



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.1.

9/16/2025

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### Subject:

Petition to Vacate, Re: A portion of a Public Right-of-way - Plat of "Houston Lane Estates" Plat Book 62, Page 46 - Merritt Island - D R Horton Inc - District 2

### 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 a portion of a public right-of-way, per Plat "Houston Lane Estates", Plat Book 62, Page 46, in Section 22, 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 for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Tax Parcel 42 and is requesting the vacating of a portion of a public right-of-way to allow for the development of the property in 24SP00039 and 25FM00010. The right-of-way of Houston Lane was taken by maintenance and platted by Houston Lane Estates per Plat Book 62, Page 46. The property is located in Merritt Island, West of N Courtenay Pkwy and East of N Tropical Tr.

The Land Acquisition Department has prepared a deed for the portion of the right-of-way to D R Horton, Inc. The separate action is to reverse the claim to the right-of-way by the maintenance map.

On September 2, 2025, 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: 321-350-8346

### 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.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001

Fax: (321) 264-6972

Kimberly.Powell@brevardclerk.us

September 30, 2025

**M E M O R A N D U M**

TO: Marc Bernath, Public Works Director    Attn: Amber Holley

RE: Resolution Vacating a Portion of a Public Right-of-Way, Plat of "Houston Lane Estates",  
Merritt Island, Florida, Lying in Section 22, Township 24 South, Range 36 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 25-104, vacating a portion of a public right-of-way, Plat of "Houston Lane Estates", Merritt Island, Florida, lying in Section 22, Township 24 South, Range 36 East, as petitioned by D. R. Horton, Inc. Said Resolution was adopted by the Board of County Commissioners, in regular session on September 16, 2025.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/ds

Encls. (2)



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001

Fax: (321) 264-6972

Kimberly.Powell@brevardclerk.us

September 30, 2025

D. R. Horton, Inc.  
1430 Culver Drive NE  
Palm Bay, FL 32907

Dear Sir/Madam:

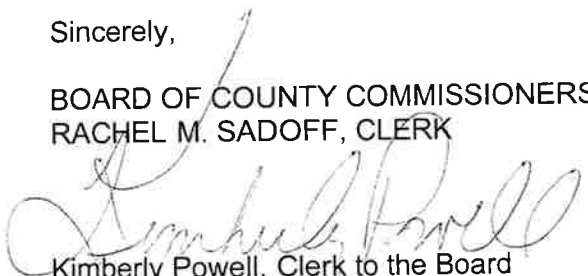
Re: Resolution Vacating a Portion of a Public Right-of-Way, Plat of "Houston Lane Estates",  
Merritt Island, Florida, Lying in Section 22, Township 24 South, Range 36 East

The Board of County Commissioners, in regular session on September 16, 2025, adopted Resolution No. 25-104, vacating a portion of a public right-of-way, Plat of "Houston Lane Estates", Merritt Island, Florida, lying in Section 22, Township 24 South, Range 36 East, as petitioned by you. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/ds

Encl. (1)

cc: Amber Holley

**Resolution 2025 - 104**

**Vacating a portion of a public right-of-way, Plat of "Houston Lane Estates", Merritt Island, Florida,  
lying in Section 22, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **D R Horton Inc** with the Board of County Commissioners to vacate public rights-of-ways in Brevard County, Florida, described as follows:

**SEE ATTACHED BOUNDARY SURVEY**

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and


WHEREAS, the Board finds that vacating said public rights-of-ways will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public rights-of-ways are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title, or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED, AND ADOPTED, in regular session, this 16<sup>th</sup> day of September, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk

  
Rob Feltner, Chairman

As approved by the Board on:  
September 16, 2025

# BOUNDARY SURVEY

EXHIBIT "A"

SHEET 1 OF 2

PARENT PARCEL ID#: 24-36-22-00-42

PURPOSE: VACATE RIGHT-OF-WAY

## LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)

A PORTION OF THE RIGHT OF WAY OF HOUSTON LANE ACCORDING TO THE PLAT OF HOUSTON LANE ESTATES, AS RECORDED IN PLAT BOOK 62, PAGE 46 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

