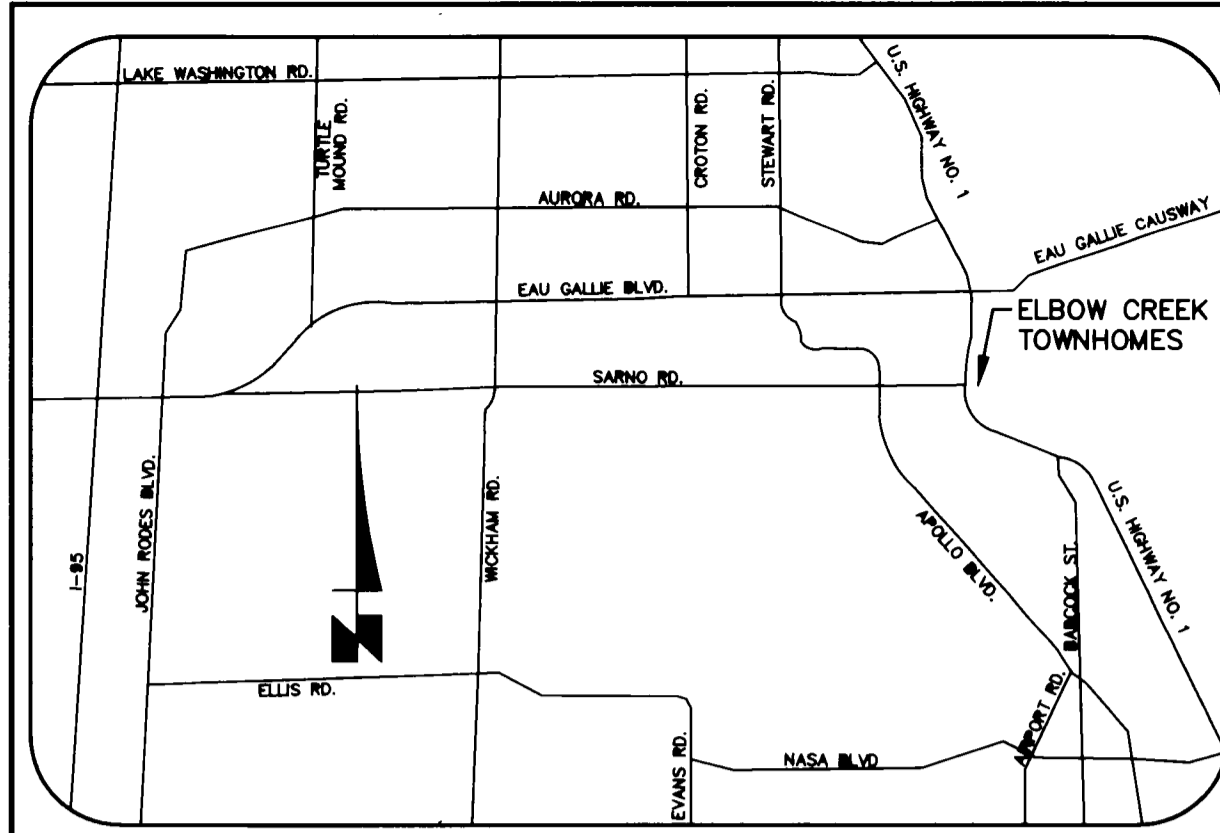


ELBOW CREEK TOWNHOMES

A SUBDIVISION LYING IN SECTION 21, TOWNSHIP 27 SOUTH, RANGE 37 EAST, CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA.



