

**Resolution 2025 -**

**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

# 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

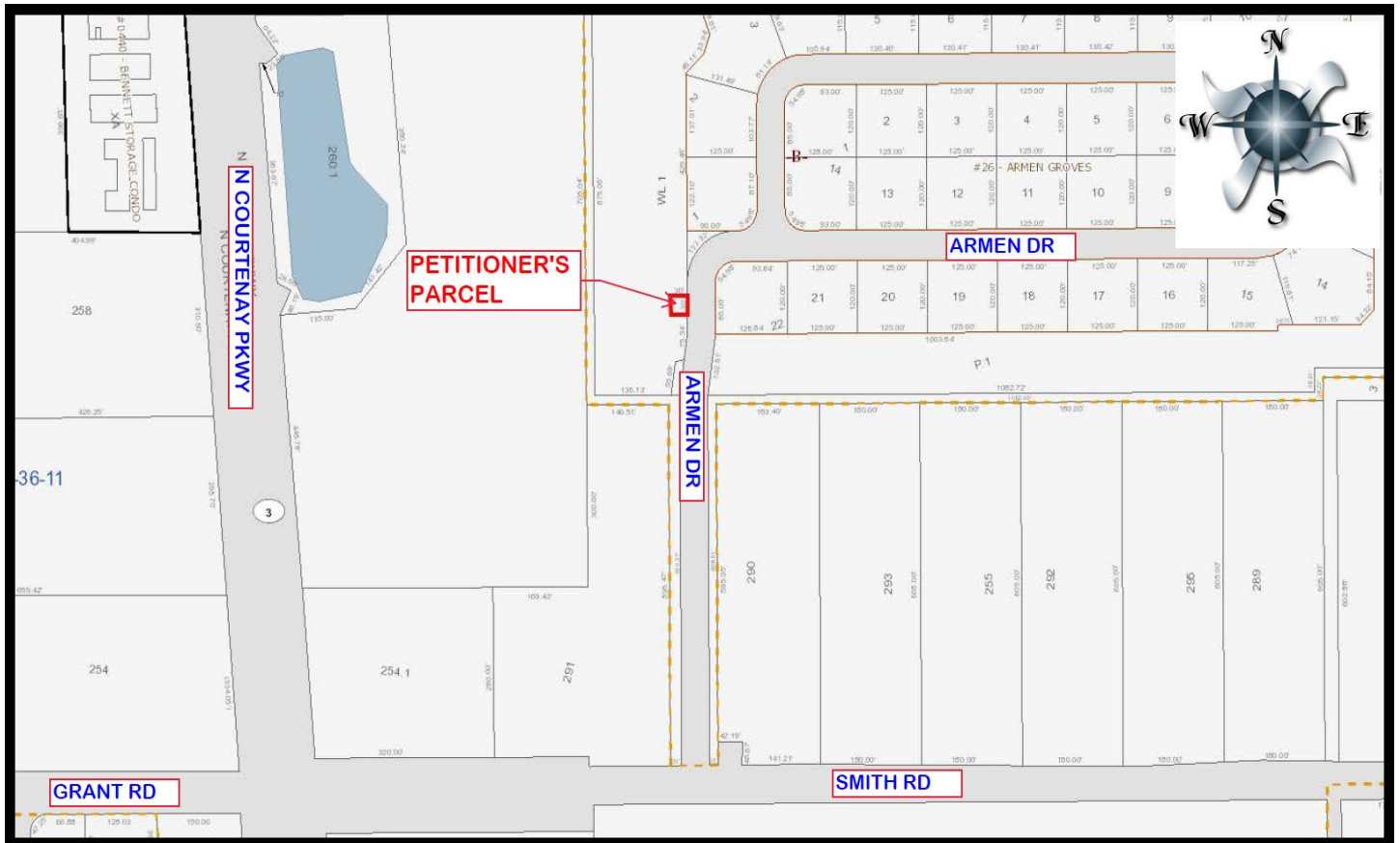


Figure 1: Map of Tract LS-1, Armen Groves, 3214 Armen Drive, Merritt Island, Florida, 32953.

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

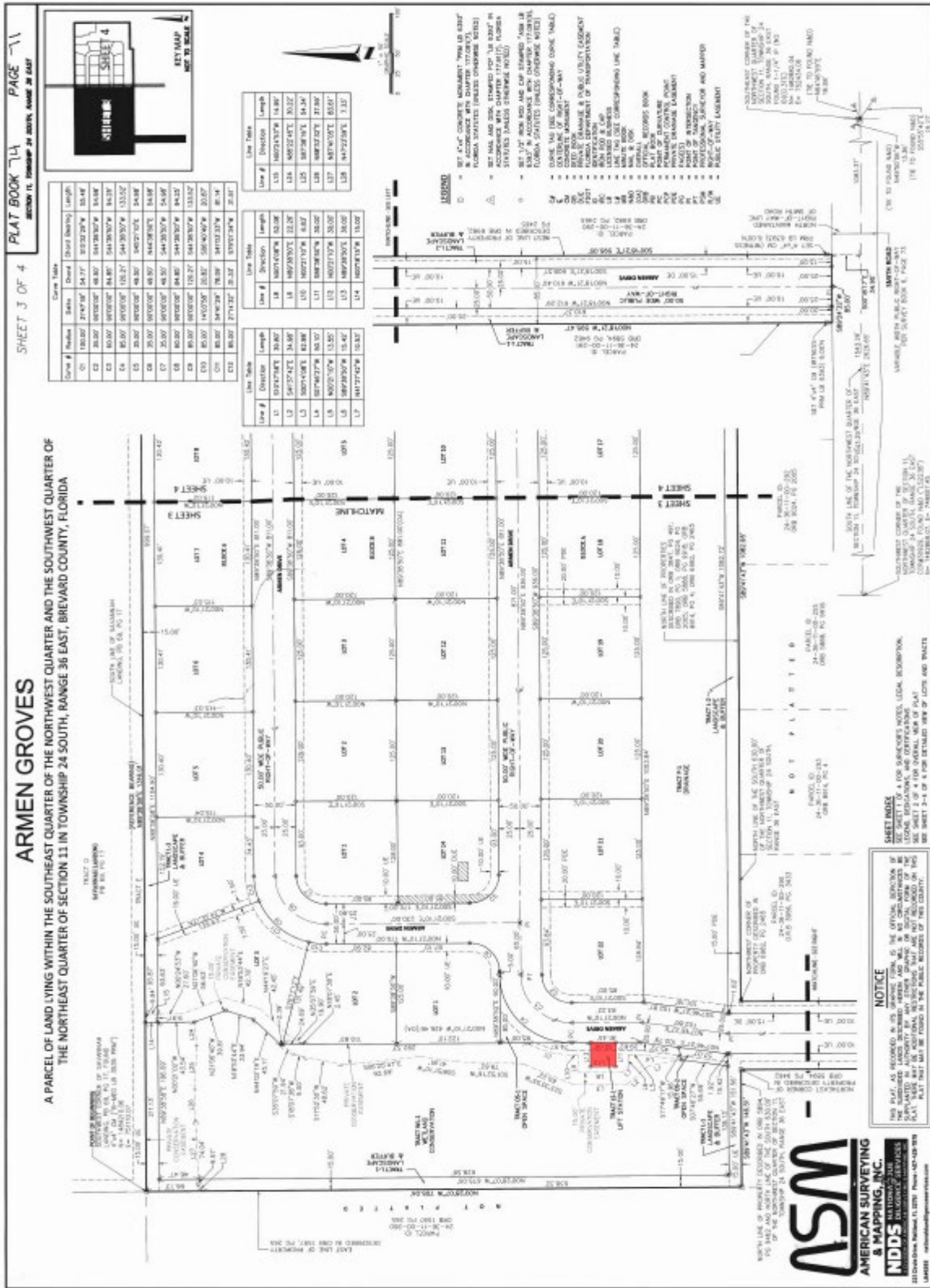


Figure 3: Copy of plat map "Armen Groves" dedicated to Brevard County December 2023.

# Petitioner's Sketch & Description Sheet 1 of 2

















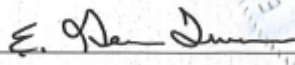
<b>LEGAL DESCRIPTION</b>		SHEET 1 OF 2			
SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST		NOT VALID WITHOUT SHEET 2 OF 2			
PARCEL ID NUMBER: 24-36-11-26-LS.1					
PURPOSE OF SURVEY: VACATION OF 10.00 FOOT WIDE UTILITY EASEMENT					
<b>LEGAL DESCRIPTION:</b>					
A PORTION OF THE 10.00 FOOT WIDE UTILITY 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.					
<b>SURVEYORS NOTES:</b>					
<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. NO REVISIONS MAY BE MADE TO THIS BOUNDARY WITHOUT THE WRITTEN, EXPRESSED CONSENT OF THE SIGNING SURVEYOR.</li> <li>4. ALL RECORDING INFORMATION SHOWN HEREON REFERS TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.</li> <li>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:             <ol style="list-style-type: none"> <li>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)</li> <li>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)</li> <li>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)</li> </ol> </li> </ol>					
<b>LEGEND</b>					
 ASPHALT SURFACE  CONCRETE SURFACE  ELECTRIC TRANSFORMER  SANITARY MANHOLE	 WATER STAND PIPE  RECLAIM WATER METER  SS SANITARY SEWER LINE  FM FORCE MAIN LINE  RWL RECLAIM WATER LINE	 CONC CONCRETE  EP EDGE OF PAVEMENT  BOC BACK OF CURB  PB PLAT BOOK  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					
 <b>ASM AMERICAN SURVEYING &amp; MAPPING, INC.</b>		 E. GLENN TURNER, PSM 5643 PROFESSIONAL SURVEYOR & MAPPER NOT VALID UNLESS SIGNED AND SEALED			
DRAWN BY: CF	CHECKED BY: EGT	PROJECT NO. 221115			
DATE: 09/11/2024	DRAWING: 221115 ARMEN GROVES LS UTILITY EASEMENT BNDY.DWG	REVISIONS	SECTION 11		
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">DATE</th> <th style="width: 70%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>12/16/24</td> <td>REV LIMITS PER CC.</td> </tr> </tbody> </table>	DATE	DESCRIPTION	12/16/24
DATE	DESCRIPTION				
12/16/24	REV LIMITS PER CC.				
			RANGE 36 EAST		

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

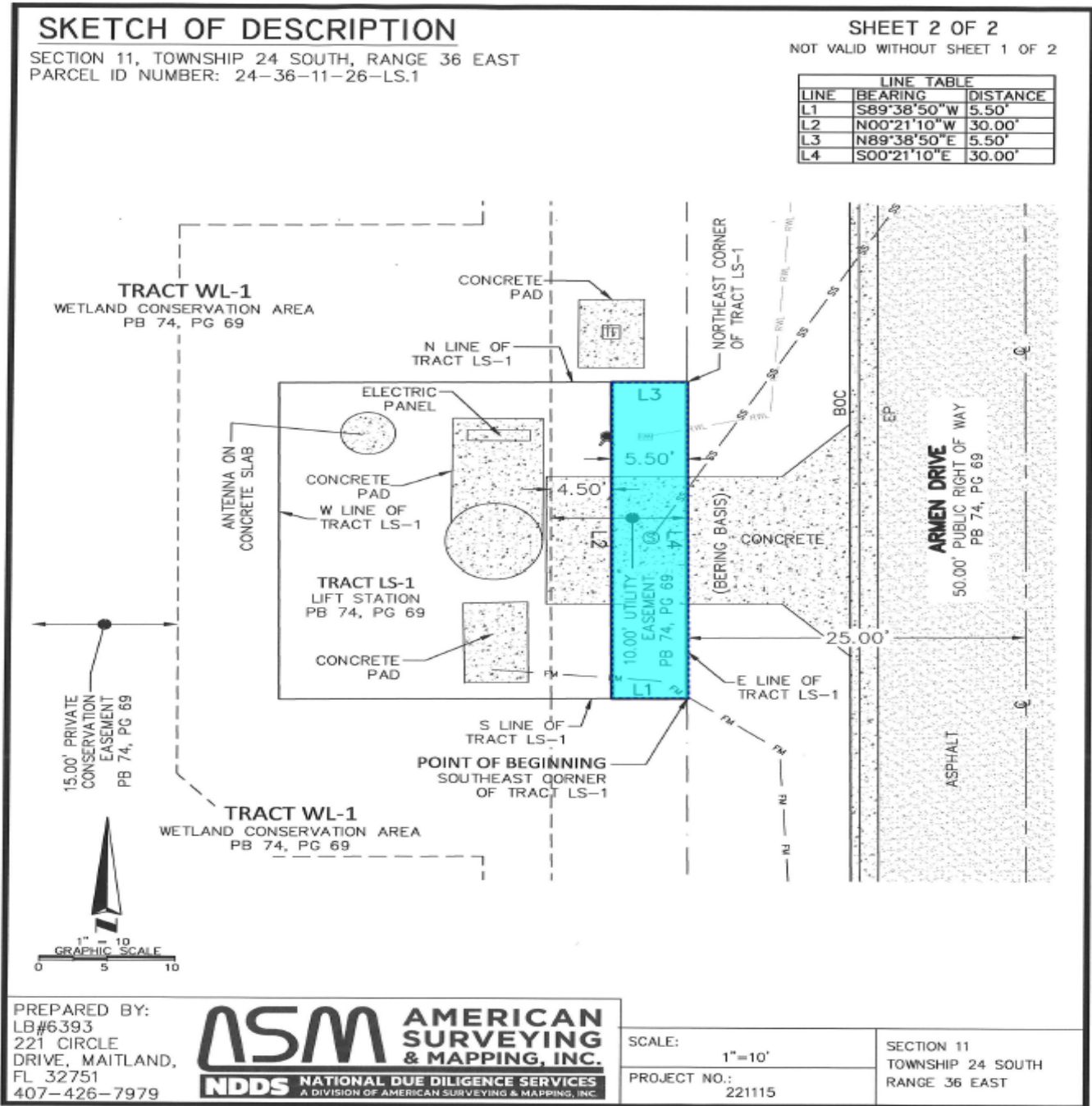


Figure 5: Sketch of description. Sheet 2 of 2. Section 11, Township 24 South, Range 36 East. Parcel ID number: 24-36-11-26-LS.1.

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 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.

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

## Legal Notice Text

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