



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.2.

4/7/2026

Subject:

Petition to Vacate, Re: A portion of a public drainage easement - Plat of "Suntree P.U.D. Stage 1, Tract E", Plat Book 24, Page 120 - Melbourne - Walter E. and Mary A. Henker - District 4

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

Dept/Office:

Public Works Department - Land Acquisition Section

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating a portion of an easement, per Plat "Suntree P.U.D. Stage 1, Tract E", Plat Book 24, Page 120, in Section 13, Township 26 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 petitioners own Lot 9 and are requesting the vacating of a portion of a public drainage easement to allow for the existing home to remain after being discovered in a boundary survey. The property is located in Melbourne, South of N. Wickham Road and East of Pinehurst Ave.

On March 23, 2026, 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

April 20, 2026

MEMORANDUM

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

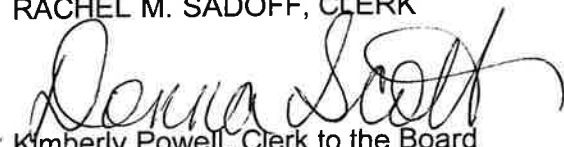
RE: Resolution Vacating a Portion of a Public Drainage Easement, Plat of "Suntree P.U.D. Stage 1, Tract E", Melbourne, Florida, Lying in Section 13, Township 26 South, Range 36 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 26-029, vacating a portion of a public drainage easement, Plat of "Suntree P.U.D. Stage 1, Tract E", Melbourne, Florida, lying in Section 13, Township 26 South, Range 36 East, as petitioned by Walter E. and Mary A. Henker. Said Resolution was adopted by the Board of County Commissioners, in regular session on April 7, 2026.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for 
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

April 20, 2026

Walter E. and Mary A. Henker
640 Doral Lane
Melbourne, FL 32940

Dear Sir/Madam:

Re: Resolution Vacating a Portion of a Public Drainage Easement, Plat of "Suntree P.U.D. Stage 1, Tract E", Melbourne, Florida, Lying in Section 13, Township 26 South, Range 36 East

The Board of County Commissioners, in regular session on April 7, 2026, adopted Resolution No. 26-029, vacating a portion of a public drainage easement, Plat of "Suntree P.U.D. Stage 1, Tract E", Melbourne, Florida, lying in Section 13, Township 26 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

for. Donna Scott
Kimberly Powell, Clerk to the Board

/ds

Encl. (1)

cc: Amber Holley

Resolution 2026 - 029

**Vacating a portion of a public drainage easement, Plat of "Suntree P.U.D. Stage 1, Tract E",
Melbourne, Florida, lying in Section 13, Township 26 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Walter E. and Mary A. Henker** with the Board of County Commissioners to vacate public easements in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH AND DESCRIPTION

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 easement will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easement is 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 7th day of April, 2026 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Thad Altman, Chair

As approved by the Board on:
April 7, 2026

ATTEST:



Rachel Sadoff, Clerk

LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 26-36-13-26-*--9

PURPOSE: VACATE EASEMENT

LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)

A PORTION OF A DRAINAGE EASEMENT TO BE VACATED SITUATED IN LOT 9, OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 120 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE RUN S53°51'29"E ALONG THE NORTH LINE OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, FOR A DISTANCE OF 20.00 FEET; THENCE RUN S50°29'44"W FOR A DISTANCE OF 39.39 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN S50°29'44"W FOR A DISTANCE OF 8.22 FEET; THENCE RUN N11°50'58"W FOR A DISTANCE OF 3.94 FEET; THENCE RUN N79°09'37"E FOR A DISTANCE OF 7.28 FEET TO THE POINT OF BEGINNING, CONTAINING 14.36 SQUARE FEET MORE OR LESS.

SURVEYORS NOTES:

1. THE BEARING BASIS OF THE ABOVE DESCRIBED DESCRIPTION IS THE NORTH LINE OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, WHICH BEARS N53°51'01"W AND IS SHOWN HEREON.

2. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY HORIZON SURVEYORS DRAWING NUMBER 6755, DATED 10-1-25.

