

## **Resolution 2021 -**

### **Vacating a General-Purpose Easement per Official Records Book 6697, Page 2309, lying in Section 23, Township 29 South, Range 37 East, Grant-Valkaria, Florida**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **TOWN OF GRANT-VALKARIA** with the Board of County Commissioners to vacate a general-purpose 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 general-purpose easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said general-purpose 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 6<sup>th</sup> day of July, 2021 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

\_\_\_\_\_  
Rachel Sadoff, Clerk

\_\_\_\_\_  
Rita Pritchett, Chair

As approved by the Board on:  
July 6, 2021

# Brevard County Property Appraiser Detail Sheet

Account 2965097  
 Owners GRANT-VALKARIA, TOWN OF  
 Mailing Address 1449 VALKARIA RD GRANT VALKARIA FL 32950  
 Site Address  
 1447 VALKARIA RD UNIT SEC.SFR GRANT  
 VALKARIA FL 32950  
 1449 VALKARIA RD UNIT PARK GRANT VALKARIA  
 FL 32950  
 1449 VALKARIA RD UNIT TOWNHALL GRANT  
 VALKARIA FL 32950  
 Parcel ID 29-37-23-00-48  
 Property Use 8910 - MUNICIPALLY OWNED LAND - IMPROVED  
 Exemptions EXMU - MUNICIPALLY OWNED PROPERTY  
 Taxing District 34L0 - GRANT-VALKARIA  
 Total Acres 39.45  
 Subdivision --  
 Site Code --  
 Plat Book/Page 0000/0000  
 Land Description PART OF LOTS 18,30,31 OF PB 1 PG 165 AS DESC  
 IN ORB 6697 PG 2306

## VALUE SUMMARY

Category	2020	2020	2019
Market Value	\$815,210	\$741,250	\$675,070
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$815,210	\$741,250	\$675,070
Assessed Value School	\$815,210	\$741,250	\$675,070
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$815,210	\$741,250	\$675,070
Taxable Value Non-School	\$0	\$0	\$0
Taxable Value School	\$0	\$0	\$0

## SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/24/2012	--	CD	--	6697/2306

Fig. 1: Copy of Property Appraiser's detail sheet for lots 18, 30, and 31, Florida Indian River Land Company, 1449 Valkaria Road, Grant-Valkaria, FL 32950, Section 23, Township 29 South, Range 37 East, District 3

