



LEE NELSON
PARTNER
Shutts & Bowen LLP
4301 W. Boy Scout Boulevard
Suite 300
Tampa, Florida 33607
DIRECT (813) 227-8160
FAX (813) 227-8204
EMAIL lnelson@shutts.com

OPINION OF TITLE

(Chaparral P.U.D. Phase Four A)

This opinion is provided to:

City of Palm Bay

BREVARD COUNTY E9-1-1 Administration
2725 Judge Fran Jamieson Way
Building C201
Viera, Florida 32940-6022

With the understanding that this Opinion of Title is furnished to the City of Palm Bay, Brevard County, State of Florida, in accordance with Chapter 177.041, Florida Statutes and in connection with its acceptance of a final plat ("**Plat**") for "Chaparral P.U.D. Phase Four A" covering the real property hereinafter described, it is hereby certified that we have examined the Property Information Report for the Filing of Subdivision Plat in Brevard County, Florida issued by First American Title Insurance Company, File Number: 7222-6403861 ("**Title Evidence**") which covers all public records on file in Brevard County through May 16, 2024 at 8:00 a.m., of the following described real property ("Property"):

See Exhibit "A" attached hereto and made a part hereof.

Based solely on the foregoing Title Evidence and assuming the accuracy of the information contained therein, we are of the opinion that on the last mentioned date, the fee simple title to the Property was vested in:

Chaparral Properties, LLC, a Florida limited liability company

Subject to the following liens, encumbrances, and other exceptions as shown on the Title Evidence:

EXCEPTIONS AS TO PROPERTY

1. Access Easement Agreement between Lennar Homes, Inc., a Florida corporation, and PKG Enterprises, Inc., a Florida corporation, and Harold C. Platt and Yvonne Cheri Platt, husband and wife, recorded November 10, 2005 in Official Records Book 5563, Page 2293, Public Records of Brevard County, Florida.

2. Temporary Access Easement Agreement recorded June 1, 2022 in Official Records Book 9521, Page 1910, Public Records of Brevard County, Florida.

3. Temporary Drainage Easement Agreement recorded June 1, 2022 in Official Records Book 9521, Page 1916, Public Records of Brevard County, Florida.

4. Notice of Establishment of the Chaparral of Palm Bay Community Development District recorded February 19, 2019 in Official Records Book 8371, Page 1334, Public Records of Brevard County, Florida.

5. City of Palm Bay Water and Wastewater System Agreement by and between Chaparral Properties, LLC and the City of Palm Bay, Florida recorded July 12, 2019 in Official Records Book 8486, Page 747, Public Records of Brevard County, Florida.

6. Declaration of Consent to Jurisdiction of the Chaparral of Palm Bay Community Development District, Imposition of Special Assessments, and Imposition of Lien of Records recorded March 19, 2020 in Official Records Book 8696, Page 960, Public Records of Brevard County, Florida.

7. Agreement to Convey or Dedicate by and between Chaparral Properties, LLC and Chaparral of Palm Bay Community Development District recorded March 19, 2020 in Official Records Book 8696, Page 968, Public Records of Brevard County, Florida.

8. Collateral Assignment and Assumption of Development Rights Relating to the Assessment Area One Project by Chaparral Properties, LLC, a Florida limited liability company, in favor of Chaparral of Palm Bay Community Development District recorded March 19, 2020 in Official Records Book 8696, Page 977, Public Records of Brevard County, Florida.

9. True-Up Agreement by and among Chaparral of Palm Bay Community Development District; Chaparral Properties, LLC, a Florida limited liability company and DPF Management & Consulting, LLC, a Florida limited liability company recorded March 19, 2020 in Official Records Book 8696, Page 989, Public Records of Brevard County, Florida.

10. Resolution No. 2020-53 recorded October 27, 2020 in Official Records Book 8899, Page 764, Public Records of Brevard County, Florida.

11. Declaration of Covenants, Conditions, Restrictions and Easements for Chaparral Homeowners Association, Inc. recorded July 22, 2020 in Official Records Book 8802, Page 2339, First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Chaparral Homeowners Association, Inc., recorded December 2, 2020 in Official Records Book 8937, Page 2614, Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Chaparral Homeowners Association, Inc. recorded May 13, 2021 in Official Records Book 9121, Page 2772, Corrective Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Chaparral Homeowners Association, Inc. recorded April 14, 2022 in Official Records Book 9475, Page 2202, First Supplemental Declaration to Declaration of Covenants, Conditions, Restrictions and Easements for Chaparral Homeowners Association, Inc. recorded April 14, 2022 in Official Records Book 9475, Page 2218, Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Chaparral Homeowners Association, Inc. recorded May 13, 2022 in Official Records Book 9504, Page 2870, Public Records of Brevard County, Florida.

