



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.1.

1/14/2025

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### Subject:

Petition to Vacate, Re: Public Utility Easement- 3214 Armen Drive - "Armen Groves" Plat Book 74, Pages 69-72  
- Merritt Island - K Hovnanian at Armen Groves LLC - 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 part of a public utility easement, "Armen Groves" in Section 11, Township 24 South, Range 36 East. If approved, it is requested that the Board authorize the Chairman 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 Brevard County Utilities Department requests the vacating of a 5.5-foot of a 10.00 ft. wide public utility easement on Tract LS-1 to protect an existing manhole from future utility conflicts. Ultimately, this parcel will be transferred to the Brevard County Utility Department, but with only a 4.5-foot utility easement. The property is located in Merritt Island East of N. Courtenay Pkwy. and North of Smith Road.

On December 30, 2024, 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: Ext. 58346

### 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.

# Brevard County Property Appraiser Detail Sheet

Owners K HOVNANIAN AT ARMEN GROVES LLC  
 Mailing Address 2301 LUCIEN WAY, STE 260 MAITLAND FL 32751  
 Site Address 3214 ARMEN DR MERRITT ISLAND FL 32953  
 Parcel ID 24-36-11-26\*-LS.1  
 Taxing District 2200 - UNINCORP DISTRICT 2  
 Exemptions NONE  
 Property Use 8610 - COUNTY OWNED LAND - IMPROVED  
 Total Acres 0.02  
 Site Code 0001 - NO OTHER CODE APPL.  
 Plat Book/Page 0074/0069  
 Subdivision ARMEN GROVES  
 Land Description ARMEN GROVES TRACT LS.1 (LIFT STATION)

## VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$10	\$0	\$0
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$10	\$0	\$0
Assessed Value School	\$10	\$0	\$0
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$10	\$0	\$0
Taxable Value School	\$10	\$0	\$0

## SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
N/A	\$0	N/A	N/A	N/A

## Vicinity Map

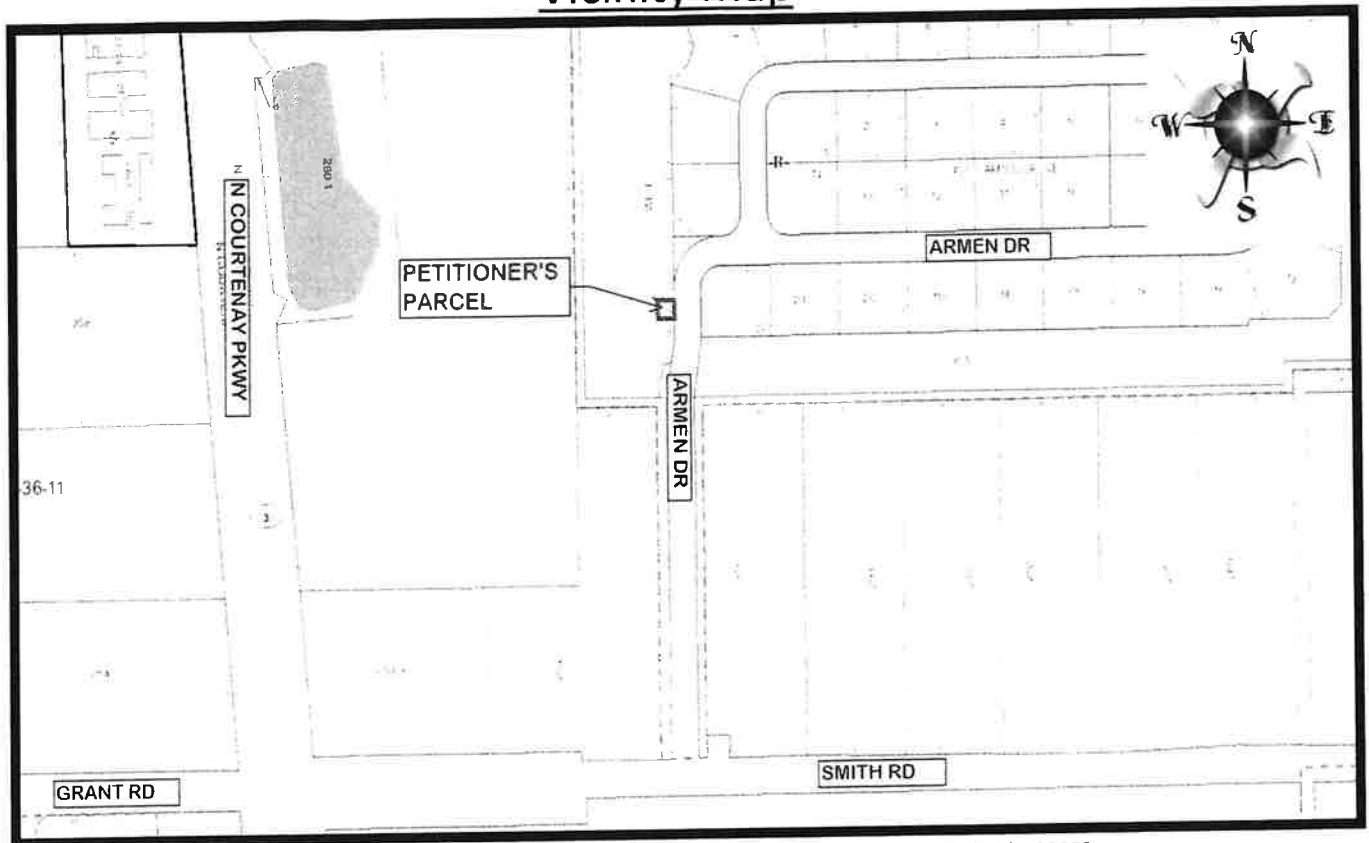


Figure 1: Map of Tract LS-1, Armen Groves, 3214 Armen Drive, Merritt Island, Florida, 32953.

