



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

---

**File #:** 3386, **Version:** 1

---

### **Subject:**

Petition to Vacate, Re: Public Utility & Drainage Easement- 300 Surf Spray Drive - "Catalina Isle Estates Unit 4"  
Plat Book 20, Page 47 - Merritt Island - Clark D. and Theresa A. Kugler - District 2

### **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 & drainage easement, "Cataline Isle Estates Unit 4" in Section 23, Township 24 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 petitioners own Lot 36, Block 5 and are requesting the vacating of a portion of a 15.00 ft. wide public utility & drainage easement lying on the North side of Lot 36, Block 5 to allow for the construction of the proposed pool. Easement to be vacated contains 335 square feet or 0.008 acres, more or less. The property is located in Merritt Island North of Highway 520 and East of State Road # 3.

September 27, 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.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

### **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.