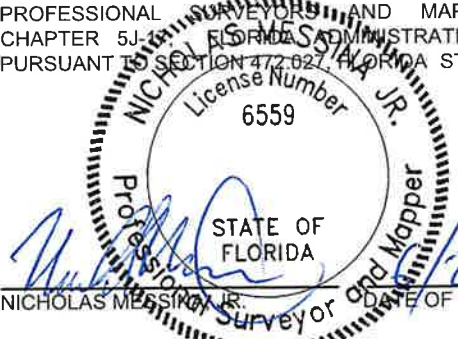
COMMENCE AT THE SOUTHEAST CORNER OF LOT 3, BLOCK "C", OF SAID PLAT OF HOUSTON LANE ESTATES; SAID POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID HOUSTON LANE AND THE EAST LINE OF SAID LOT 3; THENCE NORTH 89°41'36" EAST, A DISTANCE OF 395.61 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY TO BE VACATED; THENCE NORTH 00°18'24" WEST, A DISTANCE OF 3.50 FEET; THENCE NORTH 89°41'36" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 00°18'24" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 89°41'36" WEST, A DISTANCE OF 3.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.25 SQ. FT., MORE OR LESS

1. OTHER MATTERS OF RECORD AFFECTING LANDS SHOWN HEREON MAY BE FOUND IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83 / 2011 ADJUSTMENT) AND ARE REFERENCED TO THE NORTH RIGHT-OF-WAY LINE, HOUSTON LANE, AS DEPICTED ON PLAT OF HOUSTON LANE ESTATES AS RECORDED IN PLAT BOOK 62, PAGE 46, BEARING OF NORTH 89°41'36" EAST AND A MEASURED BEARING IS NORTH 89°30'11" EAST. THIS REFERENCE WAS ESTABLISHED BY USING A TRIMBLE R-12 GPS RECEIVER ON THE VRS NETWORK AND VERIFIED BY MULTIPLE OCCUPATIONS ON THE FOLLOWING CERTIFIED CORNER MONUMENT PUBLISHED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION:  
CERTIFIED CORNER RECORD #080982  
SW CORNER OF SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
FOUND PK NAIL & DISC IN PARKING LOT OF HEALTH CENTER  
ON MERRITT ISLAND  
STAMPED "METRIC ENG. LB 2294"  
NORTHING: 1474864.8943 EASTING: 749847.5452
3. THIS SURVEY WAS PERFORMED UTILIZING R.T.K.-G.P.S. PROCEDURES AND TRADITIONAL SURVEY PROCEDURES WITH MULTIPLE MEASUREMENTS ON PROJECT CONTROL POINTS AND HAS A STATISTICAL HORIZONTAL & VERTICAL POSITIONAL PRECISION OF LESS THAN 0.10 FEET;
4. THIS SURVEY IS BASED ON THE PLAT PROPERTY INFORMATION REPORT, ORDER NUMBER 12332482, DATED APRIL 29, 2025, AS PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY.
5. NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

## SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-1, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

  
NICHOLAS MESSING JR. DATE OF SIGNATURE 6/27/25

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION NO. 6559  
BOWMAN CONSULTING GROUP, LTD., INC.  
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 8030  
(LB 8030 = LICENSED BUSINESS NUMBER 8030)

PREPARED FOR AND CERTIFIED TO:  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS.

PREPARED BY: Bowman Consulting Group, Ltd., Inc.  
900 SE 3rd Avenue, Suite 301, Fort Lauderdale, FL 33316  
Professional Surveyors and Mappers, Certificate NO. LB-8030  
(813) 474-7424

**Bowman**  
CONSULTING

DRAWN BY: NM	CHECKED BY: MB	PROJECT NO. 011557-01-002		SECTION 22 TOWNSHIP 24 SOUTH RANGE 36 EAST
		REVISIONS	DATE DESCRIPTION	
DATE: 6/20/25	DRAWING: 11557-RW-VACA			