K Hovnanian at Armen Groves LLC – 3214  
Armen Drive – Merritt Island, FL, 32953 –  
Tract LS-1, plat of “Armen Groves” – Plat Book  
74, Page 69 – Section 11, Township 24 South,  
Range 36 East – District 2 – Proposed  
Vacating of a portion of a 10.0 ft. Wide Public  
Utility Easement

## Aerial Map

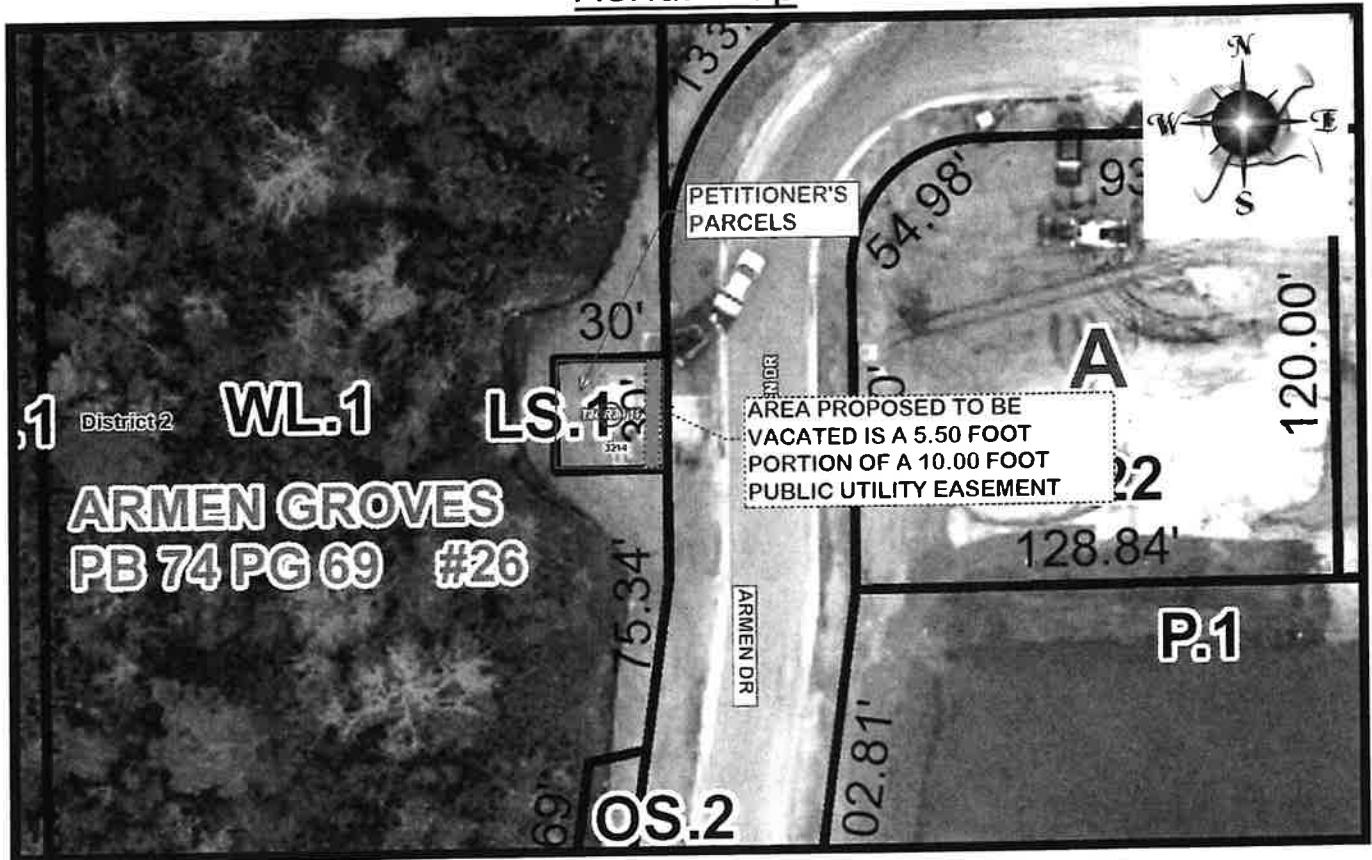


Figure 2: Aerial Map of Tract LS-1, Armen Groves, 3214 Armen Drive, Merritt Island, Florida, 32953.

