



DESCRIPTION:

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.

CONTAINING 42.954 ACRES, MORE OR LESS.

- for value of record the estate or interest or mortgage thereon covered by this Commitment. NOT A SURVEY MATTER
- and payable. NOT A SURVEY MATTER
- BLANKET IN NATURE AS TO C1, PARCEL 1 AND PARCEL 3
- Horizon Surveyors of Central Florida, Inc. dated July 14, 2022, revised August 8, 2022) AFFÉCTS C1, C9, PARCEL 1 AND PARCEL 3, PLOTTED
- PARCEL 1 AND PARCEL 3, PLOTTED
- Florida, Inc. dated July 14, 2022, revised August 8, 2022) AFFECTS C20, PLOTTED
- 9. INTENTIONALLY DELETED
- (as to all parcels) AFFECTS ALL PARCELS, BLANKET IN NATURE

SCHEDULE B-II EXCEPTIONS AS PER TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO.: 2037-5979833, ISSUING OFFICE FILE NO. 0038106-194879, ATTN: JENNIFER ARANZA, REVISION NUMBER: ONE, COMMITMENT DATE: DECEMBER 22, 2022 @ 8:00AM:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed insured acquires

2. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land. NONE KNOWN TO SURVEYOR 3. Ad valorem and non-ad valorem taxes for the year 2022 and subsequent years, which are not yet due

4. Reservation shall run with the land as contained in Warranty Deed from Florida Indian River Land Company recorded July 18, 1913 in Deed Book 58, Page 519. (as to C1, Parcels 1 and 3 pursuant to Preliminary Suvey prepared by Horizon Surveyors of Central Florida, Inc. dated July 14, 2022, revised August 8, 2022)

5. Right—Of—Way Agreement for easement granted to Florida Power & Light Company recorded April 8, 1958 in Book 93, Page 634 as affected by Supplement to Right-Of-Way Agreement recorded May 18t 1961 in 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 Apr 18, 2016 in Book 7594, Page 723. (as to Cl, Parcels 1 and 3 pursuant to Preliminary Suvey prepared by

6. Right-Of-Way Agreement for easement granted to Florida Power & Light Company recorded April 8, 1958 in Book 93, Page 642. (as to C9, and portions of parcel 3 pursuant to Preliminary Suvey prepared by Horizon Surveyors of Central Florida, Inc. dated July 14, 2022, revised August 8, 2022) AFFECTS C1,

7. Agricultural Plat restricted to agriculture use only, including 40 foot easement over the North property lines shown on the plot of CAPE KENNEDY GROVES UNIT 9, as recorded November 15, 1967 in Plat Book 21, Page(s) 77. (as to Parcel C20 pursuant to Preliminary Suvey prepared by Horizon Surveyors of Central

8. Terms and conditions for Resolution for Cape Kennedy Groves recorded January 24, 1977 in Book 1704, Page 222. (as to Parcel C20 pursuant to Preliminary Suvey prepared by Horizon Surveyors of Central Florida, Inc. dated July 14, 2022, revised August 8, 2022) AFFECTS AND BLANKET IN NATURE AS TO C20 AFFECTS, BLANKET IN NATURE

10. Terms and conditions for Resolution by Board of Supervisors of San Sebastian Drainage District recorded March 14, 2006 in Book 5616, Page 7231 and New Boundary for San Sebastian Drainage District recorded March 14, 2006 in Book 5616, Page 7224. (as to all parcels) AFFECTS ALL PARCELS, BLANKET IN NATURE 11. Plan of Reclamation of San Sebastian Drainage District recorded March 14, 2006 in Book 5616, Page 7319

