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

FATIC File No.: 110071035

A search of the Public Records of BREVARD County, Florida, through July 29, 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 WEST (not yet recorded), said legal description attached hereto as Exhibit "A", and made a part hereof:

A. The last deed of record was dated July 21, 2023 and recorded July 21, 2023 in Official Records [Book 9843, Page 2297](#) and dated July 21, 2023 and recorded July 21, 2023 in Official Records [Book 9843, Page 2324](#), 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 WEST .

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

1. Mortgage and Security Agreement executed by Kimaya, LLC, a Delaware limited liability company, in favor of Waterstone Holdings, LLC, a Florida limited liability company recorded July 21, 2023 in Official Records [Book 9843, Page 2302](#), 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 [Book 93, Page 634](#) as affected by Supplement to Right-Of-Way Agreement recorded May 18, 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 April 18, 2016 in [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 [Book 93, Page 642](#), Public Records of Brevard County, Florida.

3. Plat of WATERSTONE PLAT ONE P.U.D., as recorded May 16, 2005 in Plat [Book 55, Page\(s\) 37 through 57](#), inclusive, Public Records of Brevard County, Florida.

4. Easement granted to BellSouth Telecommunications, Inc., a Georgia corporation recorded August 15, 2006 in [Book 5685, Page 4945](#), Public Records of Brevard County, Florida.

5. Easement granted to BellSouth Telecommunications, Inc., a Georgia corporation recorded August 25, 2006 in [Book 5689, Page 4110](#), Public Records of Brevard County, Florida.

6. Drainage Easement by and between DiVosta Homes, L.P., a Delaware limited partnership and Waterstone Homeowners Association of Palm Bay, Inc., a Florida not for profit corporation and The City of Palm Bay recorded October 12, 2006 in [Book 5708, Page 7632](#), Public Records of Brevard County, Florida.

7. Drainage Easement by and between DiVosta Homes, L.P., a Delaware limited partnership and Waterstone Holdings, LLC, a Florida limited liability company recorded July 19, 2007 in [Book 5797, Page 2718](#), Public Records of Brevard County, Florida.

8. Terms and conditions for Sanitary Sewer Easement Agreement by and between Waterstone Holdings, LLC, a Florida limited liability company and Waterstone Farms, LLC, a Florida limited liability company and PB&J Investment of Brevard, LLC, a Florida limited liability company recorded August 18, 2020 in [Book 8827, Page 2599](#) as affected by Amendment to Sanitary Sewer Easement Agreement recorded May 3, 2021 in [Book 9108, Page 987](#), Public Records of Brevard County, Florida.

9. Storm Water Drainage Easement by and between PB&J Investment of Brevard, LLC, a Florida limited liability company; and Waterstone Holdings, LLC, a Florida limited liability company and Waterstone Farms, LLC, a Florida limited liability company recorded August 18, 2020 in [Book 8827, Page 2613](#), Public Records of Brevard County, Florida.

10. Easement Agreement by and between Waterstone Holdings, LLC, a Florida limited liability company and Waterstone Farms, LLC, a Florida limited liability company and Forestar (USA) Real Estate Group Inc., a Delaware corporation recorded June 15, 2021 in [Book 9156, Page 2642](#), Public Records of Brevard County, Florida.

F. Other information regarding said property includes:

1. Ordinance No. 2004-35 for annexation to the City of Palm Bay recorded August 24, 2004 in [Book 5352, Page 1538](#) re-recorded September 21, 2004 in [Book 5362, Page 6238](#), Public Records of Brevard County, Florida.

2. 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](#), Public Records of Brevard County, Florida.

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

4. Shared Facilities Declaration by and between Waterstone Homeowners Association of Palm Bay, Inc., a not-for-profit Florida corporation, its successors and assigns and Waterstone Farms, LLC, a Florida limited liability company recorded December 31, 2008 in [Book 5905, Page 2240](#) as affected by Assignment of Shared Facilities Declaration by Waterstone Farms, LLC, a Florida limited liability company to Mara Loma Boulevard Association, Inc., a Florida not for profit corporation recorded February 16, 2010 in [Book 6113, Page 2321](#), Public Records of Brevard County, Florida.

5. Assignment and Assumption of Development Rights between DiVosta Homes, L.P. and Waterstone Farms, LLC recorded December 31, 2008 in [Book 5905, Page 2251](#), Public Records of Brevard County, Florida.

6. 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 Parkway Intersection and Babcock Street recorded April 30, 2020 in [Book 8730, Page 998](#) and Resolution 2020-38 for acceptance of conveyance to the City of Palm Beach for purpose of improvements to the rights-of-way recorded January 27, 2021 in [Book 8993, Page 1830](#), Public Records of Brevard County, Florida.

7. Declaration of Restrictive Covenants recorded July 24, 2023 in [Book 9843, Page 2468](#), Public Records of Brevard County, Florida.

G. 2022 Ad valorem taxes on said property are paid for Tax Parcel I. D. Number 3010940, 9010920, 3011111, 3011110, 3000215, 3027881, 3027842, 3000216.