VICINITY MAP
NOT TO SCALE

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 27 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 21; THENCE RUN S 00° 48' 44" E ALONG THE EAST LINE OF SAID THE SOUTHWEST 1/4 A DISTANCE OF 102.40 FEET TO THE SOUTH LINE OF "TRACT A" AS DESCRIBED IN OFFICIAL RECORDS BOOK 5687, PAGE 6252 PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN N 89° 11' 20" E ALONG THE SOUTH LINE OF SAID "TRACT A" A DISTANCE OF 43.95 FEET, MORE OR LESS, TO THE ORDINARY HIGH WATER LINE OF ELBOW CREEK; THENCE RUN THE FOLLOWING SEVEN COURSES AND DISTANCES ALONG SAID ORDINARY HIGH WATER LINE;
1. S 1° 28' 20" W A DISTANCE OF 37.13 FEET;
2. S 20° 10' 51" E A DISTANCE OF 34.81 FEET;
3. S 2° 52' 59" W A DISTANCE OF 87.00 FEET;
4. S 3° 38' 24" E A DISTANCE OF 41.59 FEET;
5. S 9° 56' 51" E A DISTANCE OF 35.62 FEET;
6. S 7° 42' 22" E A DISTANCE OF 50.72 FEET;
7. S 7° 51' 59" E A DISTANCE OF 50.16 FEET TO THE NORTH LINE OF DEED BOOK 296, PAGE 484 OF PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA;
THENCE RUN S 89° 13' 30" W ALONG SAID NORTH LINE FOR A DISTANCE OF 286.44 FEET, MORE OR LESS, TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 (A 100 FOOT WIDE RIGHT OF WAY PER THE DEPARTMENT OF FLORIDA TRANSPORTATION RIGHT OF WAY MAP, NO. 7001-175 AND 7002-176) AND TO THE POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1223.57 FEET, AND A CHORD WHICH BEARS N 6° 49' 55" W FOR A DISTANCE OF 261.69 FEET; THENCE RUN NORTHWESTERLY ALONG SAID EAST RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE, A DISTANCE OF 262.19 FEET THROUGH A CENTRAL ANGLE OF 12° 16' 39" TO A POINT OF TANGENCY; THENCE RUN N 0° 38' 02" W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 73.18 FEET TO THE SOUTH LINE OF SAID "TRACT A"; THENCE RUN N 89° 11' 20" E ALONG THE SOUTH LINE OF SAID "TRACT A" FOR A DISTANCE OF 245.29 FEET TO THE POINT OF BEGINNING; CONTAINING 2.234 ACRES, MORE OR LESS.

TRACT AREA SUMMARY			
TRACT	ACRES ±	TRACT USE	OWNERSHIP AND MAINTENANCE ENTITY
1	0.178	STORMWATER RETENTION, OPEN SPACE	ELBOW CREEK HOMEOWNER'S ASSOCIATION
2	0.185	STORMWATER RETENTION, OPEN SPACE	ELBOW CREEK HOMEOWNER'S ASSOCIATION
3	0.133	STORMWATER RETENTION, OPEN SPACE	ELBOW CREEK HOMEOWNER'S ASSOCIATION
R-1	0.530	PRIVATE RIGHT OF WAY	ELBOW CREEK HOMEOWNER'S ASSOCIATION
ALL TRACTS ARE ALSO FOR THE USE OF PUBLIC AND PRIVATE UTILITIES			