12. City of Palm Bay Water and Wastewater System Agreement recorded July 26, 2021 in Official Records Book 9201, Page 2353, Public Records of Brevard County, Florida.

13. Recorded Notice of Environmental Resource Permit recorded May 9, 2022 in Official Records Book 9500, Page 248, Public Records of Brevard County, Florida.

14. Ordinance No. 2022-2347 recorded December 16, 2022 in Official Records Book 9679, Page 2347, Public Records of Brevard County, Florida.

15. Ordinance 2023-92 recorded on October 13, 2023, in Book 9908, Page 2630, Public Records of Brevard County, Florida.

SPECIAL EXCEPTIONS

1. RECORDED MORTGAGES:

None

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

1. Consensual Lien for Deposit by and between Chaparral Properties, LLC, a Florida limited liability company, and Lennar Homes, LLC, a Florida limited liability company, recorded February 20, 2020 in Official Records Book 8670, Page 1595, Public Records of Brevard County, Florida.
2. Lien of Record, Disclosure of Public Financing, and Maintenance of Improvements of the Chaparral of Palm Bay Community Development District (Series 2020A-1 Bonds) recorded March 19, 2020 in Official Records Book 8696, Page 1003, Public Records of Brevard County, Florida.
3. Lien of Record, Disclosure of Public Financing, and Maintenance of Improvements of the Chaparral of Palm Bay Community Development District (Series 2020A-2 Bonds) recorded March 19, 2020 in Official Records Book 8696, Page 1011, Public Records of Brevard County, Florida.

4. NOTICES OF COMMENCEMENT:

None shown

I, the undersigned, further clarify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar. This Opinion of Title letter replaces in its entirety that certain Opinion of Title dated June 4, 2024.

Respectfully submitted this 19th day of June, 2024 on behalf of the Firm and Chaparral Properties, LLC.

By: 

Lee E. Nelson, Esq.
Shutts & Bowen LLP
4301 West Boy Scott Boulevard
Suite 300
Tampa, FL 33607
813-229-8900

EXHIBIT "A"

LEGAL DESCRIPTION ON THE TITLE EVIDENCE

DESCRIPTION: CHAPARRAL P.U.D. PHASE FOUR A

LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5827, PAGE 3621, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID LANDS LYING IN SECTIONS 4 AND 9, TOWNSHIP 29 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID CHAPARRAL P.U.D. PHASE THREE B, ACCORDING TO THE PLAT THERE OF, AS RECORDED IN PLAT BOOK 72, PAGE 48, OF THE SAID PUBLIC RECORDS OF BREVARD COUNTY; THENCE RUN SOUTH 00°01'17" WEST, ALONG THE WEST RIGHT OF WAY LINE OF THE MELBOURNE TILLMAN DRAINAGE DISTRICT CANAL NO. 9, A DISTANCE OF 2197.11 FEET; THENCE NORTH 89°48'27" EAST, A DISTANCE OF 13.00 FEET; THENCE SOUTH 00°00'22" WEST, A DISTANCE OF 672.92 FEET; THENCE SOUTH 89°48'07" WEST, A DISTANCE OF 1268.02 FEET; THENCE NORTH 00°00'20" EAST, A DISTANCE OF 673.04 FEET TO THE SOUTH LINE OF SECTION 4, TOWNSHIP 29 SOUTH, RANGE 36 EAST; THENCE SOUTH 89°48'27" WEST, A DISTANCE OF 1255.03 FEET; THENCE NORTH 00°00'21" EAST ALONG THE EAST RIGHT OF WAY LINE OF MELBOURNE TILLMAN DRAINAGE DISTRICT CANAL NO. 8, A DISTANCE OF 2692.41 FEET; THENCE NORTH 89°47'06" EAST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4, A DISTANCE OF 5.81 FEET; THENCE SOUTH 00°01'55" EAST ALONG THE WEST LINE OF MALABAR LAKES WEST SUBDIVISION PHASE 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 51, PAGE 37, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A DISTANCE 0.65 FEET; THENCE NORTH 89°45'53" EAST, ALONG THE SOUTH LINE OF SAID MALABAR LAKES WEST PHASE 2, A DISTANCE OF 1249.59 FEET; THENCE SOUTH 00°00'49" WEST, A DISTANCE OF 494.43 FEET; THENCE NORTH 89°47'06" EAST, A DISTANCE OF 855.63 FEET; THENCE SOUTH 89°58'43" EAST, A DISTANCE OF 399.69 FEET TO THE POINT OF BEGINNING.