

# INDIAN SUMMER ESTATES AFFIDAVIT OF EXEMPTION

A DIVISION OF LAND UNDER THE AFFIDAVIT OF EXEMPTION PROCESS LYING WITHIN TRACT 961, LESS THE WEST 25 FEET FOR ROAD RIGHT-OF-WAY; TRACT 933; TRACT 932, LESS THE WEST 25 FEET FOR ROAD RIGHT-OF-WAY, ACCORDING TO THE PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF TOWNSHIP 31 SOUTH, RANGE 37 EAST, ACCORDING TO THE PLAT FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 1 AND 2; SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA,

THERE MAY BE ADDITIONAL COVENANTS, RESTRICTIONS, OR RESERVATIONS AFFECTING THE OWNERSHIP OR USE OF THE PROPERTY SHOWN THAT ARE NOT RECORDED ON THIS AFFIDAVIT OF EXEMPTION THAT MAY BE FOUND IN THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

PLAT BOOK: \_\_\_\_\_

PAGE: \_\_\_\_\_

CLERK'S FILE NUMBER (CFN): \_\_\_\_\_

**CERTIFICATE OF DEDICATION:**  
STATE OF FLORIDA

COUNTY OF INDIAN RIVER

KNOW ALL MEN BY THESE PRESENTS, THAT THE BANACK FAMILY LIMITED PARTNERSHIP, A FLORIDA LIMITED PARTNERSHIP, FEE SIMPLE OWNER OF THE LANDS DESCRIBED AND SUBDIVIDED HEREIN, AS INDIAN SUMMER ESTATES AFFIDAVIT OF EXEMPTION, BEING IN INDIAN RIVER COUNTY FLORIDA, HAS CAUSED SAID LANDS TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON AND DOES HEREBY DEDICATE AS FOLLOWS:

**1. ACCESS EASEMENTS:** THE 30.00 FOOT X 110.00 FOOT ACCESS EASEMENT AS SHOWN ON EACH OF LOTS 1 AND 2 ARE HEREBY DECLARED TO BE AND SHALL REMAIN PRIVATE. THEY ARE DEDICATED IN PERPETUITY FOR THE USE AND BENEFIT OF THE OWNERS AND RESIDENTS OF LOTS 1 AND 2, AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE PROPERTY OWNERS OF LOTS 1 AND 2, THEIR SUCCESSORS AND ASSIGNS. THE 30.00 FOOT X 110.00 FOOT ACCESS EASEMENT AS SHOWN ON EACH OF LOTS 3 AND 4 ARE HEREBY DECLARED TO BE AND SHALL REMAIN PRIVATE. THEY ARE DEDICATED IN PERPETUITY FOR THE USE AND BENEFIT OF THE OWNERS AND RESIDENTS OF LOTS 3 AND 4, AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE PROPERTY OWNERS OF LOTS 3 AND 4, THEIR SUCCESSORS AND ASSIGNS. THE 30.00 FOOT X 110.00 FOOT ACCESS EASEMENT AS SHOWN ON EACH LOTS 5 AND 6 IS HEREBY DECLARED TO BE AND SHALL REMAIN PRIVATE. IT IS DEDICATED IN PERPETUITY FOR THE USE AND BENEFIT OF THE OWNERS AND RESIDENTS OF LOTS 5 AND 6, AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE PROPERTY OWNERS OF LOTS 5 AND 6, THEIR SUCCESSORS AND ASSIGNS. ALL PUBLIC AUTHORITIES, INCLUDING BUT NOT LIMITED TO POLICE, FIRE, MOSQUITO CONTROL DISTRICT AND AMBULANCE, SHALL HAVE THE RIGHT TO USE ALL OF THE ACCESS EASEMENTS IN THE COURSE OF PERFORMING THEIR RESPECTIVE DUTIES. THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY WHATSOEVER REGARDING SUCH ACCESS EASEMENTS.