LEGEND OF ABBREVIATIONS

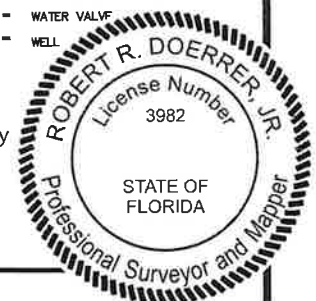
BRG	=	BEARING	NTL	=	NON TANGENT LINE
C	=	CURVE DESIGNATION	O.R.B.	=	OFFICIAL RECORDS BOOK
CBRG	=	CHORD BEARING	PC	=	POINT OF CURVATURE
CH	=	CHORD	PCP	=	PERMANENT CONTROL POINT
C.M.	=	CONCRETE MONUMENT	PID	=	PERMANENT IDENTIFIER
D.	=	DEED	PG.	=	PAGE
Δ	=	DELTA (CENTRAL ANGLE)	PI	=	POINT OF INTERSECTION
E.O.A.	=	EDGE OF ASPHALT	P.O.B.	=	POINT OF BEGINNING
ESMT	=	EASEMENT	P.O.C.	=	POINT OF COMMENCEMENT
FD.	=	FOUND	PROP.	=	PROPOSED
FPL	=	FLORIDA POWER & LIGHT COMPANY	PRC	=	POINT OF REVERSE CURVATURE
I.R.	=	IRON ROD	PR.D.E.	=	PRIVATE DRAINAGE EASEMENT
L	=	LENGTH OF ARC	PRM	=	PERMANENT REFERENCE MONUMENT
LB	=	LICENSED BUSINESS	PT	=	POINT OF TANGENCY
LS	=	LICENSED SURVEYOR	P.U.E.	=	PUBLIC UTILITY
M.	=	MEASURED	P.U. & D.E.	=	PUBLIC UTILITY & DRAINAGE EASEMENT
NAD	=	NORTH AMERICAN DATUM	R	=	RADIUS
NAVD	=	NORTH AMERICAN VERTICAL DATUM	RNG	=	RANGE
NGVD	=	NATIONAL GEODETIC VERTICAL DATUM	R/W	=	RIGHT OF WAY
N/D	=	NAIL & DISK	SSMH	=	SANITARY SEWER MANHOLE
NR	=	NON RADIAL	TWP	=	TOWNSHIP
NTC	=	NON TANGENT CURVE			

UTILITY LEGEND

	-	COMMUNICATIONS MANHOLE
	-	CABLE TV RISER
	-	CLEAN OUT
	-	DRAINAGE MANHOLE
	-	ELECTRICAL BOX
	-	FIRE HYDRANT
	-	FLOOD LIGHT
	-	GAS VALVE
	-	GUY ANCHOR
	-	HANDICAPPED SIGN/SPACE
	-	IRRIGATION CONTROL VALVE
	-	LIGHT IN GROUND
	-	PHONE RISER
	-	POWER POLE, CONCRETE
	-	POWER POLE, WOOD
	-	SEWER MANHOLE
	-	SIGN POLE
	-	SIGN DOUBLE POLE
	-	SPEED LIMIT SIGN
	-	STOP SIGN
	-	TRAFFIC BOX
	-	TURN ARROW, RIGHT
	-	TURN ARROW, LEFT
	-	WATER METER
	-	WATER STUB-OUT
	-	WATER VALVE
	-	WELL

Digitally signed by
ROBERT R DOERRER
Date: 2025.12.22
09:25:19 -05'00'

ROBERT R. DOERRER, JR.
PROFESSIONAL LAND SURVEYOR #3982
NOT VALID UNLESS SIGNED AND SEALED



PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY: HORIZON SURVEYORS OF CENTRAL FLORIDA, INC. LB 6360
5445 MURRELL RD, UNIT 101, ROCKLEDGE, FLORIDA 32955
E-MAIL: INFO@HORIZONSURVEYORS.COM PHONE : (321) 806-4171

DRAWN BY: MLS	CHECKED BY: HB	PROJECT NO. 6755	SECTION 13
		REVISIONS	TOWNSHIP 26 SOUTH
			RANGE 36 EAST
DATE: 12-17-25	DRAWING: 6755		

TOWNSHIP 26 SOUTH
RANGE 36 EAST

USA TODAY CO.



PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Donna Scott
Amber Holly
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 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 03/23/2026
BRE floridatoday.com 03/23/2026

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 03/23/2026

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$279.72
Tax Amount: \$0.00
Payment Cost: \$279.72
Order No: 12177117
Customer No: 1127286
PO #: 4500092228-10

of Copies:
1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

AD#12177117: 3/23/2026

LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF A DRAINAGE EASEMENT, PLAT OF "SUNTREE P.U.D., STAGE ONE, TRACT E", IN SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, 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 **WALTER E. AND MARY A. HENKER** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF A DRAINAGE EASEMENT TO BE VACATED SITUATED IN LOT 9, OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 120 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE RUN S53°51'29"E ALONG THE NORTH LINE OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, FOR A DISTANCE OF 20.00 FEET; THENCE RUN S50°29'44"W FOR A DISTANCE OF 39.39 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN S50°29'44"W FOR A DISTANCE OF 8.22 FEET; THENCE RUN N11°50'58"W FOR A DISTANCE OF 3.94 FEET; THENCE RUN N79°09'37"E FOR A DISTANCE OF 7.28 FEET TO THE POINT OF BEGINNING, CONTAINING 14.36 SQUARE FEET MORE OR LESS. PREPARED BY: ROBERT R. DOERRER, JR., PLS.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on April 7, 2026, 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 hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance.