- 12. Terms and conditions for Resolution No. 2015–61 by City of Palm Bay recorded January 12, 2016 in Book 7529, Page 915. (as to D-2, D-3; and D-4 pursuant to Preliminary Suvey prepared by Horizon Surveyors of Central Florida, Inc. dated July 14, 2022, revised August 8, 2022) AFFECTS, BLANKET IN NATURE
- 13. 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 Book 7533, Page 233 as affected b First Ámendment to Drainage Easement recorded March 28, 2016 in Book 7578, Page 943 and Second Amendment and Restatement of Drainage Easement recorded August 19, 2019 in Book 8517, Page 560 and Revised Stormwater Facility and Drainage Easement No. 4 recorded October 8, 2020 in Book 8880, Page 871 (as to portions of Parcel 3; C17; C18; D-2; D-3; D-4 pursuant to Preliminary Suvey prepared by Horizon of Central Florida, Inc. dated July 14 revised August 8, 2022) AFFECTS, BLANKET IN NATURE AS TO PORTIONS OF PARCEL 3, C17, C18, D-2, D-3 & D-4
- 14. Right—Of—Way Contribution Agreement by and between Cypress Bay Farms, a Florida limited partnership and the City of Palm Bay recorded February 18, 2016 in Book 7552, Page 159. (as to all parcels) AFFECTS, BLANKET IN NATURE AS TO ALL PARCELS
- 15. 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 Book 7552, Page 193. (as to all parcels) AFFECTS, BLANKET IN NATURE AS TO ALL PARCELS
- 16. Terms and conditions for Resolution No. 2017-36 by the City of Palm Bay granting Cypress Bay Farms, LLC conditional use approval for mining/excavation recorded December 20, 2017 in Book 8052, Page 2156. (as to Parcel C20 pursuant to Preliminary Suvey prepared by Horizon Surveyors of Central Florida, Inc. dated July 14 2022, revised August 8, 2022) AFFECTS, BLANKET TO "C20" IN NATURE
- . Terms and conditions for City of Palm Bay-Brevard County Joint Planning Interlocal Agreement recorded August 15, 2019 in Book 8514, Page 1709 as affected by Interlocal Agreement for St. Johns Heritage Parkwa Intersection and Babcock Street recorded April 30, 2020 in Book 8730, Page 998 and second amendment to Interlocal Aareement Regarding St Johns Heritage Parkway Intersection and Babcock Street recorded July 26, 2022 in <u>Book 9568, Page 2659</u> (as to all parcels) AFFECTS, BLANKET IN NATURE AS TO ALL PARCELS
