

Prepared by: Charles B. Genoni  
Flordevco Corp.  
4760 N. US1 #201  
Melbourne FL 32935

**BINDING  
DEVELOPMENT PLAN**

THIS AGREEMENT, entered into this 14 day of June, 2022 between the BOARD OF COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Heather Calligan Trust, (hereinafter referred to as Owner").

**RECITALS**

WHEREAS Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested the RU 1-7 zoning classification and desires to develop the Property as a Single-Family Subdivision, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impacts on abutting landowners and affected facilities or services; and

WHEREAS the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the

maintenance of any improvements.

3. Developer/Owner shall limit gross density on the property to a maximum of 198 units. Minimum unit size shall be eighteen hundred (1,800) square feet or larger. The minimum lot size for the project shall be six thousand square feet (6,000) square feet. Any increase in site density will require an amendment to this agreement and will require public hearings and notice as provided in the Code of Ordinances of Brevard County, Florida.
4. The Developer/Owner shall construct a berm with an average height of four (4) feet (varies from three (3) feet to five (5) feet high) along the length of the Property that fronts on Turpentine Road. The berm will be located in the buffer area contiguous to Turpentine Road. This area will also include a six (6) foot high wood fence or opaque vegetative landscaped buffer. The berm shall be irrigated and maintained by the Developer/Owner and/or its assigns. The berm will be constructed along with the initial phase of construction.
5. The Developer/Owner shall provide a 300-foot-wide buffer along the east approximately sixteen hundred (1,600) feet of the South Property line, which shall be placed in a conservation easement. The conservation easement may be used for mitigation of wetlands with the St. Johns River Water Management District (SRJWMD). In that case the easement will be in favor of the SJRWMD only. The remaining (western) portion of the South Property line shall keep a minimum 30' natural vegetative buffer between the property boundary line and the rear property line of the lot(s). The homes abutting Wherry Rd. will be required to build a 6' wood or vinyl fence at the back of the lot. This requirement shall be enforced and maintained by the Property's Homeowners Association documents.
6. The Developer/Owner shall provide a twenty-five (25) foot wide buffer along the south Property line of Bar "C" Ranchettes (as recorded in plat book 24, page 58 of the public records of Brevard County, Florida) where it is contiguous to the Property and along the contiguous property line of the Property with the two (2) parcels as recorded in Official Record Book 298, page 409 and

Official Record Book 2314 page 2137 of the public records of Brevard County, Florida. The Developer/Owner shall install a six (6) foot high opaque wooden fence along this contiguous property line and along the southeast three hundred and fifty (350) feet of Bar "C" Ranchettes east of boundary line which is contiguous to the Property. In addition to the wood fence, a six (6) foot high landscaped buffer will be provided along Bar-C Ranchettes south property line where it is contiguous to the Property. A buffer area for the undisturbed area will be provided no less than fifty (50) feet extending south from the north three hundred (300) feet of Bar "C" Ranchettes east property line which is contiguous to the Property. The area between the north three hundred (300) feet and the south three hundred and fifty (350) feet on east property line shall be a minimum of a fifty (50) foot buffer. Property abutting S.R. 46 will provide an opaque vegetative buffer no less than fifty (50) feet east of the one hundred and fifty (150) buffer and extend from the south side of S.R. 46 which is contiguous to the property. Existing vegetations shall remain intact in the buffer area unless invasives are required to be removed. The Developer/Owner shall provide replacement vegetation in this area if the existing non-invasive vegetation is destroyed.

7. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This agreement provides no vested rights against changes to the Comprehensive Plan or land development regulations as they may apply to this Property.
8. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Courts the cost of recording this Agreement in the Public Records of Brevard County, Florida.
9. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property and be subject to the above referenced conditions as approved by the

Board of County Commissioners on



\_\_\_\_\_, 20\_\_\_. In the event the subject Property is annexed into a municipality and rezoned, this agreement shall be null and void.

10. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1-7 and 62-5, Code of Ordinances of Brevard County, Florida, as may be amended.

11. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and must be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any mandatory condition is a violation of this Agreement, constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 10 above.