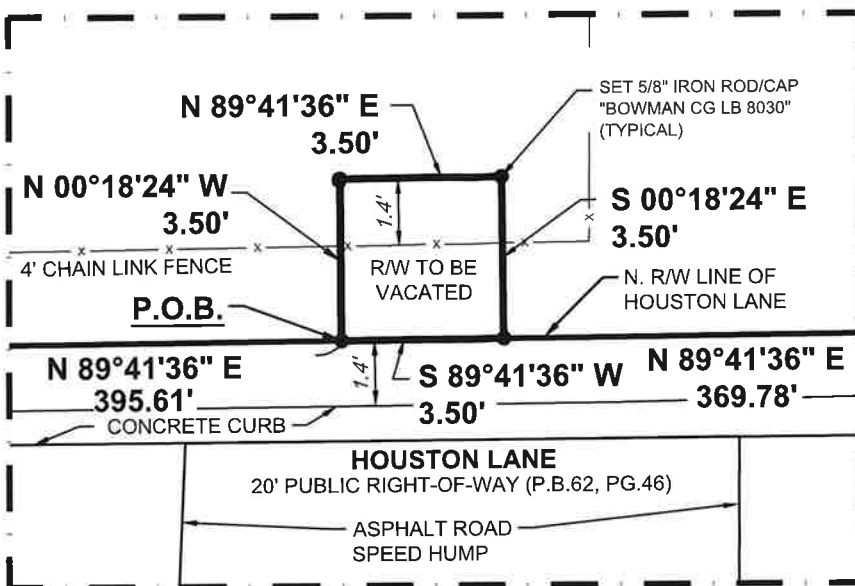
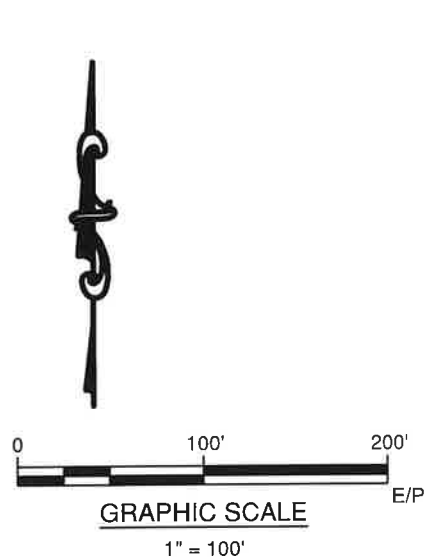
# BOUNDARY SURVEY

EXHIBIT "A"

SHEET 2 OF 2

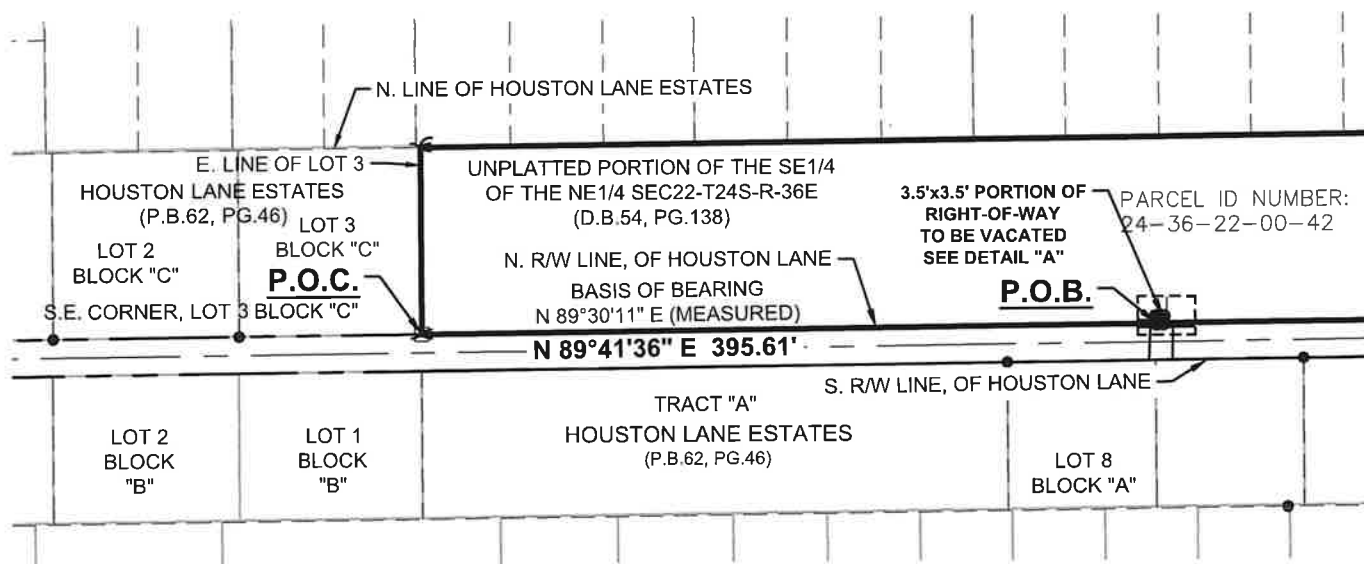
PARENT PARCEL ID#: 24-36-22-00-42

PURPOSE: VACATE RIGHT-OF-WAY



DETAIL "A"

1" = 4'



## LEGEND

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
P.B. = PLAT BOOK  
R/W = RIGHT-OF-WAY  
R.P.B. = ROAD PLAT BOOK  
PG. = PAGE  
O.R.B. = OFFICIAL RECORDS BOOK  
D.B. = DEED BOOK

PREPARED BY: Bowman Consulting Group, Ltd., Inc.  
900 SE 3rd Avenue, Suite 301, Fort Lauderdale, FL 33316  
Professional Surveyors and Mappers, Certificate NO. LB-8030  
(813) 474-7424