**2. LIMITED ACCESS EASEMENTS:** THE 5.00 FOOT WIDE LIMITED ACCESS EASEMENTS AS SHOWN ALONG THE NORTH BOUNDARY LINE OF LOTS 1, 2, 3, AND 4, THE WEST LINE OF LOTS 1 AND 5, AND ALONG THE SOUTH BOUNDARY LINE OF LOTS 5 AND 6 ARE DEDICATED IN PERPETUITY TO THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

**3. DRAINAGE EASEMENTS:** THE DRAINAGE EASEMENT AS SHOWN ALONG THE EAST BOUNDARY OF LOT 4 IS DEDICATED IN PERPETUITY TO AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF LOT 4, THEIR SUCCESSORS AND ASSIGNS FOR CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES. THE DRAINAGE EASEMENT AS SHOWN ALONG THE EAST BOUNDARY OF LOT 6 IS DEDICATED IN PERPETUITY TO AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF LOT 6, THEIR SUCCESSORS AND ASSIGNS FOR CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES. THE DRAINAGE EASEMENT AS SHOWN ALONG THE SOUTH BOUNDARY OF LOTS 2, 3, 4, 5 AND 6 ARE DEDICATED IN PERPETUITY TO AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF LOTS 2, 3, 4, 5 AND 6, THEIR SUCCESSORS AND ASSIGNS FOR CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES. ANY AND ALL FRONT YARD DRAINAGE EASEMENTS DEPICTED ARE SUBJECT TO THE RIGHT OF EACH LOT TO HAVE A DRIVEWAY FOR INGRESS/ EGRESS AS APPROVED BY THE COUNTY.

**IN WITNESS WHEREOF,** IN WITNESS WHEREOF, THE BANACK FAMILY LIMITED PARTNERSHIP, A FLORIDA LIMITED PARTNERSHIP THROUGH BANACK GENERAL PARTNER, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS MANAGER HAS CAUSED THESE PRESENTS TO BE SIGNED BY WILTON RUSSELL BANACK, AS MANAGER OF BANACK GENERAL PARTNER, LLC THIS DAY OF \_\_\_\_\_, 2025

THE BANACK FAMILY LIMITED PARTNERSHIP, A FLORIDA LIMITED PARTNERSHIP  
BY: BANACK GENERAL PARTNER, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS MANAGER

WITNESS: \_\_\_\_\_

PRINT NAME \_\_\_\_\_

WITNESS: \_\_\_\_\_

BY: WILTON RUSSELL BANACK  
MANAGER OF BANACK GENERAL PARTNER, LLC

PRINT NAME \_\_\_\_\_

**ACKNOWLEDGMENT TO CERTIFICATE OF DEDICATION**

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

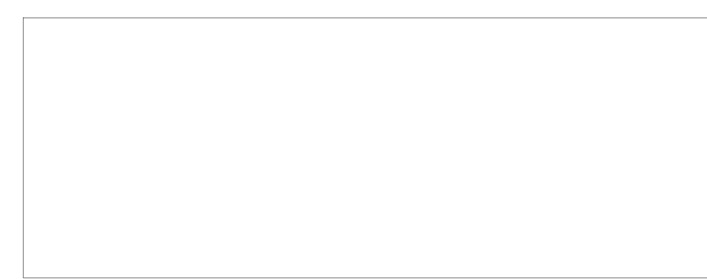
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, BY MEANS OF  PHYSICAL PRESENCE OR  ONLINE NOTARIZATION, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025 BY WILTON RUSSELL BANACK, THE MANAGER OF BANACK GENERAL PARTNER, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE MANAGER OF THE BANACK FAMILY LIMITED PARTNERSHIP, A FLORIDA LIMITED PARTNERSHIP ON BEHALF OF SAID ENTITY AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID LIMITED LIABILITY COMPANY, WITH FULL AUTHORITY TO DO SO, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY. HE IS  PERSONALLY KNOWN OR  PRODUCED IDENTIFICATION IN THE FORM OF \_\_\_\_\_.