12. This BDP shall replace the 1999 and 2005 BDPs recorded on 12-10-99 at OR Book 4100 Page 3354 and 5-25-2005 at OR Book 5472 Page 3172.

13. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall continue in full force and effect without being impaired or invalidated in any way.



IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the  
date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
2725 Judge Fran Jamison Way  
Viera, FL 32940

Rachel M. Sadoff, Clerk  
(SEAL)

Kristine Zonka Chair  
As approved by the Board on \_\_\_\_\_

(Please note: you must have two witnesses and a notary for each signature required, the notary may serve  
as one witness.)

WITNESSES:

OWNER

Heather Calligan Trust

Heather Calligan, Trust.  
3942 Rambling Acres Dr Titusville FL 32796

Winifred M. Brewer  
Winifred M. Brewer  
(Witness Name typed or printed)

Stephen M. Brewer  
Stephen M. Brewer  
(Witness Name typed or printed)

STATE OF Florida  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2022  
by Heather Calligan, as Trustee of Heather Calligan Trust  
who is personally known or produced \_\_\_\_\_ as identification

My commission expires \_\_\_\_\_  
Commission no. \_\_\_\_\_  
SEAL

Winifred M. Brewer  
Notary Public  
(Name typed, printed, or stamped)



**Exhibit "A"**

PARCEL 1:

(PARCEL B)

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 13, THENCE N.89°27'18"E., ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (A 66.00 FOOT WIDE RIGHT OF WAY); THENCE ON A BEARING OF NORTH ALONG SAID EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (SAID RIGHT OF WAY LINE LYING PARALLEL WITH AND 33.00 FEET EAST OF THE WEST LINE OF SAID SECTION 13), 394.50 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF HAMMOCK TRAIL (A 100 FOOT WIDE RIGHT OF WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1212, PAGE 917 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE CONTINUE ON A BEARING OF NORTH, ALONG THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF TURPENTINE ROAD, 834.74 FEET TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 298, PAGE 409 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N.89°20'20"E., ALONG THE SOUTH LINE OF SAID PARCEL, 133.00 FEET TO THE SOUTHEAST CORNER THEREOF AND SAID POINT BEING THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2314, PAGE 2137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE BOUNDARIES OF SAID PARCEL OF LAND, THE FOLLOWING TWO COURSES AND DISTANCES; THENCE N.58°49'19"E., 69.61 FEET; THENCE ON A BEARING OF NORTH, 62.65 FEET TO A POINT LYING ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 13 AND THE SOUTH LINE OF BAR-"C" RANCHETTES AS RECORDED IN PLAT BOOK 24, PAGE 58 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N.89°20'20"E., ALONG SAID LINE, 436.80 FEET TO THE SOUTHEAST CORNER OF SAID PLAT OF BAR-"C" RANCHETTES AND THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 13 AND SAID POINT BEING THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE N.00°03'56"W., ALONG THE EAST LINE OF SAID PLAT OF BAR-"C" RANCHETTES AND ALONG SAID EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, A DISTANCE OF 1285.83 FEET TO A POINT LYING ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD N0.46; THENCE N.89°10'34"E., ALONG SAID RIGHT OF WAY LINE, 615.30 FEET; THENCE S.08°33'12"W., 403.88 FEET; THENCE N.81°26'48"W., 60.10 FEET; THENCE S.08°33'12"W., 115.85 FEET; THENCE S.40°01'27"W., 302.44 FEET; THENCE S.14°14'48"E., 186.22 FEET; THENCE S.35°28'00"E., 139.61 FEET; THENCE S.44°13'35" W., 139.33 FEET; THENCE S.45°4'6'25"E., 47.84 FEET; THENCE S.15°04'59"E., 112.69 FEET TO A POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF THE AFORESAID HAMMOCK TRAIL AND THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 675.82 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.15°04'59"W.; THENCE WESTERLY, ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°05'18", 60.02 FEET TO A POINT LYING ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE S.89°20'20"W., ALONG SAID LINE, 318.63 FEET TO THE POINT OF BEGINNING. CONTAINING 12.87 ACRES MORE OR LESS.