SCALE:  
1"=100' & 1"=4'

PROJECT NO.:  
011557-01-002

SECTION 22  
TOWNSHIP 24 SOUTH  
RANGE 36 EAST

**AFFIDAVIT OF PUBLICATION**

Amber Holly  
Amber Holley  
Brevard County Public Works Dept., Surveying & Mapping  
Program  
2725 Judge Fran Jamieson Way, Room A-220  
Viera FL 32940

STATE OF WISCONSIN, COUNTY OF BROWN

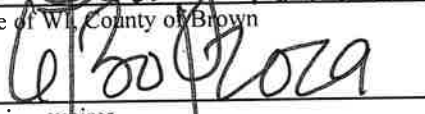
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

09/02/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/02/2025

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$281.72	
Tax Amount:	\$0.00	
Payment Cost:	\$281.72	
Order No:	11613332	# of Copies:
Customer No:	1127286	1
PO #:	4500092228-10	

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

AMY KOKOTT  
Notary Public  
State of Wisconsin

ad #11613332 09/02/25

**LEGAL NOTICE**

**NOTICE FOR THE VACATING OF A PORTION OF A RIGHT-OF-WAY, PLAT OF "HOUSTON LANE ESTATES" IN SECTION 22, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL**

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **D R HORTON INC.** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**A PORTION OF THE RIGHT OF WAY OF HOUSTON LANE ACCORDING TO THE PLAT OF HOUSTON LANE ESTATES, AS RECORDED IN PLAT BOOK 62, PAGE 46 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF LOT 3, BLOCK "C", OF SAID PLAT OF HOUSTON LANE ESTATES; SAID POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID HOUSTON LANE AND THE EAST LINE OF SAID LOT 3; THENCE NORTH 89°41'36" EAST, A DISTANCE OF 395.61 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY TO BE VACATED; THENCE NORTH 00°18'24" WEST, A DISTANCE OF 3.50 FEET THENCE NORTH 89°41'36" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 00°18'24" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 89°41'36" WEST, A DISTANCE OF 3.50 FEET TO THE POINT OF BEGINNING. CONTAINING 12.25 SQ. FT., MORE OR LESS.**

PREPARED BY: **NICHOLAS MESSINA, JR. PSM.**

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on **September 16, 2025**, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.





Florida

GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

# **AFFIDAVIT OF PUBLICATION**

Amber Holley  
Brevard County Clerk Donna Scott -Survey  
Brevard Cty Public Works Dept  
2725 Judge Fran Jamieson Way Bldg A  
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

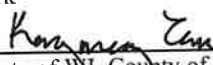
BRE Brevard Florida Today 09/21/2025  
BRE floridatoday.com 09/21/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/21/2025



Legal Clerk

  
Notary, State of WI, County of Brown

9-3-29

My commission expires

Publication Cost: \$205.13

Tax Amount: \$0.00

Payment Cost: \$205.13

Order No: 11682363

# of Copies:

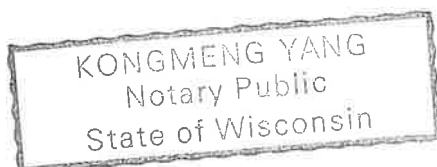
Customer No: 1127286

1

PO #:

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Ad#11682363 09/21/2025

LEGAL NOTICE  
RESOLUTION VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY, PLAT OF "HOUSTON LANE ESTATES", MERRITT ISLAND, FLORIDA, LYING IN SECTION 22, TOWNSHIP 24 SOUTH, RANGE 35 EAST - D. R. HORTON, INC.  
TO WHOM IT MAY CONCERN:  
NOTICE IS HEREBY GIVEN that on September 16, 2025, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public right-of-way, plat of "Houston Lane Estates", Merritt Island, Florida, lying in Section 22, Township 24 South, Range 35 East, as petitioned by D. R. Horton, Inc.

