

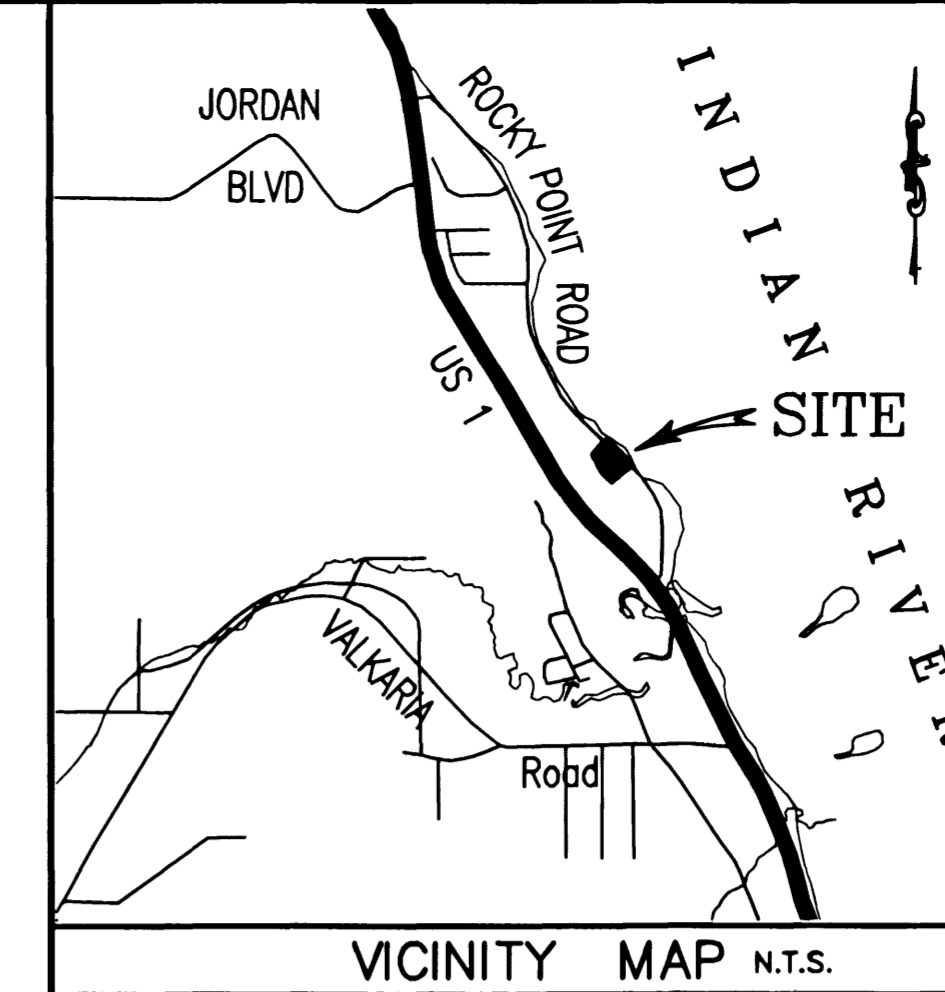
# MALABAR ROCK POINT ESTATES

A PART OF GOVERNMENT LOT 3  
SECTION 8, TOWNSHIP 29 SOUTH, RANGE 38 EAST,  
SITUATED IN TOWN OF MALABAR, BREVARD COUNTY, FLORIDA