(PARCEL C)

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 13, THENCE N.89°27'18"E., ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (A 66.00 FOOT WIDE RIGHT OF WAY); THENCE ON A BEARING OF NORTH ALONG SAID EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (SAID RIGHT OF WAY LINE LYING PARALLEL WITH AND 33.00 FEET EAST OF THE WEST LINE OF SAID SECTION 13), 394.50 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF HAMMOCK TRAIL (A 100 FOOT WIDE RIGHT OF WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1212, PAGE 917 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SAID POINT BEING THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUE ON A BEARING OF NORTH, ALONG THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF TURPENTINE ROAD, 834.74 FEET TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 298, PAGE 409 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N.89°20'20"E., ALONG THE SOUTH LINE OF SAID PARCEL, 133.00 FEET TO THE SOUTHEAST CORNER THEREOF AND SAID POINT BEING THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2314, PAGE 2137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE BOUNDARIES OF SAID PARCEL OF LAND, THE FOLLOWING TWO COURSES AND DISTANCES; THENCE N.58°49'19"E., 69.61 FEET; THENCE ON A BEARING OF NORTH, 62.65 FEET TO A POINT LYING ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 13 AND THE SOUTH LINE OF BAR-"C" RANCHETTES AS RECORDED IN PLAT BOOK 24, PAGE 58 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N.89°20'20"E., ALONG SAID LINE, 755.43 FEET TO A POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF THE AFORESAID HAMMOCK TRAIL AND THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 675.82 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.20°10'17"W.; THENCE ALONG SAID RIGHT OF WAY LINE OF HAMMOCK TRAIL, THE FOLLOWING THREE COURSES AND DISTANCES; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°50'03", 410.88 FEET TO THE POINT OF TANGENCY; THENCE S.34°59'40"W., 650.21 FEET; THENCE S.57°09'30"W., 302.84 FEET TO THE POINT OF BEGINNING. CONTAINING 9.61 ACRES MORE OR LESS.

(PARCEL D)

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 13, THENCE N.89°27'18"E., ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (A 66.00 FOOT WIDE RIGHT OF WAY); THENCE ON A BEARING OF NORTH ALONG SAID EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (SAID RIGHT OF WAY LINE LYING PARALLEL WITH AND 33.00 FEET EAST OF THE WEST LINE OF SAID SECTION 13), 275.48 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF HAMMOCK TRAIL (A 100 FOOT WIDE RIGHT OF WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1212, PAGE 917 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE RIGHT OF WAY LINE OF SAID HAMMOCK TRAIL, THE FOLLOWING SIX COURSES AND DISTANCES: THENCE N.57°09'30"E.; 386.98 FEET; THENCE N.34°59'40"E., 669.79 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 575.82

FEET: THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $79^{\circ}26'50''$ , 798.44 FEET TO THE POINT OF TANGENCY; THENCE  $S.65^{\circ}33'30''E.$ , 84.87 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUE  $S.65.33'30''E.$ ; 556.13 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 644.65 FEET: THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $29^{\circ}5'11''$ , 329.13 FEET; THENCE  $S.00^{\circ}4'18''E.$ , 200.33 FEET TO A POINT LYING ON THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 844.56 FEET AND TO WHICH POINT A RADIAL LINE BEARS  $N.03^{\circ}43'25''W.$ ; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $20^{\circ}42'52''$ . 305.34 FEET TO A POINT LYING ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE AFOREMENTIONED SECTION 13; THENCE  $S.00^{\circ}14'18''E.$ , 756.51 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE  $S.89^{\circ}28'50''W.$ , ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 1327.78 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE  $S.89^{\circ}27'18''W.$ , ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 85.85 FEET; THENCE  $N.00^{\circ}31'10''W.$ , 949.80 FEET; THENCE  $N.53^{\circ}47'52''E.$ , 263.61 FEET; THENCE  $N.24^{\circ}26'30''E.$ , 24.02 FEET: THENCE  $N.53^{\circ}47'58''E.$ , 91.57 FEET TO THE POINT OF BEGINNING. CONTAINING 30.95 ACRES MORE OR LESS.