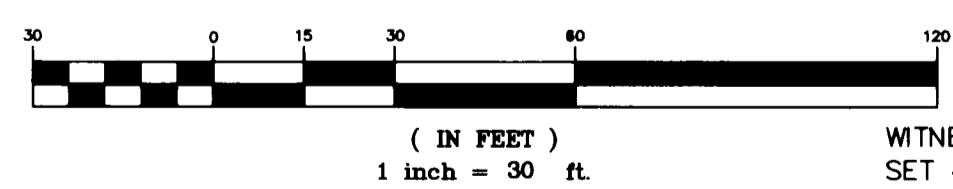
SITE DEVELOPMENT NOTES:
SUBDIVISION NUMBER: PLAT2020-0003
ZONING: C-C-1
FUTURE LAND USE: MIXED USE (UP TO 15 UPA)
TOTAL ACREAGE: 2.234 ACRES ±
TOTAL NO. OF LOTS: 26
PROPOSED DENSITY: 11.63± UPA
PROPOSED NUMBER OF PHASES: 1
AVERAGE LOT SIZE PROVIDED: 1,805± SQUARE FEET
EACH END OF THE ROAD RIGHT-OF-WAY.
2. REQUEST TO PROVIDE SIDEWALK ON ONLY ONE SIDE OF THE ROAD RIGHT-OF-WAY.
3. A VARIANCE FOR NOT SETTING CONCRETE MONUMENTS FOR THE PRM'S DUE TO SHORELINE.
*** BUILDING SETBACKS MUST BE VERIFIED WITH THE CITY OF MELBOURNE PRIOR TO SITE CONSTRUCTION. ***
SUBDIVISION VARIANCES APPROVED WITH THIS PLAT INCLUDE:
1. REQUEST TO NOT PROVIDE CUL-DE-SAC AT EACH END OF THE ROAD RIGHT-OF-WAY.
2. REQUEST TO PROVIDE SIDEWALK ON ONLY ONE SIDE OF THE ROAD RIGHT-OF-WAY.
3. A VARIANCE FOR NOT SETTING CONCRETE MONUMENTS FOR THE PRM'S DUE TO SHORELINE.

OWNER/DEVELOPER -
ELBOW CREEK TOWNHOMES, LLC.
911 N HARBOR CITY BLVD
MELBOURNE, FL 32935
(321) 254-0452
ENGINEER OF RECORD -
TEIMOURI & ASSOCIATES
32 E NEW HAVEN AVE
MELBOURNE, FLORIDA 32901
(321) 729-8382
PLAT PREPARED BY -
HORIZON SURVEYORS
390 POINCIANA DR.
MELBOURNE, FLORIDA 32935
(321) 254-8133

GENERAL NOTES:

- THE BEARING BASIS FOR THIS SURVEY IS THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 21, TOWNSHIP 27 SOUTH, RANGE 37 EAST, WHICH BEARS S00°48'44"E, AS SHOWN HEREON.
- ALL LOTS SHALL HAVE A 10-FOOT WIDE EASEMENT ALONG THE FRONT LOT LINES PARALLEL TO TRACT R-1 AND 7.5 FOOT WIDE PUBLIC UTILITY EASEMENTS AS SHOWN ON SIDE AND REAR LOT LINES.
- TRACTS "1", "2", & "3" (STORMWATER RETENTION AND OPEN SPACE) ARE HEREBY DEDICATED TO ELBOW CREEK HOMEOWNER'S ASSOCIATION, INC., ITS SUCCESSORS AND/OR ASSIGNS, MAINTENANCE AND OPERATION OF THESE TRACTS ARE THE RESPONSIBILITY OF ELBOW CREEK HOMEOWNER'S ASSOCIATION, INC., ITS SUCCESSORS AND/OR ASSIGNS.
- TRACTS 1, 2, 3 AND R-1 SHALL ALSO BE PUBLIC UTILITY EASEMENT AREAS.
- TRACT R-1 AS SHOWN HEREON IS HEREBY DEDICATED TO ELBOW CREEK HOMEOWNER'S ASSOCIATION, INC., ITS SUCCESSORS AND/OR ASSIGNS, MAINTENANCE AND OPERATION OF THESE RIGHT OF WAYS ARE THE RESPONSIBILITY OF ELBOW CREEK HOMEOWNER'S ASSOCIATION, INC., ITS SUCCESSORS AND/OR ASSIGNS.
- UNLESS OTHERWISE SPECIFIED, UTILITY EASEMENTS ARE HEREBY DEDICATED TO THE PUBLIC; AND DRAINAGE EASEMENTS ARE PRIVATE AND ARE HEREBY DEDICATED TO THE ELBOW CREEK HOMEOWNER'S ASSOCIATION, INC., ITS SUCCESSORS AND/OR ASSIGNS.
- THE LAND DESCRIBED HEREON COMPRISES A TOTAL AREA OF 2.234 ACRES, +/-.
- THE ELBOW CREEK HOMEOWNER'S ASSOCIATION, INC. HAS THE RIGHT TO ASSIGN ITS RIGHTS AND RESPONSIBILITIES THEREUNDER TO HOMEOWNERS AND/OR OTHER PROPERTY OWNERS ASSOCIATION OR ASSOCIATIONS, AND/OR TO CONVEY ANY OR ALL OF THE TRACTS SET FORTH ON THE PLAT, AND IN SUCH EVENT, PREVIOUS OWNER SHALL BE RELEASED FROM SUCH ASSIGNED OBLIGATIONS.
- ZONING IS C-C-1, FUTURE USE IS MIXED USE.
- LOTS 1, 6, 7, 12, 13, 19, 20, & 26 INCLUDE RESTRICTIONS ON THE HEIGHT OF PLANTS/STRUCTURES WITHIN THE IDENTIFIED BREEZEWAY AREA WHICH IS HATCHED ON PAGE 2 (CONSISTENT WITH APPENDIX B, ARTICLE IV, SECTION 6).
- THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ELBOW CREEK TOWNHOMES ARE RECORDED IN OFFICIAL RECORDS BOOK 9271, PAGE 982, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
- THE STORMWATER MAINTENANCE AGREEMENT FOR THIS PLAT IS RECORDED IN OFFICIAL RECORDS BOOK 9271, PAGE 943, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
- ALL PLATTED UTILITY EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- THE TERM "PUBLIC UTILITIES" INCLUDES BUT IS NOT LIMITED TO ELECTRIC POWER SERVICE WHICH TERM SHALL SPECIFICALLY INCLUDE FLORIDA POWER & LIGHT CO. SUCH TERM SHALL NOT EXCLUDE OTHER SUPPLIERS OF ELECTRICITY.
- SIDE LOT EASEMENTS ALONG THE BOUNDARIES OF A SINGLE BUILDING SITE SHALL BE TERMINATED WHEN TWO OR MORE LOTS ARE USED FOR A SINGLE BUILDING SITE, UNLESS A DRAINAGE STRUCTURE OR UTILITY HAS BEEN CONSTRUCTED WITHIN THE EASEMENT, WHEN MORE THAN ONE LOT OR PARTS OF ONE OR MORE LOTS ARE USED AS A SINGLE BUILDING SITE, THE OUTSIDE BOUNDARIES OF THE BUILDING SITE SHALL CARRY THE SIDE LOT EASEMENTS PROVIDED AND DEDICATED BY THIS PLAT, PROVIDED THAT NO UTILITIES EXIST WITHIN SAID EASEMENT AND PROPER VERIFICATION HAS BEEN MADE.
- FENCES ARE REGULATED IN EASEMENTS PER SECTION 9.47(D), APPENDIX D, CITY CODE.
- ALL CORNERS HAVE BEEN SET IN ACCORDANCE WITH CHAPTER 177, THE CITY OF MELBOURNE.
- A BLANKET EASEMENT IS GRANTED IN O.R.B. 8507, PAGE 2785 OF THE PUBLIC RECORDS OF BREVARD COUNTY FROM WATERLINE MARINA, LLC (PROPERTY TO THE NORTH) TO ELBOW CREEK TOWNHOMES, LLC, GRANTING INGRESS AND EGRESS AND UTILITY EASEMENTS AS NECESSARY INCLUDING STORM WATER, DETENTION AND DISCHARGE.

