



First American Title Insurance Company
PO Box 776123
Chicago, IL 60677-6124
Phone: (727)549-3200
Fax: (866)265-4386

**PROPERTY INFORMATION REPORT FOR THE FILING
OF A SUBDIVISION PLAT IN
BREVARD County, Florida**

FATIC File No.: 110071055

A search of the Public Records of BREVARD County, Florida, through July 30, 2023 at 8:00 a.m. reveals the following with respect to the legal description of the property set out on the subdivision plat of PALM BAY POINTE EAST (not yet recorded), said legal description attached hereto as Exhibit "A", and made a part hereof:

A. The last deed of record was dated January 11, 2023 and recorded January 12, 2023 in Official Records [Book 9695, Page 1747](#), Public Records of BREVARD County, Florida.

B. The record title holder is KIMAYA, LLC, a Delaware limited liability company .

C. The name(s) of the record title holder coincides with the name(s) shown as owner(s) on the unrecorded plat of PALM BAY POINTE EAST .

D. Unsatisfied mortgages or liens encumbering said property are as follows:

1. Mortgage and Security Agreement from KIMAYA, LLC, a Delaware limited liability company to Cypress Bay Farms, LLC, a Florida limited liability company recorded January 12, 2023 in Official Records [Book 9695, Page 1757](#), Public Records of Brevard County, Florida.

E. Underlying rights of way, easements or plats affecting said property are as follows:

1. Right-Of-Way Agreement for easement granted to Florida Power & Light Company recorded April 8, 1958 in Official Records [Book 93, Page 634](#) as affected by Supplement to Right-of-Way Agreement recorded May 18, 1961 in Official Records [Book 384, Page 21](#) and Subordination of Utility Interests and Agreement for Reimbursement for Additional Facility Relocation by and between the City of Palm Bay and Florida Power & Light Company recorded April 18, 2016 in Official Records [Book 7594, Page 723](#), Public Records of Brevard County, Florida.

2. Right-Of-Way Agreement for easement granted to Florida Power & Light Company recorded April 8, 1958 in Official Records [Book 93, Page 642](#), Public Records of Brevard County, Florida.

3. Terms and conditions for Drainage Easement by and between Cypress Bay Farms, LLC, a Florida limited liability company and the City of Palm Bay recorded January 20, 2016 in Official Records [Book 7533, Page 233](#), as affected by First Amendment to Drainage Easement recorded March 28, 2016 in Official Records [Book 7578, Page 943](#) and Second Amendment and Restatement of Drainage Easement recorded August 19, 2019 in Official Records [Book 8517, Page 560](#) and Revised Stormwater Facility and Drainage Easement No. 4 recorded October 8, 2020 in Official Records [Book 8880, Page 871](#), Public Records of Brevard County, Florida.

4. Stormwater Facility and Access Easement South of Pond 2 by and between Cypress Bay Farms LLC, a

Florida limited liability company and the City of Palm Bay recorded October 8, 2020 in Official Records [Book 8880, Page 861](#), Public Records of Brevard County, Florida.

5. Utilities and Drainage Easement Agreement recorded January 12, 2023 in Official Records [Book 9695, Page 1773](#), Public Records of Brevard County, Florida.

6. Stormwater Drainage Easement in favor of Kimaya, LLC, a Delaware limited liability company recorded January 26, 2023 in Official Records [Book 9704, Page 2005](#), Public Records of Brevard County, Florida.

F. Other information regarding said property includes:

1. Terms and conditions for Resolution by Board of Supervisors of San Sebastian Drainage District recorded March 14, 2006 in Official Records [Book 5616, Page 7231](#) and New Boundary for San Sebastian Drainage District recorded March 14, 2006 in Official Records [Book 5616, Page 7224](#), Public Records of Brevard County, Florida.

2. Plan of Reclamation of San Sebastian Drainage District recorded March 14, 2006 in Official Records [Book 5616, Page 7319](#), Public Records of Brevard County, Florida.

3. Transportation Impact Fee Application-For-Credit Agreement by and between the City of Palm Bay, Florida and Cypress Bay Farms, LLC, a Florida limited liability company, its successors and assigns recorded February 18, 2016 in Official Records [Book 7552, Page 193](#), Public Records of Brevard County, Florida.