NANCY HEYRMAN
Notary Public
State of Wisconsin

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 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 04/10/2026
BRE floridatoday.com 04/10/2026

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 04/10/2026

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$201.80

Tax Amount: \$0.00

Payment Cost: \$201.80

Order No: 12240363

Customer No: 1127286

PO #:

of Copies:

1

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Please do not use this form for payment remittance.

AD#12240363 4/10/2026

LEGAL NOTICE
RESOLUTION VACATING A PORTION OF A PUBLIC DRAINAGE EASEMENT, PLAT OF "SUNTREE P.U.D. STAGE 1, TRACT E", MELBOURNE, FLORIDA, LYING IN SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST - WALTER E. AND MARY A. HENKER TO WHOM IT MAY CONCERN:
NOTICE IS HEREBY GIVEN that on April 7, 2026, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public drainage easement, Plat of "Suntree P.U.D. Stage 1, Tract E", Melbourne, Florida, lying in Section 13, Township 26 South, Range 36 East, as petitioned by Walter E. and Mary A. Henker.

LEGAL DESCRIPTION:

A PORTION OF A DRAINAGE EASEMENT TO BE VACATED SITUATED IN LOT 9, OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 120 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE RUN S53°51'29"E ALONG THE NORTH LINE OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, FOR A DISTANCE OF 20.00 FEET; THENCE RUN S50°29'44"W FOR A DISTANCE OF 39.39 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN S50°29'44"W FOR A DISTANCE OF 8.22 FEET; THENCE RUN N11°50'58"W FOR A DISTANCE OF 3.94 FEET; THENCE RUN N79°09'37"E FOR A DISTANCE OF 7.28 FEET TO THE POINT OF BEGINNING, CONTAINING 14.36 SQUARE FEET MORE OR LESS. PREPARED BY: ROBERT R. DOERRER, JR., PLS.
The Board further renounced and disclaimed any right of the County in and to said portion of easement. BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA
RACHEL M. SADOFF, CLERK
BY: Kimberly Powell, Clerk to the Board

VICKY FELTY
Notary Public
State of Wisconsin

LEGAL NOTICE

RESOLUTION VACATING A PORTION OF A PUBLIC DRAINAGE EASEMENT, PLAT OF "SUNTREE P.U.D. STAGE 1, TRACT E", MELBOURNE, FLORIDA, LYING IN SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST – WALTER E. AND MARY A. HENKER

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on April 7, 2026, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public drainage easement, Plat of "Suntree P.U.D. Stage 1, Tract E", Melbourne, Florida, lying in Section 13, Township 26 South, Range 36 East, as petitioned by Walter E. and Mary A. Henker

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The Board further renounced and disclaimed any right of the County in and to said portion of easement.

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 **April 10, 2026**, 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 A DRAINAGE EASEMENT TO BE VACATED SITUATED IN LOT 9, OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 120 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE RUN S53°51'29"E ALONG THE NORTH LINE OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, FOR A DISTANCE OF 20.00 FEET; THENCE RUN S50°29'44"W FOR A DISTANCE OF 39.39 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN S50°29'44"W FOR A DISTANCE OF 8.22 FEET; THENCE RUN N11°50'58"W FOR A DISTANCE OF 3.94 FEET; THENCE RUN N79°09'37"E FOR A DISTANCE OF 7.28 FEET TO THE POINT OF BEGINNING, CONTAINING 14.36 SQUARE FEET MORE OR LESS.
PREPARED BY: ROBERT R. DOERRER, JR., PLS.

Brevard County Property Appraiser Detail Sheet

Account 2602939
 Owners HENKER, WALTER E; HENKER, MARY A
 Mailing Address 640 DORAL LN MELBOURNE FL 32940
 Site Address 640 DORAL LN MELBOURNE FL 32940
 Parcel ID 26-36-13-26-*9
 Taxing District 4200 - UNINCORP DISTRICT 4
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Total Acres 0.49
 Site Code 0210 - GOLF COURSE FRONTAGE
 Plat Book/Page 0024/0120
 Subdivision SUNTREE P.U.D. STAGE 1 TRACT E
 Land Description SUNTREE P.U.D. STAGE 1 TRACT E LOT 9