**LEGAL DESCRIPTION:**  
A PORTION OF THE RIGHT OF WAY OF HOUSTON LANE ACCORDING TO THE PLAT OF HOUSTON LANE ESTATES, AS RECORDED IN PLAT BOOK 62, PAGE 46 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHEAST CORNER OF LOT 3, BLOCK "C", OF SAID PLAT OF HOUSTON LANE ESTATES; SAID POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID HOUSTON LANE AND THE EAST LINE OF SAID LOT 3; THENCE NORTH 89°41'36" EAST, A DISTANCE OF 395.61 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY TO BE VACATED; THENCE NORTH 00°18'24" WEST, A DISTANCE OF 3.50 FEET THENCE NORTH 89°41'36" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 00°18'24" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 89°41'36" WEST, A DISTANCE OF 3.50 FEET TO THE POINT OF BEGINNING. CONTAINING 12.25 SQ. FT., MORE OR LESS. PREPARED BY: NICHOLAS MESSINA, JR. PSM.  
The Board further renounced and disclaimed any right of the County in and to said public right-of-way.  
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA  
RACHEL M. SADOFF, CLERK  
BY: Kimberly Powell, Clerk to the Board



## LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY, PLAT OF "HOUSTON LANE ESTATES", MERRITT ISLAND, FLORIDA, LYING IN SECTION 22, TOWNSHIP 24 SOUTH, RANGE 35 EAST – D. R. HORTON, INC.

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BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA

RACHEL M. SADOFF, CLERK

BY: Kimberly Powell, Clerk to the Board

### **Florida TODAY:**

Please advertise in the **September 20, 2025**, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**

A PORTION OF THE RIGHT OF WAY OF HOUSTON LANE ACCORDING TO THE PLAT OF HOUSTON LANE ESTATES, AS RECORDED IN PLAT BOOK 62, PAGE 46 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

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PREPARED BY: NICHOLAS MESSINA, JR. PSM.

# Brevard County Property Appraiser Detail Sheet

Account: 2416989  
 Owners D R HORTON INC  
 Mailing Address 1430 CULVER DR NE PALM BAY FL 32907  
 Site Address NONE  
 Parcel ID 24-36-22-00-42  
 Taxing District 2200 - UNINCORP DISTRICT 2  
 Exemptions NONE  
 Property Use 0008 - VACANT RESIDENTIAL LAND (MULTI-FAMILY, UNPLATTED)  
 Total Acres 1.73  
 Site Code 0001 - NO OTHER CODE APPL.  
 Plat Book/Page 0000/0000  
 Subdivision --  
 Land Description PART OF SE 1/4 OF NE 1/4 AS DESC IN ORB 688 PG 1044  
 EXC ORB 3569 PG 1232 & ORB 7935 PG 134

## VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$68,870	\$68,870	\$68,870
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$68,870	\$68,870	\$68,870
Assessed Value School	\$68,870	\$68,870	\$68,870
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$68,870	\$68,870	\$68,870
Taxable Value School	\$68,870	\$68,870	\$68,870

## SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/24/2024	\$325,000	WD	--	10232/304
12/23/2020	\$95,000	WD	--	8956/1498

