

OPINION OF TITLE

To: CITY OF PALM BAY

With the understanding that this Opinion of Title is being issued to the City of Palm Bay, Florida, as inducement for acceptance of a proposed final subdivision plat ("Plat") covering the real property, hereinafter described, it is hereby certified that I have examined North American Title Insurance Company Property Information Report under File No. 2023-04715-FL, covering the period from the beginning through the 3rd day of October, 2023, at the hour of 5:00 p.m. This certification of ownership is being issued to the City of Palm Bay, Florida, in accordance with the Uniform Title Standards of the Real Property and Trust Law Section of the Florida Bar, and Chapter 177.041, Florida Statutes. The legal description for the land subject to the above captioned Plat is more particularly described as follows (the "Real Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

DRP FL 6, LLC, a Delaware limited liability company (the "Company")

Subject to the following encumbrances, liens, and other exceptions:

1. RECORDED MORTGAGES:

None.

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

None.

3. GENERAL EXCEPTIONS:

1. All taxes for the year 2023 and subsequent years, which are not yet due and payable.
2. Rights of persons other than the above owners who are in possession.
3. Facts that would be disclosed upon accurate survey.
4. Any unrecorded labor, mechanics' or materialmen's liens.
5. Zoning and other restrictions imposed by governmental authority.

6. Any claim that any portion of said lands are sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands and lands accreted to such lands.
 7. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the property.
4. **SPECIAL EXCEPTIONS:**
1. Notice of Establishment of the Everlands Community Development District in Official Records Book 8693, Page 2281, as amended in Official Records Book 9271, Page 2431.
 2. Final Judgment in Official Records Book 9257, Page 1663 and Official Records Book 9671, Page 1011.
 3. Lien of Record of the Everlands Community Development District in Official Records Book 9298, Page 220.
 4. True-Up Agreement in Official Records Book 9298, Page 223.
 5. Declaration for Everlands recorded in Official Records Book 9466, Page 1511, but omitting any such covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C. Sec. 3604 or Sec. 3605, unless exempt under Title 42 U.S.C. Such Declaration does establish and provide without limitation for easements, liens, charges, and assessments.
 6. Ordinance No. 85-49 in Official Records Book 2756, Page 10.
 7. Ordinance No. 2003-32 in Official Records Book 5030, Page 541.
 8. Ordinance No. 2004-37 in Official Records Book 5352, Page 1548.
 9. Terms and conditions of Reserved Easements and License Rights Agreement recorded in Official Records Book 5468, Page 6896, as affected by First Amendment recorded in Official Records Book 5507, Page 1769, as corrected by Corrected First Amendment recorded in Official Records Book 5509, Page 439.
 10. Declaration of Easements in Official Records Book 6149, Page 2612, as supplemented in Official Records Book 8915, Page 1507.
 11. Resolution 2021-65 in Official Records Book 9408, Page 2279.
 12. Memorandum of Option Agreement Recorded in OR Book 9521, Page 2902.

13. Plat of Timbers at Everland Phase 1A in Plat Book 73, Page 64.
14. Notice of Environmental Resource Permit in Official Records Book 8583, Page 198.
15. Declaration for the Timbers at Everlands in Official Records Book 9766, Page 425.

All recordings herein refer to the Public Records of Brevard County, Florida.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions.

Therefore, it is my opinion that the following parties must join in the Plat in order to make the plat a valid and binding covenant on the lands described herein:

<u>Name</u>	<u>Interest</u>
DRP FL 6, LLC, a Delaware limited liability company	Owner

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable Plat.

Respectfully submitted this 19th day of October, 2023.



Jonathan S. Marcus

Attorney at Law

Florida Bar No. 333591

Holland & Knight LLP

P.O. Box 14070 (Zip Code 33302-4070)

515 East Las Olas Boulevard, Suite 1200

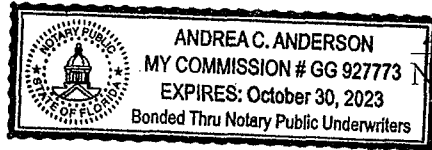
Fort Lauderdale, FL 33301

Telephone: (954) 468-7924

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 19th day of October, 2023, by Jonathan S. Marcus, who is personally known to me.



Anderson

Notary Public

EXHIBIT "A"