VALUE SUMMARY

Category	2025	2024	2023
Market Value	\$493,840	\$503,280	\$467,770
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$405,460	\$394,040	\$382,570
Assessed Value School	\$405,460	\$394,040	\$382,570
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,722	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$354,738	\$344,040	\$332,570
Taxable Value School	\$380,460	\$369,040	\$357,570

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/22/2020	\$450,000	WD	--	8807/1081
06/17/2016	--	QC	--	7644/2531

Vicinity Map

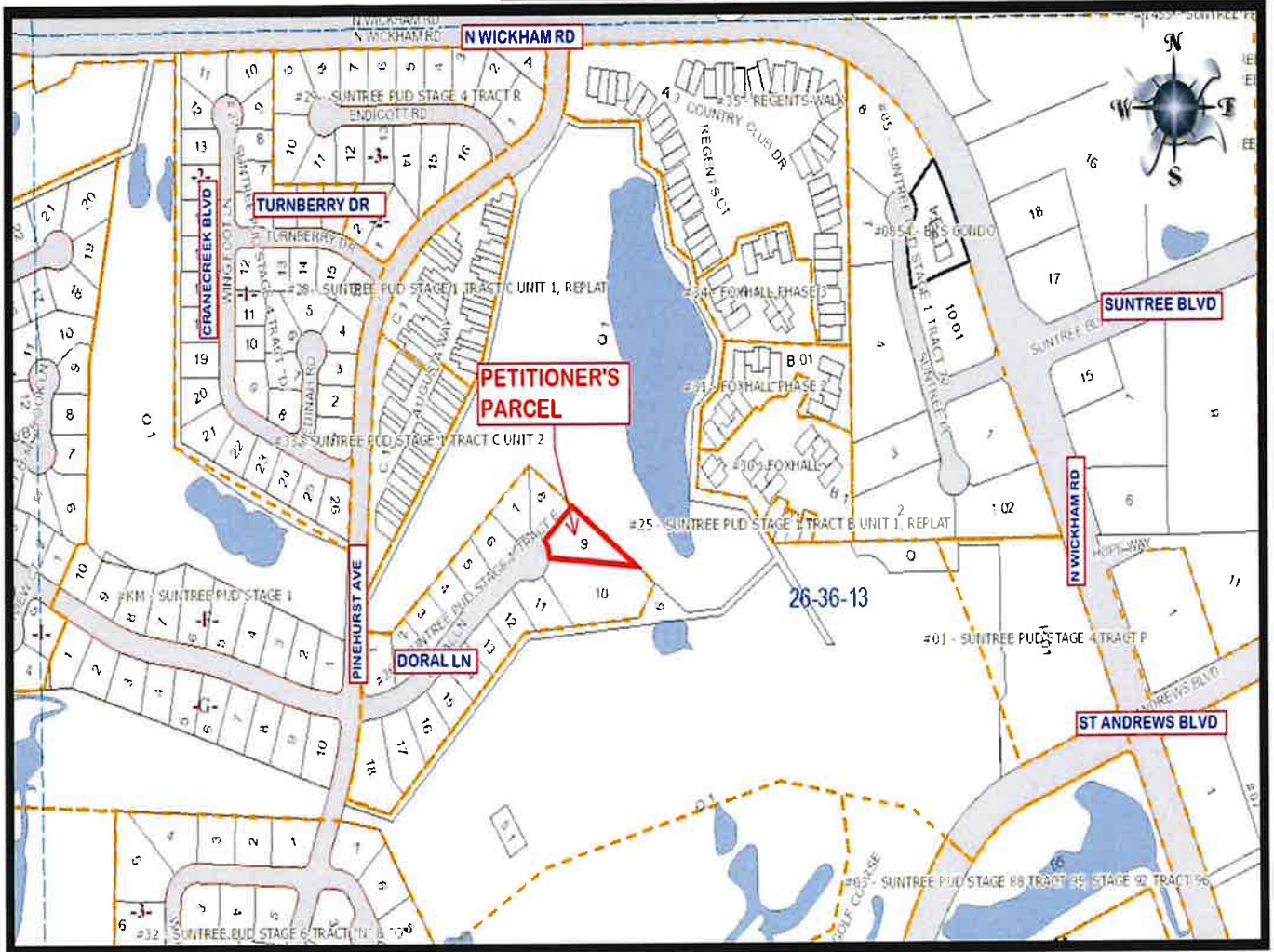


Figure 1: Map of Lot 9, Suntree P.U.D. Stage 1 Tract E, 640 Doral Lane, Melbourne, Florida, 32940.

Walter E. and Mary A. Henker – 640 Doral Lane – Melbourne, FL, 32940 – Lot 9, plat of “Suntree P.U.D. Stage 1 Tract E” – Plat Book 24, Page 120 – Section 13, Township 26 South, Range 36 East – District 4 – Proposed Vacating of a portion of a Public Drainage Easement

Aerial Map



Figure 2: Aerial Map of Lot 9, Suntree P.U.D. Stage 1 Tract E, 640 Doral Lane, Melbourne, Florida, 32940.

Walter E. and Mary A. Henker – 640 Doral Lane – Melbourne, FL, 32940 – Lot 9, plat of “Suntree P.U.D. Stage 1 Tract E” – Plat Book 24, Page 120 – Section 13, Township 26 South, Range 36 East – District 4 – Proposed Vacating of a portion of a Public Drainage Easement

Petitioner's Sketch & Description Sheet 1 of 2

LEGAL DESCRIPTION		EXHIBIT "A"							
PARENT PARCEL ID# 26-36-13-26-*~9		SHEET 1 OF 2							
PURPOSE: VACATE EASEMENT		NOT VALID WITHOUT SHEET 2 OF 2							
LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)		THIS IS NOT A SURVEY							
A PORTION OF A DRAINAGE EASEMENT TO BE VACATED SITUATED IN LOT 9, OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 120 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE RUN S53°51'29"E ALONG THE NORTH LINE OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, FOR A DISTANCE OF 20.00 FEET; THENCE RUN S50°29'44"W FOR A DISTANCE OF 39.39 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN S50°29'44"W FOR A DISTANCE OF 8.22 FEET; THENCE RUN N11°50'58"W FOR A DISTANCE OF 3.94 FEET; THENCE RUN N79°09'37"E FOR A DISTANCE OF 7.28 FEET TO THE POINT OF BEGINNING, CONTAINING 14.36 SQUARE FEET MORE OR LESS.									
<u>SURVEYORS NOTES:</u> 1. THE BEARING BASIS OF THE ABOVE DESCRIBED DESCRIPTION IS THE NORTH LINE OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, WHICH BEARS N53°51'01"W AND IS SHOWN HEREON. 2. THE IMPROVEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PREPARED BY HORIZON SURVEYORS DRAWING NUMBER 6755, DATED 10-1-25.									
<u>LEGEND OF ABBREVIATIONS</u> <table border="0" style="width: 100%; font-size: small;"> <tr> <td style="vertical-align: top;"> BRG - BEARING C - CURVE DESIGNATION CBRG - CHORD BEARING CH - CHORD C.M. - CONCRETE MONUMENT D. - DIBO Δ - DELTA (CENTRAL ANGLE) E.O.A. - EDGE OF ASPHALT ESMIT - EASEMENT F.D. - FOUND F.P.L. - FLORIDA POWER & LIGHT COMPANY I.R.L. - IRON ROD L. - LENGTH OF ARC L.B. - LICENSED BUSINESS L.S. - LICENSED SURVEYOR M. - MEASURED N.A.D. - NORTH AMERICAN DATUM N.A.V.D. - NORTH AMERICAN VERTICAL DATUM N.G.V.D. - NATIONAL GEODETIC VERTICAL DATUM N/D - NAIL & DISK N.R. - NON RADIAL N.T.C. - NON TANGENT CURVE </td> <td style="vertical-align: top;"> N.T.L. - NON TANGENT LINE