## Vicinity Map

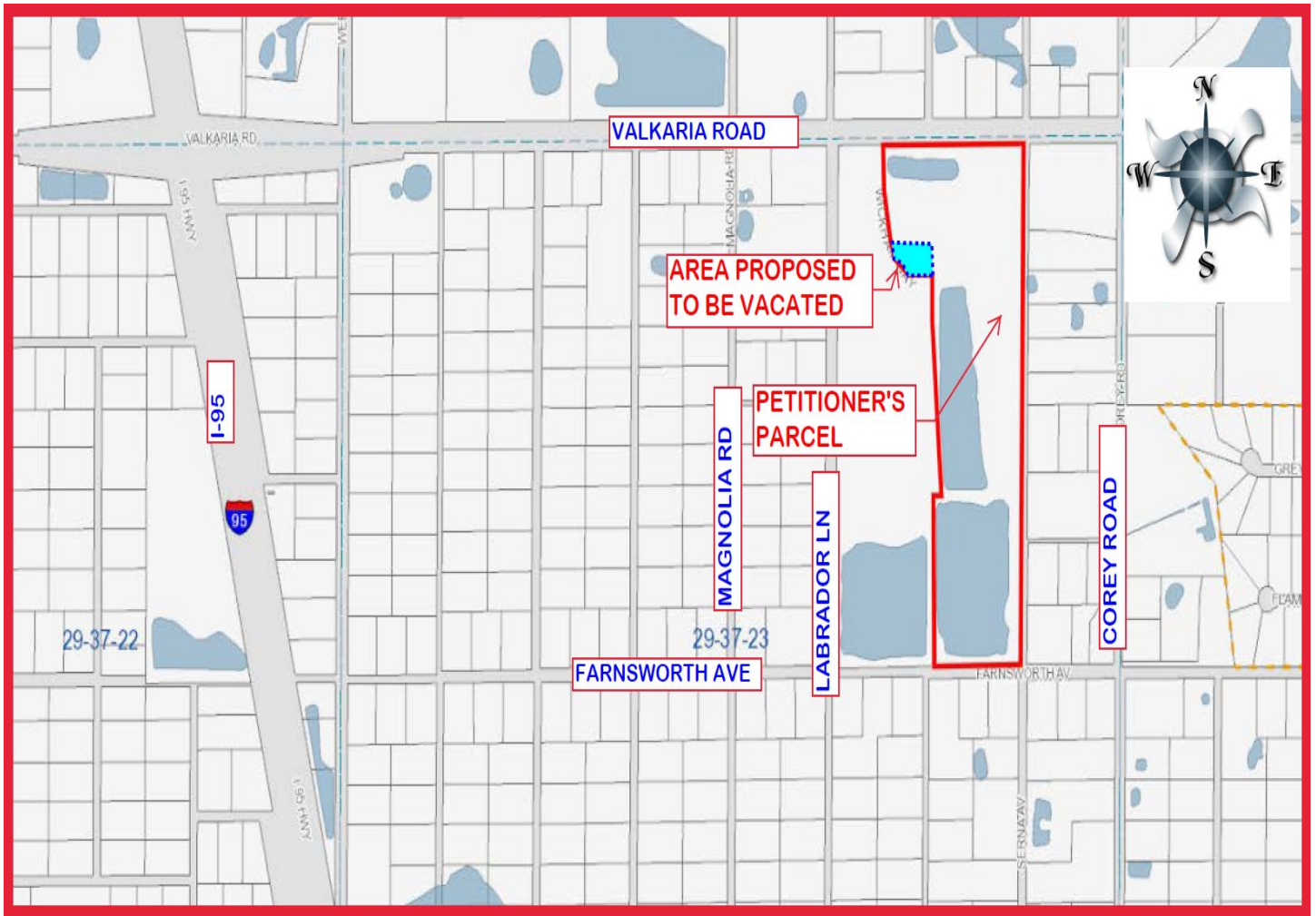


Fig. 3: Map of Lots 18, 30 & 31, Florida Indian River Land Company, 1449 Valkaria Rd, Grant-Valkaria, FL 32950.

Town of Grant-Valkaria – 1449 Valkaria Road –  
Grant-Valkaria, FL, 32950 – Lots 18, 30 & 31, plat  
of “Florida Indian River Land Company” – Plat  
Book 01, Page 165 – Section 23, Township 29  
South, Range 37 East – District 3 – Proposed  
Vacating of a General-Purpose Easement per ORB  
6697, Page 2309

