



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.3.

4/7/2026

Subject:

Approval, Re: Dedication of Utility Easement from Homeowners Association of River Grove on the Trail, Inc. - District 2.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition Office / Utility Services Department / Natural Resources Management Department

Requested Action:

It is requested that the Board of County Commissioners approve and accept the attached Utility Easement.

Summary Explanation and Background:

The subject property is located in Section 13, Township 25 South, Range 36 East, east of South Tropical Trail and on the east side of Trails at Hidden Harbor in Merritt Island.

Natural Resources Management Department, in conjunction with the Utility Services Department, are undertaking Septic to Sewer Conversion Projects to help improve the Indian River Lagoon water quality by reducing excess nitrogen loading the lagoon. Homeowners Association of River Grove on the Trail, Inc. reached out to the departments regarding the project and offered to dedicate Tract "C" of the Plat of River Grove on the Trail Phase 1 to the County for future use. The River Grove Subdivision is located outside of the current boundaries of two nearby Septic to Sewer Conversion Projects included in the Save Our Indian River Lagoon Project Plan, as approved by the Board of County Commissioners. Should the River Grove Subdivision become incorporated into either project boundary in the future, the tract owned by the association would be for a potential sanitary sewer main to support the project. The association has agreed to dedicate the attached utility easement.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

Clerk to the Board Instructions:



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

April 08, 2026

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

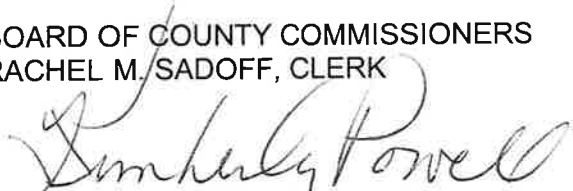
RE: Item F.3., Approval for Dedication of Utility Easement from Homeowners Association (HOA) of River Grove on the Trail, Inc.

The Board of County Commissioners, in regular session on April 07, 2026, approved and accepted the Dedication of Utility Easement from the HOA of River Grove on the Trail, Inc. Enclosed is a copy of the fully-executed Utility Easement.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/sj

Encl. (1)

cc: Land Acquisition
Utility Services
Natural Resources

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Dedication of Utility Easement from Homeowners Association of River Grove on the Trail, Inc.— District 2.

AGENCY: Public Works Department / Land Acquisition Office

AGENCY CONTACT: Lisa J. Kruse / Land Acquisition Supervisor

CONTACT PHONE: 321- 350-8336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lisa Kruse Supervisor		_____	<u>3/4/26</u>
COUNTY ATTORNEY Greg Hughes Assistant County Attorney		_____	<u>3/10/2026</u>

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A211, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 25-36-13-28-*-C
Project: Septic to Sewer, Zone G, River Grove HOA

UTILITY EASEMENT

THIS INDENTURE, made this 14th day of February, 2026, between Homeowners Association of River Grove on the Trail, Inc., a Florida not for profit corporation, whose address is 2564 South Tropical Trail, Merritt Island, Florida 32952, as the Grantor, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the Grantee, for the use and benefit of Brevard County, Florida.

WITNESSETH that the Grantor, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the Grantee, its successors and assigns, perpetual easement commencing on the above date for the purposes of operating, constructing, reconstructing, reconfiguring, and maintaining sanitary sewer lines and associated facilities and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of these easements is located in Section 13, Township 25 South, Range 36 East, Brevard County, Florida, and being more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the Grantee of its easement. The Grantor shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein.

Upon completion of the construction of the sanitary sewer lines and associated facilities, Grantee shall restore the easement area to a condition as nearly possible to its original condition that existed prior to the use intended by this easement. The Grantee will be solely responsible for any and all costs arising from or related to the use of the easement described herein pursuant to the Brevard County Septic to Sewer project, including installation, maintenance, and restoration as needed.

TO HAVE AND TO HOLD said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The Grantor does covenant with the Grantee that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

(Signatures and Notary on next page)

IN WITNESS WHEREOF, the Grantor has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

C O'Connell
Witness

Carilyn O'Connell
Print Name 15 E. Merritt Isl. Cswy
Merritt Island, FL 32952
Office Address

GRANTOR(S):

Homeowners Association of River
Grove on the Trail, Inc., a Florida
not for profit corporation

By: Ronald McKee
Ronald McKee, President

John Peters
Witness

John Peters
Print Name

(CORPORATE SEAL)

2568 Long Sandy Cir, Merritt Island, FL. 32952
Office Address

STATE OF FLORIDA
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☐ physical
presence or ☐ online notarization on this 14th day of February, 2026, by Ronald
McKee, as President for Homeowners Association of River Grove on the Trail, Inc., a
Florida not for profit corporation, who is ☐ personally known or ☒ produced
Drivers License as identification.

Amber Sutfin
Notary Signature
SEAL

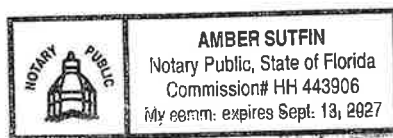


Exhibit "A"

Tract "C" of the Plat of River Grove on the Trail Phase 1, lying in Section 13, Township 25 South, Range 36 East, as recorded in Plat Book 45, Pages 77 and 78 of the Public Records of Brevard County, Florida.

LOCATION MAP

Section 13, Township 25 South, Range 36 East – District 2

PROPERTY LOCATION: East of South Tropical Trail and on the east side of Trails at Hidden Harbor in Merritt Island.

OWNERS NAME(S): Homeowners Association of River Grove on the Trail, Inc.



SOIRL Zone R Boundary

