

**PINE CREEK – PHASE 1**  
**SECTION 16, TOWNSHIP 28 SOUTH, RANGE 37 EAST**  
**CITY OF MELBOURNE**  
**BREVARD COUNTY, FLORIDA**

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, That the Limited Partnership named below, being the owners in fee simple of the lands described in

**PINE CREEK, PHASE 1**

Hereby dedicate to City of Melbourne an easement over and across the roads, streets and utility easements shown on this plat for ingress and egress for emergency vehicles and for the maintenance of City of Melbourne utilities, no other easements are dedicated or granted to the public, it being the intention of the undersigned that all streets, roads and other easements and common areas be privately owned and maintained and that the public and City of Melbourne have no right and interest therein.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand S and seal S on 3/26/02

Executive Vice President  
 127TH AVENUE ASSOCIATES LTD.  
 A FLORIDA LIMITED PARTNERSHIP  
 By: COURTELIS COMPANY  
 IT'S GENERAL PARTNER  
 A FLORIDA CORPORATION  
 701 BRICKELL AVE. SUITE 1400  
 MIAMI, FLORIDA 33131-2822

ATTEST: Victoria L. Strait  
 Signed and sealed in the presence of: Julia P. Morales  
Chad F. Brown

STATE OF FLORIDA COUNTY OF DADE 26, 2002  
 THIS IS TO CERTIFY, That on MARCH 26, 2002 before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared

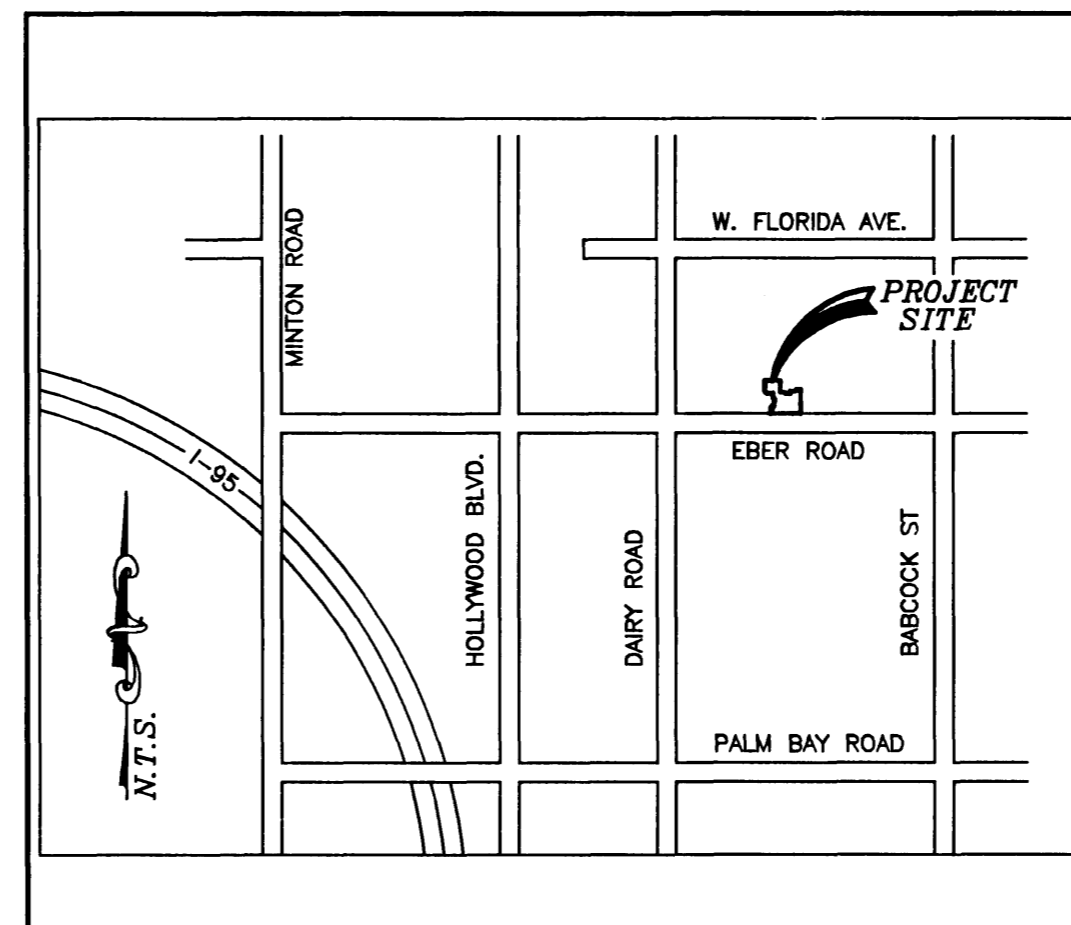
to me known to be the person described in and who executed the foregoing dedication and severally acknowledged the execution thereof to be THEIR free act and deed for the uses and purposes therein expressed.