- 18. Reciprocal Easement Agreement by and between Cypress Bay Farms, LLC, a Florida limited liability company and Forestar (USA) Real Estate Group Inc., a Delaware corporation recorded August 30, 2019 in Book 8527 Page 2517 as affected by Amendment and Partial Termination to Reciprocal Easement Agreement by and between Cypress Bay Farms, LLC, a Florida limited liability company, its successors and assigns and Forestar (USA) Real Estate Group Inc., a Delaware corporation, its successors and assigns and Cypress Bay Preserve Homeowners Association, Inc., a Florida not for profit corporation recorded April 19, 2022 in Book 9479, Page 1997. (as to C1; C9; and C12 pursuant to Preliminary Suvey prepared by Horizon Surveyors of Central Florida Inc. dated July 14, 2022, revised August 8, 2022) AFFECTS, PLOTTED, BLANKET IN NATURE AS TO C1, C9, AND
- 19. 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 Book 8880, Page 861. (as to portions of Parcel 3 pursuant to Preliminary Suvey prepared by Horizon Surveyors of Central Florida, Inc. dated July 14, 2022, revised August 8, 2022) AFFECTS PARCEL 3, PLOTTED
- 0. Terms and conditions for Ordinance 2022—34 of the City of Palm Bay approving Final Development Plan known as "Cypress Bay Commercial Center" recorded April 1, 2022 in Book 9463, Page 2455. (as to Cl) AFFECTS BLANKET IN NATURE AS TO PARCEL 1 AND C1
- 21. Declaration of Restrictive Covenants between from Cypress Bay Farms, LLC, a Florida limited liavility company, and Kimya, LLC, a Delaware limited liability company recorded in Book_____ ____,Page_____
- 22. Utilities and Drainage Easement Agreement between from Cypress Bay Farms, LLC, a Florida limited liability company, and Kimaya, LLC, a Delaware limited liability company recorded _____in Book_____Page

	TREE LEGEND
SYMBOL	DESCRIPTION
*	PALM TREE
	PINE TREE
	OAK TREE
Θ	CYPRESS TREE

SHEET 1 OF 10

PALM BAY POINTE

EAST

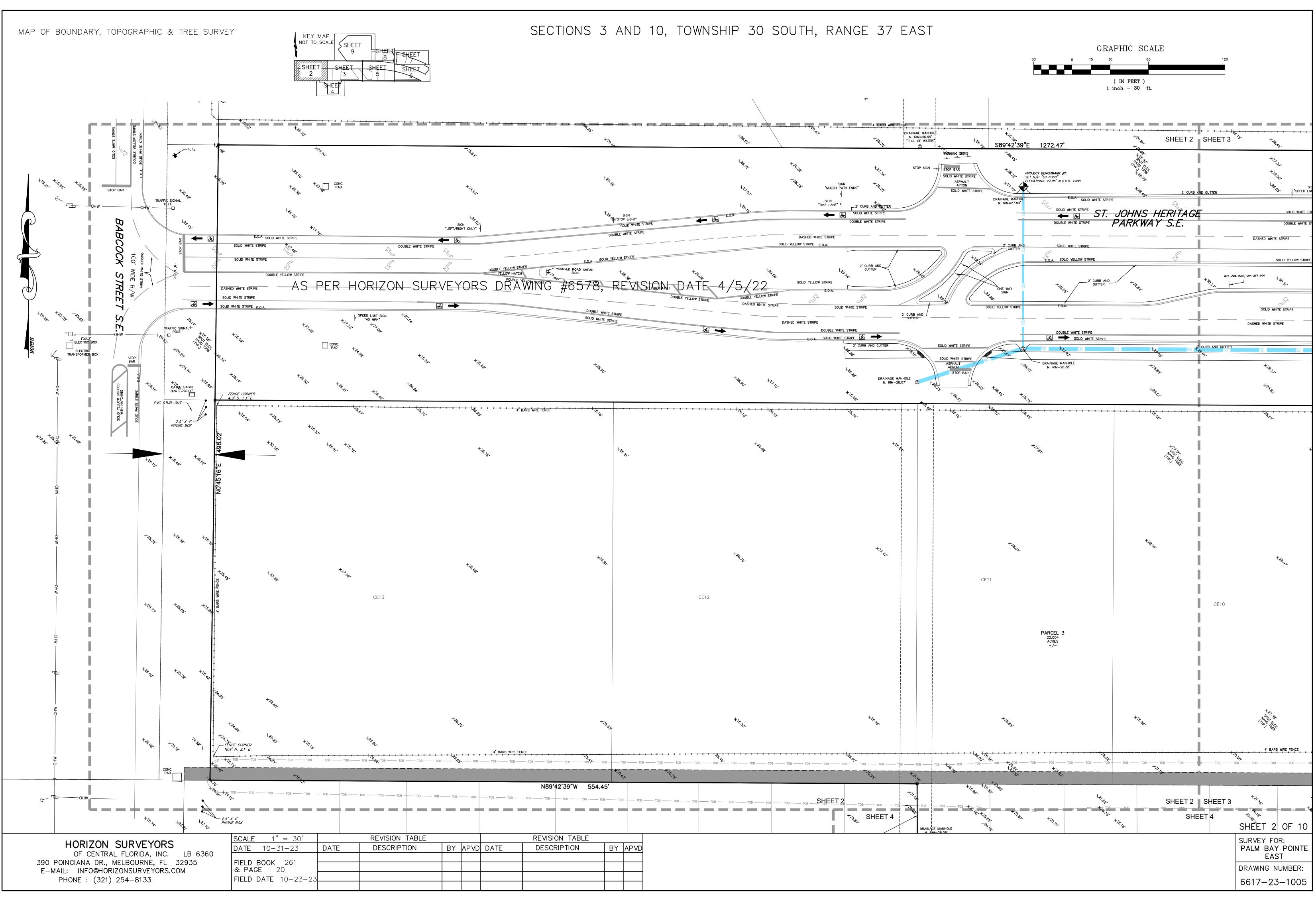
DRAWING NUMBER:

6617-23-1005

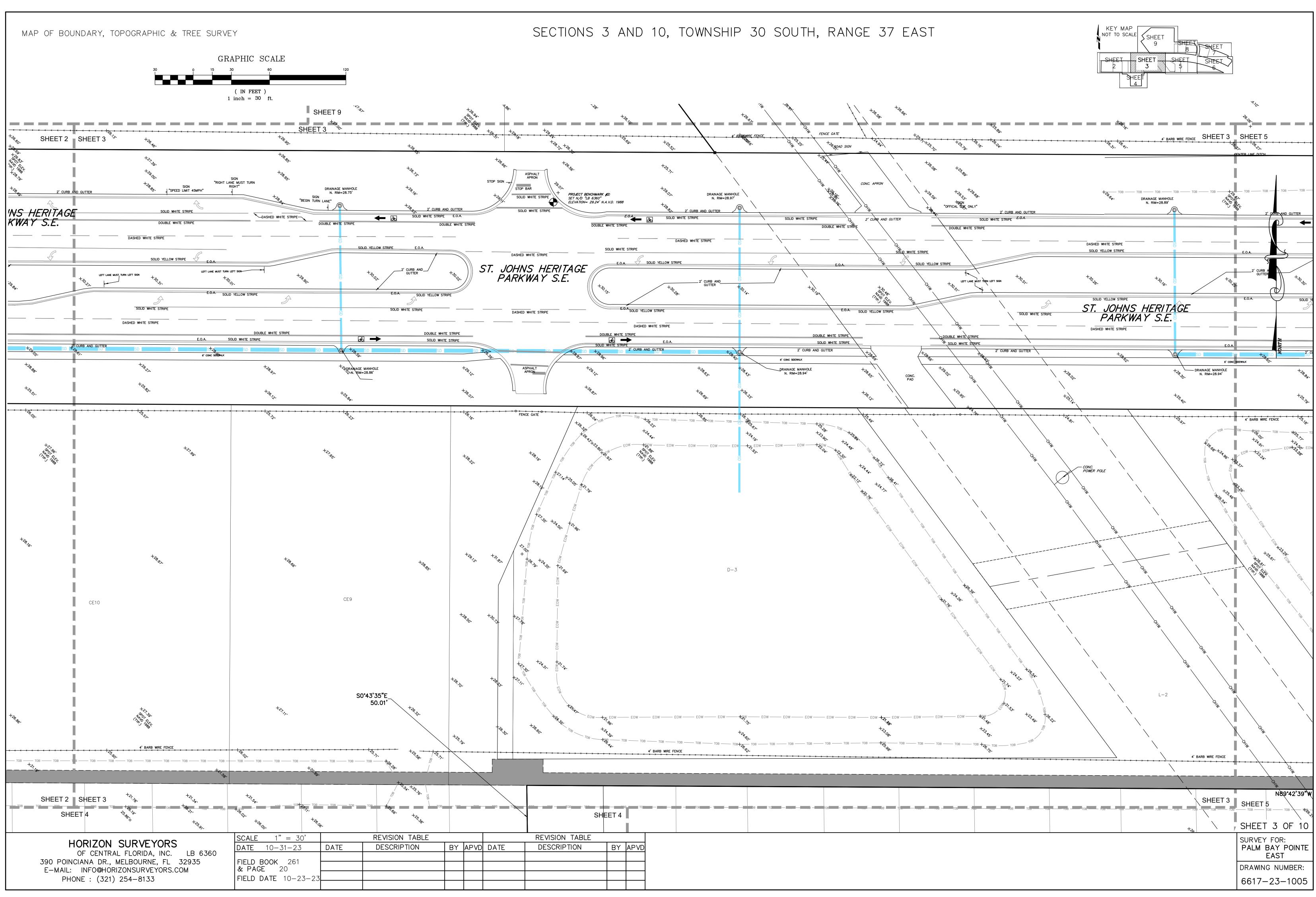
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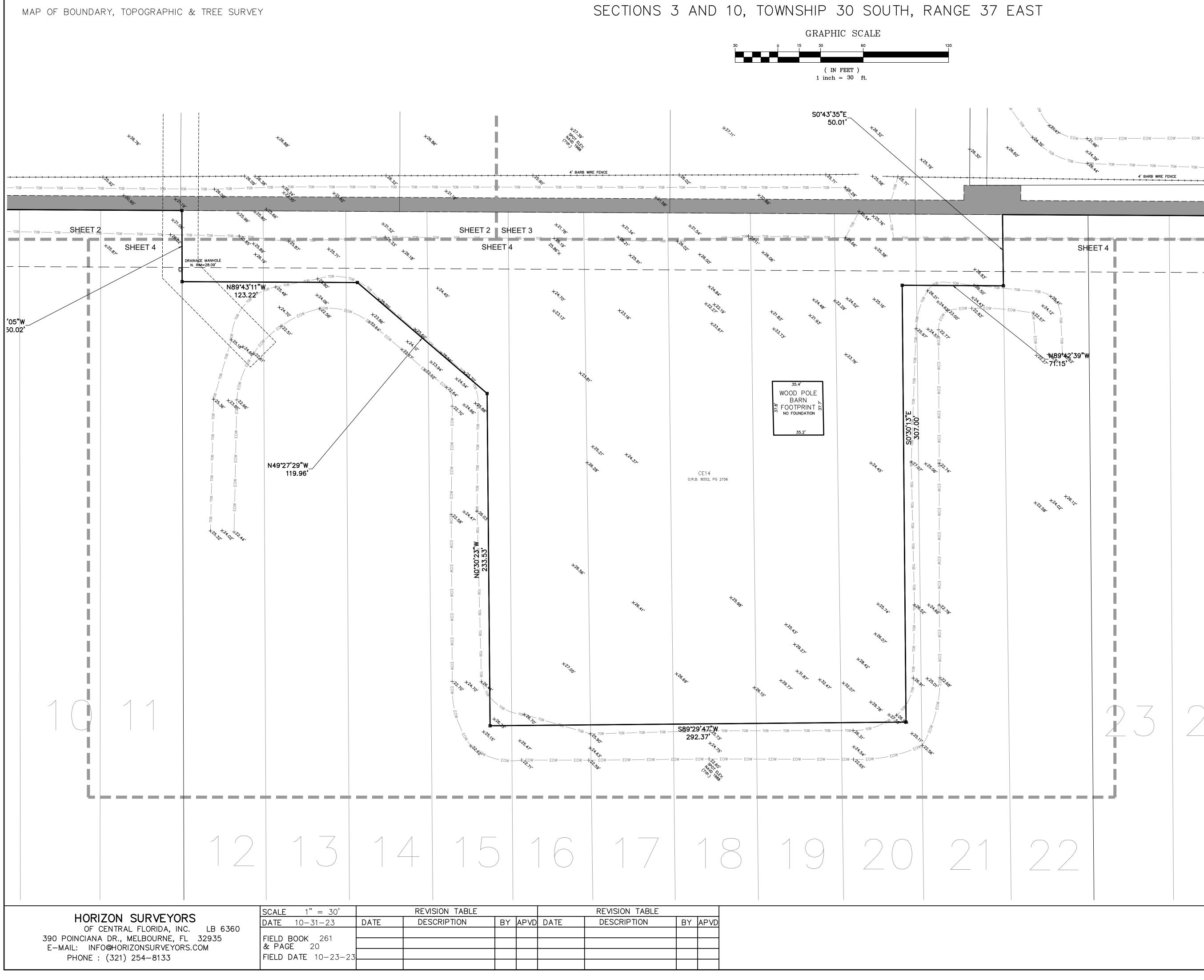
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ROBERT R. DOERRER, JR. PROFESSIONAL LAND SURVEYOR #3982