K Hovnanian at Armen Groves LLC – 3214  
Armen Drive – Merritt Island, FL, 32953 – Tract  
LS-1, plat of “Armen Groves” – Plat Book 74,  
Page 69 – Section 11, Township 24 South,  
Range 36 East – District 2 – Proposed Vacating  
of a portion of a 10.0 ft. Wide Public Utility  
Easement

# Plat Reference

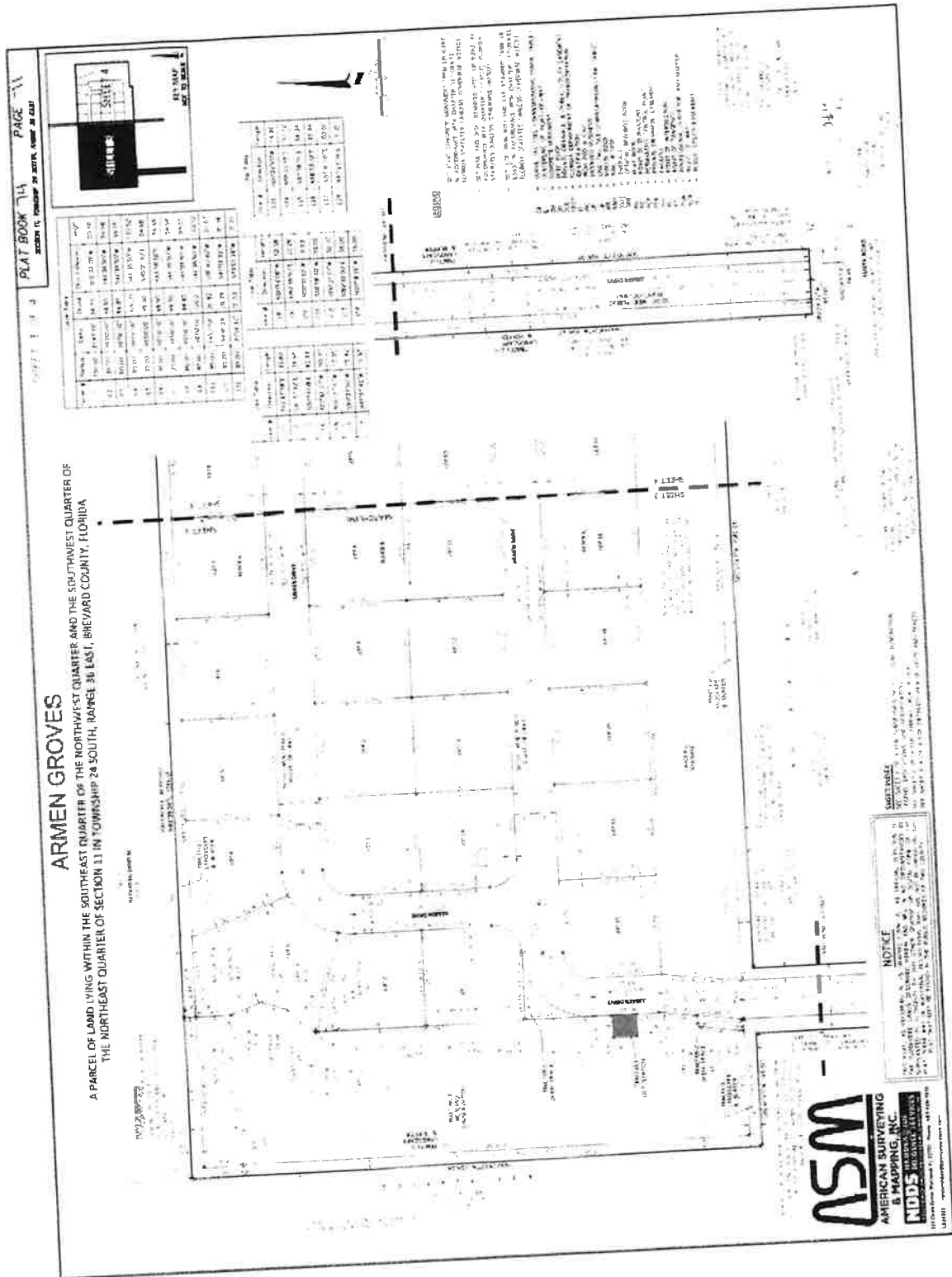


Figure 3: Copy of plat map "Armen Groves" dedicated to Brevard County December 2023.

# Petitioner's Sketch & Description Sheet 1 of 2

SHEET 1 OF 2  
NOT VALID WITHOUT SHEET 2 OF 2

## LEGAL DESCRIPTION

SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
PARCEL ID NUMBER: 24-36-11-26-LS.1  
PURPOSE OF SURVEY: VACATION OF 10.00 FOOT WIDE UTILITY EASEMENT














## LEGAL DESCRIPTION:

A PORTION OF THE 10.00 FOOT WIDE UTILITY EASEMENT LYING WITHIN TRACT LS-1 OF THE PLAT OF ARMEN GROVES, AS RECORDED IN PLAT BOOK 74, PAGE 69 THROUGH 72 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SITUATED WITHIN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THE EAST 5.50 FEET OF SAID TRACT LS-1.