**PROPERTY INFORMATION REPORT FOR THE FILING  
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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 City of Palm Bay, Florida 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"

### PARCEL 1 (WEST)

A PORTION OF LAND LYING IN SECTIONS 3 AND 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING A PORTION OF TRACT "OS2", WATERSTONE PLAT ONE P.U.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT [BOOK 55, PAGES 37-57](#), OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE RUN N 01° 11' 38" W ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 4 FOR A DISTANCE OF 7.45 FEET; THENCE RUN N 89° 52' 38" E FOR A DISTANCE OF 89.17 FEET TO A POINT 40.00 FEET WEST, AS MEASURED BY PERPENDICULAR, OF THE WEST RIGHT OF WAY LINE OF BABCOCK STREET (A 100' FOOT WIDE RIGHT OF WAY); THENCE RUN N 00° 45' 16" E PARALLEL WITH SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 491.93 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN N 89° 42' 39" W FOR A DISTANCE OF 1141.14 FEET; THENCE RUN N 00° 01' 02" E FOR A DISTANCE OF 1252.63 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 680.00 FEET, AND WHOSE CHORD BEARS N 84° 22' 36" E FOR A DISTANCE OF 151.07 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12° 45' 20", FOR A DISTANCE OF 151.39 FEET TO A POINT OF TANGENCY; THENCE RUN S 89° 14' 44" E FOR A DISTANCE OF 167.08 FEET; THENCE RUN N 00° 45' 16" E FOR A DISTANCE OF 428.37 FEET; THENCE RUN N 37° 33' 19" E FOR A DISTANCE OF 394.53 FEET; THENCE RUN S 89° 42' 39" E FOR A DISTANCE OF 29.22 FEET; THENCE RUN N 27° 00' 20" E FOR A DISTANCE OF 447.16 FEET; THENCE RUN N 36° 36' 51" W FOR A DISTANCE OF 983.82 FEET TO THE SOUTH RIGHT OF WAY LINE OF MARA LOMA BOULEVARD (A 100 FOOT WIDE RIGHT OF WAY PER PLAT OF SAID WATERSTONE PLAT ONE P.U.D) ALSO BEING A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 625.00 FEET, AND WHOSE CHORD BEARS S 77° 49' 42" E FOR A DISTANCE OF 233.04 FEET; THENCE RUN THE FOLLOWING (5) COURSES, CURVES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE; (1) RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 21° 29' 21", FOR A DISTANCE OF 234.41 FEET TO A POINT OF TANGENCY; (2) RUN S 67° 05' 07" E A DISTANCE OF 180.56 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 650.00 FEET, AND WHOSE CHORD BEARS S 82° 28' 58" E FOR A DISTANCE OF 345.17 FEET; (3) RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30° 47' 41", FOR A DISTANCE OF 349.36 FEET TO A POINT OF TANGENCY; (4) RUN N 82° 07' 12" E FOR A DISTANCE OF 75.01 FEET; (5) RUN S 52° 52' 48" E FOR A DISTANCE OF 35.36 FEET TO THE WEST RIGHT OF WAY LINE OF AFOREMENTIONED BABCOCK STREET; THENCE RUN THE FOLLOWING (3) COURSES, CURVES AND DISTANCES ALONG SAID WEST RIGHT OF WAY LINE; (1) RUN S 07° 52' 48" E FOR A DISTANCE OF 753.13 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 5264.29 FEET, AND WHOSE CHORD BEARS S 03° 33' 46" E FOR A DISTANCE OF 792.58 FEET; (2) RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08° 38' 04", FOR A DISTANCE OF 793.33 FEET TO A POINT OF TANGENCY; (3) RUN S 00° 45' 16" W A DISTANCE OF 27.94 FEET; THENCE RUN N 89° 14' 44" W FOR A DISTANCE OF 40.00 FEET TO A POINT BEING 40.00 FEET WEST, AS MEASURED BY PERPENDICULAR, OF THE WEST RIGHT OF WAY LINE OF SAID BABCOCK STREET; THENCE RUN S 00° 45' 16" W PARALLEL WITH SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1460.04 FEET TO THE POINT OF BEGINNING.

AND:

### PARCEL 2 (WEST)

A PORTION OF LAND LYING IN SECTIONS 3 AND 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING A PORTION OF TRACT "OS2", WATERSTONE PLAT ONE P.U.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT [BOOK 55, PAGES 37-57](#), OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE RUN N 01° 11' 38" W ALONG

THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 4 FOR A DISTANCE OF 7.45 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN N 89° 52' 38" E FOR A DISTANCE OF 89.17 FEET TO A POINT 40.00 FEET WEST, AS MEASURED BY PERPENDICULAR, OF THE WEST RIGHT OF WAY LINE OF BABCOCK STREET (A 100' FOOT WIDE RIGHT OF WAY); THENCE RUN N 00° 45' 16" E PARALLEL WITH SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 291.92 FEET; THENCE RUN N 89° 42' 39" W FOR A DISTANCE OF 1174.30 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 1000.00 FEET AND WHOSE CHORD BEARS S 78° 39' 00" W FOR A DISTANCE OF 403.49 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23° 16' 41", FOR A DISTANCE OF 406.28 FEET TO A POINT OF TANGENCY; THENCE RUN S 67° 00' 40" W FOR A DISTANCE OF 328.03 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 1200.00 FEET AND WHOSE CHORD BEARS S 78° 26' 39" W FOR A DISTANCE OF 475.74 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22° 51' 58", FOR A DISTANCE OF 478.91 FEET TO A POINT ON THE SOUTH LINE OF PARCEL B, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3480, PAGE 685 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID POINT ALSO BEING A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN N 89° 52' 38" E ALONG THE SOUTH LINE OF SAID PARCEL B FOR A DISTANCE OF 2244.96 FEET TO THE POINT OF BEGINNING.

AND:

PARCEL 3 (WEST)

ALL OF TRACTS S.M.T. - 2 (STORMWATER MANAGEMENT TRACT) AND "OS1", WATERSTONE PLAT ONE P.U.D., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT [BOOK 55, PAGES 37 THROUGH 57](#) OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA