



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 4847, **Version:** 1

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### **Subject:**

Petition to Vacate, Re: Public Utility Easements- 1751 N. Carpenter Road - "Sherwood Estates Unit Number 4"  
Plat Book 19, Page 67 - Titusville - Nicholas S. Townsend - 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 two public utility easements, "Sherwood Estates Unit Number 4" in Section 19, 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 petitioner owns part of Lots 3 & 4, Block 4 and is requesting the vacating of a portion of two 5.00 ft. wide public utility easements lying between Lots 3 & 4, Block 4, to allow for the existing single-family home to be removed as an encroachment. Easement to be vacated contains 1150.00 square feet, more or less. The property is located in Titusville South of Highway 46 and West of Interstate 95.

July 18, 2022, 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.