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

Notary Public  
 My Commission Expires 10-26-2005  
 GEORGE I MYERS, JR.  
 MY COMMISSION # 01012591  
 EXPIRES October 26, 2005  
 1-800-887-7411 FL. Notary Service, Inc. DOR 900, 100

**GENERAL NOTES:**

- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF NORTHWEST 1/4, SECTION 16, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BEING ASSUMED AS N89°34'38"E FOR COMPUTATIONS ONLY.
- TRACT USAGE IS AS FOLLOWS:  
 TRACTS A, B, C, & E, WILL BE UTILIZED FOR OPEN SPACE, LANDSCAPE, AND SIGNAGE.  
 TRACT D WILL BE UTILIZED FOR WATER MANAGEMENT PURPOSES.  
 TRACT F WILL BE UTILIZED AS A COMMUNITY RECREATIONAL FACILITY.  
 TRACT L WILL BE UTILIZED AS ROADWAYS & FOR UTILITY CROSSINGS.  
 TRACTS M & N WILL BE UTILIZED FOR LANDSCAPE AND GATING.
- PROJECT ZONING IS R-1B.
- LAND USE IS LOW DENSITY RESIDENTIAL.
- TOTAL PROPOSED LOTS = 42. (LOT NUMBERING KEYED TO OVERALL SUBDIVISION)
- EROSION AND SEDIMENTATION CONTROL WILL CONFORM TO CITY CODE CHAPTER 33, SECTION 33-4.
- FOR DECLARATION OF COVENANTS AND RESTRICTIONS SEE OFFICIAL RECORDS BOOK 4581, PAGES(S) 0916, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
- THE FOLLOWING EASEMENTS ARE HEREBY RESERVED:  
 A) A 10 FOOT WIDE NON-EXCLUSIVE EASEMENT ALONG THE FRONT OF ALL LOTS AND TRACTS FOR INSTALLATION AND MAINTENANCE OF WATER, SEWER, ELECTRIC, TELEPHONE AND DRAINAGE FACILITIES.  
 B) A 5 FOOT WIDE NON-EXCLUSIVE EASEMENT ALONG ALL SIDE LOT AND TRACT LINES FOR INSTALLATION AND MAINTENANCE OF WATER, SEWER, ELECTRIC, TELEPHONE AND DRAINAGE FACILITIES.  
 C) A 10 FOOT WIDE NON-EXCLUSIVE EASEMENT ALONG ALL REAR LOT AND TRACT LINES FOR INSTALLATION AND MAINTENANCE OF WATER, SEWER, ELECTRIC, TELEPHONE AND DRAINAGE FACILITIES.  
 D) A 7.5 FOOT WIDE EASEMENT TO BE UTILIZED AS A FENCE/WALL/LANDSCAPING/MAINTENANCE EASEMENT ALONG THE REAR LOT AND TRACT LINES ALONG THE \* OF THE PROPERTY WITH THE EXCEPTION OF TRACT L (ROADWAY TRACT). \* EASTERLY AND SOUTHERLY PERIMETER.
- WHEN MORE THAN ONE LOT OR PARTS OF LOTS ARE UTILIZED AS A SINGLE BUILDING SITE, THE SIDE LOT LINE EASEMENTS NOTED HEREON SHALL REVERT TO THE PERIMETER OF SAID BUILDING SITE, PROVIDED THAT ANY EXISTING UTILITIES ARE FIRST REMOVED. THIS NOTE SHALL NOT APPLY TO LOTS 70 & 71-BLOCK A.