O.R.B. - OFFICIAL RECORDS BOOK P.C. - POINT OF CURVATURE P.C.P. - PERMANENT CONTROL POINT P.D. - PERMANENT IDENTIFIER P.G. - PAGE P.I. - POINT OF INTERSECTION P.O.B. - POINT OF BEGINNING P.O.C. - POINT OF COMMENCEMENT P.O.P. - PROPOSED P.R.C. - POINT OF REVERSE CURVATURE P.R.D.E. - PRIVATE DRAINAGE EASEMENT P.R.M. - PERMANENT REFERENCE MONUMENT P.T. - POINT OF TANGENCY P.U.E. - PUBLIC UTILITY P.U. & D.E. - PUBLIC UTILITY & DRAINAGE EASEMENT R. - RADIUS R.A.N.G. - RANGE R/W - RIGHT OF WAY S.S.M. - SANITARY SEWER MANHOLE T.M.P. - TOWNSHIP </td> </tr> </table> <u>UTILITY LEGEND</u>				BRG - BEARING C - CURVE DESIGNATION CBRG - CHORD BEARING CH - CHORD C.M. - CONCRETE MONUMENT D. - DIBO Δ - DELTA (CENTRAL ANGLE) E.O.A. - EDGE OF ASPHALT ESMIT - EASEMENT F.D. - FOUND F.P.L. - FLORIDA POWER & LIGHT COMPANY I.R.L. - IRON ROD L. - LENGTH OF ARC L.B. - LICENSED BUSINESS L.S. - LICENSED SURVEYOR M. - MEASURED N.A.D. - NORTH AMERICAN DATUM N.A.V.D. - NORTH AMERICAN VERTICAL DATUM N.G.V.D. - NATIONAL GEODETIC VERTICAL DATUM N/D - NAIL & DISK N.R. - NON RADIAL N.T.C. - NON TANGENT CURVE	N.T.L. - NON TANGENT LINE O.R.B. - OFFICIAL RECORDS BOOK P.C. - POINT OF CURVATURE P.C.P. - PERMANENT CONTROL POINT P.D. - PERMANENT IDENTIFIER P.G. - PAGE P.I. - POINT OF INTERSECTION P.O.B. - POINT OF BEGINNING P.O.C. - POINT OF COMMENCEMENT P.O.P. - PROPOSED P.R.C. - POINT OF REVERSE CURVATURE P.R.D.E. - PRIVATE DRAINAGE EASEMENT P.R.M. - PERMANENT REFERENCE MONUMENT P.T. - POINT OF TANGENCY P.U.E. - PUBLIC UTILITY P.U. & D.E. - PUBLIC UTILITY & DRAINAGE EASEMENT R. - RADIUS R.A.N.G. - RANGE R/W - RIGHT OF WAY S.S.M. - SANITARY SEWER MANHOLE T.M.P. - TOWNSHIP				
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PREPARED FOR: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS		Digitally signed by ROBERT R DOERRER Date: 2025.12.22 09:25:19 -05'00' ROBERT R. DOERRER, JR. PROFESSIONAL LAND SURVEYOR #3982 NOT VALID UNLESS SIGNED AND SEALED							
PREPARED BY: HORIZON SURVEYORS OF CENTRAL FLORIDA, INC. LB 6360 5445 MURRELL RD, UNIT 101, ROCKLEDGE, FLORIDA 32955 E-MAIL: INFO@HORIZONSURVEYORS.COM PHONE : (321) 806-4171									
DRAWN BY: MLS	CHECKED BY: HB	PROJECT NO. 6755							
DATE: 12-17-25	DRAWING: 6755	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">REVISIONS</th> <th style="width: 20%;">DATE</th> <th style="width: 50%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td>12-22-25</td> <td>COMMENTS</td> </tr> </tbody> </table>		REVISIONS	DATE	DESCRIPTION		12-22-25	COMMENTS
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		SECTION 13 TOWNSHIP 26 SOUTH RANGE 36 EAST							

