

**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 Doma Title Insurance, Inc. Property Information Report under File No. LEN-RIVERWOODPH4, covering the period from the beginning through the 10th day of December, 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 2024 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. Ordinance No. 85-49 in Official Records Book 2756, Page 10.
  2. Ordinance No. 2003-32 in Official Records Book 5030, Page 541.
  3. Ordinance No. 2004-37 in Official Records Book 5352, Page 1548.
  4. Reserved Easements and License Right Agreement by and between Palm Vista Preserve, LLC, a Florida limited liability company and Palm Vista Holdings, LLC, a Florida limited liability company in Official Records Book 5468, Page 6896, as affected by First Amendment in Official Records Book 5507, Page 1769 and Corrected First Amendment in Official Records Book 5509, Page 439.
  5. Resolution 2021-66 in Official Records Book 9362, Page 1684.
  6. Declaration for Everlands in Official Records Book 9466, Page 1511.
  7. Memorandum of Option Agreement by and between DRP FL 6, LLC, a Delaware limited liability company and Lennar Homes, LLC, a Florida limited liability company in Official Records Book 9521, Page 2902.
  8. Non-Exclusive Easement Agreement by and between ASCOT Palm Bay Holdings, LLC, a Florida limited liability company and Palm Vista Preserve, LLC, a Florida limited liability company in Official Records Book 9679, Page 2273.
  9. Ordinance 2022-126 in Official Records Book 9720, Page 776.
  10. Grant of Master Telecommunications Easement in favor of Fision X, LLC, a Delaware limited liability company in Official Records Book 9840, Page 1304.
  11. Notice of Establishment of the Everlands II Community Development District in Official Records Book 9846, Page 2388.
  12. Ordinance 2023-27 in Official Records Book 9899, Page 2701.
  13. City of Palm Bay Water and Wastewater System Agreement by and between DRP FL 6, LLC, a Delaware limited liability company and City of Palm Bay, Florida in Official Records Book 9960, Page 1100.

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 4th day of January, 2024.

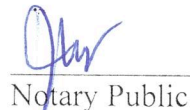


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STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of   X   physical presence or \_\_\_\_\_ online notarization, this 4th day of January, 2024, by Jonathan S. Marcus, who is personally known to me.

  
Notary Public



## EXHIBIT "A"

### RIVERWOOD AT EVERLANDS - PHASE 4

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF EMERSON DRIVE, A 100.00 FOOT WIDE PUBLIC RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 6149, PAGE 2602, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND RUN WESTERLY, ALONG THE ARC OF THE CURVED NORTH RIGHT-OF-WAY LINE OF SAID EMERSON DRIVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1490.00 FEET, A CENTRAL ANGLE OF  $12^{\circ}01'04''$ , A CHORD BEARING OF  $S84^{\circ}06'13''W$  AND A CHORD LENGTH OF 311.95 FEET), A DISTANCE OF 312.53 FEET TO THE END OF SAID CURVE; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE  $S78^{\circ}05'41''W$ , A DISTANCE OF 102.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1550.00 FEET, A CENTRAL ANGLE OF  $3^{\circ}03'55''$ , A CHORD BEARING OF  $S79^{\circ}37'38''W$  AND A CHORD LENGTH OF 82.91 FEET), A DISTANCE OF 82.92 FEET TO THE SOUTHEAST CORNER OF COMMERCIAL PARCELS C-2 THROUGH C-5 AS DESCRIBED IN OFFICIAL RECORDS BOOK 5750, PAGE 7946, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE BOUNDARY OF SAID COMMERCIAL PARCELS C-2 THROUGH C-5, THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE  $N00^{\circ}40'06''E$ , A DISTANCE OF 278.70 FEET; 2) THENCE  $N89^{\circ}19'54''W$ , A DISTANCE OF 300.00 FEET; 3) THENCE  $N00^{\circ}40'06''E$ , A DISTANCE OF 500.00 FEET; 4) THENCE  $N89^{\circ}19'54''W$ , A DISTANCE OF 650.00 FEET TO THE NORTHWEST CORNER OF SAID COMMERCIAL PARCELS C-2 THROUGH C-5, (SAID POINT ALSO BEING A POINT ON THE BOUNDARY OF RIVERWOOD AT EVERLANDS PHASE 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK \_\_, PAGE \_\_, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA); THENCE ALONG THE BOUNDARY OF SAID RIVERWOOD AT EVERLANDS PHASE 3, THE FOLLOWING TEN (10) COURSES AND DISTANCES: 1) THENCE  $N00^{\circ}40'06''E$ , A DISTANCE OF 267.45 FEET; 2) THENCE  $S89^{\circ}19'54''E$ , A DISTANCE OF 62.36 FEET; 3) THENCE  $N00^{\circ}40'06''E$ , A DISTANCE OF 60.00 FEET; 4) THENCE  $N89^{\circ}19'54''W$ , A DISTANCE OF 62.36 FEET; 5) THENCE  $N00^{\circ}40'06''E$ , A DISTANCE OF 41.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 6) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF  $28^{\circ}54'41''$ , A CHORD BEARING OF  $N15^{\circ}07'27''E$ , AND A CHORD LENGTH OF 112.33 FEET), A DISTANCE OF 113.54 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE NORTHWEST; 7) THENCE  $N60^{\circ}25'16''W$ , ALONG SAID NON-TANGENT LINE, A DISTANCE OF 25.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE RIGHT; 8) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING

CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF  $9^{\circ}40'37''$ , A CHORD BEARING OF  $N34^{\circ}25'02''E$ , AND A CHORD LENGTH OF 42.17 FEET), A DISTANCE OF 42.22 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE LEFT; 9) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 470.00 FEET, A CENTRAL ANGLE OF  $35^{\circ}10'19''$ , A CHORD BEARING OF  $S60^{\circ}23'53''E$ , AND A CHORD LENGTH OF 284.01 FEET), A DISTANCE OF 288.52 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE NORTHEAST; 10) THENCE  $N12^{\circ}00'58''E$ , ALONG SAID NON-TANGENT LINE, A DISTANCE OF 290.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE LEFT, (SAID POINT ALSO BEING A POINT ON THE BOUNDARY OF RIVERWOOD AT EVERLANDS PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK \_\_, PAGE \_\_, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA); THENCE ALONG THE BOUNDARY OF SAID RIVERWOOD AT EVERLANDS PHASE 1, THE FOLLOWING THIRTEEN (13) COURSES AND DISTANCES; 1) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 180.00 FEET, A CENTRAL ANGLE OF  $12^{\circ}21'42''$ , A CHORD BEARING OF  $S84^{\circ}09'53''E$ , AND A CHORD LENGTH OF 38.76 FEET), A DISTANCE OF 38.84 FEET TO A POINT OF REVERSE CURVATURE; 2) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 695.00 FEET, A CENTRAL ANGLE OF  $32^{\circ}51'43''$ , A CHORD BEARING OF  $S73^{\circ}54'52''E$ , AND A CHORD LENGTH OF 393.18 FEET), A DISTANCE OF 398.62 FEET TO A POINT OF REVERSE CURVATURE; 3) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 605.00 FEET, A CENTRAL ANGLE OF  $27^{\circ}47'09''$ , A CHORD BEARING OF  $S71^{\circ}22'35''E$ , AND A CHORD LENGTH OF 290.53 FEET), A DISTANCE OF 293.40 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTHWEST; 4) THENCE  $S04^{\circ}43'51''W$ , ALONG SAID NON-TANGENT LINE, A DISTANCE OF 120.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE LEFT; 5) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTH AND HAVING A RADIUS OF 725.00 FEET, A CENTRAL ANGLE OF  $1^{\circ}58'33''$ , A CHORD BEARING OF  $S86^{\circ}15'26''E$ , AND A CHORD LENGTH OF 25.00 FEET), A DISTANCE OF 25.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE RIGHT; 6) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1645.00 FEET, A CENTRAL ANGLE OF  $12^{\circ}16'25''$ , A CHORD BEARING OF  $N09^{\circ}35'05''E$ , AND A CHORD LENGTH OF 351.71 FEET), A DISTANCE OF 352.38 FEET TO A POINT OF REVERSE CURVATURE; 7) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE WEST AND HAVING A RADIUS OF 180.00 FEET, A CENTRAL ANGLE OF  $25^{\circ}35'08''$ , A CHORD BEARING OF  $N02^{\circ}55'43''E$ , AND A CHORD LENGTH OF 79.71 FEET), A DISTANCE OF 80.38 FEET TO A POINT OF REVERSE CURVATURE; 8) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE EAST AND HAVING A RADIUS OF 1235.00 FEET, A CENTRAL ANGLE OF  $8^{\circ}39'12''$ , A CHORD BEARING OF  $N05^{\circ}32'15''W$ , AND A CHORD LENGTH OF 186.34 FEET), A DISTANCE OF 186.52 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE NORTHEAST; 9) THENCE  $N89^{\circ}56'57''E$ , ALONG SAID NON-TANGENT LINE, A



DISTANCE OF 95.84 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 10) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF  $87^{\circ}29'10''$ , A CHORD BEARING OF  $S46^{\circ}18'28''E$ , AND A CHORD LENGTH OF 34.57 FEET), A DISTANCE OF 38.17 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE NORTHEAST; 11) THENCE  $N87^{\circ}26'07''E$ , ALONG SAID NON-TANGENT LINE, A DISTANCE OF 50.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE RIGHT; 12) THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE EAST AND HAVING A RADIUS OF 1065.00 FEET, A CENTRAL ANGLE OF  $2^{\circ}17'21''$ , A CHORD BEARING OF  $N01^{\circ}25'12''W$ , AND A CHORD LENGTH OF 42.55 FEET), A DISTANCE OF 42.55 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE NORTHEAST; 13) THENCE  $N89^{\circ}43'29''E$ , ALONG SAID NON-TANGENT LINE, A DISTANCE OF 246.67 FEET TO THE EAST LINE OF THE WEST ONE-HALF OF SAID SECTION 21; THENCE  $S00^{\circ}45'06''W$ , ALONG SAID EAST LINE, A DISTANCE OF 646.93 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 21; THENCE  $S89^{\circ}46'26''W$ , ALONG THE NORTH LINE OF SAID SOUTHWEST ONE QUARTER A DISTANCE OF 55.01 FEET TO THE WEST RIGHT-OF-WAY LINE OF MELBOURNE-TILLMAN WATER CONTROL DISTRICT CANAL C-59; THENCE  $S00^{\circ}45'06''W$ , ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1049.35 FEET TO THE POINT OF BEGINNING. CONTAINING 33.87 ACRES, MORE OR LESS.