



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 1835, **Version:** 1

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### **Subject:**

Petition to Vacate, Re: Public Utility & Drainage Easement - 843 Heron Road - "Poinsett Shores Second Addition" Plat Book 19, Page 143 - Cocoa - Mira E. Chapman - 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 two public utility and drainage easements along the common lines of Lots 1 and 2, "Poinsett Shores Second Addition" in Section 34, Township 24 South, Range 35 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 the south 30.0 feet of Lot 1 and all of Lot 2 and is requesting the vacating of the two 5.00 ft. wide public utility and drainage easements along the common line of lots 1 and 2 to allow for the construction and replacement of a septic tank. Easement to be vacated contains 559 square feet, more or less. The property is located in Cocoa South of W. King Street (Highway 520) and West of I-95.

July 06, 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.