## Aerial Map

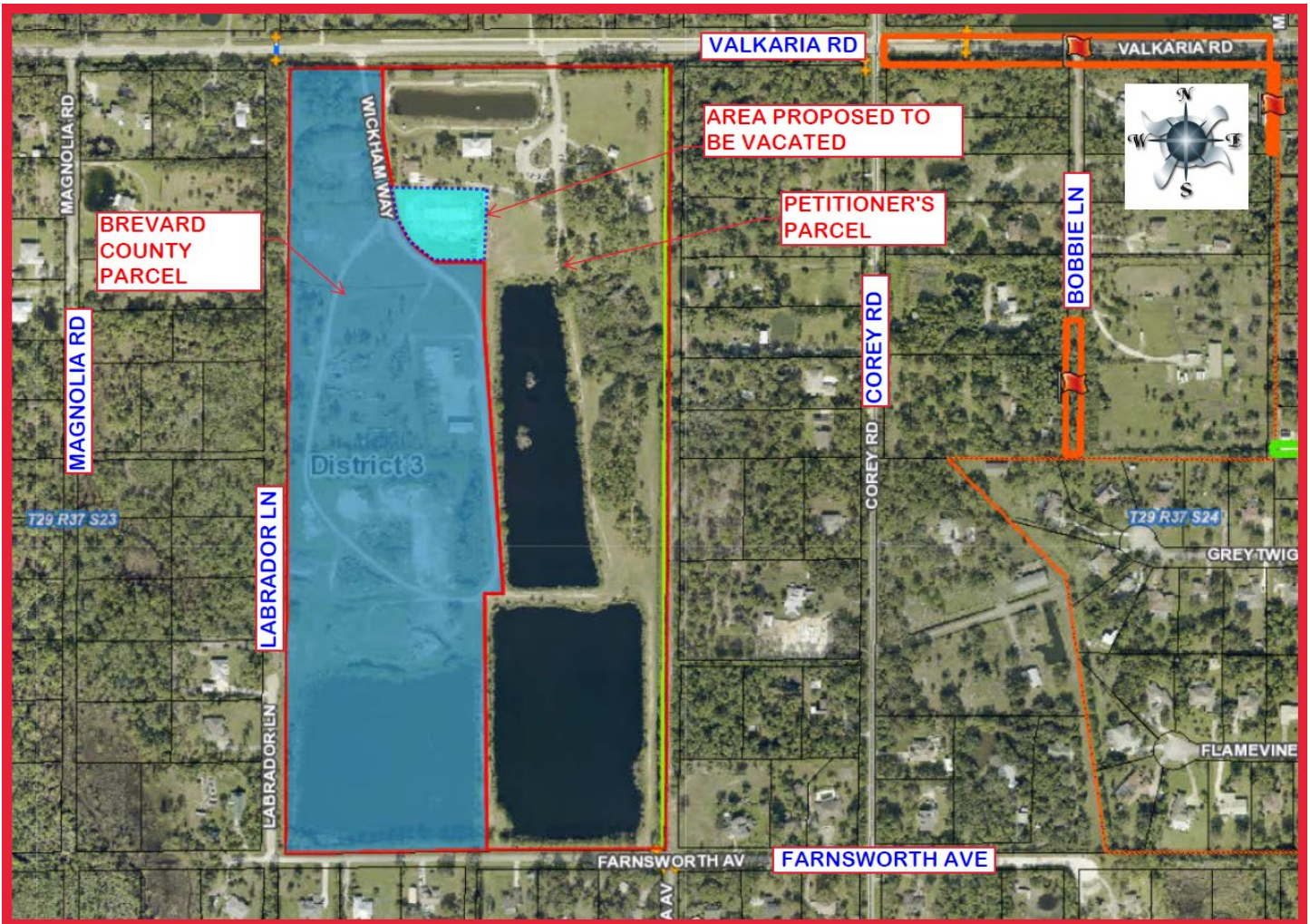


Fig. 4: Map of aerial view of Lots 18, 30 & 31, Florida Indian River Land Company, 1449 Valkaria Rd, Grant-Valkaria, FL 32950.

Town of Grant-Valkaria – 1449 Valkaria Road –  
Grant-Valkaria, FL, 32950 – Lots 18, 30 & 31, plat  
of “Florida Indian River Land Company” – Plat  
Book 01, Page 165 – Section 23, Township 29  
South, Range 37 East – District 3 – Proposed  
Vacating of a General-Purpose Easement per ORB  
6697, Page 2309



