



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3304, **Version:** 1

Subject:

Petition to Vacate, Re: A portion of a Public Right-of-way - Tkacs Drive - "Plan of Town of Pineda" Plat Book 1, Page 41 - Melbourne - KMM-FL, 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 part of a public Right-of-way, "Plan of Town of Pineda" in Section 12, Township 26 South, Range 36 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 petitioner owns Blocks 38, 39 and part of Blocks 40, 41, 42, 43 & 44 and is requesting the vacating of a portion of a 50.00 ft. wide public right-of-way lying South of Block 38 and North of Block 26 to allow for road retention to be constructed within the vacated right-of-way. Right-of-way to be vacated contains 9,954 square feet or 0.23 acres, more or less. The property is located in Melbourne North of North Wickham and West of S. Highway 1.

August 30, 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.

Simultaneously with this request under New Business, the Brevard County Land Acquisition Department is requesting Board action for the approval of a resolution, access easement, providing FPL an easement requested per the vacating and a Warranty Deed required per Land Development and Vacating actions.

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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.