Figure 4: Sketch & Description. Sheet 1 of 2. Section 13, Township 26 South, Range 36 East. Parcel ID number: 26-36-13-26-*~9.

Petitioner's Sketch & Description Sheet 2 of 2

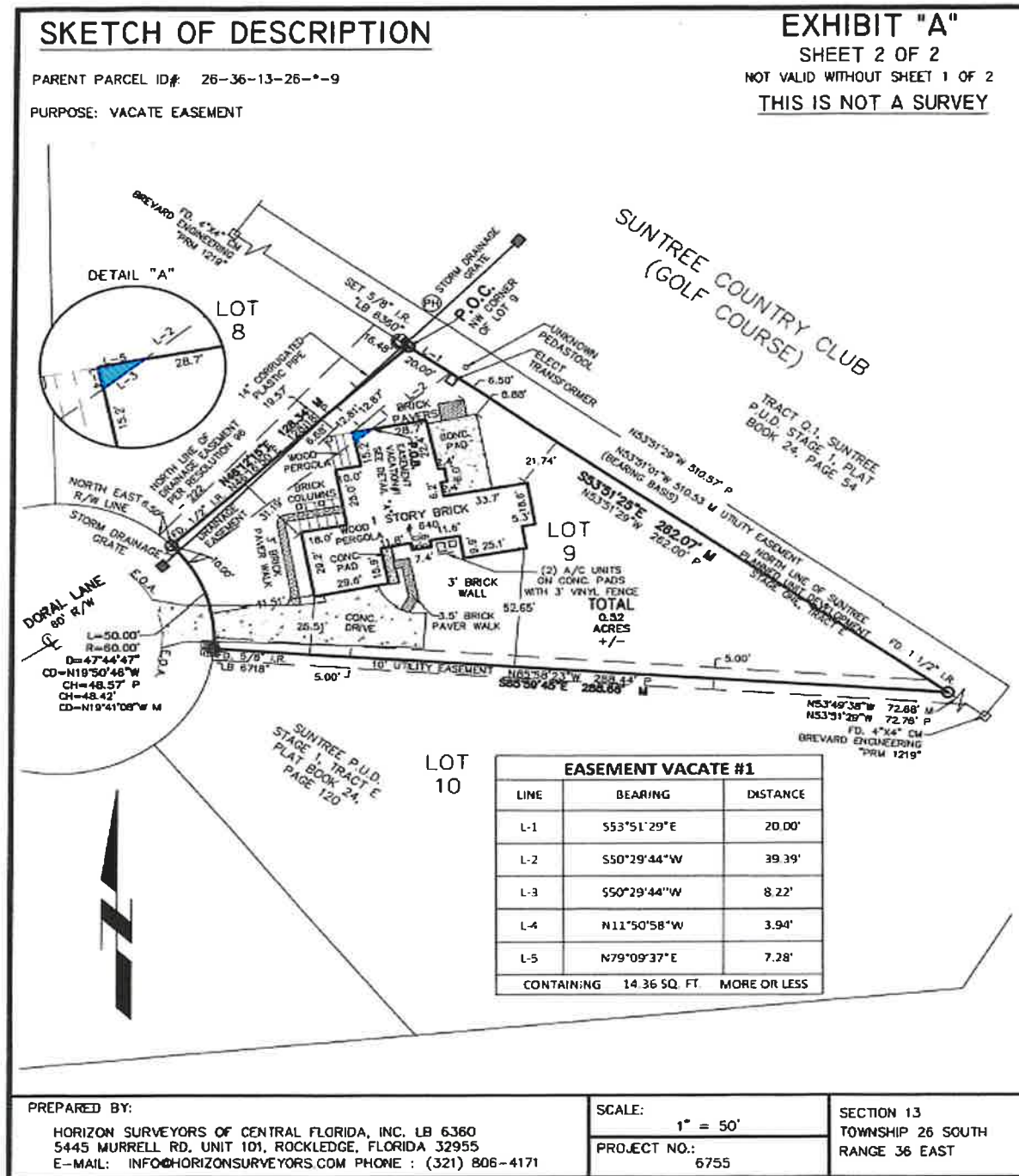


Figure 5: Sketch & Description. Sheet 2 of 2. Section 13, Township 26 South, Range 36 East. Parcel ID number: 26-36-13-26-*--9.

The sketch illustrates a portion of a public drainage easement, per the Plat of Suntree P.U.D. Stage 1, Tract E, 640 Doral Ave, Melbourne, Florida, 32940. Prepared by: Robert R. Doerrer, PLS.

Comment Sheet

Applicant: Henker

Updated by: Amber Holley 20260316 at 1630 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20260224	20260302	Yes	No objection
FL Power & Light	20260224	20260316	Yes	No objection
At&t	20260224	20260225	Yes	No objections
Charter/Spectrum	20260224	20260225	Yes	No objections
City of Cocoa	20260224	20260302	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20260224	20260316	Yes	No objections
Land Planning	20260224	20260304	Yes	No objections
Utility Services	20260224	20260226	Yes	No objections
Storm Water	20260224	20260302	Yes	No objections
Zoning	20260224	20260304	Yes	No objections

Public Hearing Legal Advertisement

AD#12177117; 3/23/2026

LEGAL NOTICE

**NOTICE FOR THE VACATING OF A
PORTION OF A DRAINAGE
EASEMENT, PLAT OF "SUNTREE
P.U.D., STAGE ONE, TRACT E", IN
SECTION 13, TOWNSHIP 26
SOUTH, RANGE 36 EAST,
MELBOURNE, FL**

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-38, Brevard County Code, a petition has been filed by **WALTER E. AND MARY A. HENKER** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF A DRAINAGE EASEMENT TO BE VACATED SITUATED IN LOT 9, OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 120 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE RUN S53°51'29"E ALONG THE NORTH LINE OF SUNTREE PLANNED UNIT DEVELOPMENT STAGE ONE, TRACT E, FOR A DISTANCE OF 20.00 FEET; THENCE RUN S50°29'44"W FOR A DISTANCE OF 39.39 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN S50°29'44"W FOR A DISTANCE OF 8.22 FEET; THENCE RUN N11°50'58"W FOR A DISTANCE OF 3.94 FEET; THENCE RUN N78°09'37"E FOR A DISTANCE OF 7.28 FEET TO THE POINT OF BEGINNING, CONTAINING 14.36 SQUARE FEET MORE OR LESS. PREPARED BY: ROBERT R. DOERRER, JR., PLS.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on April 7, 2026, 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 hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance.

Figure 6: Copy of public hearing advertisement published on February 9, 2026. See the next page for full text.