GRAPHIC SCALE

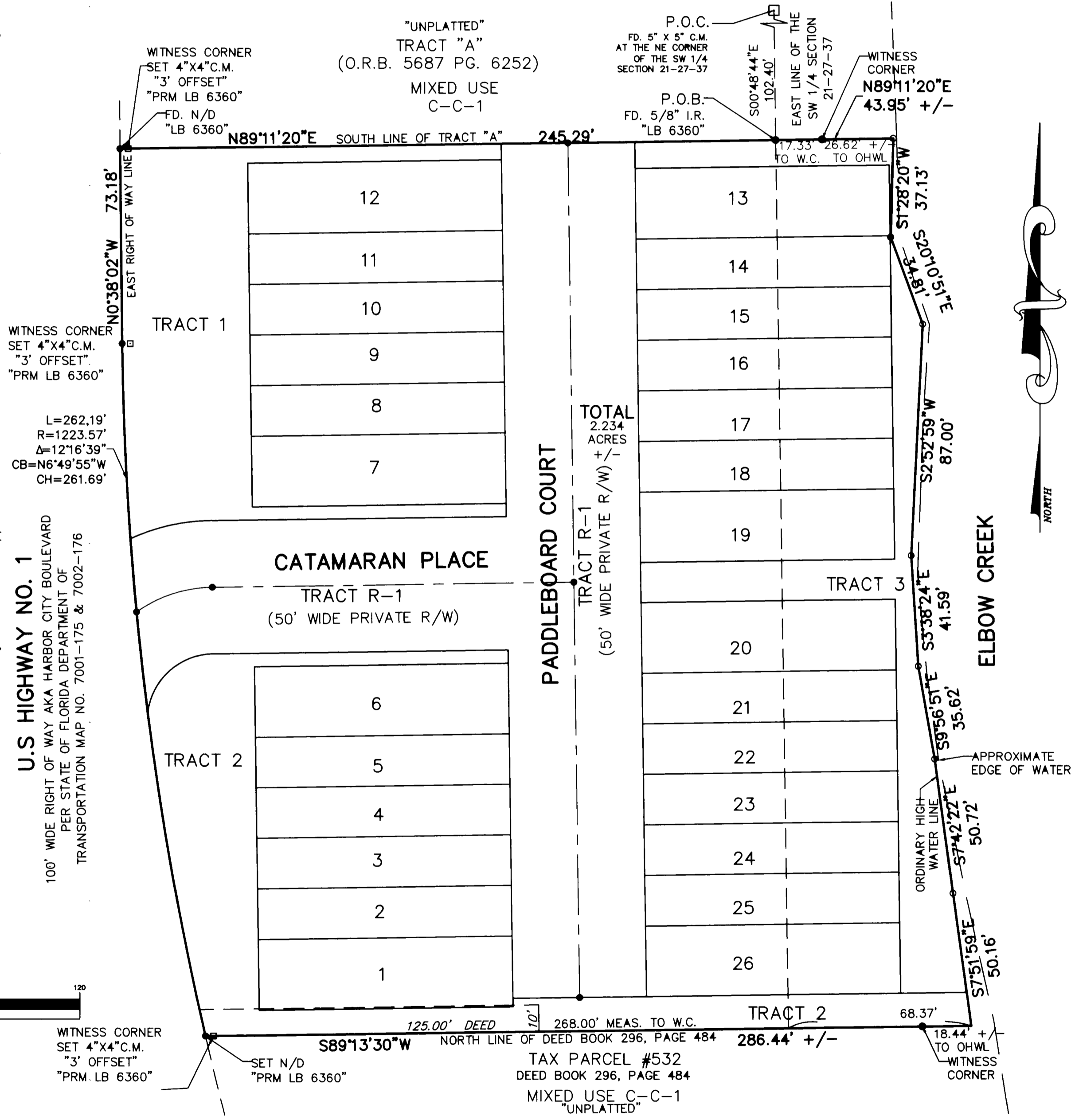


SURVEYOR'S NOTES:

- DENOTES MAG NAIL & DISK STAMPED: "PCP LB 6360".
- ⊠ DENOTES SET 4" X 4" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB 6360". UNLESS OTHERWISE NOTED.
- DENOTES 5/8" IRON ROD WITH CAP STAMPED "PRM LB 6360"
- DENOTES THE POINTS OF CURVATURE, POINTS OF TANGENCY AND OTHER PERTINENT POINTS REQUIRING CLARITY OR DEFINITION.
- ALL LOT LINES IN CURVILINEAR LOTS ARE RADIAL UNLESS DESIGNATED NR (NON-RADIAL).