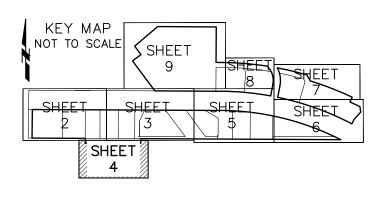


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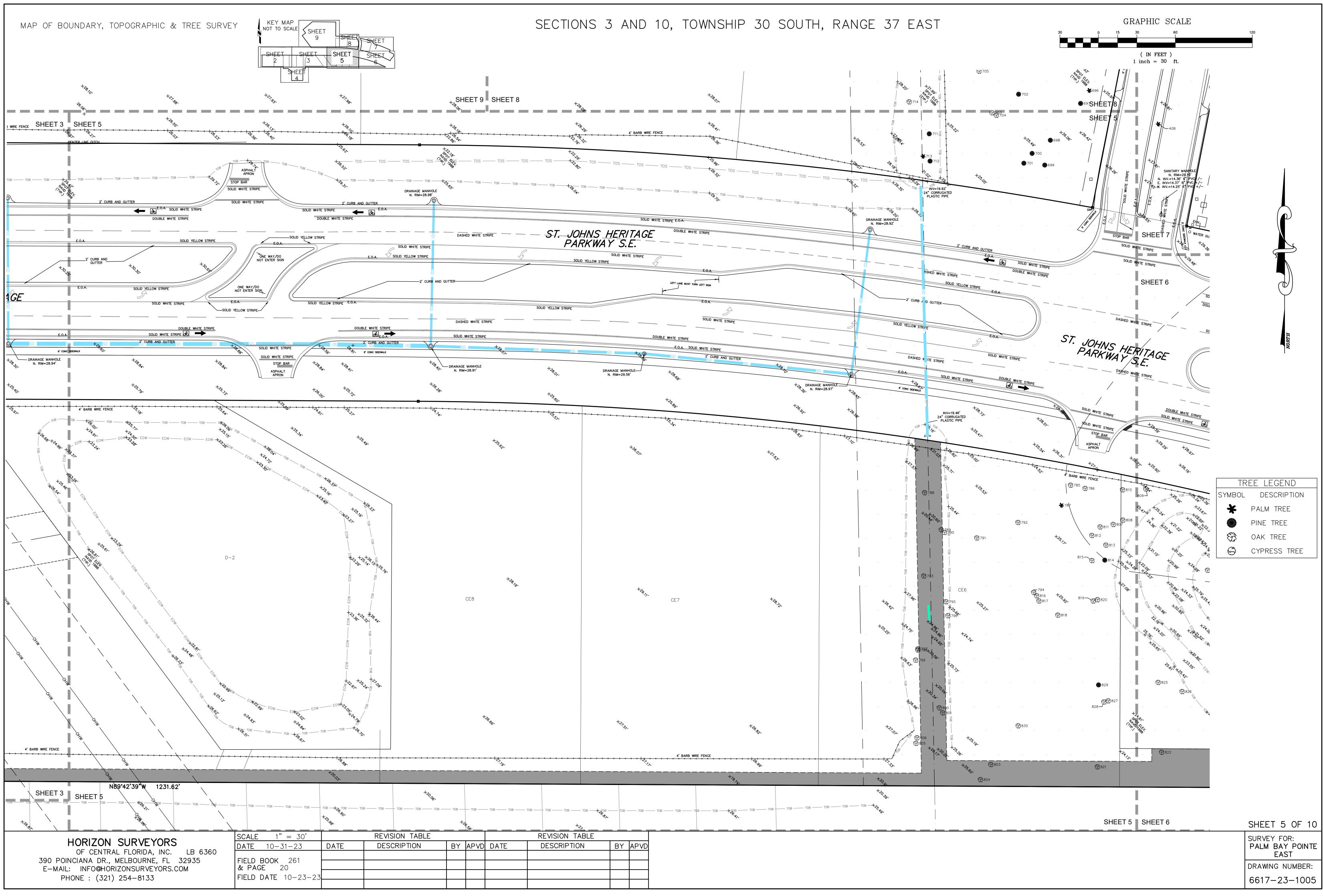




