

44-82

# WHIPPOORWILL SUBDIVISION

BREVARD COUNTY, FLORIDA.  
SECTION II, TOWNSHIP 27 SOUTH, RANGE 36 EAST

LEGAL DESCRIPTION  
FROM THE N.E. CORNER OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 11, TOWNSHIP 27 S., RANGE 36 E., BREVARD COUNTY, FLORIDA, GO 500°01'36"E ALONG THE EAST LINE OF SAID S.W. 1/4 OF THE N.E. 1/4 A DISTANCE OF 400.0 FEET (400/16' FIELD) TO A POINT ON THE SOUTH R/W LINE OF LAKEMONT ROAD, ALSO BEING THE N.W. CORNER OF LOT 6, LAKE-CREST NO. 4, AS RECORDED IN PLAT BOOK 13, PAGE 138, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THENCE GO 589°53'09"W ALONG SAID SOUTH R/W LINE OF LAKEMONT ROAD A DISTANCE OF 74.80 FEET TO A POINT OF INTERSECTION IN SAID R/W LINE, THENCE GO N89°16'34"W ALONG SAID SOUTH R/W LINE OF LAKEMONT ROAD A DISTANCE OF 810.33 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL, THENCE GO 500°04'30"W A DISTANCE OF 324.0 FEET (324/36' FIELD) THENCE GO 589°16'34"E A DISTANCE OF 324.0 FEET TO THE N.W. CORNER OF HIDDEN ACRES 5/D AS RECORDED IN PLAT BOOK 36, PAGE 47, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THENCE GO 500°02'34"W ALONG THE WEST LINE OF HIDDEN ACRES A DISTANCE OF 1068.47 FEET (MEAS.) 1068.18 FEET (PLAT) TO THE SOUTHWEST CORNER OF SAID HIDDEN ACRES 5/D. THENCE GO 588°35'30"W A DISTANCE OF 598.23 FEET. THENCE GO N00°04'30"E A DISTANCE OF 50.01 FEET, THENCE GO 589°56'54"E A DISTANCE OF 14.14 FEET (FIELD) 14.5 FEET (PLAT), THENCE GO N00°04'30"E ALONG THE EAST LINE OF LOT 1, BLOCK "D" LAKE-CREST NO. 2, AS RECORDED IN PLAT BOOK 13, PAGE 125, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. A DISTANCE OF 270.0 FEET (PLAT) 271.41 FEET (MEAS.) THENCE GO N85°56'54"W ALONG THE NORTH LINE OF SAID LOT 1, BLOCK "D" A DISTANCE OF 323.0 FEET, THENCE GO N00°04'30"E ALONG THE EAST LINE OF LOTS 5, 6, & 7, BLOCK "D" LAKE-CREST NO. 3 AS RECORDED IN PLAT BOOK 17, PAGE 131 PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA A DISTANCE OF 409.54 FEET, THENCE GO 589°56'54"E ALONG THE SOUTH LINE OF Q.R. BOOK 1848, PAGE 155 A DISTANCE OF 323.0 FEET, THENCE GO N00°04'30"E A DISTANCE OF 676.21 FEET, TO THE AFORESAID SOUTH R/W LINE OF LAKEMONT ROAD, THENCE GO 589°16'34"E ALONG SAID R/W LINE A DISTANCE OF 59.38 FEET, TO THE POINT OF BEGINNING, CONTAINING 12.97 ACRES OF LAND MORE OR LESS.

PLAT BOOK 40 PAGE 92  
SHEET 1 OF 1  
SECTION II TWP. 27 S., RANGE 36 E.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owner, in the right of the lands described in the WHIPPOORWILL SUBDIVISION hereby dedicates said lands and plot for the uses and purposes therein expressed and dedicates the streets, alleys, thoroughfares, parks, canals, drainage easements, utility easements, lakes, pathways, open spaces and other rights of way, easements shown hereon to the perpetual use of the public.

In WITNESS WHEREOF, the undersigned hereunto set h.c.c. hand, and seal on April 26, 1994

Signed and sealed in the presence of:  
*Robert James*  
*Yvonne Hubler*

STATE OF FLORIDA COUNTY OF BREVARD  
THIS IS TO CERTIFY, That on April 26, 1994 before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared  
**JOSEPH M. GRIFFIS**

to me known to be the person described in and who executed the foregoing dedication and severally acknowledged the execution thereof to be free act and deed for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the above date.

Notary Public  
My Commission Expires 02-07-95

### CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor, does hereby certify that on October 2, 1994 he completed the survey of the lands as shown in the foregoing plat; that said plat is a correct representation of the lands therein described and signed; that previous reference monuments have been placed on the ground as required by Chapter 177, Florida Statutes; and that said land is located in Brevard County, Florida. Dated February 2, 1994

### CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, That on \_\_\_\_\_ the \_\_\_\_\_ approved the foregoing plat.  
ATTEST: \_\_\_\_\_ MAYOR  
CITY CLERK

### CERTIFICATE OF ACCEPTANCE OF DEDICATION BY BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY That the Board of County Commissioners hereby accepts all roads, streets, alleys, thoroughfares, parks, canals, drainage easements, utility easements, lakes, pathways, open spaces and other rights of way, easements and gras dedicated for public use on this plat.

ATTEST: Sandy Crawford Clerk of the Board  
by Joyce Stibing, Jr.

### CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY, That on 6-7-94 the foregoing plat was approved by the Board of County Commissioners of Brevard County, Florida.

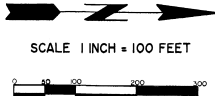
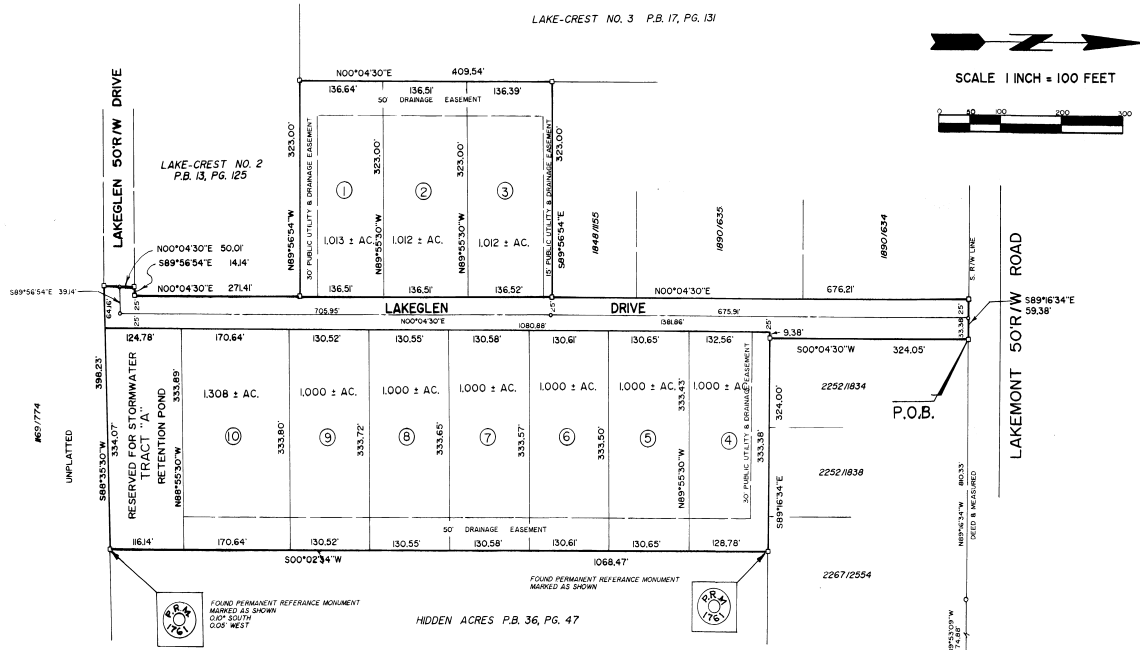
Chairman of the Board  
Sandy Crawford  
by Joyce Stibing, Jr.  
County Engineer

### CERTIFICATE OF APPROVAL BY PLANNING AND ZONING COMMISSION

THIS IS TO CERTIFY, That on 6-9-94 the Zoning Commission of the County approved the foregoing plat.

### 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 October 24, 1994 at 2:30 PM, No. 9-2151  
Sandy Crawford  
Clerk of the Circuit Court  
in and for Brevard County, Fla.



- GENERAL NOTES
1. THE BEARINGS AS SHOWN ARE BASED ON THE EAST LINE OF LAKE-CREST NO. 3 BEING N00°04'30"E PER PLAT
  2. A 7.5' PUBLIC UTILITIES AND DRAINAGE EASEMENT IS ALONG THE SIDE AND REAR LINES OF EACH LOT, EXCEPT AS GRAPHICALLY SHOWN.
  3. ALL PUBLIC UTILITY EASEMENTS DEDICATED BY THIS PLAT ARE ALSO DEDICATED FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES PURSUANT TO F.S. 177.091.
  4. BREVARD COUNTY WILL MAINTAIN DRAINAGE IN PUBLIC RIGHT-OF-WAY ONLY.
  5. TRACT "A" IS RESERVED FOR DRAINAGE AND STORMWATER MANAGEMENT.
  6. RETENTION ARFAS WILL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
  7. A 5' UTILITY EASEMENT IS HEREBY RESERVED ALONG THE FRONT OF ALL LOTS FOR FLORIDA POWER & LIGHT COMPANY.
- INDICATES PERMANENT REFERENCE MONUMENT
  - INDICATES PERMANENT CONTROL POINT R.L.S. No. 3544

NOTE:  
HOMEOWNERS ASSOCIATION IS RESPONSIBLE FOR THE MAINTENANCE AND FUNCTION OF THE STORMWATER SYSTEM INCLUDING ASSOCIATED EASEMENTS.

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

JOINER IN DEDICATION **See OR 3430 pg 2461**

P.O.C.  
NE CORNER S.W. 1/4, NE. 1/4  
SECTION 11-27-36

DECLARATIONS OF COVENANTS CONDITIONS & RESTRICTIONS  
O.R.B. 3119, PAGES 1953 THRU 1966 INCLUSIVE

HOMEOWNERS ASSOCIATION ARTICLES & BYLAWS  
O.R.B. PGS. 1-10  
O.R.B. PGS. 1-10

ROTHERY SURVEYING INC.  
1300 SO. HARBOR CITY BLVD.  
MELBOURNE, FLORIDA 32901  
TELE. (407) 724-2037