## SURVEYORS NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF TRACT LS-1 OF THE PLAT OF ARMEN GROVES, WHICH BEARS S00°21'10"E, PER PLAT BOOK 74, PAGE 69-72.
2. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS ARE BASED SOLELY ON INSPECTION AND LOCATION OF ABOVE-GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
3. NO REVISIONS MAY BE MADE TO THIS BOUNDARY WITHOUT THE WRITTEN, EXPRESSED CONSENT OF THE SIGNING SURVEYOR.
4. ALL RECORDING INFORMATION SHOWN HEREON REFERS TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
5. THE PROPERTY, AS DEPICTED HEREON, IS SUBJECT TO EASEMENTS AND AGREEMENTS AS NOTED IN THE PROPERTY INFORMATION REPORT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NUMBER 11963528 BEARING AN EFFECTIVE SEARCH DATE 08/28/1985 THROUGH 08/09/2024. MATTERS AFFECTING PROPERTY ARE LISTED IN THESE SURVEYORS NOTES AND SHOWN GRAPHICALLY, AS APPLICABLE. SAID PROPERTY IS SUBJECT TO:
  - 5.1. BINDING DEVELOPMENT PLAN RECORDED MAY 25, 2005 IN OFFICIAL RECORDS BOOK 5472, PAGE 3426 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA (AFFECTS, NOTHING TO PLOT, NOT A SURVEY MATTER)
  - 5.2. BINDING DEVELOPMENT AGREEMENT RECORDED NOVEMBER 22, 2017 IN OFFICIAL RECORDS BOOK 8032, PAGE 2265 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA (AFFECTS, NOTHING TO PLOT, NOT A SURVEY MATTER)
  - 5.3. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF ARMEN GROVES, RECORDED IN PLAT BOOK 74, PAGES 69 THROUGH 72, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA (AFFECTS, AS SHOWN)

## LEGEND

	ASPHALT SURFACE		WATER STAND PIPE		CONCRETE EDGE OF PAVEMENT
	CONCRETE SURFACE		RECLAIM WATER METER		BACK OF CURB
	ELECTRIC TRANSFORMER		SS — SANITARY SEWER LINE		PLAT BOOK
	SANITARY MANHOLE		FM — FOREMAN LINE		PAGE(S)
			RECLAIM WATER LINE		

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY:  
LB#6393  
221 CIRCLE  
DRIVE, MAITLAND,  
FL 32751  
407-426-7979

**ASM** AMERICAN  
SURVEYING  
& MAPPING, INC.  
NDDS NATIONAL DUE DILIGENCE SERVICES  
A DIVISION OF AMERICAN SURVEYING & MAPPING, INC.

E. Glenn Turner, PSM 5643  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

DRAWN BY: CF	CHECKED BY: EGT	PROJECT NO. 22115	SECTION 11
DATE: 09/11/2024	DRAWING: 22115 ARMEN GROVES LS UTILITY EASEMENT BNDY.DWG	REVISIONS	TOWNSHIP 24 SOUTH
		DATE 12/16/24	RANGE 36 EAST
		DESCRIPTION REV LIMITS PER CC	

Figure 4: Legal Description. Sheet 1 of 2. Section 11, Township 24 South, Range 36 East. Parcel ID number: 24-36-11-26-LS.1.