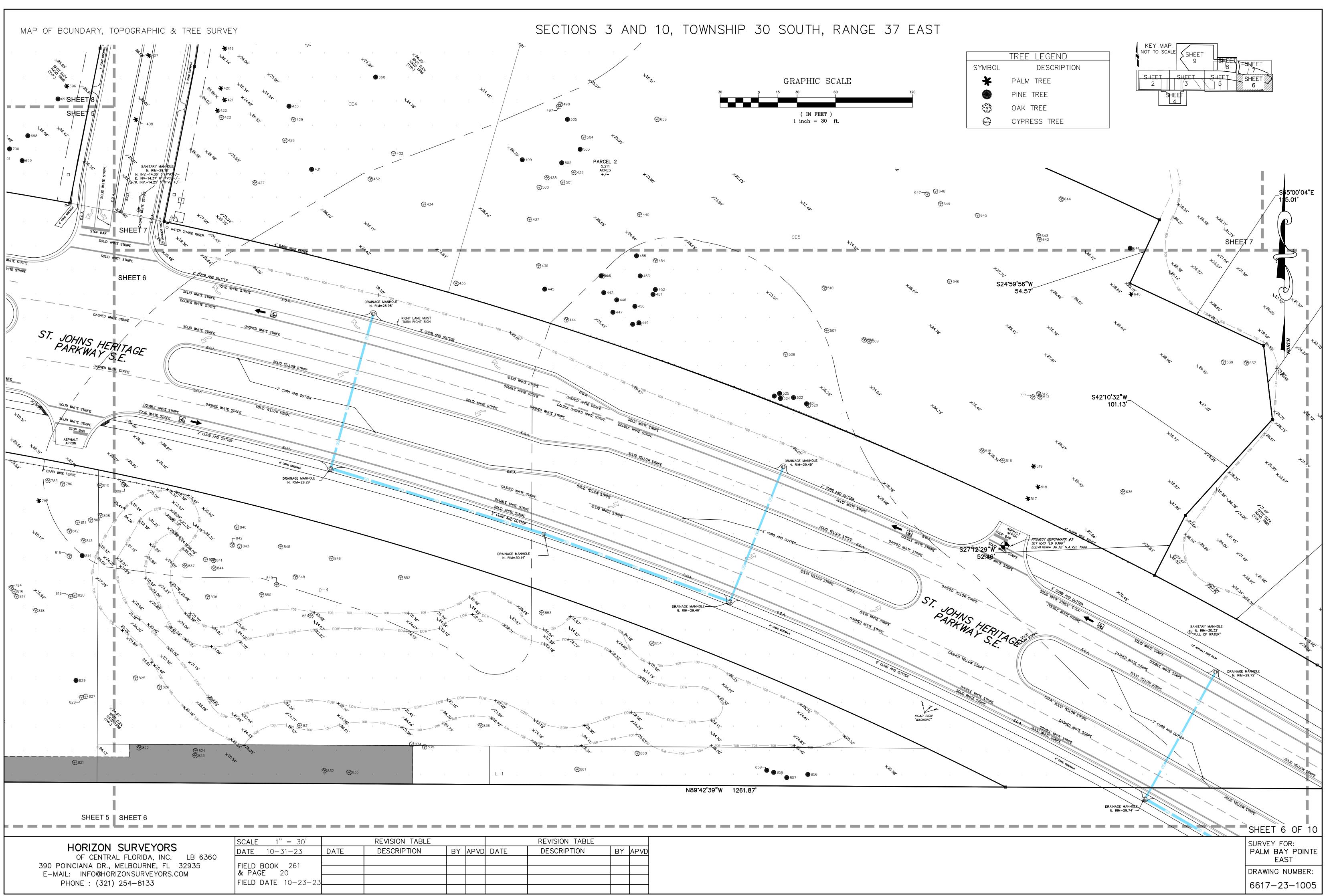
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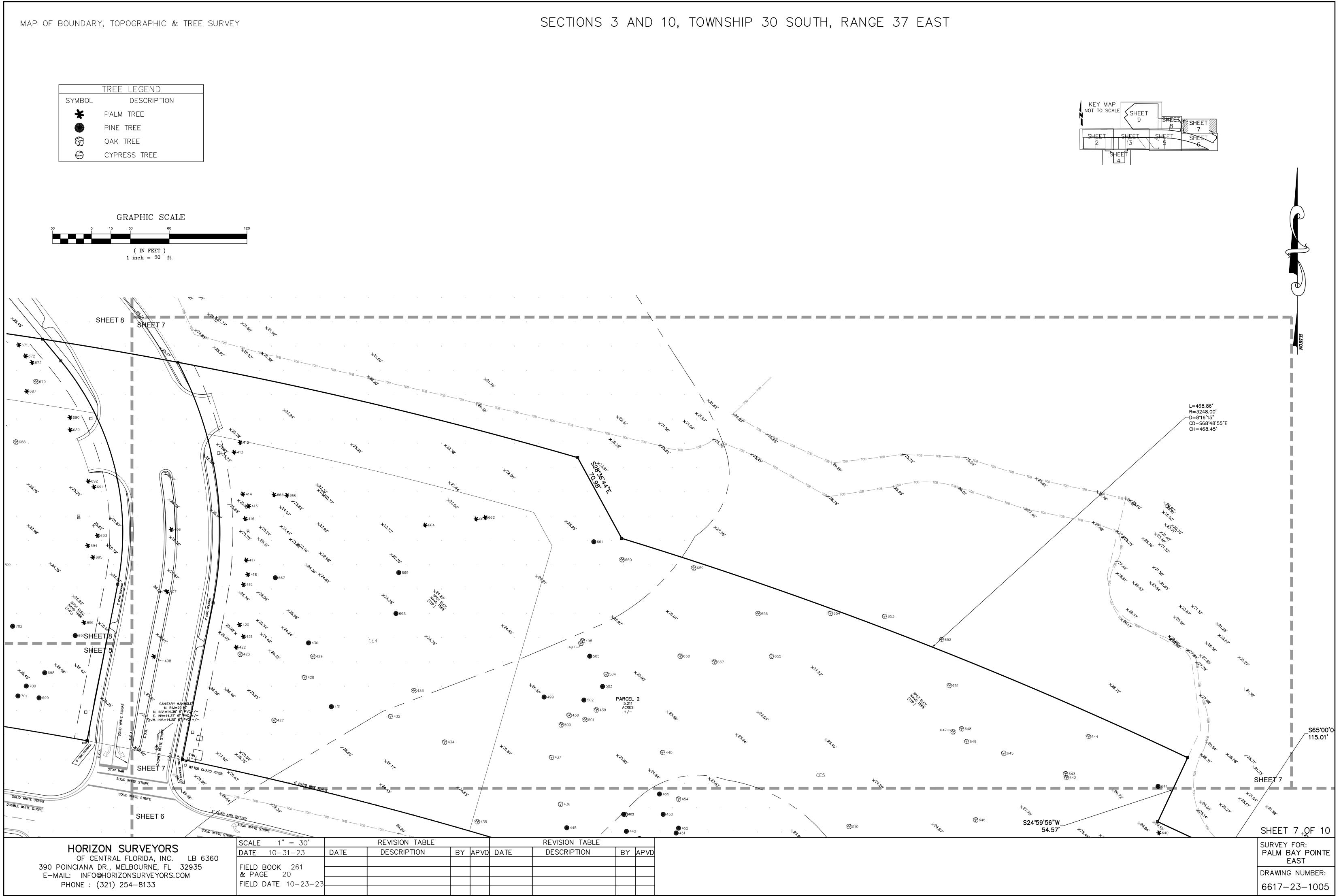
SHEET 4 OF 10 SURVEY FOR: PALM BAY POINTE EAST DRAWING NUMBER: 6617-23-1005



