



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2629, **Version:** 1

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### **Subject:**

Petition to Vacate, Re: Public Utility and Drainage Easement - "Twin Lakes at Suntree, First Addition" Plat Book 28, Page 48 - 447 Pauma Valley Way - Melbourne - Jerry J. Morian - District 4

### **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 10.0-foot public utility and drainage easement on Lot 12, Block 2, "Twin Lakes at Suntree, First Addition" in Section 14, Township 26 South, Range 36 East in Melbourne, Florida. 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 petitioner owns Lot 12 and is requesting the vacating of a 4.0-foot portion of the easement to be vacated to allow for the construction of a pool. Easement to be vacated contains 196 square feet, more or less. The property is located in Melbourne South of N. Wickham Rd. and East of I-95.

March 8, 2021, 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.