

Prepared by:
Brevard County Planning and Development Department
2725 Judge Fran Jamieson Way
Viera, FL 32940

NOTICE OF ASSESSMENT FOR TRANSPORTATION AND EDUCATIONAL IMPACT FEES

This **Notice of Assessment for Transportation Impact Fees** (hereinafter "Assessment"), is made and entered into by and between: **Brevard County**, a political subdivision of the State of Florida, hereinafter referred to as "County", and **HTG Forest Glen Apartments, Ltd.**, its successors and assigns, hereinafter referred to as "Developer."

WHEREAS, pursuant to Section 62-815(d)(4) of the Brevard County Code of Ordinances, a developer that has received an award to develop rental housing affordable to very-low, low and moderate-income persons or households may apply to the County for a deferral of transportation impact fees; and

WHEREAS, Developer is in the process of developing an affordable housing rental complex within Brevard County and the City of Titusville known as "Forest Glen Apartments", for the property located at 2001 South Street, Titusville, Brevard County, Florida 32780 (Property Appraiser Account # 2201402) and whose legal description is incorporated herein as Exhibit 1 (hereinafter the "Project");

WHEREAS, the Project which has been awarded to develop as affordable rental housing for very-low and low-income persons; and

WHEREAS, pursuant to Section 62-815(d)(4) of the Brevard County Code of Ordinances, Developer has applied for the deferral of transportation impact fees based on the Project providing affordable rental housing for very-low and low-income persons; and

WHEREAS, the County has determined that the Project is eligible for the deferral of transportation impact fees totaling in the amount of \$104,764.00; and

WHEREAS, pursuant to Section 62-815(d)(5) of the Brevard County Code of Ordinances, Developer shall execute a Contract for the deferral of transportation impact fees and a Notice of Assessment for Transportation Impact Fees; and

WHEREAS, the Notice of Assessment for Transportation Impact Fees shall be recorded in the Official Records of Brevard County within ninety days following notification by the Developer to the County of when the rental units are sold or transferred and no longer meet the affordable housing definition and shall constitute a lien on the property for the balance of the transportation impact fee that is due under the terms of Section 62-815 of the Brevard County Code of Ordinances.

WHEREAS, the project, as a deed restricted 55+ community, is exempt from the payment of educational impact fees pursuant to Section 62-933(A)(6) of the Brevard County Code of Ordinances; and

NOW THEREFORE, in consideration of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, Developer agrees as follows:

Section 1. Transportation Impact Fees Deferral Amount.

A. The Developer has requested a deferral of payment of transportation impact fees for the Project pursuant to Section 62-815 of the Brevard County Code of Ordinances and the County agrees to the deferment of the transportation impact fees in the amount of \$104,764.00. The Developer shall pay the remaining transportation impact fee balance totaling \$85,716.00 prior to receiving a Certificate of Occupancy. Nothing in the section shall be interpreted as deferring or exempting Developer of paying any other impact fees assessed by the County.

B. Developer agrees that the deferred unpaid balance of transportation impact fees shall be due and payable upon the subsequent sale of the property and Developer authorizes the County to record this Notice of Assessment of Impact Fees in the official records of Brevard County within 90 days following notification to the County of the date of when the rental units are sold or transferred and no longer meet the affordable housing definition set for in Section 62-815 of the Brevard County Code of Ordinances.

Section 2. Educational Impact Fee Exemption

Pursuant to Section 62-933 of the Brevard County Code of Ordinances, the Project is exempt from the payment of educational impact fees based on its status as a deed restricted 55+ community. Said exemption shall be indicated through a letter from the Brevard County School Board acknowledging such exemption which is herein incorporated by reference. The Project shall be subject to a recorded deed restriction, recorded declaration of covenants and restrictions, recorded plat restriction or recorded by-laws that require at least one person in each residence to be age 55 or older and that prohibit any person that has not achieved the age of 18 years to reside on a permanent basis. In the event that the recorded age 55 and older restriction is breached or otherwise modified within a 30-year period following recording such that a person less than 18 years of age is allowed to reside on a permanent basis in any dwelling unit, the educational facilities impact fee in effect for that dwelling unit at the time of the change of circumstances shall become immediately due and payable to the County.

Section 3. Lien on Property.

Upon recordation in the official records of Brevard County, this Notice of Assessment for Transportation Impact Fees shall be a Lien for the balance of the Transportation Impact Fees against the Property due and payable. This Notice of Assessment runs with the land and creates an obligation on behalf of the Developer and is binding on the successors and assigns of the Developer.

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HTG FOREST GLEN APARTMENTS, LTD.
a Florida limited partnership

HTG FOREST GLEN, LLC,
a Florida limited liability company,
its Special Limited Partner

By: 
Matthew Rieger, Manager

STATE OF FLORIDA

COUNTY OF MIAMI-DADE The foregoing instrument was acknowledged before me this 12th day of May, 2026, by Matthew Rieger, who is personally known to me or who has produced _____ as identification.

NOTARY SEAL


Notary Public - State of Florida

9/30/2028
My Commission Expires



Exhibit 1 Legal Description

BEGIN AT THE NORTHEAST CORNER OF THE RESUBDIVISION OF BAKER'S SUBDIVISION UNIT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17, PAGE 86, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND RUN N02°01'58"W, A DISTANCE OF 5.06 FEET TO THE SOUTHWEST CORNER OF CITRUS HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 88, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N15°01'54"W, ALONG THE WEST LINE OF SAID CITRUS HEIGHTS, A DISTANCE OF 115.04 FEET TO THE SOUTHWEST CORNER OF LOT 7 OF SAID CITRUS HEIGHTS, (SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1072, PAGE 451, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA); THENCE S57°58'06"W, ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1072, PAGE 451, A DISTANCE OF 26.16 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1072, PAGE 451; THENCE N15°01'54"W, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1072, PAGE 451, A DISTANCE OF 561.55 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1072, PAGE 451, (SAID LINE ALSO BEING 25.00 FEET WEST OF, AS MEASURED PERPENDICULARLY, THE WEST LINE OF SAID CITRUS HEIGHTS); THENCE N88°06'30"E, ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1072, PAGE 451, A DISTANCE OF 25.69 FEET TO THE NORTHWEST CORNER OF LOT 4 OF SAID CITRUS HEIGHTS, (SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 9913, PAGE 776, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA); THENCE N14°59'47"W, ALONG THE WEST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 9913, PAGE 776 AND THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 46, PAGE 591, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A DISTANCE OF 740.55 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 405, ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP FOR STATE ROAD NO. 405, SECTION 70160—2503, SHEET 6 OF 10, LAST REVISED DECEMBER 3, 1963; THENCE S87°27'28"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 268.98 FEET TO A POINT OF TANGENCY ACCORDING TO SAID FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP FOR STATE ROAD NO. 405 AND THE BEGINNING OF A CURVE TO THE LEFT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2272, PAGE 1009, A DISTANCE OF 1416.52 FEET TO THE NORTH LINE OF SAID RESUBDIVISION OF BAKER'S SUBDIVISION UNIT NO. 1; THENCE S84°14'21"E, ALONG SAID NORTH LINE, A DISTANCE OF 94.62 FEET; THENCE N82°21'19"E, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 277.84 FEET TO THE POINT OF BEGINNING.