NOTARY PUBLIC

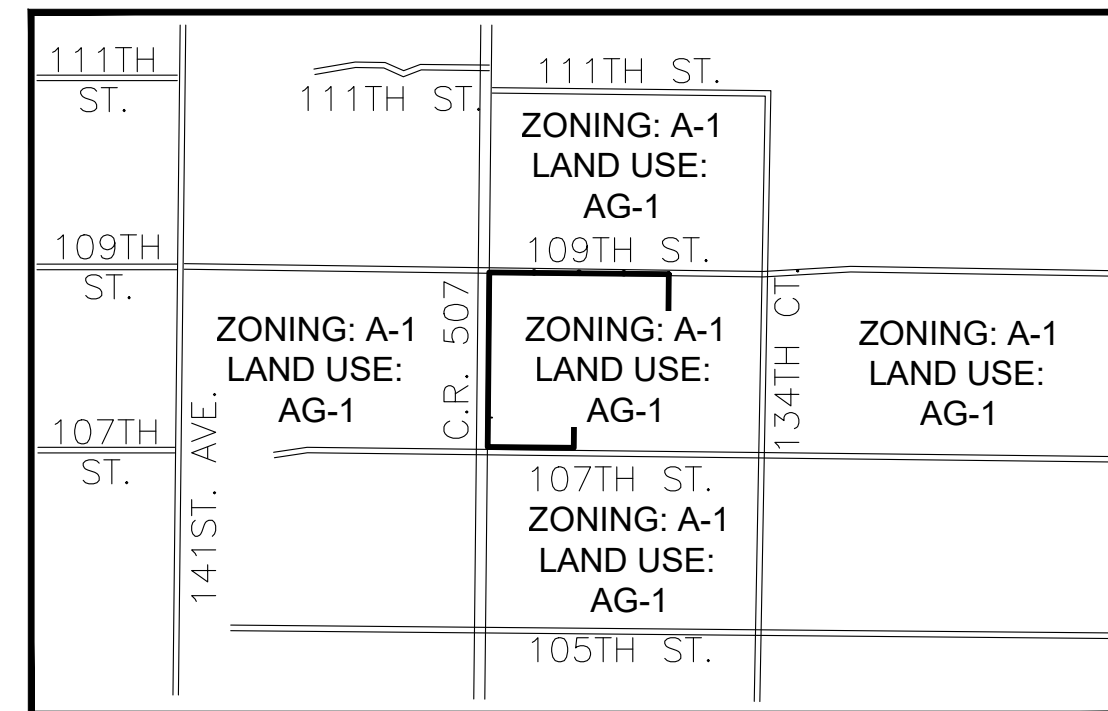
PRINTED NAME: \_\_\_\_\_

COMMISSION NO.: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_



NOTARY STAMP



VICINITY MAP  
NOT TO SCALE

**CERTIFICATE OF TITLE:**

THE LANDS AS DESCRIBED AND SHOWN ON THIS AFFIDAVIT OF EXEMPTION ARE IN THE NAME OF, AND APPARENT RECORD TITLE IS HELD BY, THE ENTITY EXECUTING THE DEDICATION; THAT ALL TAXES HAVE BEEN PAID ON SAID PROPERTY AS REQUIRED BY CHAPTER 197.192, FLORIDA STATUTES, AS AMENDED, AND THAT THERE ARE NO MORTGAGES, LIENS OR OTHER ENCUMBRANCES HELD AGAINST THE LAND.

BY: BARRY G. SEGAL P.A. SIGNATURE DATE  
FLORIDA BAR NO. 79723  
AUTHORIZED TO PRACTICE IN THE STATE OF FLORIDA

**CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS**

THIS IS TO CERTIFY, THAT ON \_\_\_\_\_, 2025, THE FOREGOING DEDICATION OF THE LIMITED ACCESS EASEMENT IS ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA.

BY: JOSEPH E. FLESCHER, CHAIRMAN

ATTEST: RYAN L. BUTLER, CLERK OF CIRCUIT COURT AND COMPTROLLER

BY: \_\_\_\_\_  
DEPUTY CLERK (CLERK TO THE BOARD)

APPROVED: \_\_\_\_\_ BY: ADDIE JAVED, PhD, PE, CFM  
(DATE) PUBLIC WORKS DIRECTOR  
\_\_\_\_\_  
(DATE) BY: CHRIS BALTER  
PLANNING & DEVELOPMENT SERVICES DIRECTOR  
\_\_\_\_\_  
(DATE) BY: SUSAN J. PRADO  
DEPUTY COUNTY ATTORNEY  
APPROVED AS TO LEGAL FORM AND SUFFICIENCY

**CERTIFICATE OF APPROVAL BY COUNTY ADMINISTRATOR**

EXAMINED AND APPROVED: \_\_\_\_\_ SIGNATURE DATE: \_\_\_\_\_

JOHN A. TITKANICH, JR.  
COUNTY ADMINISTRATOR

**CERTIFICATE OF SURVEYOR:**

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A LICENSED AND REGISTERED PROFESSIONAL SURVEYOR AND MAPPER, DOES HEREBY CERTIFY THAT ON APRIL 12TH, 2023, HE COMPLETED THE SURVEY OF THE LANDS AS SHOWN ON THE FOREGOING AFFIDAVIT OF EXEMPTION; THAT SAID AFFIDAVIT OF EXEMPTION IS A CORRECT PRESENTATION OF THE LANDS THEREIN DESCRIBED AND SUBDIVIDED; THAT THIS AFFIDAVIT OF EXEMPTION CONFORMS TO THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED; AND PROPERTY CORNER MONUMENTS AS SHOWN HEREON HAVE BEEN SET IN ACCORDANCE WITH CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND INDIAN RIVER COUNTY CODE CHAPTER 913 SUBDIVISIONS AND PLATS; AND THAT SAID LAND IS LOCATED IN INDIAN RIVER COUNTY, FLORIDA. SURVEY TIES TO FOUND GOVERNMENT CORNERS AND TO INDIAN RIVER COUNTY HORIZONTAL CONTROL NETWORK MONUMENTS CONFORM TO FEDERAL GEODETIC CONTROL COMMITTEE THIRD ORDER CLASS I STANDARDS AS AMENDED.

