



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2317, **Version:** 1

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement - 4105 Dianthus Lane - "Lake View Hills Unit No. 2 Section B" Plat Book 21, Page 52 - Titusville - William L. and Brenda J. Hattaway - District 1

Fiscal Impact:

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

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 utility and drainage easement along the rear line of Lot 13, Block G, "Lake View Hills Unit No. 2 Section B" in Section 30, Township 21 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lot 13, Block G and are requesting the vacating of the 5.00 ft. portion of a 10.00 ft. wide public utility and drainage easement along the rear line of lot 13, Block G to allow for the construction of a pool. Easement to be vacated contains 277 square feet, more or less. The property is located in Titusville North of Garden Street (State Road 406) and West of N. Carpenter Rd.

November 23, 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.