4. Terms and conditions for City of Palm Bay-Brevard County Joint Planning Interlocal Agreement recorded August 15, 2019 in Official Records [Book 8514, Page 1709](#) as affected by Interlocal Agreement for St. Johns Heritage Parkway Intersection and Babcock Street recorded April 30, 2020 in Official Records [Book 8730, Page 998](#), and Second Amendment to Interlocal Agreement Regarding St Johns Heritage Parkway Intersection and Babcock Street recorded July 26, 2022 in Official Records [Book 9568, Page 2659](#), Public Records of Brevard County, Florida.

5. Declaration of Restrictive Covenants (Cypress Bay) recorded January 12, 2023 in Official Records [Book 9695, Page 2386](#), Public Records of Brevard County, Florida.

G. 2022 Ad valorem taxes on said property are paid for Tax Parcel I. D. Number 3000210, 3000212 and 3009330 (contains more land).

**PROPERTY INFORMATION REPORT FOR THE FILING
OF A SUBDIVISION PLAT IN
BREVARD County, Florida**

This property information report is made for the purpose of furnishing the information required for the filing of the above referenced subdivision plat in accordance with the provisions of Chapter 177.041 of the Florida Statutes and the requirements of the County Land Development Code. This search of a minimum of 30 years has been prepared expressly for the appropriate governing body as defined by Chapter 177.071 FS and it is not to be relied upon by any other group or person for any other purpose. This report is not an opinion of title, title insurance policy, warranty of title, or any other assurance as to the status of title and shall not be used for the purpose of issuing title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified in the property information report as the recipients of the property information report.

First American Title Insurance Company



By: _____

Authorized Signatory

Exhibit "A"