**LEGAL DESCRIPTION:**

From the Northwest corner of Government Lot 3, Section 8, Township 29 South, Range 38 East, Brevard County, Florida, run S1°08'02"E along the West line of said Government Lot 3 a distance of 100.01 feet to the South line of the North 100 feet of said Government Lot 3; thence N89°48'15"E along said South line of the North 100 feet of Government Lot 3 a distance of 426.71 feet to a point on the Westerly Right-of-Way Line of Rocky Point Road formerly State Road No. 5; thence S48°49'04"E along said Westerly Right-of-Way Line of Rocky Point Road a distance of 393.60 feet to the POINT OF BEGINNING of the herein described parcel; thence N56°07'12"E a distance of 68.31 feet to a point on the Easterly Right-of-Way Line of Rocky Point Road; thence N41°10'56"E a distance of 29.34 feet to the Mean High Water Line of Indian River; thence Southerly along said Mean High Water Line the following three courses: S49°18'40"E a distance of 286.88 feet; thence S46°31'35"E a distance of 227.41 feet; thence S43°48'27"E a distance of 161.30 feet; then departing from said Mean High Water Line S49°17'12"W a distance of 35.04 feet to a point on said Easterly Right-of-Way Line of Rocky Point Road; thence continue S49°17'12"W a distance of 66.05 feet to a point on aforesaid said Westerly Right-of-Way Line; thence continue S49°17'12"W a distance of 387.30 feet to a point on a curve, being concave Northeastly, having a radius of 850.00 feet, a central angle of 32°37'47" and chord bearing N38°52'01"W; thence Northwesterly along the arc of said curve a distance of 484.07 feet to a point of reverse curvature of a curve being concave Southwestly, having a radius of 536.00 feet, a central angle of 9°54'34" and chord bearing N27°30'24"W; thence Northwesterly along the arc of said curve a distance of 92.70 feet to a point of tangency; thence N32°27'41"W a distance of 46.82 feet; thence N36°11'13"E a distance of 245.45 feet; thence N40°11'13"E a distance of 35.01 feet to the Point of Beginning, less and except the existing 66 ft. wide Right-of-Way for Rocky Point Road as shown hereon.

Contains 5.88 Acres, more or less.



See Official Record Book 4423, Page 239U  
For Dedication by Additional Owner Bascum H. Duke

**DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS, That the persons named below, being the owner in fee simple of the lands described in:  
**MALABAR ROCK POINT ESTATES**  
hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates the public drainage and utility easements as shown hereon to the perpetual use of the public, and IN WITNESS WHEREOF, the undersigned hereunto set his hand and seal on Sept. 7, 2001

Signed and sealed in the presence of:  
*William Nelson II*  
*David Stiefel* *Judy Clutter*

District Columbia City Washington  
STATE OF D.C. COUNTY OF Washington  
THIS IS TO CERTIFY, That on September 7, 2001  
before me, an Officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared

William Nelson II and  
to me known to be the persons...described in and who executed the foregoing Dedication and severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein expressed.  
NOTARY: KIMBERLEY S. BRINKMAN  
127 HART BUILDING, WASHINGTON, D.C. 20510  
IN WITNESS WHEREOF, I have hereto set my hand and seal on the above date.  
NOTARY PUBLIC  
My Commission Expires April 14, 2004

**CERTIFICATE OF SURVEYOR**  
I HEREBY CERTIFY: that the plat shown hereon is based on a boundary survey completed under my direction and supervision; that said plat was prepared under my direction and supervision; that said plat complies with all of the survey requirements of Chapter 177, Florida Statutes; that Permanent Reference Monuments have been placed as required by law and that Permanent Control Points will be set as required by law.

Dated Sept. 5, 2001  
William E. Powell Registration No. 1812  
William E. Powell

PREPARED BY:  
**CHP**  
CANTELOU, HERRERA & POWELL, INC.  
ARCHITECTURE • ENGINEERING • SURVEYING • PLANNING  
1400 SARNO ROAD WELBOURNE, FLORIDA 32835  
Land Survey Business No. 6609  
(321) 259-1525 Fax (321)-259-4165