LEGEND OF ABBREVIATIONS

- | | |
|--|--|
| △ = CENTRAL ANGLE | PCP = PERMANENT CONTROL POINT |
| BRG = BEARING | PG = PAGE |
| C = CURVE DESIGNATION | PI = POINT OF INTERSECTION |
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| CH = CHORD | POB = POINT OF BEGINNING |
| CM = CONCRETE MONUMENT | POC = POINT OF COMMENCEMENT |
| D.E. = DRAINAGE EASEMENT | PRC = POINT OF REVERSE CURVATURE |
| ESMT = EASEMENT | PRM = PERMANENT REFERENCE MONUMENT |
| FD = FOUND | PT = POINT OF TANGENCY |
| FPL = FLORIDA POWER & LIGHT | PU = PUBLIC UTILITY |
| H.O.A. = HOMEOWNERS ASSOCIATION | PUD = PUBLIC UTILITY DISTRICT |
| IR = IRON ROD | PU & DE = PUBLIC UTILITY AND DRAINAGE EASEMENT |
| L = LENGTH OF ARC | R = RADIUS |
| LB = LICENSED BUSINESS | RNG = RANGE |
| MTRD = MELBOURNE TILLMAN DRAINAGE DISTRICT | R/W = RIGHT OF WAY |
| NR = NON RADIAL | SEC = SECTION |
| N/D = NAIL AND DISK | SF = SQUARE FEET |
| ORB = OFFICIAL RECORDS BOOK | SJRWMD = ST. JOHNS RIVER WATER MANAGEMENT DISTRICT |
| OHWL = ORDINARY HIGH WATER LINE | TAN = TANGENT |
| PC = POINT OF CURVATURE | TWP = TOWNSHIP |
| PCC = POINT OF COMPOUND CURVATURE | W.C. = WITNESS CORNER |



WITNESS CORNER
SET 4"x4"C.M.
"3" OFFSET"
"PRM LB 6360"
L=262.19'
R=1223.57'
Δ=121°6'39"
CB=N6°49'55"W
CH=261.69'

WITNESS CORNER
SET 4"x4"C.M.
"3" OFFSET"
"PRM LB 6360"
100' WIDE RIGHT OF WAY AKA HARBOR CITY BOULEVARD
PER STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION MAP NO. 7001-175 & 7002-176

WITNESS CORNER
SET 4"x4"C.M.
"3" OFFSET"
"PRM LB 6360"

SET N/D
"PRM LB 6360"

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF PLAT.

NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the Company named below, the owner in fee simple of the lands described in
ELBOW CREEK TOWNHOMES
Hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates all public utility easements as described hereon to the City of Melbourne for the perpetual use of the public; and hereby further dedicates to the City of Melbourne a Perpetual Easement over and across Tracts 1, 2, 3 and R-1 for inspection and governmental and emergency services. Easements created on this plat or within the notes are dedicated as set forth herein. The foregoing shall not obligate the City of Melbourne to undertake any type of inspection or maintenance. No other easements are hereby dedicated or granted to the public; it being the intention of the undersigned that other easements and common areas shown hereon be privately owned and maintained and that the public and the City of Melbourne have no right or interest therein.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed and attested to by the officer named below and its corporate seal to be affixed hereon
Date: 9/15/21

By: *Steve Cordell*
STEVE CORDELL, Sr.
MANAGING MEMBER
ELBOW CREEK TOWNHOMES, LLC
911 N HARBOR CITY BLVD
MELBOURNE, FL 32935

Signed and sealed in the presence of:
Amir Teimouri
Amir Teimouri (Print name)
Stephanie J. Cordell
Stephanie J. Cordell (Print name)

STATE OF FLORIDA COUNTY OF BREVARD
THIS IS TO CERTIFY, the foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 9th day of September, 2021 by Stephen D. Cordell, Sr. as Managing Member of Elbow Creek Townhomes, a Florida Limited Liability Company, on behalf of the company. He/She is personally known to me or has produced identification as identification.
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the above date.
Stephanie J. Cordell
Stephanie J. Cordell (Print Name)
NOTARY PUBLIC
County and State aforesaid
My Commission Expires 5/28/23