Legal Notice Text

NOTICE FOR THE VACATING OF A PORTION OF A DRAINAGE EASEMENT, PLAT OF "SUNTREE P.U.D., STAGE ONE, TRACT E", IN SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST, MELBOURNE, FL

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Boundary Survey

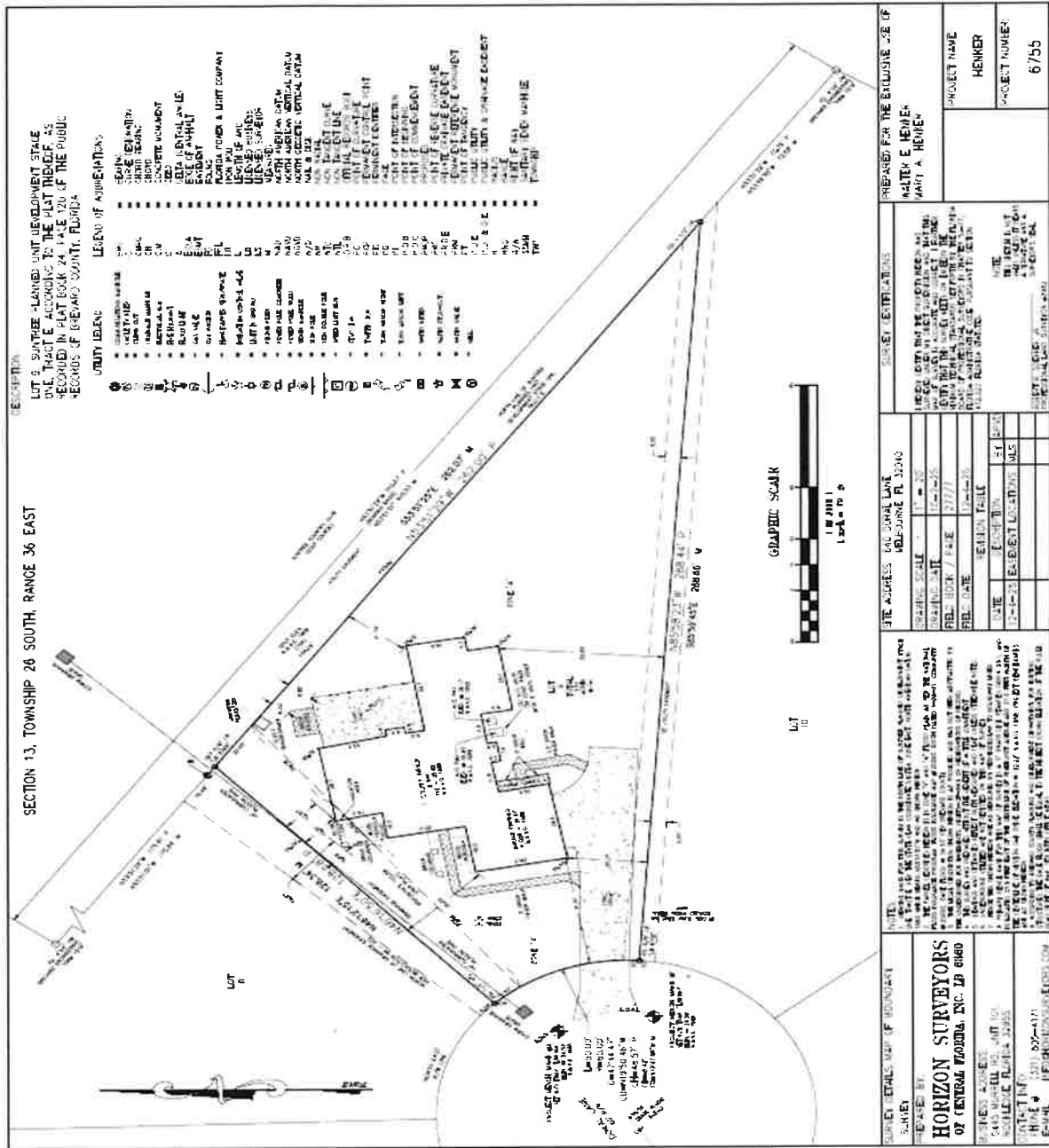


Figure 7: Boundary Survey of Lot 9, Suntree P.U.D. Stage 1, Tract E, 640 Doral Ave, Melbourne, FL 32940.

The sketch illustrates the boundary survey of Lot 9, Suntree P.U.D. Stage 1, Tract E, 640 Doral Ave, Melbourne, Florida, 32940. The coordinates of the lot are as follows: North boundary – North 46°12'15" East 128.34 feet; East boundary – South 53°51'25" East 262.07 Feet; South boundary – North 85°59'45" East 288.66 Feet; West boundary – North 19°50'46" West 48.42 feet. Prepared by: Robert R. Doerrer, PLS.