(PARCEL E)

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 13, THENCE  $N.89^{\circ}27'18''E.$ , ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (A 66.00 FOOT WIDE RIGHT OF WAY) AND SAID POINT BEING THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE ON A BEARING OF NORTH ALONG SAID EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (SAID RIGHT OF WAY LINE LYING PARALLEL WITH AND 33.00 FEET EAST OF THE WEST LINE OF SAID SECTION 13), 275.48 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF HAMMOCK TRAIL (A 100 FOOT WIDE RIGHT OF WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1212, PAGE 917 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE RIGHT OF WAY LINE OF SAID HAMMOCK TRAIL, THE FOLLOWING FOUR COURSES AND DISTANCES: THENCE  $N.57^{\circ}09'30''E.$ , 386.98 FEET; THENCE  $N.34^{\circ}59'40''E.$ , 669.79 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 575.82 FEET; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $79^{\circ}26'50''$ , 798.44 FEET TO THE POINT OF TANGENCY; THENCE  $S.55^{\circ}33'30''E.$ , 84.87 FEET: THENCE  $S.5^{\circ}47'58''W.$ , 91.57 FEET: THENCE  $S.24^{\circ}26'30''W.$ , 24.02 FEET: THENCE  $S.53^{\circ}47'52''W.$ , 263.61 FEET: THENCE  $S.00^{\circ}31'10''E.$ , 949.80 FEET TO A POINT LYING ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE AFOREMENTIONED SECTION 13; THENCE  $S.89^{\circ}27'18''W.$ , ALONG SAID LINE, 1208.61 FEET TO THE POINT OF BEGINNING. CONTAINING 24.28 ACRES MORE OR LESS.

(PARCEL F)

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 13, THENCE  $N.89^{\circ}27'18''E.$ , ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (A 66.00 FOOT WIDE RIGHT OF WAY): THENCE ON A



BEARING OF NORTH ALONG SAID EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (SAID RIGHT OF WAY LINE LYING PARALLEL WITH AND 33.00 FEET EAST OF THE WEST LINE OF SAID SECTION 13), 275.48 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF HAMMOCK TRAIL (A 100 FOOT WIDE RIGHT OF WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1212, PAGE 917 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE RIGHT OF WAY LINE OF SAID HAMMOCK TRAIL, THE FOLLOWING SIX COURSES AND DISTANCES: THENCE N.57°09'30"E., 386.98 FEET; THENCE N.34°59'40"E., 669.79 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 575.82 FEET; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 79°26'50", 798.44 FEET TO THE POINT OF TANGENCY; THENCE S.55°33'30"E., 641.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 644.65 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29° 5'11 " , 329.13 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED: THENCE CONTINUE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°54'53", 314.08 FEET TO A POINT LYING ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 13; THENCE S.00°14'18"E., ALONG SAID LINE, 226.51 FEET TO A POINT LYING ON THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 844.56 FEET, AND TO WHICH POINT A RADIAL LINE BEARS S.24°26'17"E.; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 20°42'52", 305.34 FEET; THENCE N.00°4'18"W., 200.33 FEET TO THE POINT OF BEGINNING. CONTAINING 1.42 ACRES MORE OR LESS.

#### PARCEL 2

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 13: THENCE N.00°4'18"W., ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF SAID SECTION 13, A DISTANCE OF 920.79 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.00°4'18"W., ALONG SAID LINE, 62.23 FEET TO A POINT LYING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF HAMMOCK TRAIL, A 100 FOOT WIDE ROAD RIGHT OF WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1212, PAGE 917 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SAID RIGHT OF WAY LINE BEING AN ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 644.65 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.32°43'34"E.; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°20'28", 48.84 FEET; THENCE S.19°35'16"W., 32.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°37'49", 66.13 FEET TO THE POINT OF BEGINNING. CONTAINING 1434 SQUARE FEET MORE OR LESS.