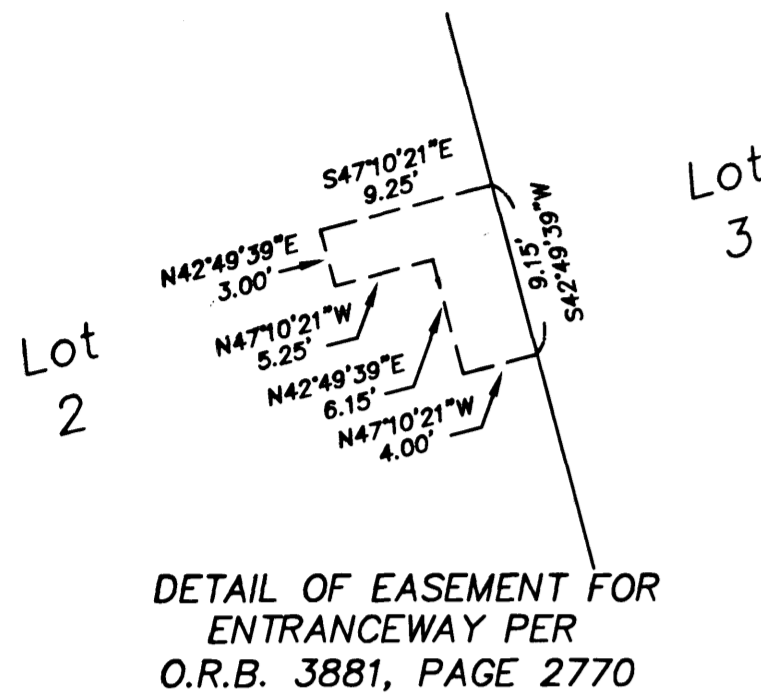
**CERTIFICATE OF SURVEYOR**  
I HEREBY CERTIFY, That I have reviewed the foregoing plat and find that it is in conformity with Chapter 177, Part 1, Florida Statutes.  
Craig A. McMan REG. # 5057  
Reviewing Surveyor for the Town of Malabar, Brevard County, FL

**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, public drainage and utility easements, and other rights of way, easements and areas dedicated for public use on this plat.

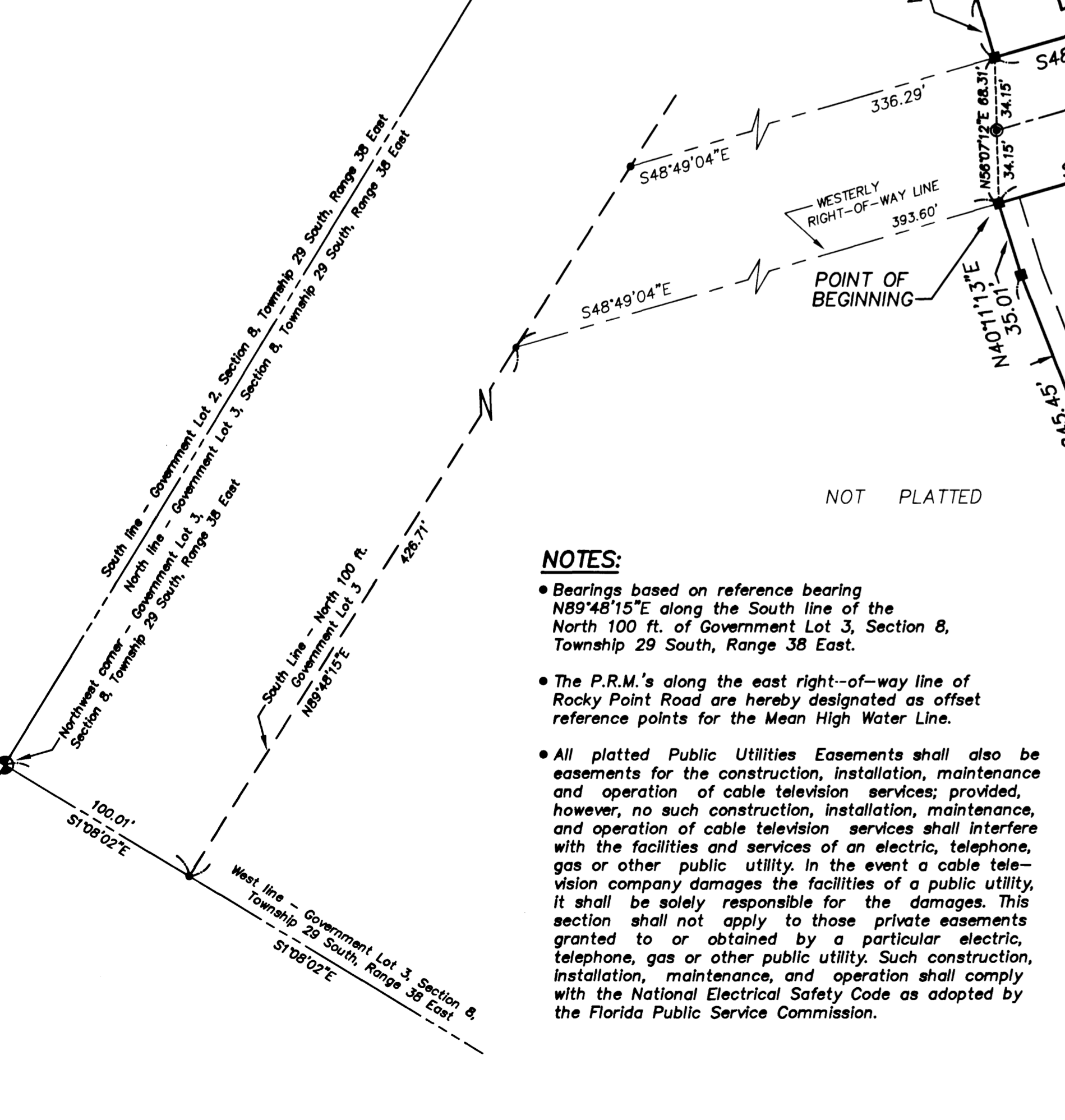
ATTEST: \_\_\_\_\_ Chairman of the Board  
\_\_\_\_\_ Clerk of the Board

