



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council
FROM: Suzanne Sherman, City Manager
THRU: Valentino Perez, Public Works Director
DATE: August 1, 2024
RE: Vacating Easement, VE-3-2024

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

SUMMARY:

Vacation of Easement is requested to vacate the South 6 feet, of the North 10-foot Public Utility & Drainage Easement, less the West 57 feet and the East 3 feet thereof, containing 120 square feet or 0.003 acres, more or less, of Lot 26, Block 1709, Port Malabar Unit 36, according to the Plat thereof, as Recorded in Plat Book 19, Pages 82-94, of the Public Records of Brevard County, Florida. This request is being made due to the encroachment of an existing concrete slab in the back easement.

REQUESTING DEPARTMENTS:

Public Works

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

The City of Palm Bay's Departments have the following comments relating to the vacating request. The property owner hired a licensed contractor to build a concrete slab in the backyard. Said contractor applied for and was issued a permit from the City of Palm Bay. Contractor formed up the slab and called for a pre-pour inspection; city inspector approved the pre-pour inspection, not realizing the form boards were in the wrong place. Upon Final Inspection, it was discovered that a portion of the concrete slab had been poured within the easement. This vacate of easement request is to correct that error. Staff recommends approval of the vacating request.

ATTACHMENTS:

Honorable Mayor and Members of the City Council

Legislative Memorandum

Page | 2

1. Staff Report Package with legal ad
2. Vacating Easement Ordinance