



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1319, **Version:** 1

Subject:

Petition to Vacate, Re: Public Utility Easement created by Official Records Book 2985, Page 2855 - 140 Magnolia Ave - "Merritt Winter Homes Development Map No. Two" Plat Book 2, Page 78 - Merritt Island - First Baptist Church Merritt Island - District 2

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 the previously vacated Grove Street adjacent to Lots 13 and 14, Block H and Lots 1 and 24, Block J, "Merritt Winter Homes Development Map No. Two" in Section 35, Township 24 South, Range 36 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 a portion of Blocks H and J and is requesting the vacating of the 50.00 ft. wide public utility easement lying within the previously vacated Grove Street between Lots 13 and 14, Block H and Lots 1 and 24, Block J, "Merritt Winter Homes Development Map No. Two" to allow for the construction of a proposed church sanctuary addition. Easement to be vacated contains 15,140 square feet, more or less. The property is located in Merritt Island South of State Road 520 and West of State Road 3.

February 10, 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.