# Plat Reference

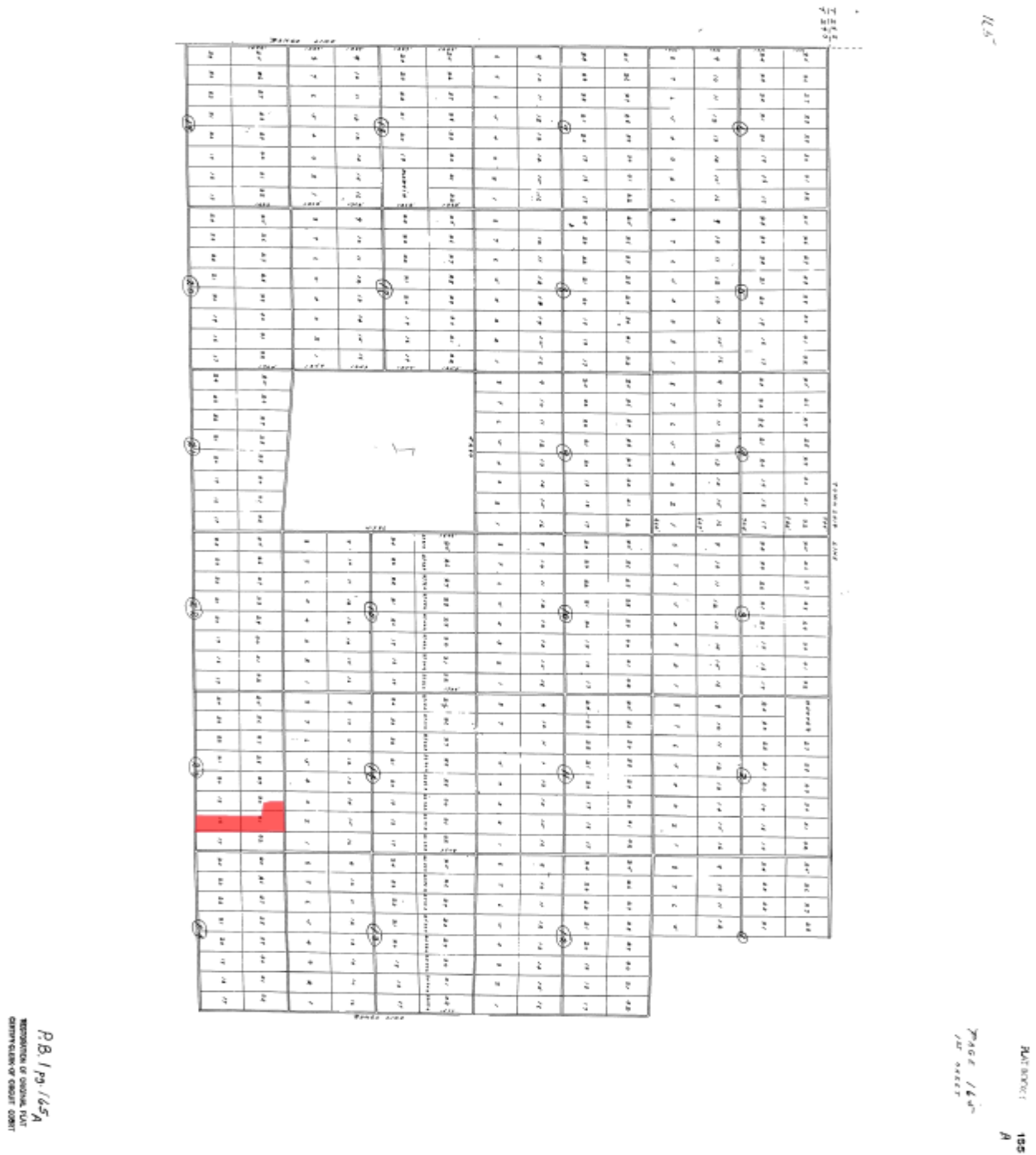


Fig. 5: Copy of plat map "Florida Indian River Land Company" dedicated to Brevard County.

