



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1787, **Version:** 1

Subject:

Petition to Vacate, Re: Public Drainage Easement - Official Records Book 3217, Page 2329 - Section 19, Township 26 South, Range 37 East - Melbourne - Vining's Palm Bay Investment LLC - District 4

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 the public drainage easement created by Official Records Book 3217, Page 2329, in Section 19, Township 26 South, Range 37 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 petitioners own Parcel 250 and are requesting the vacating of the 50.00 ft. wide public drainage easement to allow for the construction of multiple apartment dwellings. Easement to be vacated contains 11,748 square feet, more or less. The property is located in Melbourne East of N. Wickham Road and North of Pineda Causeway.

June 22, 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. Road & Bridge has not objected to the petition because the functionality of the drainage easement is being replaced by alternative drainage improvements and easements prepared and at expense of the petitioner. The easements to replace the proposed vacated easement are on the July 7, 2020 Board Agenda for acceptance.

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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.