

# BROOKSHIRE AT HERITAGE OAKS PHASE 3

A SUBDIVISION LYING IN SECTION 7, TOWNSHIP 28 SOUTH, RANGE 37 EAST  
BEING A REPLAT OF A PORTION OF TRACT NO. 1, BROOKSHIRE AT HERITAGE OAKS, PHASE 1  
PLAT BOOK 47, PAGES 3 THROUGH 6  
IN THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA

SHEET 1 OF 2  
SECTION 7, TWP. 28 S., RANGE 37 E.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the Corporation named below, being the owner in fee simple of the lands described in

BROOKSHIRE AT HERITAGE OAKS, PHASE 3

hereby dedicates said lands as follows: Tract "A" is hereby declared to be and shall remain private and is dedicated to the Brookshire at Heritage Oaks Homeowners Association, Inc. for Road Right-Of-Way and Drainage purposes subject to an easement granted to the City of West Melbourne, public utilities and other public agencies for the purpose of access, installation, operation, inspection and maintenance of public utilities and for emergency purposes.

IN WITNESS WHEREOF, I have caused these presents to be signed and attested to by the officers named below and its corporate seal to be affixed hereto on

Heritage Oaks Development Company  
3115 Dixie Highway NE  
Palm Bay, FL 32905

By *Roy Pence*  
Roy Pence, President

Attest: \_\_\_\_\_  
Signed and sealed in the presence of:

*Dawn Stiles*  
*John C. Smith*

STATE OF FLORIDA COUNTY OF BREVARD  
THIS IS TO CERTIFY, That on May 13, 2002  
before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared Roy Pence and \_\_\_\_\_  
respectively \_\_\_\_\_ President and \_\_\_\_\_  
of the above named corporation incorporated under the laws of the State of \_\_\_\_\_, 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.  
*Dawn Stiles*  
NOTARY PUBLIC  
My Commission Expires 10/02/04

### CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, that on May 21, 2002 the foregoing plat was approved by the city of West Melbourne city council  
*Virginia L. Bryant*  
Virginia L. Bryant, City Clerk

### CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor and mapper, does hereby certify that on 22 APR 02 he completed the survey of the lands as shown in the foregoing plat; that said plat is a true and correct representation of a 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") have been placed as required by law, and that Permanent Control Points ("P.C.P.s") and Monuments according to Sec. 177.091(9), F.S., will be set under the guarantees posted with the City of West Melbourne, Florida for the required improvements; and, further, that the survey data complies with all the requirements of Chapter 177, Part 1, Florida Statutes, as amended

Gordon and Associates  
Surveyors and Mappers, Inc.  
L.B. No. 7012  
219 Forrest Avenue  
Cocoa, FL 32922  
Earl K. Gordon, P.S.M.  
License No. 5363  
State of Florida

### CERTIFICATE OF REVIEWING SURVEYOR FOR THE CITY OF WEST MELBOURNE, FL

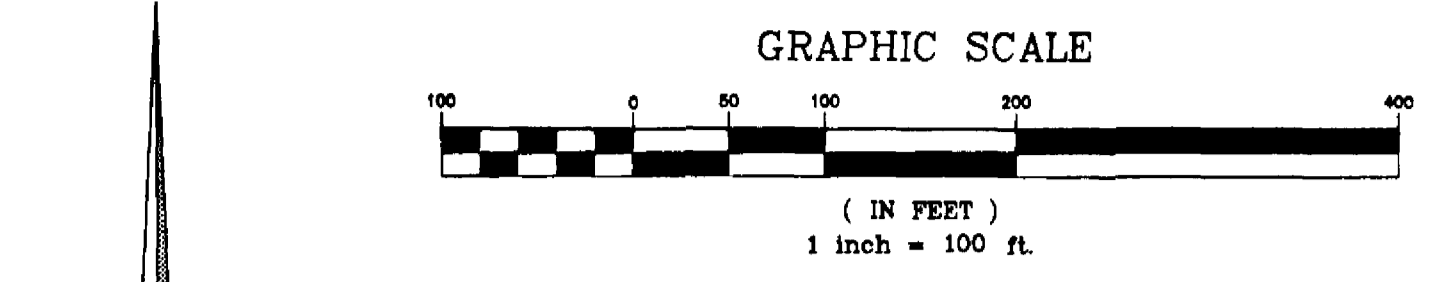
I HEREBY CERTIFY, That I have reviewed the foregoing plat and find that it is in conformity with Chapter 177, Florida Statutes.  
*Andrew W. Pansone*  
in and for City West Melbourne, FL