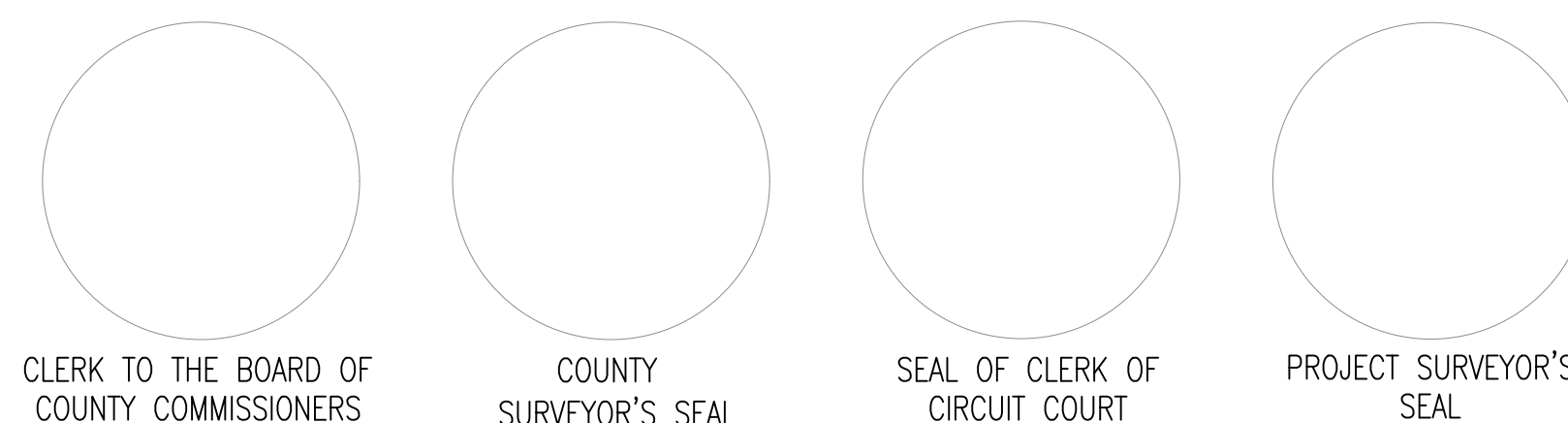
\_\_\_\_\_  
SIGNATURE DATE: \_\_\_\_\_

DAVID E. LUETHJE, P.S.M. NO. 5728  
CARTER ASSOCIATES, INC., L.B. 205 1708 21st  
STREET, VERO BEACH, FL.

**COUNTY SURVEYOR CERTIFICATION**

THIS INDIAN SUMMER ESTATES AFFIDAVIT OF EXEMPTION HAS BEEN REVIEWED BY THE UNDERSIGNED PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FOR CONFORMITY TO THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED.

\_\_\_\_\_  
SIGNATURE DATE: \_\_\_\_\_  
DAVID W. SCHRYVER P.S.M. REGISTRATION NO. 4864  
INDIAN RIVER COUNTY SURVEYOR



**LEGAL DESCRIPTION:**

TRACT 961, LESS THE WEST 25 FEET FOR ROAD RIGHT-OF-WAY; TRACT 933; TRACT 932, LESS THE WEST 25 FEET FOR ROAD RIGHT-OF-WAY, ACCORDING TO THE PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF TOWNSHIP 31 SOUTH, RANGE 37 EAST, ACCORDING TO THE PLAT FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 1 AND 2; SAID LAND NOW LYING AND BEING INDIAN RIVER COUNTY, FLORIDA, CONTAINING: 1,222,719.07 SQUARE FEET OR 28.07 ACRES, MORE OR LESS. PARCEL IDENTIFICATION NUMBER: 31370000010932000010

**CERTIFICATION OF THE CLERK OF THE CIRCUIT COURT**

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER  
I, RYAN L. BUTLER, CLERK OF THE CIRCUIT COURT AND COMPTROLLER OF INDIAN RIVER COUNTY, FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS AFFIDAVIT OF EXEMPTION OF INDIAN SUMMER ESTATES AFFIDAVIT OF EXEMPTION AND THAT IT COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177 OF THE LAWS OF FLORIDA AS AMENDED. THIS AFFIDAVIT OF EXEMPTION FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, AND RECORDED IN PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, CLERK'S FILE NUMBER (CFN) \_\_\_\_\_ IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF INDIAN RIVER COUNTY, FLORIDA.

