



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 6506, **Version:** 1

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### **Subject:**

Petition to Vacate, Re: A portion of a public Road, Utility, and Drainage Easement per Official Records Book 2656, Page 1367, and a portion of a public Drainage Easement per Official Records Book 4013, Page 1964, and Official Records Book 4083, Page 2360- Cocoa - Florida Power & Light Company - District 1

### **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 part of a public road, drainage, and utility Easement, established by Official Records Book 2656, Page 1367, and a drainage easement, established by Official Records Book 4013, Page 1964, and Official Records Book 4083, Page 2360 in Section 27, Township 23 South, Range 35 East. If approved, it is requested that the Board authorize the Chair 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 for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Parcels 31, 91, 43, 33, 45, 47, 55, 56, 75, and 76 and is requesting the vacating of a portion of public Road, Utility, and Drainage Easement, and a portion of a Drainage Easement, to allow for the development of Parcels 31, 91, 43, 33, 45, 47, 55, 56, 75, and 76. The petitioner is currently in the site plan approval process and the resolution to vacate will not be recorded until the Certificate of Completion is issued. The property is located in Cocoa, North of Port St. John Parkway and West of Grissom Parkway.

On January 8, 2024, 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.