# Petitioner's Sketch & Description Sheet 2 of 2

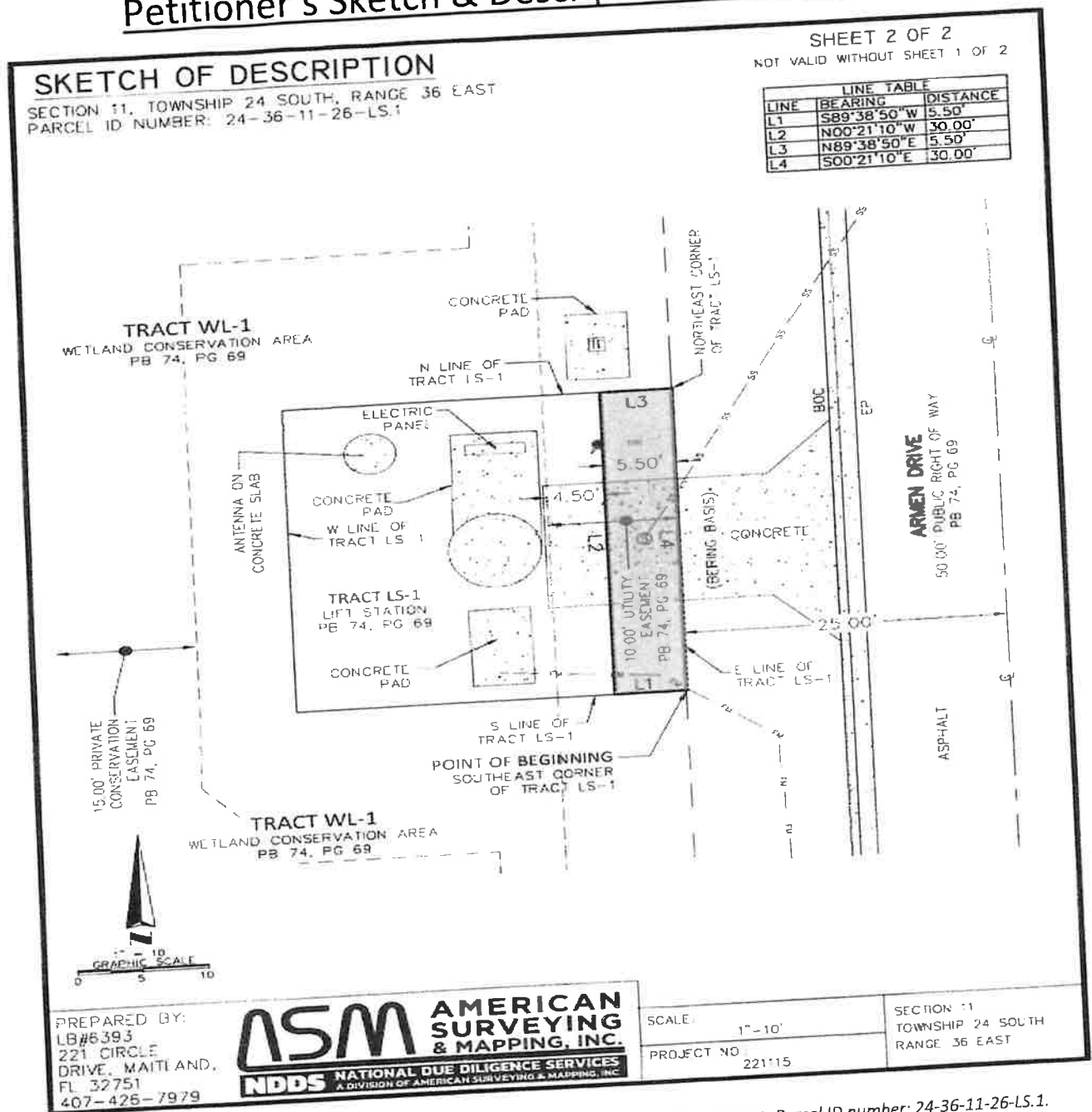


Figure 5: Sketch of description. Sheet 2 of 2. Section 11, Township 24 South, Range 36 East. Parcel ID number: 24-36-11-26-LS.1.

The sketch illustrates a portion of a 10.00-foot-wide public utility easement on Tract LS-1, Armen Groves, Merritt Island, Florida. The coordinates of the area to be vacated are as follows: North boundary – North 89°38'50" East 5.50 Feet; East boundary – South 00°21'10" East 30.00 Feet; South boundary – South 89°38'50" West 5.50 Feet; West boundary – North 00°21'10" West 30.00 feet. Prepared by: E. Glenn Turner, American Surveying and Mapping, Inc., LB 6393, Project NO: 221115.

## Comment Sheet

Applicant: K. Hovnanian at Armen Groves LLC

Updated by: Amber Holley 20241206 at 1500 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20241011	20241206	Yes	No response
FL Power & Light	20241011	20241206	Yes	No objections
At&t	20241011	20241031	Yes	No objections
Charter/Spectrum	20241011	20241104	Yes	No objections
City of Cocoa	20241011	20241017	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20241011	20241104	Yes	No objections
Land Planning	20241011	20241021	Yes	No objections
Utility Services	20241011	20241011	Yes	No objections
Storm Water	20241011	20241031	Yes	No objections
Zoning	20241011	20241021	Yes	No objections



# Public Hearing Legal Advertisement

Ad#10878326

12/30/2024

## LEGAL NOTICE

NOTICE FOR THE PARTIAL  
VACATING OF A 10.00 FT. WIDE  
PUBLIC UTILITY EASEMENT,  
PLAT OF "ARMEN GROVES" IN  
SECTION 11, 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 11,  
Section 86-36, Brevard County Code,  
a petition has been filed by K  
HOVNANIAN AT ARMEN  
GROVES LLC with the Board of  
County Commissioners of Brevard  
County, Florida, to request vacating  
the following described property, to  
wit:

A PORTION OF THE 10.00 FOOT  
WIDE UTILITY EASEMENT  
LYING WITHIN TRACT LS-1 OF  
THE PLAT OF ARMEN GROVES,  
AS RECORDED IN PLAT BOOK  
74, PAGE 69 THROUGH 72 OF  
THE PUBLIC RECORDS OF  
BREVARD COUNTY, FLORIDA,  
SITUATED WITHIN SECTION 11,  
TOWNSHIP 24 SOUTH, RANGE 36  
EAST, BREVARD COUNTY,  
FLORIDA, BEING THE EAST 5.50  
FEET OF SAID TRACT LS-1.  
PREPARED BY: E. GLENN  
TURNER, PSM.

The Board of County Commissioners  
will hold a public hearing to deter-  
mine the advisability of such vacat-  
ing of the above-described easement  
at 5:00 P.M. on January 14, 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 deci-  
sion 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 meet-  
ing/hearing is contacted at least 48  
hours prior to the public meet-  
ing/hearing by any person wishing  
assistance.

Figure 7: Copy of public hearing advertisement as published on December 30, 2024. See the next page for full text.

## Legal Notice Text

### LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 10.00 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "ARMEN GROVES" IN SECTION 11, 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 K HOVNANIAN AT ARMEN GROVES LLC with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF THE 10.00 FOOT WIDE UTILITY EASEMENT LYING WITHIN TRACT LS-1 OF THE PLAT OF ARMEN GROVES, AS RECORDED IN PLAT BOOK 74, PAGE 69 THROUGH 72 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SITUATED WITHIN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THE EAST 5.50 FEET OF SAID TRACT LS-1. PREPARED BY: E. GLENN TURNER, PSM.

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 January 14, 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.



