469,000	WD	Improved	8804/0573
12/28/2019	--	DC	Improved	8804/0571
06/03/2015	\$386,000	WD	Improved	7382/1381
06/28/2013	\$380,000	WD	Improved	6913/0506
06/15/2001	--	WD	Improved	4362/3662
07/30/2000	\$259,000	WD	Improved	4205/1701
05/30/1998	\$218,000	WD	Improved	3851/0450

Fig. 1: Copy of Property Appraiser's detail sheet for lot 27, block G, Villa De Palmas Unit No. 4, 200 Cadiz Court, Merritt Island, FL 32953, Section 14, Township 24 South, Range 36 East, District 2

Vicinity Map

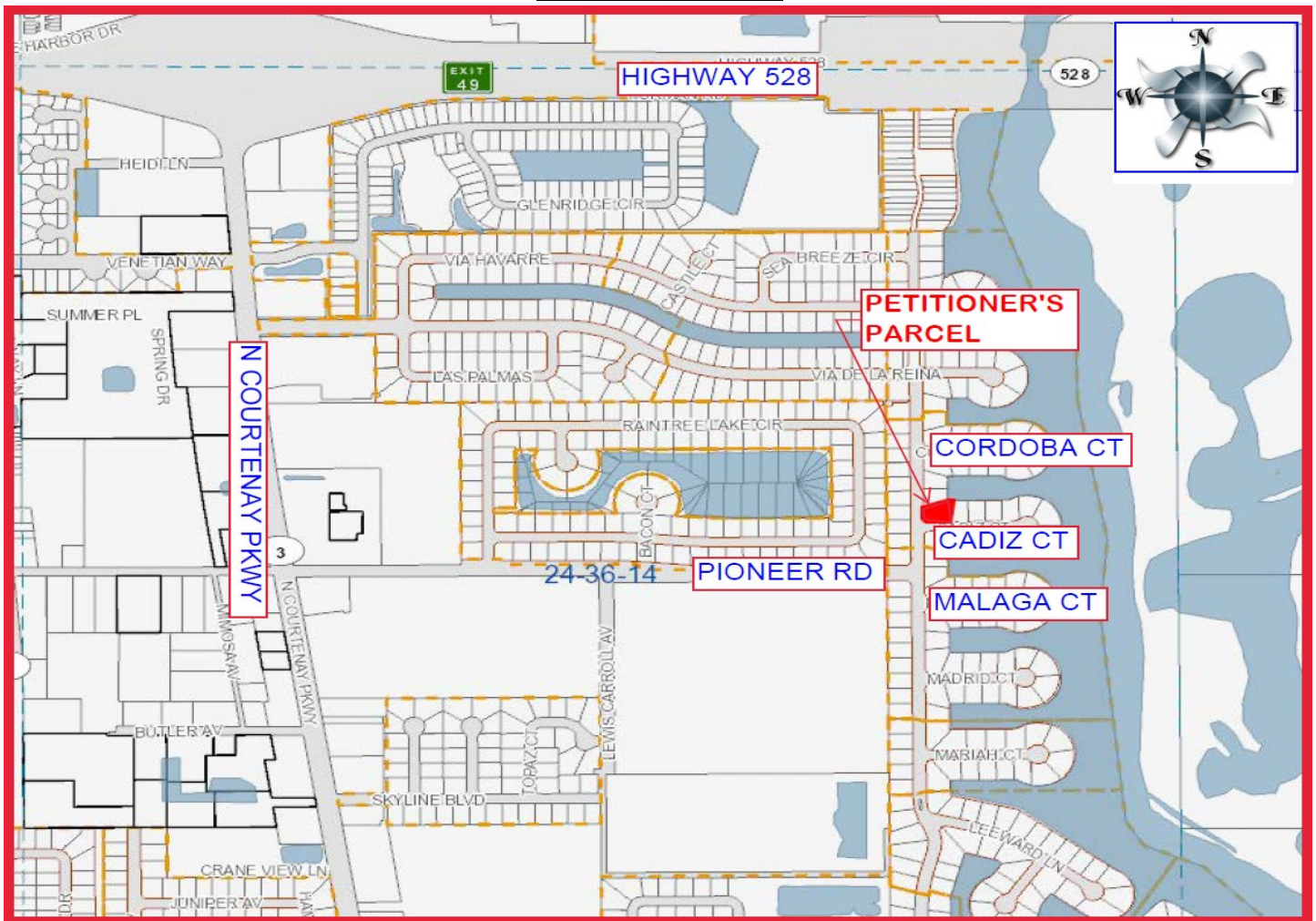


Fig. 2: Map of Lot 27, Block G, Villa De Palmas Unit No. 4, 200 Cadiz Court, Merritt Island, FL 32953

Jared F. & Susanne H. Maher – Lot 27, Block G, “Villa De Palmas Unit No. 4” (Plat Book 25, Page 120) – 200 Cadiz Court – Section 14, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a 5.0 ft. Wide Public Utility & Drainage Easement along the rear line.