## Vicinity Map

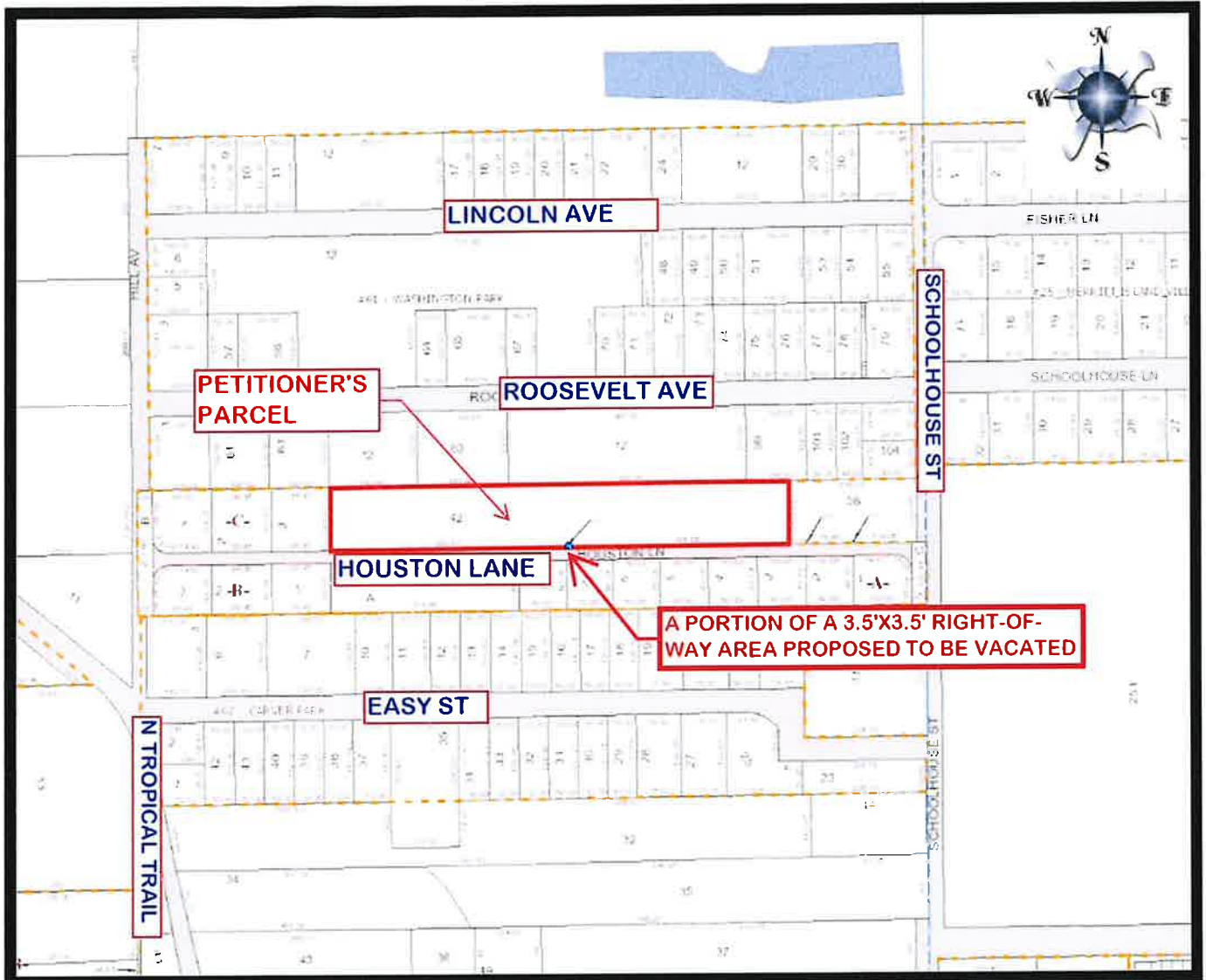


Figure 1: Map of Tax Parcel 42 and Houston Lane to be vacated, Merritt Island, Florida.

DR Horton Inc – Houston Lane – Houston Lane Estates, Plat Book 62, Page 47 – Tax Parcel 42 – Section 22, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a 3.50-foot-wide Right-of-way

## Aerial Map



Figure 2: Aerial Map of Part of Tax Parcel 42 and Houston Lane to be vacated, Merritt Island, Florida.

DR Horton Inc – Houston Lane – Houston Lane Estates, Plat Book 62, Page 47 – Tax Parcel 42 – Section 22, Township 24 South, Range 36 East – District 2 – Proposed Vacating of a 3.50-foot-wide Right-of-way



[illegible]

327

# Petitioner's Boundary Survey Sheet 1 of 2

## BOUNDARY SURVEY

EXHIBIT "A"  
SHEET 1 OF 2

PARENT PARCEL ID# 24-36-22-00-42  
PURPOSE: VACATE RIGHT-OF-WAY

### LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)

A PORTION OF THE RIGHT OF WAY OF HOUSTON LANE ACCORDING TO THE PLAT OF HOUSTON LANE ESTATES, AS RECORDED IN PLAT BOOK 62, PAGE 46 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 3, BLOCK "C", OF SAID PLAT OF HOUSTON LANE ESTATES; SAID POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID HOUSTON LANE AND THE EAST LINE OF SAID LOT 3; THENCE NORTH 89°41'36" EAST, A DISTANCE OF 395.61 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY TO BE VACATED; THENCE NORTH 00°18'24" WEST, A DISTANCE OF 3.50 FEET; THENCE NORTH 89°41'36" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 00°18'24" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 89°41'36" WEST, A DISTANCE OF 3.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.25 SQ. FT., MORE OR LESS

1. OTHER MATTERS OF RECORD AFFECTING LANDS SHOWN HEREON MAY BE FOUND IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83 / 2011 ADJUSTMENT) AND ARE REFERENCED TO THE NORTH RIGHT-OF-WAY LINE, HOUSTON LANE, AS DEPICTED ON PLAT OF HOUSTON LANE ESTATES AS RECORDED IN PLAT BOOK 62, PAGE 46, BEARING OF NORTH 89°41'36" EAST AND A MEASURED BEARING IS NORTH 89°30'11" EAST. THIS REFERENCE WAS ESTABLISHED BY USING A TRIMBLE R-12 GPS RECEIVER ON THE VRS NETWORK AND VERIFIED BY MULTIPLE OCCUPATIONS ON THE FOLLOWING CERTIFIED CORNER MONUMENT PUBLISHED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION:

CERTIFIED CORNER RECORD #080982  
SW CORNER OF SECTION 14, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
FOUND PK NAIL & DISC IN PARKING LOT OF HEALTH CENTER  
ON MERRITT ISLAND  
STAMPED "METRIC ENG. LB 2294"  
NORTHING: 1474864.8043 EASTING: 749847.5452

3. THIS SURVEY WAS PERFORMED UTILIZING R.T.K.-G.P.S. PROCEDURES AND TRADITIONAL SURVEY PROCEDURES WITH MULTIPLE MEASUREMENTS ON PROJECT CONTROL POINTS AND HAS A STATISTICAL HORIZONTAL & VERTICAL POSITIONAL PRECISION OF LESS THAN 0.10 FEET.