- NO ACCESS TO EBER ROAD SHALL BE PERMITTED FOR LOTS 72 THROUGH 80-BLOCK A, AND TO SHAWNEE LANE FROM ALONG THE WEST PROPERTY LINES OF LOT 36-BLOCK C.
- THE BUILDING SETBACKS ARE AS FOLLOWS:  
 A) FRONT LOT LINES - 20 FEET  
 B) SIDE LOT LINES - 5 FEET  
 C) REAR LOT LINES - 25 FEET  
 D) CORNER SIDE LOT LINES - 20 FEET
- GENERAL INFORMATION OF THE LOTS IS AS FOLLOWS:  
 A) AVERAGE LOT SIZE - 6,325 s.f. ±  
 B) MINIMUM LOT SIZE - 5,800 s.f. ±  
 C) NUMBER OF LOTS - 42  
 D) DENSITY OF PLAT - 3.06 UNITS/ACRE
- TRACTS A, B, C, D, E, F, AND L ARE HEREBY DEDICATED TO, CONTROLLED BY, AND MAINTAINED BY THE PINE CREEK HOMEOWNERS ASSOCIATION.  
 TRACT A = 0.05 AC.  
 TRACT B = 0.15 AC.  
 TRACT C = 0.19 AC.  
 TRACT D = 4.33 AC.  
 TRACT E = 0.08 AC.  
 TRACT F = 0.52 AC.  
 TRACT L = 2.03 AC.  
 TRACT M = 0.01 AC.  
 TRACT N = 0.01 AC.
- FENCING OF EASEMENTS IS REGULATED BY THE CITY CODE, APPENDIX D, CHAPTER 9, ARTICLE II, SECTION 9.47 (d).
- NO OBSTRUCTION WILL BE PLACED WITHIN THE PEDESTRIAN EASEMENT BETWEEN LOTS 71 & 72 OF BLOCK A.
- PEDESTRIAN EASEMENT TO BE USED FOR INGRESS AND EGRESS TO TRACT C FOR MAINTENANCE PURPOSES.
- SURVEY MONUMENTATION WITHIN THE SUBDIVISION WILL BE SET IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 177.091(7), 177.091(8) AND 177.091(9).
- THE DRAINAGE FACILITIES SHOWN HEREON ARE INTENDED TO BE PRIVATELY OWNED AND ARE TO BE DEDICATED TO AND MAINTAINED BY THE PINE CREEK HOMEOWNERS ASSOCIATION.
- NOTICE: ALL INTERNAL CIRCULATION ROADWAYS OF THE SUBDIVISION ARE PRIVATE STREETS MAINTAINED AT THE PRIVATE EXPENSE OF THE SUBDIVISION LOT OWNERS. THE CITY SHALL NOT ACCEPT MAINTENANCE RESPONSIBILITY OF THE SUBDIVISION INTERNAL CIRCULATION ROADWAYS AT PUBLIC EXPENSE, UNLESS A ROAD IS BUILT FROM INDIAN OAKS DRIVE ACROSS TRACT K WITH A BRIDGE/CULVERT OVER THE DRAINAGE RIGHT-OF-WAY TO THE WEST OF THE SUBDIVISION, ALL AT THE PRIVATE EXPENSE OF THE PINE CREEK SUBDIVISION LOT OWNERS.
- ALL PLATTED PUBLIC 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 NOTE 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 SERVICE, TELEPHONE SERVICE, FIBER OPTIC COMMUNICATION AND CABLE TELEVISION SERVICES, NATURAL GAS WATER, SEWER, AND DRAINAGE STRUCTURES.