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

January 28, 2025

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

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

**RE:** Advertising Bills for Resolution Vacating a Portion of a Public Utility Easement in Plat "Armen Groves", Merritt Island, Lying in Section 11, Township 24 South, Range 36 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 2025-005, vacating a portion of a public utility easement in Plat "Armen Groves", Merritt Island, lying in Section 11, Township 24 South, Range 36 East, as petitioned by K Hovnanian. Said Resolution was adopted by the Board of County Commissioners, in regular session on January 14, 2025.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/kl

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

January 28, 2025

K Hovnanian at Armen Groves LLC  
c/o Melissa Martinez, Poulos & Bennett, LLC  
2602 E. Livingston St  
Orlando, FL 32803

Dear Sir/Madam:

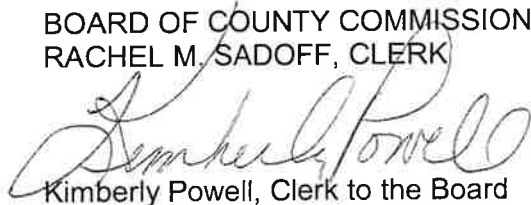
Re: Resolution Vacating a Portion of a Public Utility Easement in Plat "Armen Groves", Merritt Island, Lying in Section 11, Township 24 South, Range 36 East

The Board of County Commissioners, in regular session on January 14, 2025, adopted Resolution No. 2025-005, vacating a portion of a Public Utility Easement in Plat "Armen Groves", Merritt Island, lying in Section 11, Township 24 South, Range 36 East. 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

/kl

Encl. (1)

cc: Amber Holley, Public Works

**Resolution 2025 - 005**

**Vacating a portion of a public utility easement in plat "Armen Groves", Merritt Island, Florida, lying in Section 11, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **K Hovnanian at Armen Groves LLC** with the Board of County Commissioners to vacate a public easement in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH & 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 the public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements 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 14<sup>th</sup> day of January, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Rob Feltner, Chairman

As approved by the Board on:  
January 14, 2025

# LEGAL DESCRIPTION

SHEET 1 OF 2  
NOT VALID WITHOUT SHEET 2 OF 2

SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
PARCEL ID NUMBER: 24-36-11-26-LS.1  
PURPOSE OF SURVEY: VACATION OF 10.00 FOOT WIDE UTILITY EASEMENT














## LEGAL DESCRIPTION:

A PORTION OF THE 10.00 FOOT WIDE UTILITY EASEMENT LYING WITHIN TRACT LS-1 OF THE PLAT OF ARMEN GROVES, AS RECORDED IN PLAT BOOK 74, PAGE 69 THROUGH 72 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SITUATED WITHIN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THE EAST 5.50 FEET OF SAID TRACT LS-1.

## SURVEYORS NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF TRACT LS-1 OF THE PLAT OF ARMEN GROVES, WHICH BEARS S00°21'10"E, PER PLAT BOOK 74, PAGE 69-72.
2. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS ARE BASED SOLELY ON INSPECTION AND LOCATION OF ABOVE-GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
3. NO REVISIONS MAY BE MADE TO THIS BOUNDARY WITHOUT THE WRITTEN, EXPRESSED CONSENT OF THE SIGNING SURVEYOR.
4. ALL RECORDING INFORMATION SHOWN HEREON REFERS TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
5. THE PROPERTY, AS DEPICTED HEREON, IS SUBJECT TO EASEMENTS AND AGREEMENTS AS NOTED IN THE PROPERTY INFORMATION REPORT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NUMBER 11963529 BEARING AN EFFECTIVE SEARCH DATE 08/28/1985 THROUGH 08/09/2024. MATTERS AFFECTING PROPERTY ARE LISTED IN THESE SURVEYORS NOTES AND SHOWN GRAPHICALLY, AS APPLICABLE. SAID PROPERTY IS SUBJECT TO:
  - 5.1. BINDING DEVELOPMENT PLAN RECORDED MAY 25, 2005 IN OFFICIAL RECORDS BOOK 5472, PAGE 3426 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. (AFFECTS, NOTHING TO PLOT, NOT A SURVEY MATTER)
  - 5.2. BINDING DEVELOPMENT AGREEMENT RECORDED NOVEMBER 22, 2017 IN OFFICIAL RECORDS BOOK 8032, PAGE 2265 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. (AFFECTS, NOTHING TO PLOT, NOT A SURVEY MATTER)
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## LEGEND

	ASPHALT SURFACE		WATER STAND PIPE		CONC	CONCRETE
	CONCRETE SURFACE		RECLAIM WATER METER		EP	EDGE OF PAVEENT
	ELECTRIC TRANSFORMER		SS		BOC	BACK OF CURB
	SANITARY MANHOLE		FM		PB	PLAT BOOK
			RWL		PG	PAGE(S)

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY:  
LB#6393  
221 CIRCLE  
DRIVE, MAITLAND,  
FL 32751  
407-426-7979

**ASM** AMERICAN  
SURVEYING  
& MAPPING, INC.  
NDDS NATIONAL DUE DILIGENCE SERVICES  
A DIVISION OF AMERICAN SURVEYING & MAPPING, INC.

E. Glenn Turner, PSM 5643  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

DRAWN BY: CF

CHECKED BY: EGT

PROJECT NO. 221115

REVISIONS

DATE

DESCRIPTION

12/16/24

REV LIMITS PER CC.