DESCRIPTION OF TIMBERS AT EVERLANDS PHASE 3

PART OF TRACT FD1, TIMBERS AT EVERLANDS PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGE 64, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 28, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT FD1, (SAID POINT ALSO BEING THE NORTHEAST CORNER OF PACE DRIVE, AN 80.00 FOOT WIDE PUBLIC RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 6149, PAGE 2602, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA), AND RUN N00°42'46"E, ALONG THE EAST LINE OF SAID TRACT FD1, (SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF MELBOURNE-TILLMAN WATER CONTROL DISTRICT CANAL C-59), A DISTANCE OF 2489.93 FEET TO THE SOUTHEAST CORNER OF TRACT E, TIMBERS AT EVERLANDS PHASE 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK ____, PAGE ____, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID TIMBERS AT EVERLANDS, PHASE 2 THE FOLLOWING SIX (6) COURSES AND DISTANCES; 1) THENCE N90°00'00"W, A DISTANCE OF 248.02 FEET; 2) THENCE S78°31'23"W, A DISTANCE OF 153.06 FEET; 3) THENCE N90°00'00"W, A DISTANCE OF 155.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; 4) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 645.00 FEET, A CENTRAL ANGLE OF 35°00'28", A CHORD BEARING OF S72°29'46"W AND A CHORD LENGTH OF 387.99 FEET), A DISTANCE OF 394.09 FEET TO A POINT OF REVERSE CURVATURE; 5) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST, AND HAVING A RADIUS OF 105.00 FEET, A CENTRAL ANGLE OF 45°07'04", A CHORD BEARING OF S77°33'05"W, AND A CHORD LENGTH OF 80.56 FEET), A DISTANCE OF 82.68 FEET TO THE END OF SAID CURVE; 6) THENCE N79°53'23"W, A DISTANCE OF 273.54 FEET TO THE NORTHEAST CORNER OF TRACT I, TIMBERS AT EVERLANDS PHASE 1C, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK ____, PAGE ____, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE EAST BOUNDARY OF SAID TIMBERS AT EVERLANDS PHASE 1C THE FOLLOWING SIX (6) COURSES AND DISTANCES; 1) THENCE S10°06'37"W, A DISTANCE OF 120.00 FEET; 2) THENCE S11°14'07"E, A DISTANCE OF 53.68 FEET; 3) THENCE S10°06'37"W, A DISTANCE OF 120.00 FEET; 4) THENCE S79°53'23"E, A DISTANCE OF 80.46 FEET; 5) THENCE S02°31'41"E, A DISTANCE OF 375.53 FEET; 6) THENCE S08°50'07"E, A DISTANCE OF 79.33 FEET TO THE SOUTHEAST CORNER OF SAID TIMBERS AT EVERLANDS PHASE 1C; THENCE CONTINUE S08°50'07"E, A DISTANCE OF 83.21 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE EAST

AND HAVING A RADIUS OF 54.00 FEET, A CENTRAL ANGLE OF 17°16'24", A CHORD BEARING OF S03°35'46"E AND A CHORD LENGTH OF 16.22 FEET), A DISTANCE OF 16.28 FEET TO THE END OF SAID CURVE; THENCE S12°13'58"E, A DISTANCE OF 174.78 FEET; THENCE S11°04'56"W, A DISTANCE OF 245.94 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 54.00 FEET, A CENTRAL ANGLE OF 104°57'36", A CHORD BEARING OF S25°06'52"W AND A CHORD LENGTH OF 85.66 FEET), A DISTANCE OF 98.92 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTHWEST; THENCE S36°04'22"W ALONG SAID NON-TANGENT LINE, A DISTANCE OF 126.20 FEET; THENCE S53°55'38"E, A DISTANCE OF 100.00 FEET; THENCE S59°50'15"E, A DISTANCE OF 327.48 FEET; THENCE N27°24'31"E, A DISTANCE OF 120.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 04°09'57", A CHORD BEARING OF S64°40'28"E AND A CHORD LENGTH OF 18.17 FEET), A DISTANCE OF 18.18 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTHWEST; THENCE S00°54'33"W ALONG SAID NON-TANGENT LINE, A DISTANCE OF 167.44 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 105.00 FEET, A CENTRAL ANGLE OF 95°33'30", A CHORD BEARING OF S48°41'17"W AND A CHORD LENGTH OF 155.52 FEET), A DISTANCE OF 175.12 FEET TO THE END OF SAID CURVE; THENCE N83°31'58"W, A DISTANCE OF 169.71 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 04°18'09", A CHORD BEARING OF N81°22'53"W AND A CHORD LENGTH OF 9.76 FEET), A DISTANCE OF 9.76 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTHWEST, (SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 10, BLOCK C, TIMBERS AT EVERLANDS PHASE 1B, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 74, PAGE 20, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE EAST BOUNDARY OF SAID TIMBERS OF EVERLANDS PHASE 1B THE FOLLOWING THREE (3) COURSES AND DISTANCES; 1) THENCE S10°46'12"W, A DISTANCE OF 120.00 FEET; 2) THENCE S00°36'59"W, A DISTANCE OF 50.66 FEET; THENCE S09°03'50"W, A DISTANCE OF 205.72 FEET TO A NON-TANGENT INTERSECTION WITH THE CURVED NORTH RIGHT-OF-WAY LINE OF SAID PACE DRIVE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES AND DISTANCES; 1) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1580.00 FEET, A CENTRAL ANGLE OF 13°54'12", A CHORD BEARING OF S76°27'55"E AND A CHORD LENGTH OF 382.46 FEET), A DISTANCE OF 383.40 FEET TO A POINT OF REVERSE CURVATURE; 2) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1462.49 FEET, A CENTRAL ANGLE OF 20°44'51", A CHORD BEARING OF S79°53'15"E AND A CHORD LENGTH OF 526.69 FEET), A DISTANCE OF 529.58 FEET TO THE END OF SAID CURVE; 3) THENCE N89°44'20"E,

A DISTANCE OF 298.01 FEET TO THE POINT OF BEGINNING. CONTAINING 63.34 ACRES, MORE OR LESS.