# LEGAL DESCRIPTION

## PARCEL 801

PARENT PARCEL ID#: 29-37-23-00-48

PURPOSE: VACATE EASEMENT

# EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

### LEGAL DESCRIPTION:

(PARCEL 801, PER ORB 6697, PAGE 2309)

A PARCEL OF LAND FOR EASEMENT PURPOSES LYING IN A PORTION OF LOTS 30 AND 31 OF SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST, PER THE PLAT OF FLORIDA INDIAN RIVER LAND COMPANY AS RECORDED IN PLAT BOOK 1, PAGE 165, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST; THENCE NORTH 89°34'40" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23 FOR A DISTANCE OF 683.98 FEET; THENCE DEPARTING SAID NORTH SECTION LINE RUN SOUTH 00°25'20" EAST FOR A DISTANCE OF 35.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF VALKARIA ROAD AS ESTABLISHED PER OFFICIAL RECORDS BOOK 0582, PAGE 0615 OF SAID PUBLIC RECORDS; THENCE NORTH 89°34'40" EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF VALKARIA ROAD FOR A DISTANCE OF 321.18 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE RUN SOUTH 00°25'20" EAST FOR A DISTANCE OF 221.71 FEET; THENCE SOUTH 10°17'41" EAST FOR A DISTANCE OF 183.84 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 89°34'40" EAST FOR A DISTANCE OF 301.28 FEET; THENCE SOUTH 00°21'22" WEST FOR A DISTANCE OF 237.38 FEET; THENCE NORTH 89°38'38" WEST FOR A DISTANCE OF 160.42 FEET; THENCE NORTH 54°34'01" WEST FOR A DISTANCE OF 44.97 FEET TO A POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 225.00 FEET AND AN INCLUDED ANGLE OF 44°16'20"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 173.86 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 10°17'41" WEST FOR A DISTANCE OF 66.03 FEET TO THE POINT OF BEGINNING, CONTAINING 1.399 ACRES (60,940 SQUARE FEET), MORE OR LESS.

A TITLE OPINION OR REPORT WAS NOT PROVIDED TO THE SURVEYOR. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

### ABBREVIATIONS

AL	=	ARC LENGTH
C1	=	CURVE NUMBER
CA	=	CENTRAL ANGLE
CB	=	CHORD BEARING
CD	=	CHORD DISTANCE
L1	=	LINE NUMBER
N/F	=	NOW OR FORMERLY
ORB	=	OFFICIAL RECORDS BOOK
PB	=	PLAT BOOK
PC	=	POINT OF CURVATURE
PG	=	PAGE
PT	=	POINT OF TANGENCY
PI	=	POINT OF INTERSECTION
R	=	RADIUS
R/W	=	RIGHT OF WAY


### SURVEYOR'S NOTES:

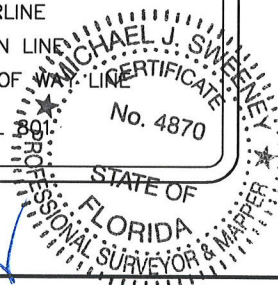
1. THIS SKETCH IS NOT A BOUNDARY SURVEY, BUT ONLY A GRAPHICAL DEPICTION OF THE LAND DESCRIBED HEREIN. SEE SHEET 2 OF 2 FOR SKETCH.

2. BEARINGS SHOWN HEREON ARE BASED ON ASSUMED NORTH REFERENCED TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST, WHICH BEARS N89°34'40"E.


3. INSTRUMENTS OF RECORD PERTAINING TO ENCUMBRANCES SUCH AS EASEMENTS, RIGHTS OF WAY, COVENANTS, AGREEMENTS, AND RESTRICTIONS WERE NOT PROVIDED BY THE CLIENT; A SEARCH OF THE PUBLIC RECORDS WAS NOT PERFORMED BY THIS SURVEYOR. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED HEREIN.