SECTION 11  
TOWNSHIP 24 SOUTH  
RANGE 36 EAST

DATE: 08/11/2024

DRAWING: 221115 ARMEN GROVES  
IS UTILITY EASEMENT BNDY.DWG

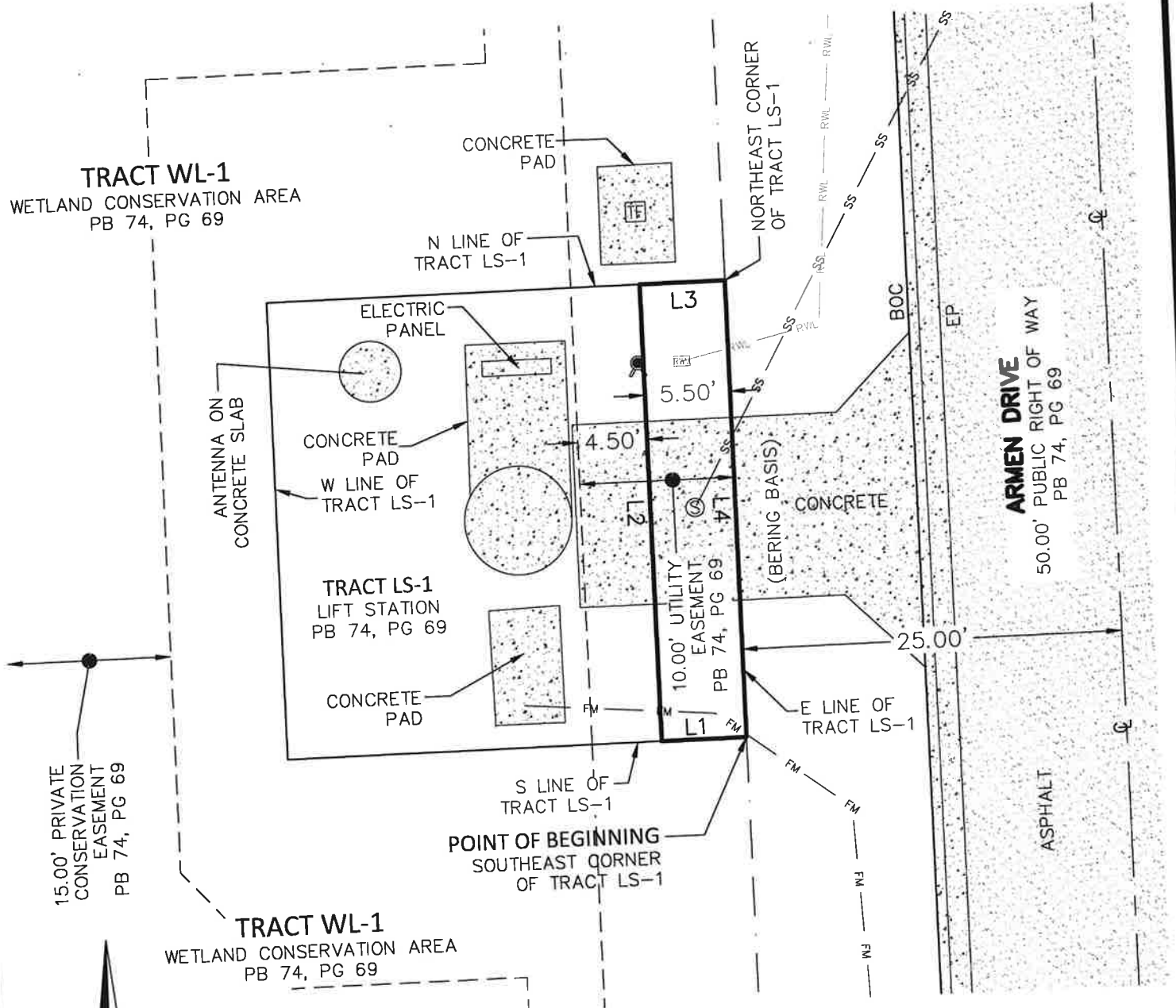


# SKETCH OF DESCRIPTION

SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST  
PARCEL ID NUMBER: 24-36-11-26-LS.1

SHEET 2 OF 2  
NOT VALID WITHOUT SHEET 1 OF 2

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°38'50"W	5.50'
L2	N00°21'10"W	30.00'
L3	N89°38'50"E	5.50'
L4	S00°21'10"E	30.00'



PREPARED BY:  
LB#6393  
221 CIRCLE  
DRIVE, MAITLAND,  
FL 32751

**ASM** AMERICAN  
SURVEYING  
& MAPPING, INC.  
NDDS NATIONAL DUE DILIGENCE SERVICES  
A DIVISION OF AMERICAN SURVEYING & MAPPING, INC.

