

BAYHILL AT VIERA EAST PHASE THREE

A REPLAT OF TRACT "C" OF BAYHILL AT VIERA EAST PHASE TWO, PLAT BOOK 46, PAGES 6-9
TRACT "W" AND "Q" OF VIERA NORTH PLANNED UNIT DEVELOPMENT
SECTION 33, TOWNSHIP 25 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA

PREPARED BY:
WILLIAM MOTT LAND SURVEYING INC.

SATELLITE BEACH PROFESSIONAL CENTER
1275 SOUTH PATRICK DRIVE, SUITE H
SATELLITE BEACH, FLORIDA, 32937-3955
PHONE (321) 773-4323
PROJECT NUMBER: 2001001
DRAWING NAME: BAYHILL-PH3.DWG
DRAWN BY: EDWARD A. WHYTE

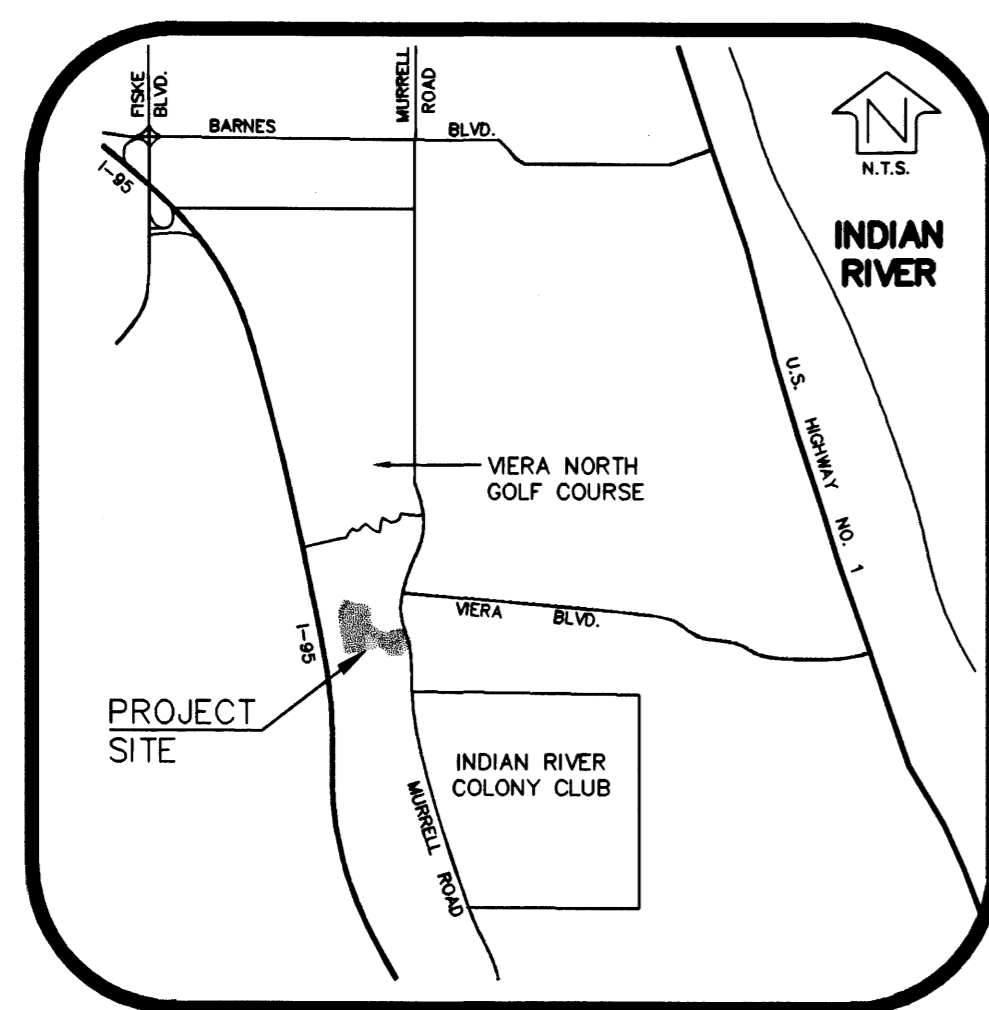
LEGAL DESCRIPTION:

Tract "C", Bayhill at Viera East Phase Two, according to the Plat thereof, as recorded in Plat Book 46, Pages 6-9, of Public Records of Brevard County, Florida.

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

NOTE:

PRIOR TO THE RELEASE OF THE PERFORMANCE BOND, ALL LOT CORNER MONUMENTATION WILL BE SET AS 1/2" IRON RODS WITH CAPS MARKED "LB 3608".



LOCATION MAP
N.T.S.