### CERTIFICATE OF APPROVAL BY PLANNING AND ZONING COMMISSION

ATTEST: THIS IS TO CERTIFY, That on May 14, 2002 the zoning commission of the above city approved the foregoing plat.  
*Virginia L. Bryant*  
Planning and Zoning Vice-Chairman

### CERTIFICATE OF CLERK

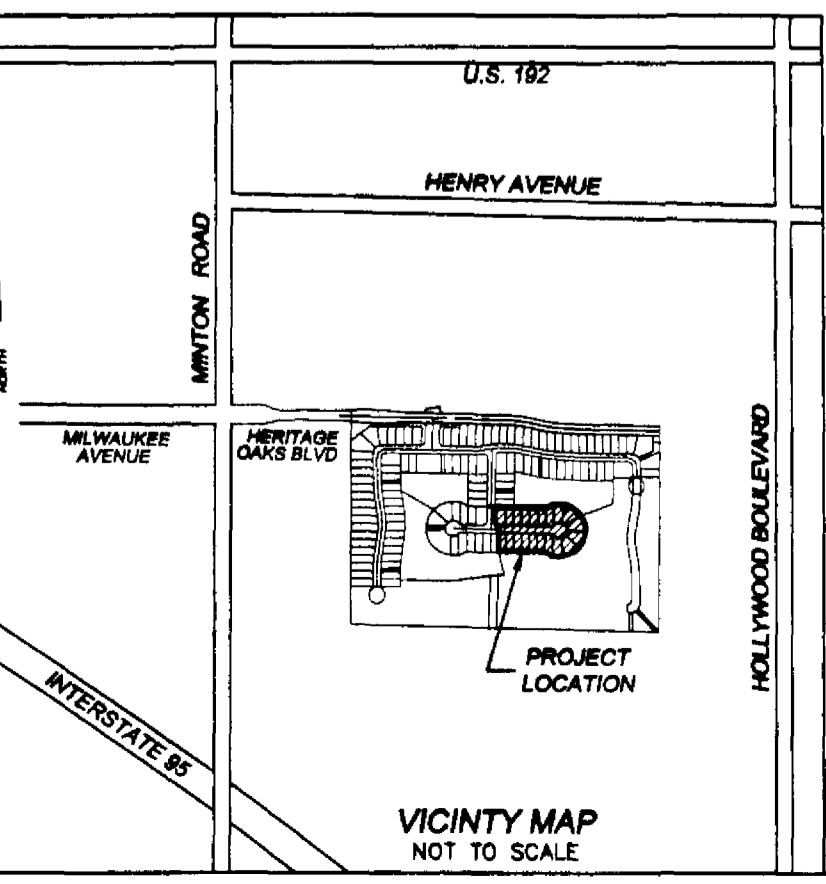
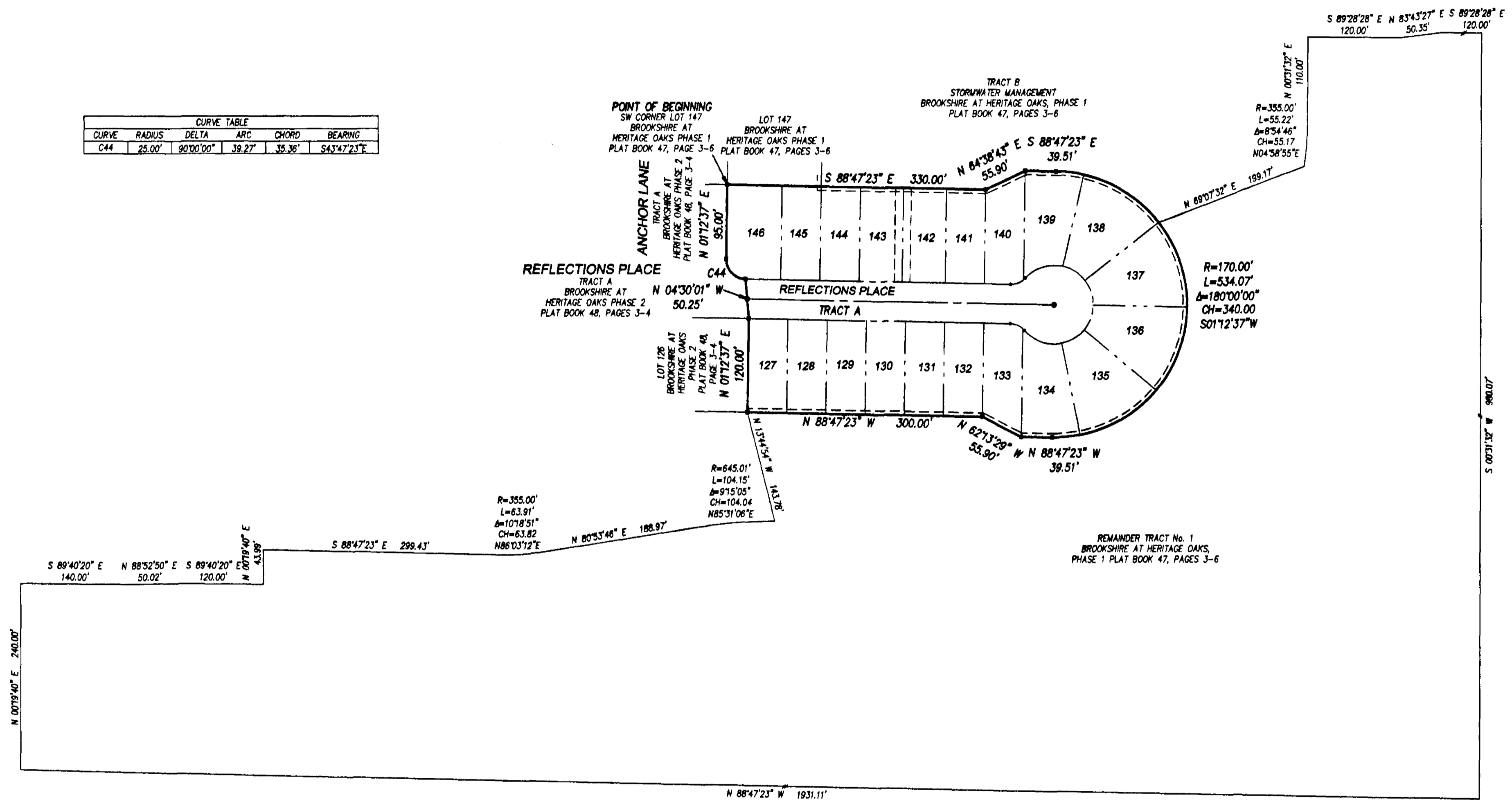
I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for record on 08/09/2002 at 12:14 PM  
File No. 2502199621  
*Scott Ellis*  
Clerk of the Circuit Court  
in and for Brevard County, FL



### SURVEYOR'S NOTES:

- BEARINGS SHOWN HEARON ARE BASED ON THE SOUTH LINE OF LOT 147, BROOKSHIRE AT HERITAGE OAKS PHASE 1, AS RECORDED IN PLAT BOOK 47, PAGE 3 THROUGH 6, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AS BEING S 88°47'23" E (ASSUMED DATUM).
- TRACT "A" RIGHT-OF-WAY SHALL BE CONVEYED TO BROOKSHIRE AT HERITAGE OAKS HOMEOWNERS ASSOCIATION, INC. AND SHALL BE OWNED, OPERATED AND MAINTAINED BY BROOKSHIRE AT HERITAGE OAKS HOMEOWNERS ASSOCIATION, INC.
- ALL LOTS SHOWN HEREON ABUTTING LAKE TRACTS, ANY OTHER BODY OF WATER OR STORMWATER DRAINAGE FACILITY SHALL NOT HAVE RIPARIAN RIGHTS OTHER THAN THOSE SPECIFIED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS.
- A TWELVE FOOT EASEMENT ADJACENT TO AND CONTIGUOUS WITH THE PRIVATE STREET RIGHTS-OF-WAY ESTABLISHED BY THIS PLAT IS HEREBY ESTABLISHED OVER AND ACROSS ALL LOTS AND TRACTS SHOWN HEREON FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES.
- A FIVE FOOT EASEMENT ADJACENT TO AND CONTIGUOUS WITH ALL SIDE LOT LINES, UNLESS OTHERWISE NOTED, IS HEREBY ESTABLISHED OVER AND ACROSS ALL LOTS SHOWN HEREON FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE FACILITIES.
- THERE IS A FIVE FOOT PRIVATE DRAINAGE EASEMENT ALONG THE REAR LOT LINES OF LOTS 127-146 AS DEPICTED HEREON. THIS EASEMENT IS FOR CONSTRUCTION OF STORMWATER TREATMENT FACILITIES, NO FILLING OR ALTERATIONS TO GRADING SHALL BE ALLOWED WITHOUT PRIOR APPROVAL BY THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND THE CITY OF WEST MELBOURNE.
- A PERPETUAL NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED OVER AND UPON TRACT "A" PRIVATE RIGHT-OF-WAY SHOWN HEREON FOR THE CITY OF WEST MELBOURNE, ALL GOVERNMENT AGENCIES, ALL PRIVATE AND PUBLIC UTILITY COMPANIES AND THEIR RESPECTIVE PERSONNEL, EMPLOYEES AND CONTRACTORS FOR INGRESS AND EGRESS IN CONNECTION WITH OFFICIAL BUSINESS PROVIDING ESSENTIAL SERVICES TO BROOKSHIRE AT HERITAGE OAKS, INCLUDING BUT NOT LIMITED TO THE INGRESS AND EGRESS OF FIRE, POLICE, EMERGENCY AND UTILITY PERSONNEL.
- A PERPETUAL NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED OVER AND UPON TRACT "A" PRIVATE ROAD RIGHT-OF-WAY AS SHOWN HEREON FOR THE CITY OF WEST MELBOURNE FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES.
- ALL PUBLIC UTILITY EASEMENTS SHALL BE USED FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED HOWEVER, NO SUCH SERVICE SHALL INTERFERE WITH EITHER THE FACILITIES 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 DAMAGES.
- ALL PUBLIC UTILITY EASEMENTS SHALL BE FOR THE INSTALLATION AND MAINTENANCE OF FLORIDA POWER AND LIGHT ELECTRICAL LINES, CITY GAS LINES, SOUTHERN BELL PHONE LINES, CABLE TELEVISION, CITY OF WEST MELBOURNE WATER LINES AND THE CITY OF WEST MELBOURNE WASTEWATER AND RECLAIMED WATER LINES AND FOR UTILITIES PROVIDED BY OTHER PUBLIC OR PRIVATE PROVIDERS.
- ALL PRIVATE DRAINAGE EASEMENTS HEREON ARE DEDICATED TO THE BROOKSHIRE AT HERITAGE OAKS HOMEOWNERS ASSOCIATION, INC. FOR DRAINAGE PURPOSES.
- AN EASEMENT IS RESERVED FOR THE BENEFIT OF THE BROOKSHIRE AT HERITAGE OAKS SUBDIVISION, INCLUDING ALL PHASES THEREOF, OVER AND ACROSS THE PRIVATE DRAINAGE EASEMENTS, STORM WATER TRACTS AND UNDER TRACT "A" AS DEPICTED HEREON FOR DRAINAGE PURPOSES.
- LAND USE LD-RES, ZONING R-1B, 20 LOTS WITH AN AVERAGE LOT SIZE OF 50'x120', 6000 SQUARE FEET.