### LEGEND

—————	EASEMENT BOUNDARY LINE
- - - - -	LOT LINE
—————	CENTERLINE
- . - . -	SECTION LINE
—————	RIGHT OF WAY LINE
	PARCEL 801



PREPARED FOR: BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS

  
MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
PHONE: (321) 633-2080



DRAWN BY: R. HENNING	CHECKED BY: M. J. SWEENEY	PROJECT NO. 293723_SK_VALKARIA-ESMT	SECTION 23
DATE: APRIL 19, 2021	SHEET: 1 OF 2	REVISIONS	TOWNSHIP 29 SOUTH
		DATE	RANGE 37 EAST
		DESCRIPTION	

# Petitioner's Sketch & Description Sheet 2 of 2

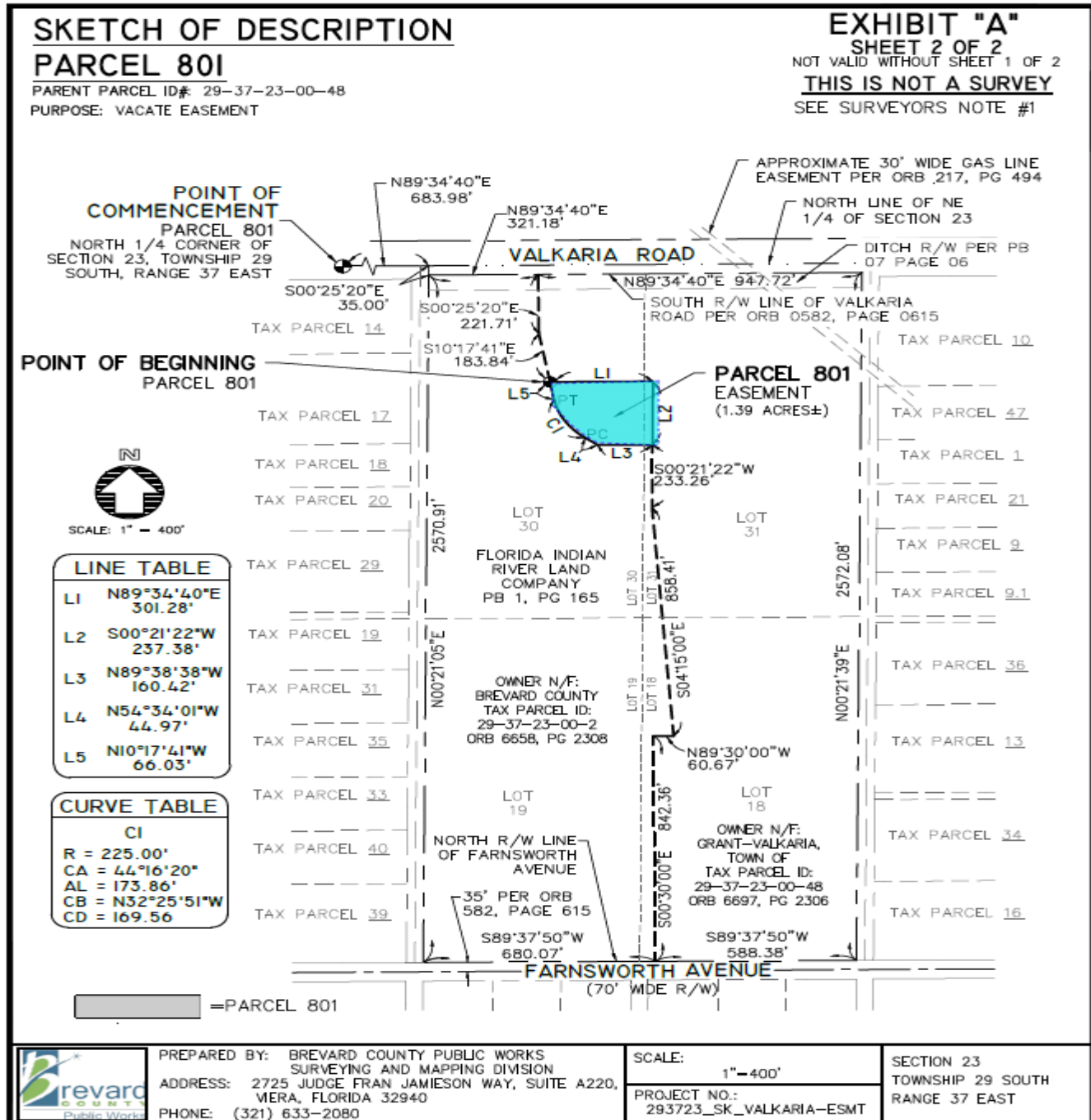


Fig. 7: Sketch of Description. Situated in Section 23, Township 29 South, Range 37 East, Parent Parcel: #29-37-23-00-48. Sheet 2 of 2. Not valid without sheet 1 of 2. Sketch illustrates lots 18, 30 & 31 that reside on Valkaria Road, Gran-Valkaria, Florida. A general-purpose easement lying within lots 18, 30 & 31. The coordinates of the area depicted is as follows moving North to East clockwise. North boundary – North 89°34'40" East 301.28'; East boundary South 00°21'22" West 237.38', South boundary – South 89°38'38" West 160.42'. Prepared by: Brevard County Public Works Surveying & Mapping Division, FL, Michael J. Sweeney, PSM# 4870. Project NO: 293723\_SK-Valkaria-Esmt.

## Comment Sheet

Applicant: Town of Grant-Valkaria