CERTIFICATE OF SURVEYOR
KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed professional surveyor and mapper, does hereby certify that on JUNE 25, 2021 he completed the survey of the lands shown in the foregoing plat; that the boundary lines of the platted parcel are a true and correct representation of such lines in accordance with said boundary survey made under my responsible direction and supervision; that said survey is accurate to the best of my knowledge and belief; that Permanent Reference Monuments (P.R.M.'S), Permanent Control Points (P.C.P.'S), and Lot/Tract Corners according to Section 177.091(9), F.S., Have been placed as required by law; and, further, that the survey data complies with all the requirements of Chapter 177, Part 1 and 472 Florida Statutes and that said land is located in the City of Melbourne, Brevard County, Florida.
AUGUST 9, 2021
Robert R. Doerfer
Robert R. Doerfer, Jr.
Registration No. 3882
Horizon Surveyors of Central Florida, Inc.
390 Poinciana Dr.
Melbourne, Florida 32935
LB - 0006360
Certificate of Authorization Number

CERTIFICATE OF REVIEWING SURVEYOR FOR THE CITY OF MELBOURNE
I HEREBY CERTIFY, That I have examined the foregoing plat and find that it is in conformity with Chapter 177, part 1, Florida Statutes.
J. Barry Chaviss
J. BARRY CHAVISS P.L.S. NO. 4524
Reviewing Surveyor for the City of MELBOURNE

CERTIFICATE OF APPROVAL BY THE CITY OF MELBOURNE, FLORIDA
THIS IS TO CERTIFY That on SEPTEMBER 15, 2021
City Council of the City of Melbourne approved the foregoing plat.
Michelle
Michelle (Print Name)
City Clerk

CERTIFICATE OF APPROVAL BY PLANNING AND ZONING OF THE CITY OF MELBOURNE, FLORIDA
I HEREBY CERTIFY, That the foregoing plat was approved by the City of Melbourne planning and zoning board on August 19, 2021
Bruce A. Watson
Bruce A. Watson
PLANNING AND ZONING BOARD CHAIR

CERTIFICATE OF CLERK
I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for record on SEP 27 2021 at 01:09 PM. File No. 2021-251877
Rachel M. Sadoff
Rachel M. Sadoff, Clerk by
Clerk of the Circuit Court
in and for Brevard County, Fla.