SCALE:  
1"=10'  
PROJECT NO.:  
221115

SECTION 11  
TOWNSHIP 24 SOUTH  
RANGE 36 EAST

**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:

12/30/2024

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 12/30/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$231.77  
Tax Amount: \$0.00  
Payment Cost: \$231.77  
Order No: 10878326  
Customer No: 1127286  
PO #: 4500092228-10

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**NICOLE JACOBS**  
Notary Public  
State of Wisconsin

Ad#10878326 12/30/2024  
**LEGAL NOTICE**  
NOTICE FOR THE PARTIAL VACATING OF A 10.00 FT. WIDE PUBLIC UTILITY EASEMENT, PLAT OF "ARMEN GROVES" IN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL. NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Section 86-36, Brevard County Code, a petition has been filed by K HOVNANIAN AT ARMEN GROVES LLC with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:  
A PORTION OF THE 10.00 FOOT WIDE UTILITY EASEMENT LYING WITHIN TRACT LS-1 OF THE PLAT OF ARMEN GROVES, AS RECORDED IN PLAT BOOK 74, PAGE 69 THROUGH 72 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SITUATED WITHIN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THE EAST 5.50 FEET OF SAID TRACT LS-1. PREPARED BY: E. GLENN TURNER, PSM.  
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 January 14, 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

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

**AFFIDAVIT OF PUBLICATION**

Amber Holley  
Holley  
2725 Judge Fran Jamieson Way #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:

01/22/2025

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 01/22/2025

Legal Clerk

Notary, State of WI, County of Brown

5.15.27

My commission expires

Publication Cost: \$155.18  
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NANCY HEYRMAN  
Notary Public  
State of Wisconsin

#10958943; 1/22/2025

**LEGAL NOTICE**

RESOLUTION VACATING A PORTION OF A PUBLIC UTILITY EASEMENT IN PLAT "ARMEN GROVES", MERRITT ISLAND, LYING IN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST - K HOVNANIAN AT ARMEN GROVES LLC

TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN that on January 14, 2025, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of a public utility easement in Plat of "Armen Groves", Merritt Island, lying in Section 11, Township 24 South, Range 36 East, as petitioned by K Hovnanian at Armen Groves LLC

**LEGAL DESCRIPTION:**

A PORTION OF THE 10.00 FOOT WIDE UTILITY EASEMENT LYING WITHIN TRACT LS-1 OF THE PLAT OF ARMEN GROVES, AS RECORDED IN PLAT BOOK 74, PAGE 69 THROUGH 72 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SITUATED WITHIN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THE EAST 5.50 FEET OF SAID TRACT LS-1. PREPARED BY: E. GLENN TURNER, PSM.

The Board further renounced and disclaimed any right of the County in and to said public easement. BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA RACHEL M. SADOFF, CLERK BY: Kimberly Powell, Clerk to the Board

Public Works

JAN 27 2025

Received

**Resolution 2025 - 005**

**Vacating a portion of a public utility easement in plat "Armen Groves", Merritt Island, Florida, lying in  
Section 11, Township 24 South, Range 36 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **K Hovnanian at Armen Groves LLC** with the Board of County Commissioners to vacate a public easement in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH & 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 the public easements will not be detrimental to Brevard County or the public.


THEREFORE BE IT RESOLVED that said public easements 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 14<sup>th</sup> day of January, 2025 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk

  
Rob Feltner, Chairman

As approved by the Board on:  
January 14, 2025

COPY

## Kimberly Loughner

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**From:** Kimberly Loughner  
**Sent:** Friday, January 17, 2025 11:22 AM  
**To:** 'LEGALS@FLORIDATODAY.COM'  
**Cc:** 'Holley, Amber'  
**Subject:** Legal Notice  
**Attachments:** Hovnanian.docx

Please see attached Legal Ads to be advertised in January 22, 2025 issue.

Please bill: the **Board of County Commissioners Account Number BRE-6BR327**

Forward bill and proof of publication to:

**Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**

Thank you,

*Kimberly Loughner*

DEPUTY CLERK to the BOARD of BREVARD COUNTY COMMISSIONERS  
and VALUE ADJUSTMENT BOARD

400 South St 2<sup>ND</sup> Floor

Titusville Fl 32780

**321-637-2001**

Kimberly.Loughner@Brevardclerk.us

## Meeting

Item: H.2 Petition to Vacate

Motion By: \_\_\_\_\_

2<sup>nd</sup> By: Delaney

Commissioner	District	Yes	No
Delaney	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair Goodson	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adkinson	3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Altman	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chair Feltner	4	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Kimberly Loughner

---

**From:** Holley, Amber <Amber.Holley@brevardfl.gov>  
**Sent:** Thursday, January 16, 2025 8:32 AM  
**To:** Samantha McDaniel; Kimberly Loughner  
**Cc:** Donna Scott; Nicole Summers  
**Subject:** [EXTERNAL EMAIL]Commission Meeting January 14, 2025  
**Attachments:** 221115 ARMEN GROVES LS UTILITY EASEMENT LEGAL DESCRIPTION 12-16-24.docx

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Ladies, sorry for the delay, I was off yesterday getting a tooth extracted (yay).

I have attached the legal description from the approval on the 1/14 meeting.

**Owner information:**

- H.1. K Hovnanian at Armen Groves LLC, C/O Melissa Martinez, Poulos & Bennett, LLC, 2602 E. Livingston St, Orlando, FL 32803.

Sincerely,  
Amber Holley  
Public Works/ Survey Dept.  
321-350-8346

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**LEGAL DESCRIPTION:**

A PORTION OF THE 10.00 FOOT WIDE UTILITY EASEMENT LYING WITHIN TRACT LS-1 OF THE PLAT OF ARMEN GROVES, AS RECORDED IN PLAT BOOK 74, PAGE 69 THROUGH 72 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SITUATED WITHIN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING THE EAST 5.50 FEET OF SAID TRACT LS-1. PREPARED BY: E. GLENN TURNER, PSM.