



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 1591, **Version:** 1

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### **Subject:**

Petition to Vacate, Re: Public Utility Easements - A1A - Official Records Book 2417, Page 2451, "Proposed Harbor Island Beach Club" Plat Book N/A, Page N/A - Melbourne Beach - Phoenix Park Fund V LP - District 3

### **Fiscal Impact:**

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

### **Dept/Office:**

Public Works Department - Surveying & Mapping

### **Requested Action:**

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating a public utility easement lying within Parcel 5, in Section 20, Township 28 South, Range 38 East. If approved, it is requested that the Board authorize the Chairman to sign the attached Resolution approving the vacating.

### **Summary Explanation and Background:**

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Parcel 5 and is requesting the vacating of the 50.00 ft. wide public utility easements lying within Parcel 5 to allow for the plans for "Harbor Island Beach Club" to be approved creating a new easement for the existing utilities. Easement to be vacated contains 104,669 square feet, more or less. The property is located in Melbourne Beach North of Seaview Street and West of Highway A1A.

May 04, 2020, the legal notice was advertised in Florida TODAY informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

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### **Clerk to the Board Instructions:**

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice and the proof of publication of the adopted resolution notice.