Aerial Map

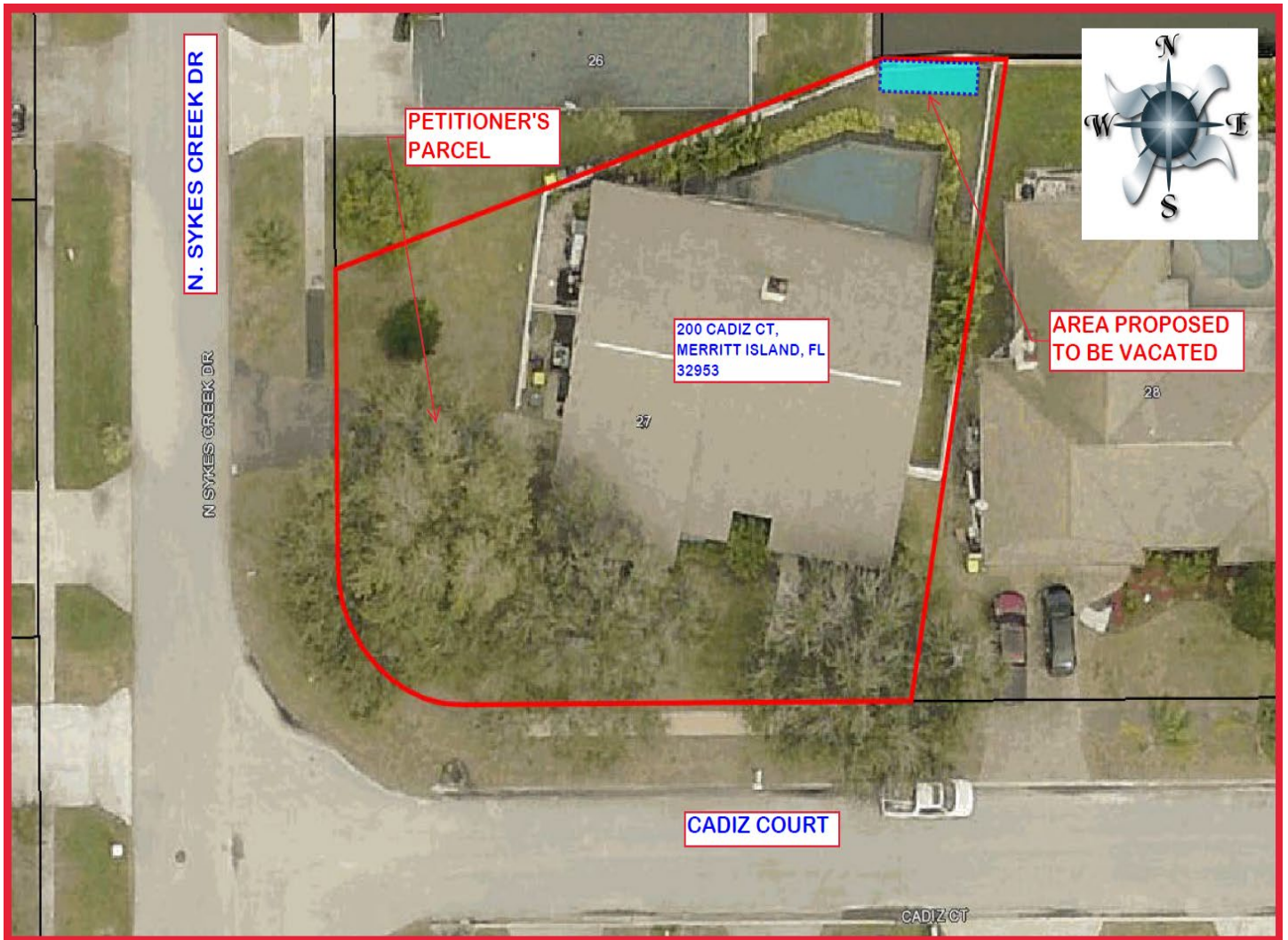


Fig. 3: Map of aerial view of Lot 27, Block G, Villa De Palmas Unit No. 4, 200 Cadiz Court, Merritt Island, FL 32953

Jared F. & Susanne H. Maher – Lot 27, Block G, “Villa De Palmas Unit No. 4” (Plat Book 25, Page 120) – 200 Cadiz Court – Section 14, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a 5.0 ft. Wide Public Utility & Drainage Easement along the rear line.