4. THIS SURVEY IS BASED ON THE PLAT PROPERTY INFORMATION REPORT, ORDER NUMBER 12332482, DATED APRIL 29, 2025, AS PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY.

5. NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

### SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 172.021, FLORIDA STATUTES.



FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION NO. 6559  
BOWMAN CONSULTING GROUP, LTD., INC.  
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 8030  
(LB 8030 - LICENSED BUSINESS NUMBER 8030)

PREPARED FOR AND CERTIFIED TO:  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS.

PREPARED BY: Bowman Consulting Group, Ltd., Inc.  
900 SE 3rd Avenue, Suite 301, Fort Lauderdale, FL 33316  
Professional Surveyors and Mappers, Certificate NO. LB-8030  
(813) 471-7424

**Bowman**  
CONSULTING

DRAWN BY: NM	CHECKED BY: MB	PROJECT NO. 011557-01-002			SECTION 22 TOWNSHIP 24 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 6/20/25	DRAWING: 11557-RW-VACA				

Figure 4: Boundary Survey. Sheet 1 of 2. Section 22, Township 24 South, Range 36 East. Parcel ID number: 24-36-22-00-42.



# Petitioner's Boundary Survey Sheet 2 of 2

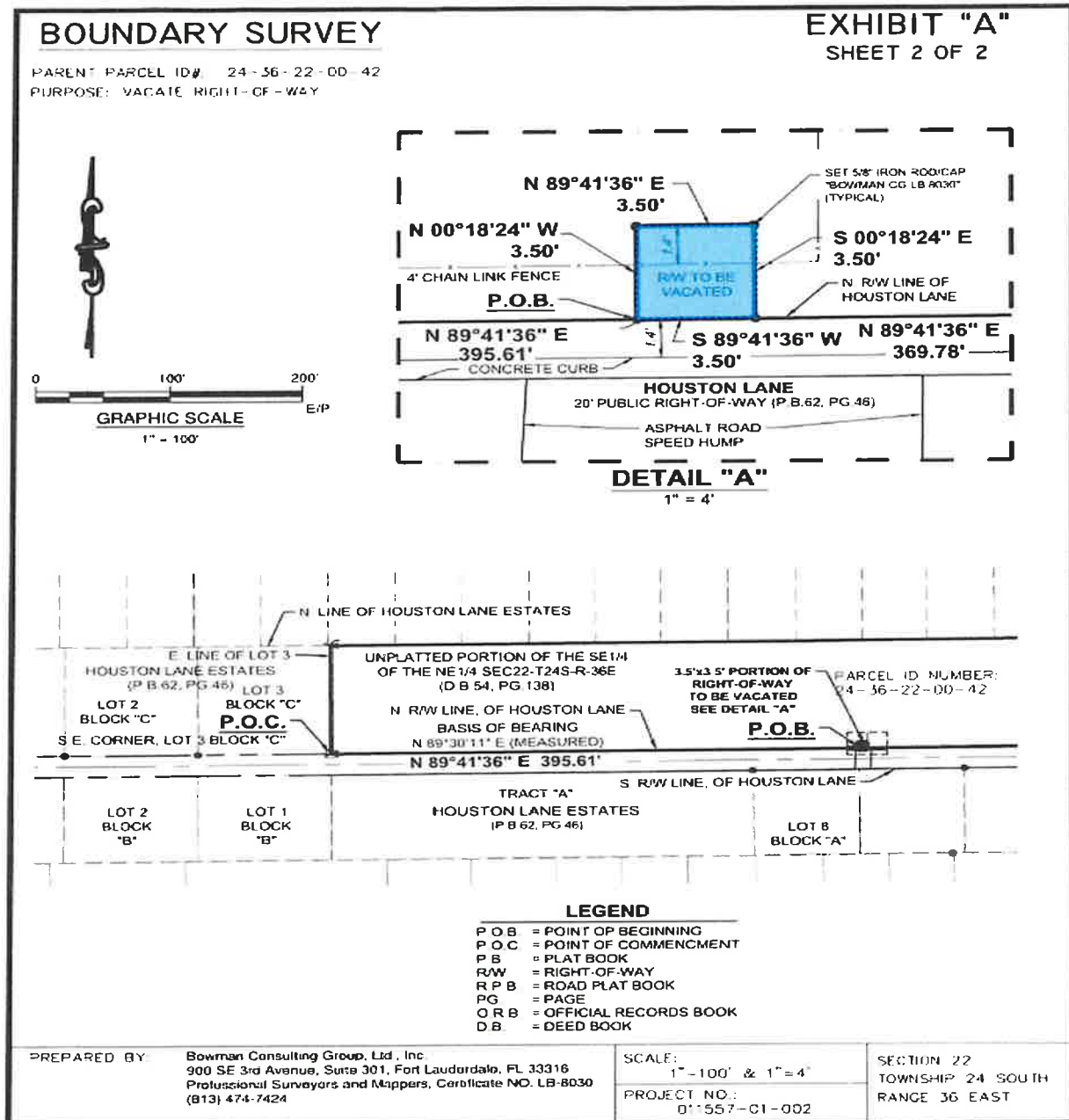


Figure 5: Boundary Survey. Sheet 2 of 2. Section 22, Township 24 South, Range 36 East. Parcel ID number: 24-36-22-00-42.

The sketch illustrates a portion of a public right-of-way, per the Plat of Houston Lane Estates. The coordinates of the lot are as follows: North boundary – N 89°41'36" E 3.50 feet; East boundary – S 00°18'24" E. 3.50 Feet; South boundary – S 89°41'36" W. 3.50 Feet; West boundary – North 00°18'24" W. 3.50 feet. Prepared by: Nicholas Messina, Jr., PLS.

## Comment Sheet

Applicant: DR Horton

Updated by: Amber Holley 20250725 at 14:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20250701	20250725	Yes	No Comment
FL Power & Light	20250701	20250703	Yes	No Objection
At&t	20250701	20250715	Yes	No Objection
Charter/Spectrum	20250701	20250722	Yes	No Objection
Florida Gas Tran.	20250701	20250701	Yes	No Objections
City of Cocoa	20250701	20250709	Yes	Np Objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20250701	20250725	Yes	No Objections