Updated by: Amber Holley 20210518 at 15:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20210430	20210518	Yes	No objections
FL Power & Light	20210430	20210511	Yes	No Objections
At&t	20210430	20210503	Yes	No Objections
Charter/Spectrum	20210430	20210511	Yes	No Objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20210430	20210507	Yes	No Objections
Land Planning	20210430	20210504	Yes	No objections
Utility Services	20210430	20210503	Yes	No objections
Storm Water	20210430	20210505	Yes	No Objections
Zoning	20210430	20210504	Yes	No objections

Fig. 8: Copy of comment sheet for utility review.



# Public Hearing Legal Advertisement

AD#4782428 6/21/2021  
LEGAL NOTICE  
NOTICE FOR THE VACATING OF A  
GENERAL-PURPOSE EASEMENT, PER OF-  
FICIAL RECORDS BOOK 6697, PAGE 2309  
IN SECTION 23, TOWNSHIP 29 SOUTH,  
RANGE 37 EAST, GRANT-VALKARIA, 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 TOWN OF GRANT-VALKARIA  
with the Board of County Commissioners  
of Brevard County, Florida, to request  
vacating the following described proper-  
ty, to wit:

A PARCEL OF LAND FOR EASEMENT PUR-  
POSES LYING IN A PORTION OF LOTS 30  
AND 31 OF SECTION 23, TOWNSHIP 29  
SOUTH, RANGE 37 EAST, PER THE PLAT  
OF FLORIDA INDIAN RIVER LAND COM-  
PANY AS RECORDED IN PLAT BOOK 1,  
PAGE 165, OF THE PUBLIC RECORDS OF  
BREVARD COUNTY, FLORIDA AND BEING  
MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