Fig. 4: Copy of plat map "Villa De Palmas Unit No. 4" dedicated to Brevard County September 14, 1977

LEGAL DESCRIPTION

SHEET 1 OF 2
NOT A SURVEY

SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST
PARENT PARCEL ID# 24-36-14-03-G-27
PURPOSE: VACATION OF EASEMENT

NOT VALID WITHOUT SHEET 2 OF 2

LEGAL DESCRIPTION: PARCEL #1 (PREPARED BY SURVEYOR)

A PORTION OF THE NORTHERLY 5.00 FEET PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ON LOT 27, BLOCK G, VILLA DE PALMAS UNIT No. 4, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 120, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 27, BLOCK G OF SAID VILLA DE PALMAS; THENCE RUN S 89°45'37" W ALONG THE NORTH LINE OF SAID LOT 27 BLOCK G 5.08 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S 10°03'54" W 5.08 FEET TO THE SOUTH LINE OF A 5.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE S 89°45'37" W ALONG SAID SOUTH LINE 18.23 FEET; THENCE N 09°03'53" W 5.06 FEET TO THE NORTH LINE OF SAID LOT 27 BLOCK G; THENCE N 89°45'37" E ALONG SAID NORTH LINE 19.92 FEET TO THE POINT OF BEGINNING. CONTAINING 95 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE E. R/W LINE BEING N 00°14'23" W AS PER PLAT (SEE SKETCH)
2. THIS SKETCH AND DESCRIPTION CONTAINS TWO SHEETS. EACH SHEET IS NOT FULL OR COMPLETE WITHOUT THE OTHER.
3. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER WHICH CAN BE FOUND ON SHEET 1 OF 2.

LEGEND:

BLK = BLOCK
BRG = BEARING
C/L = CENTERLINE
COR = CORNER
ESMT = EASEMENT
(P) = PLAT
P.B. = PLAT BOOK
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PUDE = PUBLIC UTILITY AND DRAINAGE EASEMENT
REF = REFERENCE
R/W = RIGHT OF WAY

PREPARED FOR AND CERTIFIED TO:
JARED F. MAHER AND SUSANNE H. MAHER

PREPARED BY:

Kane Surveying, Inc.

FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448

JOEL A. SEYMOUR, LS 6133
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

DRAWN BY: JED	PROJECT NO. 40225	DESCRIPTION	DATE:	REVISIONS:	SECTION 14
DATE: 8/13/20	DRAWING: VILLADEP/L27BG				TOWNSHIP 24 SOUTH
					RANGE 36 EAST

Fig. 6: Sketch of Description. Situated in Section 14, Township 24 South, Range 36 East, Parent Parcel: #24-36-14-03-G-27. Sheet 2 of 2. Not valid without sheet 1 of 2. Sketch illustrate a lot (27) that reside on Cadiz Court, Merritt Island, Florida. A 5-foot public utility & drainage easement lies along the northerly line of lot 27. The coordinates of the area depicted is as follows moving North to East clockwise. North boundary – North 72°06'37" East 115.43'; East boundary South 10°03'54" West 111.80', South boundary – South 89°45'37" West 90.00'. Prepared by: Kane Surveying, Inc., FL LB# 7838. Project NO: 40225.

Comment Sheet

Applicant: Jared & Susanne Maher

Updated by: Amber Holley 20200915 at 16:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20200901	20200903	Yes	No objections
FL Power & Light	20200901	20200901	Yes	No objections
At&t	20200901	20200908	Yes	No objections
Charter/Spectrum	20200901	20200901	Yes	No objections
City of Cocoa	20200901	20200901	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20200901	20200915	Yes	No objections
Land Planning	20200901	20200915	Yes	No objections
Utility Services	20200901	20200901	Yes	No objections
Storm Water	20200901	20200903	Yes	No objections
Zoning	20200901	20200915	Yes	No objections

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

Public Hearing Legal Advertisement

AD#4378809,9/21/2020

LEGAL NOTICE

NOTICE FOR THE VACATING OF A 5.0 FT.
WIDE PUBLIC UTILITY AND DRAINAGE
EASEMENT, PLAT OF "VILLA DE PALMAS
UNIT NO. 4" IN SECTION 14, TOWNSHIP
24 SOUTH, RANGE 36 EAST, MERRITT
ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant
to Chapter 336.09, Florida Statutes, and
Chapter 86, Article II, Section 86-36, Bre-
vard County Code, a petition has been
filed by JARED F. AND SUSANNE H.
MAHER with the Board of County Com-
missioners of Brevard County, Florida, to
request vacating the following described
property, to wit:

A PORTION OF THE NORTHERLY 5.00
FEET PUBLIC UTILITY AND DRAINAGE
EASEMENT LYING ON LOT 27, BLOCK G,
VILLA DE PALMAS UNIT No. 4, ACCORD-
ING TO THE PLAT THEREOF, AS RECORD-
ED IN PLAT BOOK 25, PAGE 120, PUBLIC
RECORDS OF BREVARD COUNTY, FLORI-
DA, BEING MORE PARTICULARLY DE-
SCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST COR-
NER OF LOT 27, BLOCK G OF SAID VILLA
DE PALMAS; THENCE RUN S 89°45'37" W
ALONG THE NORTH LINE OF SAID LOT 27
BLOCK G 5.08 FEET TO THE POINT OF BE-
GINNING OF THE HEREIN DESCRIBED
PARCEL; THENCE S 10°03'54" W 5.08
FEET TO THE SOUTH LINE OF A 5.00
FOOT PUBLIC UTILITY AND DRAINAGE
EASEMENT; THENCE S 89°45'37" W
ALONG SAID SOUTH LINE 18.23 FEET;
THENCE N 09°03'53" W 5.06 FEET TO
THE NORTH LINE OF SAID LOT 27 BLOCK
G; THENCE N 89°45'37" E ALONG SAID
NORTH LINE 19.92 FEET TO THE POINT
OF BEGINNING. CONTAINING 95 SQUARE
FEET MORE OR LESS.

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 October 06, 2020 at the Brevard
County Government Center Board
Room, Building C., 2725 Judge Fran Ja-
mieson Way, Viera, Florida, at which
time and place all those for or against
the same may be heard before final ac-
tion 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 pur-
pose, he or she may need to ensure that
a verbatim record of the proceedings is
made, which record includes the testi-
mony and evidence upon which the ap-
peal 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 im-
paired persons shall be met if the de-
partment 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 September 21, 2020 see next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE VACATING OF A 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, PLAT OF "VILLA DE PALMAS UNIT NO. 4" IN SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, 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 JARED F. AND SUSANNE H. MAHER with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF THE NORTHERLY 5.00 FEET PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ON LOT 27, BLOCK G, VILLA DE PALMAS UNIT No. 4, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 120, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 27, BLOCK G OF SAID VILLA DE PALMAS; THENCE RUN S 89°45'37" W ALONG THE NORTH LINE OF SAID LOT 27 BLOCK G 5.08 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S 10°03'54" W 5.08 FEET TO THE SOUTH LINE OF A 5.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE S 89°45'37" W ALONG SAID SOUTH LINE 18.23 FEET; THENCE N 09°03'53" W 5.06 FEET TO THE NORTH LINE OF SAID LOT 27 BLOCK G; THENCE N 89°45'37" E ALONG SAID NORTH LINE 19.92 FEET TO THE POINT OF BEGINNING. CONTAINING 95 SQUARE FEET MORE OR LESS.

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 October 06, 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.

LEGAL DESCRIPTION

SHEET 1 OF 2
NOT A SURVEY

SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST
PARENT PARCEL ID# 24-36-14-03-G-27
PURPOSE: VACATION OF EASEMENT

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COMMENCE AT THE NORTHEAST CORNER OF LOT 27, BLOCK G OF SAID VILLA DE PALMAS; THENCE RUN S 89°45'37" W ALONG THE NORTH LINE OF SAID LOT 27 BLOCK G, A DISTANCE OF 6.58 FEET; THENCE S 09°34'09" W 2.44 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE S 09°34'09" W 2.63 FEET TO THE SOUTH LINE OF A 5.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE S 89°45'37" W ALONG SAID SOUTH LINE 14.93 FEET; THENCE N 35°14'46" E 4.30 FEET; THENCE S 86°12'40" E 12.92 FEET TO THE POINT OF BEGINNING.
CONTAINING 43 SQUARE FEET MORE OR LESS.