Land Planning	20250701	20250716	Yes	No objections
Utility Services	20250701	20250707	Yes	No objections
Storm Water	20250701	20250714	Yes	No Objections
Zoning	20250701	20250716	Yes	No objections
Land Acquisition	20250701	20250702	Yes	No objections
Fire Dept	20250701	20250715	Yes	No Objection
Traffic Eng	20250701	20250714	Yes	No Objections

## Public Hearing Legal Advertisement

ad #11613332 09/02/25

### LEGAL NOTICE

**NOTICE FOR THE VACATING OF A PORTION OF A RIGHT-OF-WAY, PLAT OF "HOUSTON LANE ESTATES" IN SECTION 22, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL**

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-35, Brevard County Code, a petition has been filed by **D R HORTON INC.** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

**A PORTION OF THE RIGHT OF WAY OF HOUSTON LANE ACCORDING TO THE PLAT OF HOUSTON LANE ESTATES, AS RECORDED IN PLAT BOOK 62, PAGE 46 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF LOT 3, BLOCK "C", OF SAID PLAT OF HOUSTON LANE ESTATES; SAID POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID HOUSTON LANE AND THE EAST LINE OF SAID LOT 3; THENCE NORTH 89°41'36" EAST, A DISTANCE OF 395.61 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY TO BE VACATED; THENCE NORTH 00°18'24" WEST, A DISTANCE OF 3.50 FEET THENCE NORTH 89°41'36" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 00°18'24" EAST, A DISTANCE OF 3.50 FEET; THENCE SOUTH 89°41'36" WEST, A DISTANCE OF 3.50 FEET TO THE POINT OF BEGINNING, CONTAINING 12.25 SQ. FT., MORE OR LESS.**

PREPARED BY: **NICHOLAS MESSINA, JR., PSM.**

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **9:00 A.M. on September 16, 2025**, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Figure 8: Copy of public hearing advertisement published on September 2, 2025. See the next page for full text.

## Legal Notice Text

### LEGAL NOTICE

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**Board Meeting Date**

9-14

Item Number: H.1

Motion By: TG

Second By: KD

Nay By: \_\_\_\_\_

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓	
Vice Chair Goodson	2	✓	
Commissioner Adkinson	3	✓	
Commissioner Altman	5	✓	
Chairman Feltner	4	✓	