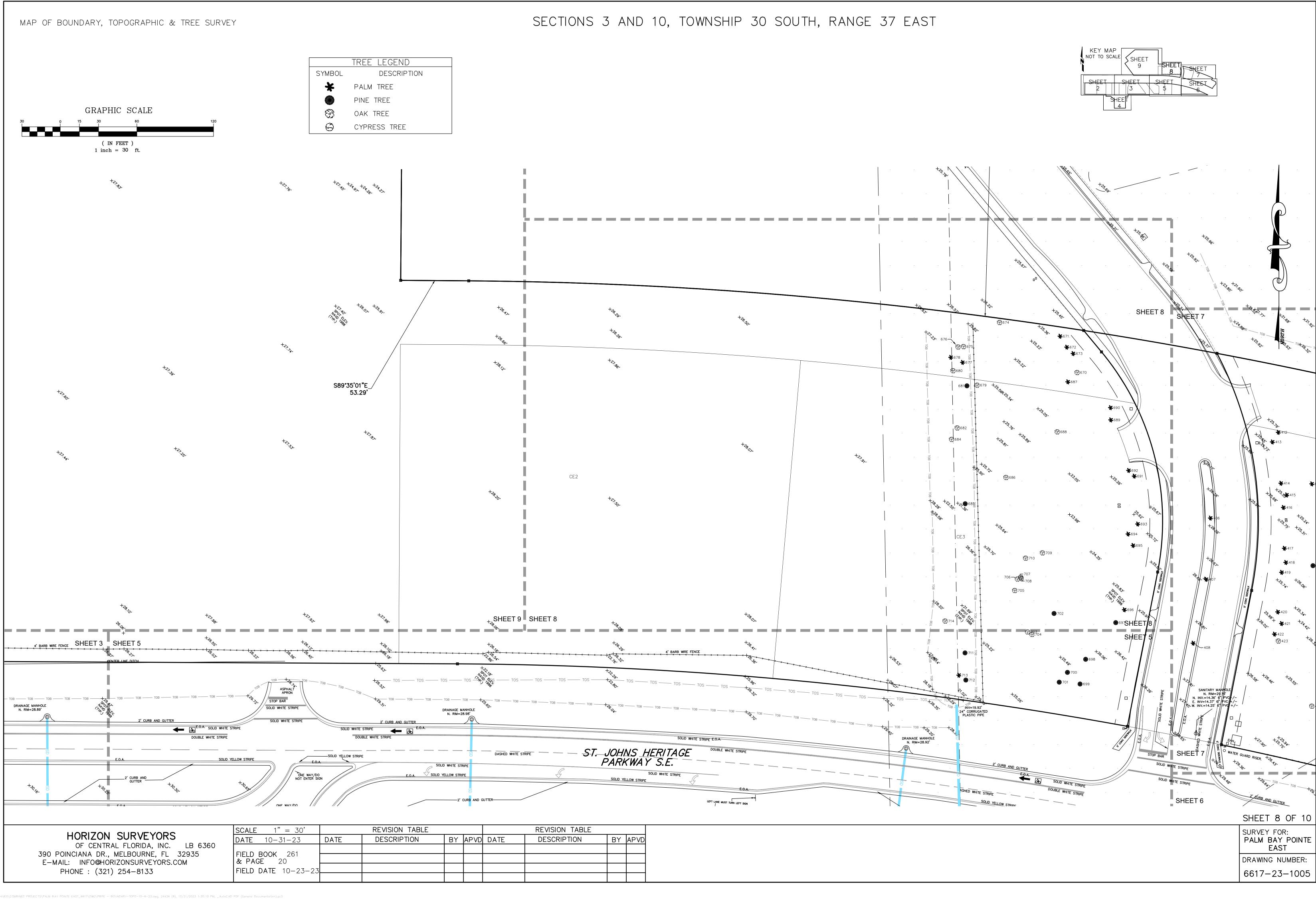
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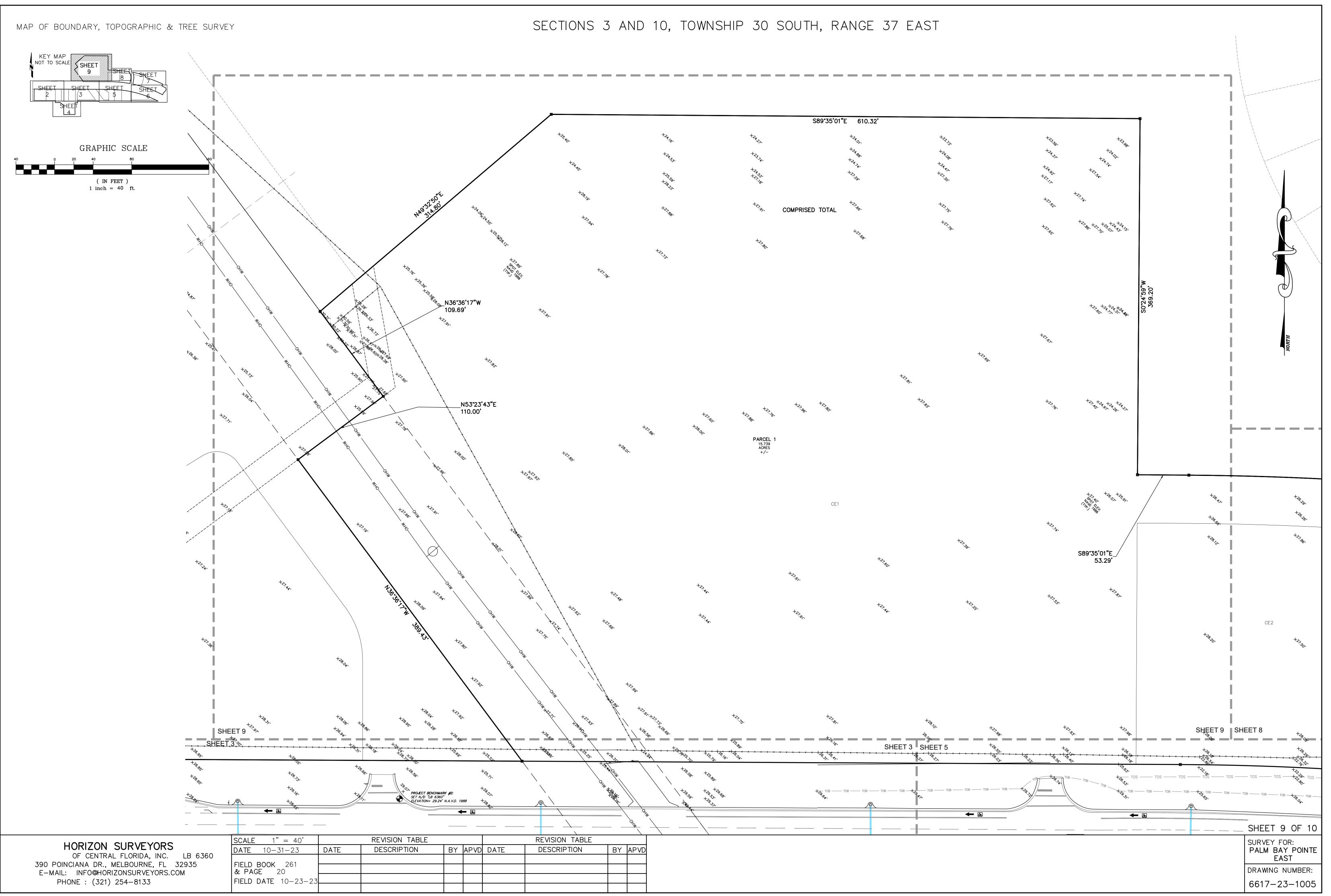
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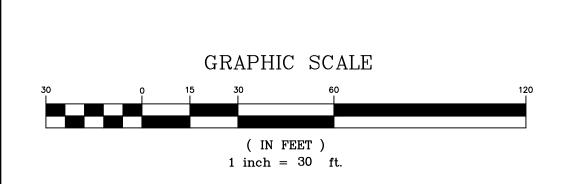
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	TREE LEGEND
SYMBOL	DESCRIPTION
*	PALM TREE
	PINE TREE
	OAK TREE
9	CYPRESS TREE