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	BEARING
C44	25.00'	90°00'00"	39.27'	39.36'	S43°47'23"E



OWNER/DEVELOPER  
HERITAGE OAKS DEVELOPMENT COMPANY  
3115 Dixie Highway NE  
Palm Bay, FL 32905  
Roy Pence, President

FOR DEED RESTRICTIONS SEE  
ORB 4456 PAGE 3603  
ORB \_\_\_\_\_ PAGE \_\_\_\_\_  
FOR JOINER IN DEDICATION SEE  
ORB 4456 PAGE 3606  
ORB \_\_\_\_\_ PAGE \_\_\_\_\_

PREPARED BY  
**GORDON & ASSOCIATES**  
SURVEYORS & MAPPERS, INC.  
219 FORREST AVENUE  
COCOA, FLORIDA 32922  
(321)639-8171

### LEGAL DESCRIPTION

BEGIN AT THE SOUTHWEST CORNER OF LOT 147, BROOKSHIRE AT HERITAGE OAKS, PHASE 1 AS RECORDED IN PLAT BOOK 47, PAGES 3 THROUGH 6 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE SOUTH 88 DEGREES 47 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 147 AND ALONG THE SOUTH LINE OF TRACT B, BROOKSHIRE AT HERITAGE OAKS, PHASE 1, A DISTANCE OF 330.00 FEET; THENCE NORTH 64 DEGREES 38 MINUTES 43 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID TRACT B, A DISTANCE OF 55.90 FEET; THENCE SOUTH 88 DEGREES 47 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF SAID TRACT B, A DISTANCE OF 39.51 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 170.00 FEET AND A CENTRAL ANGLE OF 180 DEGREES 00 MINUTES 00 SECONDS; THENCE SOUTHERLY ALONG THE ARC AND ALONG THE WESTERLY LINE OF SAID TRACT B AND TRACT NO. 1, BROOKSHIRE AT HERITAGE OAKS, PHASE 1, A DISTANCE OF 534.07 FEET; THENCE NORTH 88 DEGREES 47 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID TRACT NO. 1, A DISTANCE OF 39.51 FEET; THENCE NORTH 62 DEGREES 13 MINUTES 29 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID TRACT NO. 1, A DISTANCE OF 300.00 FEET TO THE SOUTHEAST CORNER OF LOT 126, BROOKSHIRE AT HERITAGE OAKS, PHASE 2 AS RECORDED IN PLAT BOOK 48, PAGES 3 THROUGH 4 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 01 DEGREES 12 MINUTES 37 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 126, A DISTANCE OF 120.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 126; THENCE NORTH 04 DEGREES 30 MINUTES 01 SECONDS WEST ALONG THE EASTERLY LINE OF TRACT A, BROOKSHIRE AT HERITAGE OAKS, PHASE 2, A DISTANCE OF 50.25 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES NORTH 01 DEGREES 12 MINUTES 37 SECONDS EAST, A RADIAL DISTANCE OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC AND ALONG THE NORTHEASTERLY LINE OF SAID TRACT A, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 39.27 FEET; THENCE NORTH 01 DEGREES 12 MINUTES 37 SECONDS EAST ALONG THE EAST LINE OF SAID TRACT A, A DISTANCE OF 95.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.7918 ACRES.

- LEGEND
- FOUND P.R.M. (PERMANENT REFERENCE MONUMENT)
  - 4"x4" CONCRETE MONUMENT STAMPED PRM PLS 5363
  - SET P.R.M. (PERMANENT REFERENCE MONUMENT)
  - 4"x4" CONCRETE MONUMENT STAMPED PRM PLS 5363
  - P.C.P. (PERMANENT CONTROL POINT)
  - NAL & DISK STAMPED PCP PLS 5363
  - = OFFICIAL RECORDS BODY
  - = DENOTES CHANGE IN DIRECTION (FOR CLARITY PURPOSES ONLY)

"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."