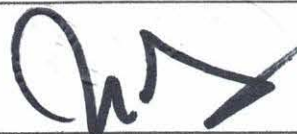
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PREPARED FOR AND CERTIFIED TO:
JARED F. MAHER AND SUSANNE H. MAHER



JOEL A. SEYMOUR, LS 6133
PROFESSIONAL SURVEYOR & MAPPER
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PREPARED BY: **Kane Surveying, Inc.**

FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448

DRAWN BY: JED

PROJECT NO. 40225

DESCRIPTION

DATE:

REVISIONS:

SECTION 14

TOWNSHIP 24 SOUTH

RANGE 36 EAST

DATE: 10/13/20

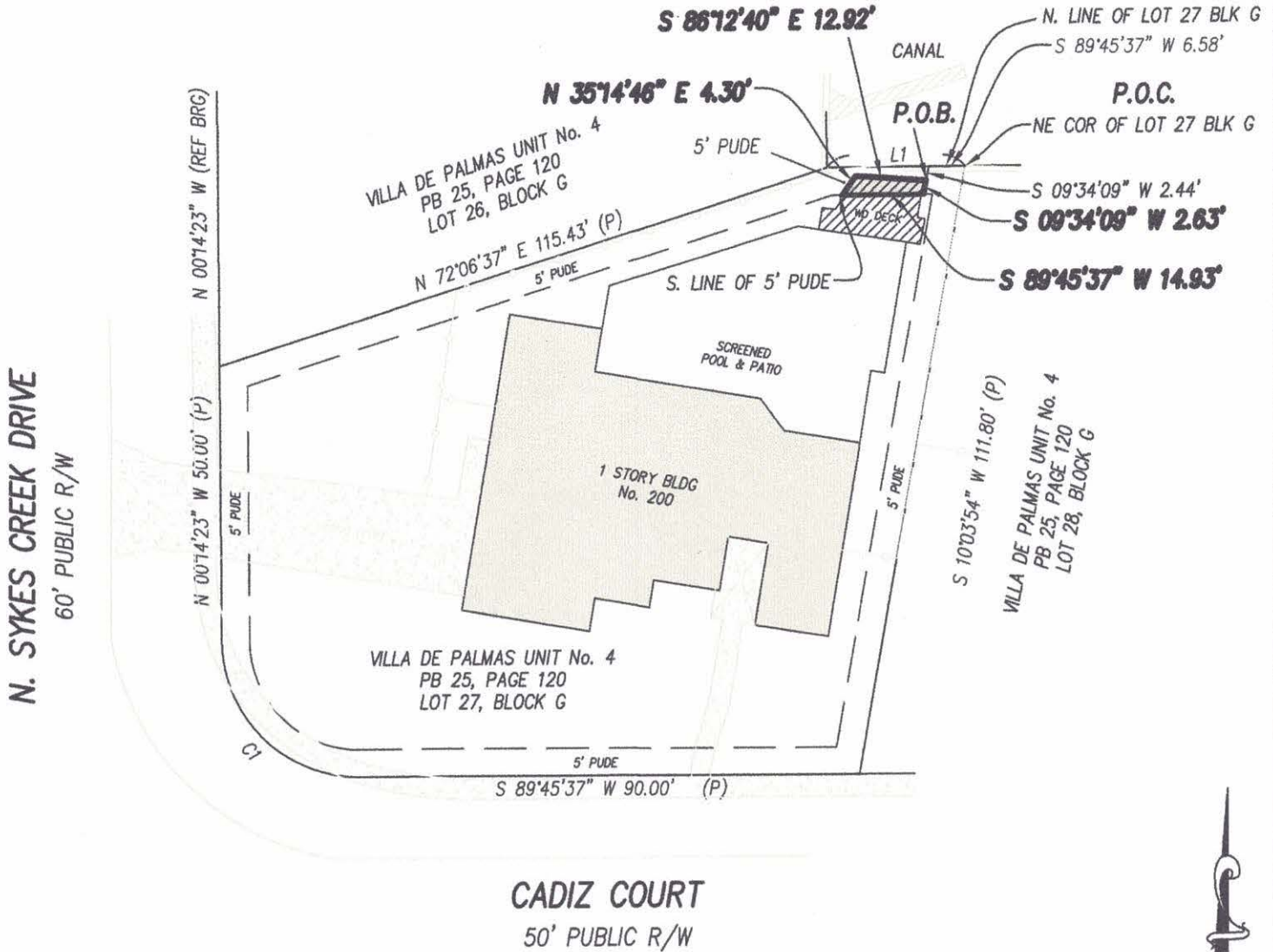
DRAWING: VILLADEP/L27BG

SKETCH OF DESCRIPTION

SHEET 2 OF 2
NOT A SURVEY

SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST
PARENT PARCEL ID# 24-36-14-03-G-27
PURPOSE: VACATION OF EASEMENT

NOT VALID WITHOUT SHEET 1 OF 2



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1(P)	39.27'	25.00'	90°00'00"	35.36'	N45°14'23"W

PREPARED BY:

Kane Surveying, Inc.
FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448

SCALE: 1 INCH = 30 FEET

PROJECT NO. 40225

SECTION 14
TOWNSHIP 24 SOUTH
RANGE 36 EAST