**CERTIFICATE OF APPROVAL BY MUNICIPALITY**  
THIS IS TO CERTIFY, That on July 2, 2001 the Malabar Town Council of the Town of Malabar approved the foregoing plat.  
Phyllis R. Crowe MAYOR  
Jessie Kabana CITY CLERK

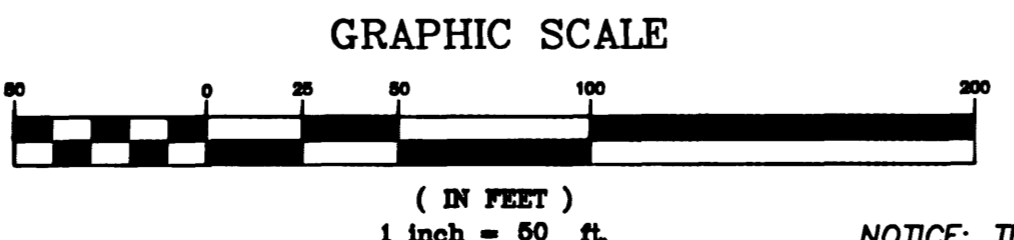
**CERTIFICATE OF CLERK**  
I HEREBY CERTIFY that I have examined the foregoing plat and find that it complies in form with the requirements of Chapter 177, Florida Statutes, and was filed for record on September 11, 2001 at 3:25 PM.  
File No. 2001-00151  
John Allen County Clerk  
Clerk of the Circuit Court in and for Brevard County, Florida



- TITLE NOTES:**
- Declaration of Property Restrictions as recorded in O.R.B. 3881, Page 2759, affects Lots 2, 3 & 4 as shown hereon.
  - Declaration of Mutual Easement for Pond as recorded in O.R.B. 3881, Page 2766, affects Lots 2 & 3 as shown.
  - Declaration of Mutual Easement for Well as recorded in O.R.B. 3881, Page 2775, affects Lots 2 & 3, as shown.
  - Easement and Restriction Agreement as recorded in O.R.B. 4286, Page 58, affects Lots 3 & 4 as shown.
  - Declaration of Easement for Entranceway Feature as recorded in O.R.B. 3881, Page 2770, affects Lot 2 as shown hereon.



- NOTES:**
- Bearings based on reference bearing N89°48'15"E along the South line of the North 100 ft. of Government Lot 3, Section 8, Township 29 South, Range 38 East.
  - The P.R.M.'s along the east right-of-way line of Rocky Point Road are hereby designated as offset reference points for the Mean High Water Line.
  - All platted Public Utilities 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 Electrical Safety Code as adopted by the Florida Public Service Commission.



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.