COMMENCE AT THE NORTH QUARTER  
CORNER OF SECTION 23, TOWNSHIP 29  
SOUTH, RANGE 37 EAST; THENCE NORTH  
89°34'40" EAST ALONG THE NORTH LINE  
OF THE NORTHEAST QUARTER OF SAID  
SECTION 23 FOR A DISTANCE OF 683.98  
FEET; THENCE DEPARTING SAID NORTH  
SECTION LINE RUN SOUTH 00°25'20"  
EAST FOR A DISTANCE OF 35.00 FEET TO  
THE SOUTH RIGHT OF WAY LINE OF  
VALKARIA ROAD AS ESTABLISHED PER  
OFFICIAL RECORDS BOOK 0582, PAGE  
0615 OF SAID PUBLIC RECORDS; THENCE  
NORTH 89°34'40" EAST ALONG SAID  
SOUTH RIGHT OF WAY LINE OF  
VALKARIA ROAD FOR A DISTANCE OF  
321.18 FEET; THENCE DEPARTING SAID  
SOUTH RIGHT OF WAY LINE RUN SOUTH  
00°25'20" EAST FOR A DISTANCE OF  
221.71 FEET; THENCE SOUTH 10°17'41"  
EAST FOR A DISTANCE OF 183.84 FEET  
TO THE POINT OF BEGINNING OF THE  
HEREIN DESCRIBED EASEMENT; THENCE  
NORTH 89°34'40" EAST FOR A DISTANCE  
OF 301.28 FEET; THENCE SOUTH  
00°21'22" WEST FOR A DISTANCE OF  
237.38 FEET; THENCE NORTH 89°38'38"  
WEST FOR A DISTANCE OF 160.42 FEET;  
THENCE NORTH 54°34'01" WEST FOR A  
DISTANCE OF 44.97 FEET TO A POINT OF  
CURVATURE OF A TANGENTIAL CURVE  
CONCAVE NORTHEASTERLY, AND HAV-  
ING A RADIUS OF 225.00 FEET AND AN  
INCLUDED ANGLE OF 44°16'20"; THENCE  
NORTHWESTERLY ALONG THE ARC OF  
SAID CURVE FOR A DISTANCE OF 173.86  
FEET, TO THE POINT OF TANGENCY;  
THENCE NORTH 10°17'41" WEST FOR A  
DISTANCE OF 66.03 FEET TO THE POINT  
OF BEGINNING, CONTAINING 1.399  
ACRES (60,940 SQUARE FEET), MORE OR  
LESS. PREPARED BY: MICHAEL J. SWEE-  
NEY, PSM.

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 July 6, 2021 at the Brevard County  
Government Center Board Room, Build-  
ing 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 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

Fig. 9: Copy of public hearing advertisement as published on June 21, 2021 see next page for full text.

## Legal Notice Text

NOTICE FOR THE VACATING OF A GENERAL-PURPOSE EASEMENT, PER OFFICIAL RECORDS BOOK 6697, PAGE 2309 IN SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST, GRANT-VALKARIA, 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 TOWN OF GRANT-VALKARIA with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PARCEL OF LAND FOR EASEMENT PURPOSES LYING IN A PORTION OF LOTS 30 AND 31 OF SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST, PER THE PLAT OF FLORIDA INDIAN RIVER LAND COMPANY AS RECORDED IN PLAT BOOK 1, PAGE 165, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 29 SOUTH, RANGE 37 EAST; THENCE NORTH 89°34'40" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23 FOR A DISTANCE OF 683.98 FEET; THENCE DEPARTING SAID NORTH SECTION LINE RUN SOUTH 00°25'20" EAST FOR A DISTANCE OF 35.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF VALKARIA ROAD AS ESTABLISHED PER OFFICIAL RECORDS BOOK 0582, PAGE 0615 OF SAID PUBLIC RECORDS; THENCE NORTH 89°34'40" EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF VALKARIA ROAD FOR A DISTANCE OF 321.18 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE RUN SOUTH 00°25'20" EAST FOR A DISTANCE OF 221.71 FEET; THENCE SOUTH 10°17'41" EAST FOR A DISTANCE OF 183.84 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 89°34'40" EAST FOR A DISTANCE OF 301.28 FEET; THENCE SOUTH 00°21'22" WEST FOR A DISTANCE OF 237.38 FEET; THENCE NORTH 89°38'38" WEST FOR A DISTANCE OF 160.42 FEET; THENCE NORTH 54°34'01" WEST FOR A DISTANCE OF 44.97 FEET TO A POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 225.00 FEET AND AN INCLUDED ANGLE OF 44°16'20"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 173.86 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 10°17'41" WEST FOR A DISTANCE OF 66.03 FEET TO THE POINT OF BEGINNING, CONTAINING 1.399 ACRES (60,940 SQUARE FEET), MORE OR LESS. PREPARED BY: MICHAEL J. SWEENEY, PSM.

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 July 6, 2021 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.