VICINITY MAP

**PINE CREEK, PHASE 1**

A parcel of land lying within Section 16, Township 28 South, Range 37 East Brevard County, Florida, more particularly described as follows:

From the southeast corner of the southeast 1/4 of the northwest 1/4 of Section 16; thence S89°34'38"W, 11.74 feet; thence N00°18'11"W, 50.00 feet, to the POINT OF BEGINNING; thence S89°34'38"W, 833.17 feet; thence N44°30'47"E, 23.59 feet; thence N00°25'41"W, 99.80 feet; to a point of intersection with a non-tangent curve, concave Southerly, having a radius of 25.00 feet and a radial bearing of S11°29'11"W; thence Westerly along the arc of said curve to the left, a distance of 5.20 feet, through a central angle of 11°54'51"; to a non-tangent line; thence N00°25'41"W, 50.00 feet; thence N89°34'19"E, 20.00 feet, to the point of a curve, concave Northwesterly, having a radius of 25.00 feet; thence Easterly along the arc of said curve to the left, a distance of 39.27 feet, through a central angle of 90°00'00" to the curve's end; thence N00°25'41"W, 20.32 feet; thence N89°34'19"E, 50.00 feet; thence N00°25'41"W, 163.68 feet, to the point of a curve, concave Southwesterly, having a radius of 75.00 feet; thence Northwesterly along the arc of said curve to the left, a distance of 85.71 feet, through a central angle of 65°28'29"; to a non-tangent line; thence N00°25'41"W, 123.77 feet; thence S89°34'19"W, 155.00 feet; thence N77°45'31"W, 28.79 feet; thence N47°09'23"W, 48.49 feet; thence N04°56'56"W, 137.41 feet; thence N03°08'03"E, 166.47 feet; to a point of intersection with a non-tangent curve, concave Northerly, having a radius of 6656.15 feet and a radial bearing of N01°55'29"E; thence Easterly along the arc of said curve to the left, a distance of 423.48 feet, through a central angle of 03°38'43"; to a non-tangent line; thence S00°18'11"E, 320.01 feet; thence N89°41'49"E, 117.00 feet; thence S54°12'51"E, 61.87 feet; thence N89°41'49"E, 116.00 feet; thence N00°18'11"W, 55.00 feet; thence N89°41'49"E, 116.00 feet; thence N48°33'14"E, 66.39 feet; thence N89°41'49"E, 119.00 feet; thence S00°18'11"E, 647.88 feet, to the POINT OF BEGINNING; Containing 13.72 acres, more or less.

**CERTIFICATE OF SURVEYOR**

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed professional surveyor and mapper, does hereby certify that on MARCH 26, 2002 he completed the survey of the lands shown on the foregoing plat; and that said plat was prepared under his direction and supervision and that said plat complies with all of the survey requirements of Chapter 177, part 1, Florida Statutes, and that said land is located in Brevard County, Florida.

William A. Lane - Registration Number 3913  
 William A. Lane  
 B.S.E. Consultants, Inc.  
 312 South Harbor City Boulevard, Suite #4  
 Melbourne, Fla. 32901  
 LB - 0004905  
 Certificate of Authorization Number

**CERTIFICATE OF APPROVAL BY MUNICIPALITY**

THIS IS TO CERTIFY, That I John A. Buckley the MAYOR OF MELBOURNE, FLORIDA and the CITY COUNCIL approved the following plat, on 3/26/2002.

ATTEST: John A. Buckley  
 MAYOR  
Scott C. Jones  
 CITY CLERK

**CERTIFICATE OF APPROVAL BY REVIEWING 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.

Michael J. Sweeney  
 Michael J. Sweeney, RLSM 4870  
 Reviewing Surveyor for the City of Melbourne

**CERTIFICATE OF APPROVAL BY PLANNING AND ZONING COMMISSION**

THIS IS TO CERTIFY, That on FEBRUARY 21, 2002, the Zoning Commission of the above county approved the foregoing plat.

Planning and Zoning Director

**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 3/26/2002 at 11:47 AM File No. 2002105262.

Scott C. Jones  
 Clerk of the Circuit Court and for Brevard County, Fla.  
 ATTEST:

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.

THIS PLAT PREPARED BY

**B.S.E. CONSULTANTS, INC.**  
 CONSULTING, ENGINEERING, LAND SURVEYING  
 312 S. Harbor City Blvd., Suite 4, Melbourne, Florida (321) 725-3674