Point Table Point		Point Table		Point Table		Point Table		Point Table		Point Table		Point Table		Point Table		Point Table		Point Table		Point Table		Point Table	
Point #	Description	Point #	Description	Point #	Description	Point #	Description	Point #	Description	Point #	Description	Point #	Description	Point #	Description	Point #	Description	Point #	Description	Point #	Description	Point #	# Description
406	PAL 10	432	OAK 17	452	PINE 8	513	OAK 12	645	OAK 24	666	PAL 11	687	PAL 10	707	0AK 15	797	OAK 7 9 DBL	818	0AK 10	838	OAK DBL 28	860	0AK 17
407	PAL 10	433	0AK 20	453	PINE 7	515	0AK 16	646	0AK 18	667	PINE 13	688	0AK 17	708	OAK 29	798	OAK 8	819	OAK TRIPLE 62	839	OAK 14	861	0AK 12
408	PAL 10	434	OAK 24	454	OAK 14	516	OAK 25	647	OAK 13	668	PINE 13	689	PAL 7	709	0AK 12	799	0AK 12	820	OAK 22	840	OAK 30	1612	PALM BAY ND
412	PAL 11	435	OAK 19	455	PINE 10	517	PAL 12	648	0AK 16	669	PINE CLUSTER X4 7	690	PAL 11	710	0AK 13	800	OAK DBL 15 8	821	OAK 6	841	OAK 22		
413	PAL 8	436	OAK DBL 65	497	OAK 17	518	PAL 12	649	OAK 7	670	OAK TRIPLE 70	691	PAL 10	711	PINE 12	801	OAK 8	822	OAK 22	842	OAK 7		
414	PAL 11	437	OAK 15	498	OAK 15	519	PAL 12	651	OAK 19	671	PAL 10	692	PAL 9	712	PINE 12	803	OAK 8	823	OAK 16	843	OAK 19		
415	PAL 11	438	OAK 18	499	PINE 14	520	OAK 10	652	OAK 23	672	PAL 10	693	PAL 12	713	PAL 10	804	OAK 8	824	0AK 10	844	0AK 18		
416	PAL 12	439	OAK 24	500	OAK 20	521	PINE 10	653	OAK 15	673	PAL 11	694	PAL 10	714	0AK 10	805	0AK 19	825	0AK 12	845	OAK DBL 72		
417	PAL 13	440	0AK 11	501	OAK 16	522	PINE 12	654	OAK 18	674	OAK 24	695	PAL 11	785	OAK DBL 31	806	0AK 13	826	0AK 13	846	OAK DBL 35		
418	PAL 12	441	0AK 10	502	PINE 16	524	PINE 11	655	OAK 17	675	OAK TRIPLE 6	696	PAL 12	786	OAK 12	807	0AK 11	827	OAK 8	848	OAK 9		
419	PAL 12	442	PINE 10	503	PINE 10	525	PINE 11	656	0AK 15	676	OAK 8	697	PINE 22	787	PAL 11	808	0AK 11	828	OAK 7	849	OAK 8		
420	PAL 10	443	PINE 11	504	OAK 19	526	PINE 8	657	OAK 56	677	PAL 11	698	PINE 10	788	OAK 7 X3	809	OAK DBL 10 16	829	PINE 8	850	OAK 16		
421	PAL 10	444	OAK 12	505	PINE 13	636	OAK DBL 32	658	OAK 16	678	PAL 11	699	PINE CLUSTER X8 7	789	OAK 9	810	0AK 17	830	OAK 24	851	0AK 17		
422	PAL 10	445	PINE 7	506	OAK 17	637	OAK 8	659	OAK 17	679	OAK 6	700	PINE 8	790	OAK 19	811	OAK 8	831	OAK DBL 32	852	0AK 18		
423	0AK 13	446	PINE 7	507	OAK 22	639	0AK 20	660	0AK 17	680	0AK 10	701	PINE 10	791	OAK 24	812	0AK 10	832	OAK 23	853	OAK DBL 24		
427	OAK CLUSTER 68	447	PINE 7	508	OAK 13	640	PAL 10	661	PINE 11	681	PINE 6	702	PINE 12	792	OAK 8	813	OAK 9	833	OAK TRIPLE 22	854	OAK 14		
428	0AK 16	448	PINE 12	509	OAK 24	641	PINE 8	662	PAL 12	682	OAK 18	703	OAK 7	793	OAK 10 8 DBL	814	PINE 7	834	OAK 11	856	PINE 6		
429	OAK 21	449	PINE 6	510	OAK 18	642	OAK 15	663	PAL 12	684	0AK 18	704	0AK 21	794	OAK 57 CLUSTER X5	815	OAK 9	835	OAK 19	857	PINE 6	1	
430	PINE 6	450	PINE 9	511	OAK 14	643	OAK 13	664	PAL 10	685	PINE 10	705	OAK TRIPLE 25	795	OAK 7	816	0AK 10	836	OAK DBL 26	858	PINE 6	1	
431	PINE 8	451	PINE 12	512	OAK 36	644	0AK 13	665	PAL 12	686	0AK 50	706	0AK 13	796	OAK 6	817	OAK 10	837	OAK DBL 27	859	PINE 6	1	

HORIZON SURVEYORS
OF CENTRAL FLORIDA, INC. LB 6360
390 POINCIANA DR., MELBOURNE, FL 32935
E-MAIL: INFO@HORIZONSURVEYORS.COM
PHONE : (321) 254-8133

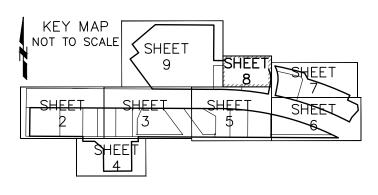
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DATE 10-31-23	DATE
FIELD BOOK 261 & PAGE 20	
FIELD DATE 10-23-23	

REVISION TABLE DESCRIPTION

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SECTIONS 3 AND 10, TOWNSHIP 30 SOUTH, RANGE 37 EAST

BY APVD



SHEET	10	OF	10
SURVEY Palm e E	· - ·	POIN	NTE
DRAWING	, NU	JMBE	R:
6617-	23-	-10	05