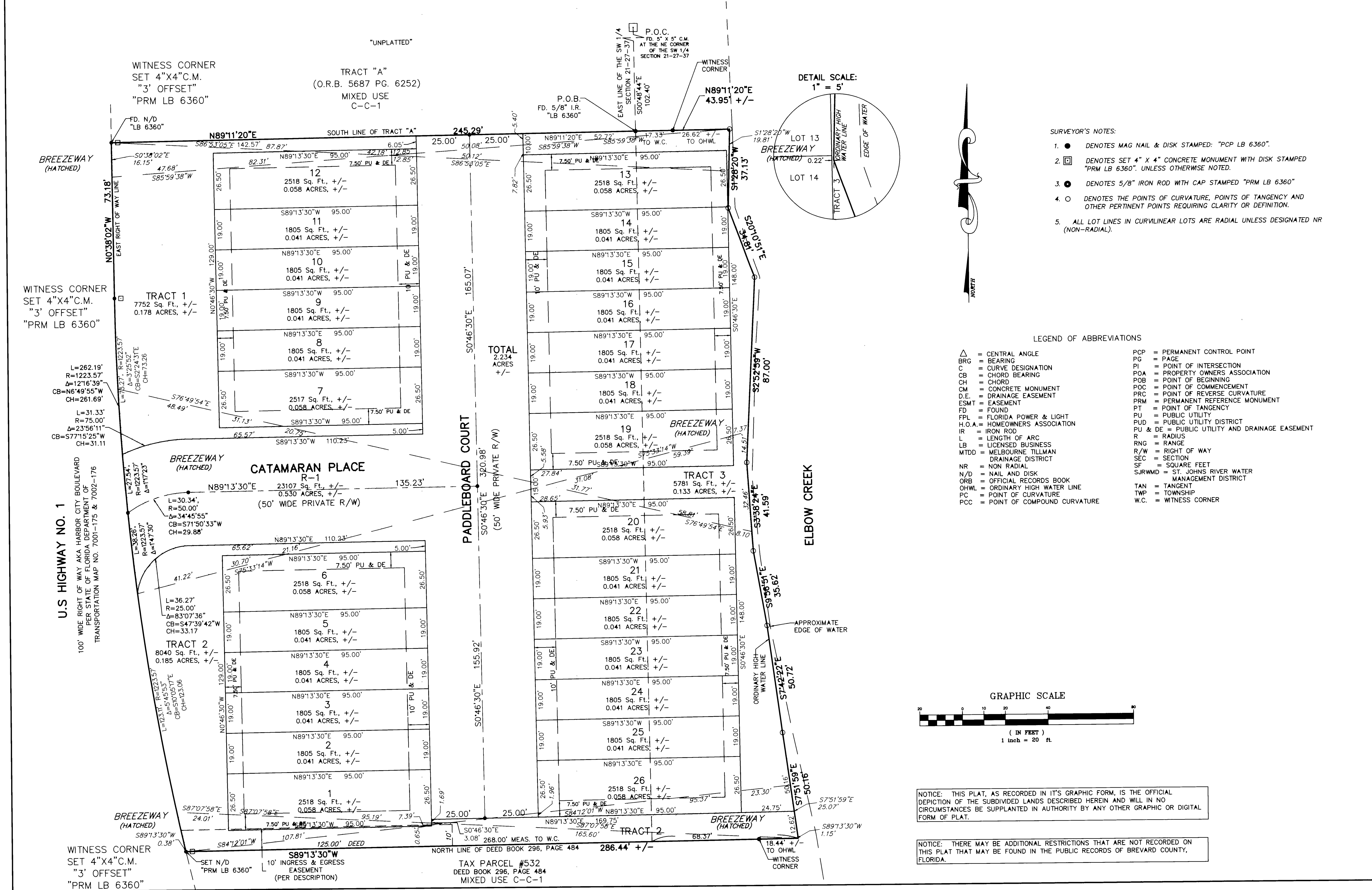
OWNER/DEVELOPER: ELBOW CREEK TOWNHOMES, LLC
 911 N HARBOR CITY BLVD
 MELBOURNE, FL 32935
 (321) 254-0452

ENGINEER OF RECORD: TEIMOURI & ASSOCIATES
 3925 NEW HAVEN AVE
 MELBOURNE, FLORIDA 32901
 (321) 729-8582

PLAT PREPARED BY: HORIZON SURVEYORS
 390 PONCIANA DR.
 MELBOURNE, FLORIDA 32935
 (321) 254-8133

ELBOW CREEK TOWNHOMES

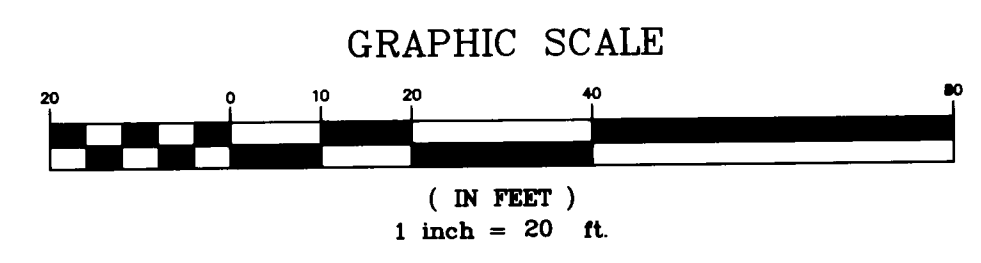
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