Surveyor's notes:

- The bearings shown hereon are referred to an assumed value of North 14°33'28" West for the Northwest line of Bayhill at Viera East plat book 45, pages 43-44.
- An easement 10 feet in width on all lots and tracts, parallel with, contiguous to and outside of all road Rights-of-way dedicated by this plat unless otherwise shown is hereby dedicated for the installation of Florida Power & Light and other utilities. (Not for drainage purposes).
- All utility easements shall also be for the construction, installation, maintenance, and operation of cable television services, provided however no such services shall interfere with the facilities and services of an electric, gas, telephone, or other public utility. In the event that a cable television company damages the facilities of a public utility, it shall be solely responsible for the damage.
- Tract "I" is hereby conveyed to, controlled by, and maintained by the Bayhill Residential District Association, Inc. for landscape amenities, entry features, signage and irrigation improvements.
- For joinders and dedication see O.R.B. 4343, Pg. 2175, O.R.B. _____, Pg. _____, O.R.B. _____, Pg. _____.
- In addition to public use, the 30' Drainage Easement shown hereon extending from the north boundary of the lands described hereon to the south boundary thereof adjacent to Tract "B", Bayhill at Viera East Phase Two, Plat Book 46, Page 6, Public Records of Brevard County, Florida, shall be for the use and benefit of The Viera Company, and its successors and assigns in title or interest for the purpose of installing, operating, maintaining, repairing and improving underground stormwater drainage pipes, structures and related facilities. The building line of residence shall not extend into such easement area and no swimming pools, decks or patios may be constructed or installed within such easement. Although The Viera Company and its successors and assigns shall have the right to perform maintenance and repairs within such easement, nothing herein shall obligate such parties to perform such maintenance and/or repairs.
- All lots platted hereunder which abut Tract "B", Bayhill at Viera East Phase Two, Plat Book 46, Page 6, Public Records of Brevard County, Florida, shall not have, include, or acquire riparian rights with respect to any lake, pond, drainage facility, aquatic landscape feature or other water body or wetland now or hereafter located upon such tract or any portion thereof, and no boundary line of any such abutting lots shall be deemed or construed as extending to the ordinary high water mark of any such water body or wetland.
- There are additional covenants, conditions, easements, reservations and restrictions, affecting the lands described hereon which are not referred to on this Plat. Without limiting the generality of the foregoing, the lands platted hereunder are specifically subject to that certain First Amendment to and Restatement of Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Viera East Community recorded in Official Records Book 3225, at page 4071, as amended, and that certain Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Bayhill Residential District, recorded in Official Records Book 4122, at page 0982, and that certain Annexation Agreement to Declaration of Covenants, Conditions, Easements, Reservations and Restrictions recorded in Official Records Book 4343, at Page 2172, all in the Public Records of Brevard County, Florida.
- For temporary drainage easement, see O.R.B. 4343 page 2171.

PLAT BOOK 46 PAGE 91
SHEET 1 OF 2
SECTION 33 TWP. 25 S., RANGE 36 E.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that the Corporation named below, being the owner in fee simple of the lands described in
**BAYHILL AT VIERA EAST
PHASE THREE**
hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates all roads, streets, drainage easements, utility easements and right-of-ways shown hereon to the perpetual use of the public and IN WITNESS WHEREOF, has caused these presents to be signed and attested to by the officers named below and it's corporate seal to be affixed hereto on

By: Arthur F. Evans III
Arthur F. Evans III, President
Attest: Timothy C. Jelus
Timothy C. Jelus, Vice President

Bayhill Land Development Co.
1688 W. Hibiscus Blvd.
Melbourne, Florida 32901

Signed and sealed in the presence of: Elizabeth E. Kennedy
R. Michael G...

STATE OF FLORIDA COUNTY OF BREVARD
THIS IS TO CERTIFY, That on April 18, 2001
before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared
Arthur F. Evans III and Timothy C. Jelus

respectively Arthur F. Evans III as President and Timothy C. Jelus as Vice President of the above named corporation incorporated under the laws of the State of FLORIDA to me known to be the individuals and officers described in and who executed the foregoing Dedication and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized; that the official seal of said corporation is duly affixed thereto; and that the said Dedication is the act and deed of said corporation.

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

Elizabeth E. Kennedy
ELIZABETH E. KENNEDY
Notary Public, State of Florida
My Comm. exp. Aug. 31, 2004
Comm. No. CC 964859

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY that on April 18, 2001 the foregoing plat was approved by the Board of County Commissioners of Brevard County, Florida.

ATTEST: Scott Ellis
Chairman of the Board
Clerk of the Board

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor, does hereby certify that on January 18, 2001 I 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 platted; that permanent reference monuments have been placed as shown thereon and complies with all the survey requirements of Chapters 177 Part 1 & 472 Florida Statutes; and that said land is located in Brevard County Florida. Dated April 18, 2001.

Jonathan M. Mott
Jonathan M. Mott P.L.S. 5080
William Mott Land Surveying Inc.
Satellite Beach Professional Center
1275 South Patrick Drive, Suite H
Satellite Beach, Florida 32937
Certificate of Authorization LB 3608

CERTIFICATE OF COUNTY SURVEYOR

I HEREBY CERTIFY, That I have reviewed the foregoing plat and find that it is in conformity with Chapter 177 Part 1, Florida Statutes.

Susan Jackson
County Surveyor
in and for Brevard County, FL

CERTIFICATE OF ACCEPTANCE OF DEDICATION BY BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY that the Board of County Commissioners hereby accept all roads, streets, utility easements, and other rights of way, easements noted hereon as public and use dedicated for the use of the plat.

ATTEST: Scott Ellis
Chairman of the Board
Clerk of the Board

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, Part 1, Florida Statutes, and was filed for record on May 16, 2001 at 3:06 P.M.

File No. 2001097987
Scott Ellis
Clerk of the Circuit Court
in and for Brevard County, FL