DESCRIPTION: PALM BAY POINTE EAST

A PARCEL OF LAND BEING A PORTION OF SECTION 3, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING A PORTION OF LOTS 12 THROUGH 21, CAPE KENNEDY GROVES, UNIT 9, AS RECORDED IN PLAT [BOOK 21, PAGE 77](#) OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT L-3, CYPRESS BAY PRESERVE PHASE 1, AS RECORDED IN PLAT [BOOK 68, PAGES 59 THROUGH 66](#) OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN N 49° 32' 50" E ALONG THE SOUTHERLY LINE OF TRACT L-3 AND TRACT D-1 OF SAID CYPRESS BAY PRESERVE PHASE 1 FOR A DISTANCE OF 314.80 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT D-1; THENCE RUN THE FOLLOWING 6 COURSES, CURVES AND DISTANCES ALONG THE SOUTHERLY LINES OF TRACTS D-1, ROW-1 AND TRACT D-10 OF SAID CYPRESS BAY PRESERVE PHASE 1; (1) THENCE RUN S 89° 35' 01" E FOR A DISTANCE OF 610.32 FEET; (2) THENCE RUN S 00° 24' 59" W FOR A DISTANCE OF 369.20 FEET; (3) THENCE RUN S 89° 35' 01" E FOR A DISTANCE OF 53.29 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 3298.00 FEET, AND WHOSE CHORD BEARS S 81° 42' 29" E FOR A DISTANCE OF 903.78 FEET; (4) THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15° 45' 03", FOR A DISTANCE OF 906.63 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; (5) THENCE RUN S 28° 36' 44" E FOR A DISTANCE OF 70.98 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 3248.00 FEET, AND WHOSE CHORD BEARS S 68° 48' 55" E FOR A DISTANCE OF 468.45 FEET; (6) THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08° 16' 15", FOR A DISTANCE OF 468.86 TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE, ALSO BEING A POINT ON THE WESTERLY LINE OF TRACT D-11 OF SAID CYPRESS BAY PRESERVE PHASE 1; THENCE RUN THE FOLLOWING (5) COURSES AND DISTANCES ALONG THE WESTERLY LINE OF SAID TRACT D-11; (1) THENCE RUN S 24° 59' 56" W FOR A DISTANCE OF 54.57 FEET; (2) THENCE RUN S 65° 00' 04" E FOR A DISTANCE OF 115.01 FEET; (3) THENCE RUN S 06° 46' 38" E FOR A DISTANCE OF 57.93 FEET; (4) THENCE RUN S 42° 10' 32" W FOR A DISTANCE OF 101.13 FEET; (5) THENCE RUN S 27° 12' 29" W FOR A DISTANCE OF 52.46 FEET TO THE NORTH RIGHT OF WAY LINE OF ST JOHNS HERITAGE PARKWAY (A 200 FOOT WIDE RIGHT OF WAY) AS DESCRIBED IN OFFICIAL RECORDS [BOOK 7533, PAGE 245](#) OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, ALSO BEING A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 2998.00 FEET, AND WHOSE CHORD BEARS S 61° 05' 49" E FOR A DISTANCE OF 144.79 FEET; THENCE RUN SOUTHEASTERLY ALONG THE SAID CURVE AND NORTH RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 02° 46' 02", FOR A DISTANCE OF 144.80 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN S 59° 42' 48" E ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 192.83 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 3; THENCE RUN N 89° 42' 39" W ALONG THE SOUTH LINE OF SAID SECTION 3 FOR A DISTANCE OF 1261.87 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 3; THENCE RUN N 89° 42' 39" W ALONG THE SOUTH LINE OF SAID SECTION 3 FOR A DISTANCE OF 1231.62 FEET TO THE NORTHEAST CORNER OF LOT 21 OF SAID CAPE KENNEDY GROVE UNIT 9; THENCE RUN S 00° 43' 35" E FOR A DISTANCE OF 50.01 FEET; THENCE RUN N 89° 42' 39" W FOR A DISTANCE OF 71.15 FEET; THENCE RUN S 00° 30' 13" E FOR A DISTANCE OF 307.00 FEET; THENCE RUN S 89° 29' 47" W FOR A DISTANCE OF 292.37 FEET; THENCE RUN N 00° 30' 23" W FOR A DISTANCE OF 233.53 FEET; THENCE RUN N 49° 27' 29" W FOR A DISTANCE OF 119.96 FEET; THENCE RUN N 89° 43' 11" W FOR A DISTANCE OF 123.22 FEET; THENCE RUN N 00° 10' 05" W FOR A DISTANCE OF 50.02 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE RUN N 89° 42' 39" W ALONG SAID SOUTH LINE FOR A DISTANCE OF 554.45 FEET TO A POINT LYING 40.00 FEET EAST, AS MEASURED BY PERPENDICULAR, OF THE EAST RIGHT OF WAY LINE OF BABCOCK STREET (A 100 FOOT WIDE RIGHT OF WAY); THENCE RUN N 00° 45' 16" E PARALLEL WITH SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 498.02 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID ST JOHNS HERITAGE PARKWAY; THENCE RUN S 89° 42' 39" E ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 1272.47 FEET TO THE SOUTHWESTERLY LINE OF A 110 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT AS DESCRIBED IN OFFICIAL RECORDS [BOOK 384 PAGE 21](#) OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN N 36° 36' 17" W ALONG SAID SOUTHWESTERLY LINE FOR A DISTANCE OF 389.43 FEET; THENCE RUN N 53° 23' 43" E FOR A DISTANCE OF 110.00 FEET TO THE

NORTHEASTERLY LINE OF SAID 110 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT;
THENCE N 36° 36' 17" W ALONG SAID NORTHEASTERLY LINE FOR A DISTANCE OF 109.69 FEET TO
THE POINT OF BEGINNING.

LESS AND EXCEPT

TRACT PA-2, CYPRESS BAY PRESERVE PHASE 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN
PLAT [BOOK 68, PAGES 59 THROUGH 66](#), OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA
AND RIGHT OF WAY FOR ST JOHNS HERITAGE PARKWAY (A 200 FOOT WIDE RIGHT OF WAY), AS
RECORDED IN OFFICIAL RECORDS [BOOK 7533, PAGE 245](#) OF THE PUBLIC RECORDS OF BREVARD
COUNTY, FLORIDA.

TOGETHER WITH Owner's real property right, title and interest in that certain Reciprocal Easement
Agreement recorded August 30, 2019 in Official Records [Book 8527, Page 2517](#), Public Records of
Brevard County, Florida affected by Amendment and Partial Termination to Reciprocal Easement
Agreement recorded April 19, 2022 in Official Records [Book 9479, Page 1997](#), Public Records of Brevard
County, Florida.