RYAN L. BUTLER  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

BY: \_\_\_\_\_  
DEPUTY CLERK, INDIAN RIVER COUNTY, FLORIDA

**NOTICE:**

- THE VOLUNTARY DIVISION OF LAND ENCOMPASSED WITHIN THE PROJECT INTO LOTS THAT ARE LESS THAN TWO HUNDRED THOUSAND (200,000) SQUARE FEET IN SIZE IS PROHIBITED, UNLESS SUCH DIVISION IS ACCOMPLISHED BY FILING A PLAT APPROVED BY THE COUNTY AND MEETING ALL STANDARDS REQUIRED OF SUBDIVISIONS.
- NO CONSTRUCTION, TREES OR SHRUBS WILL BE PLACED IN EASEMENTS WITHOUT COUNTY APPROVAL.
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- ROUTINE MAINTENANCE (E.G. MOWING, ETC.) OF EASEMENTS SHALL BE THE RESPONSIBILITY OF THE LOT/PROPERTY OWNER(S) AND NOT INDIAN RIVER COUNTY.
- PROPERTY OWNERS ARE PROHIBITED FROM PLANTING CARIBBEAN FRUIT FLY AND ASIAN CITRUS PSYLLID (CITRUS GREENING) HOST PLANTS AS SPECIFIED HEREIN AND REQUIRED TO REMOVE THE SAME IF ANY EXISTS: CATTLE GUAVA, COMMON GUAVA, LOQUAT, ROSE APPLE, SURINAM CHERRY, ORANGE JASMIN AND CHINESE BOX ORANGE. PURSUANT TO INDIAN RIVER COUNTY ORDINANCE 913.07(6)(D)24
- NO BUILDING PERMIT WILL BE ISSUED FOR ANY PROJECT ON A LOT WITHIN THIS AFFIDAVIT OF EXEMPTION UNTIL THE LOT OWNER, OR OWNER'S DESIGNEE OBTAINS AN INITIAL AND FINAL CONCURRENCY CERTIFICATE FOR THE PROJECT FOR WHICH A BUILDING PERMIT IS SOUGHT. THE LOT OWNER OR THE OWNER'S DESIGNEE ACKNOWLEDGES THAT INDIAN RIVER COUNTY DOES NOT GUARANTEE THAT ADEQUATE CAPACITY WILL EXIST AT THE TIME THE LOT OWNER OR OWNER'S DESIGNEE CHOOSES TO APPLY FOR AND OBTAIN SUCH A CONCURRENCY CERTIFICATE.

THIS INSTRUMENT WAS PREPARED BY: DAVID E. LUETHJE, P.S.M.  
DATE: AUGUST 3RD, 2023

**CARTER ASSOCIATES, INC.**  
CONSULTING ENGINEERS AND PROFESSIONAL SURVEYORS AND MAPPERS  
1708 21st. STREET  
VERO BEACH, FLORIDA 32960  
TEL.(772) 562-4191 FAX.(772) 562-7180  
PROJECT # 23-065S

# INDIAN SUMMER ESTATES AFFIDAVIT OF EXEMPTION

A DIVISION OF LAND UNDER THE AFFIDAVIT OF EXEMPTION PROCESS LYING WITHIN TRACT 961, LESS THE WEST 25 FEET FOR ROAD RIGHT-OF-WAY; TRACT 933; TRACT 932, LESS THE WEST 25 FEET FOR ROAD RIGHT-OF-WAY, ACCORDING TO THE PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF TOWNSHIP 31 SOUTH, RANGE 37 EAST, ACCORDING TO THE PLAT FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 1 AND 2; SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA,

THERE MAY BE ADDITIONAL COVENANTS, RESTRICTIONS, OR RESERVATIONS AFFECTING THE OWNERSHIP OR USE OF THE PROPERTY SHOWN THAT ARE NOT RECORDED ON THIS AFFIDAVIT OF EXEMPTION THAT MAY BE FOUND IN THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

PLAT BOOK: \_\_\_\_\_

PAGE: \_\_\_\_\_

CLERK'S FILE NUMBER (CFN): \_\_\_\_\_

## LOT 1

A PARCEL OF LAND SITUATED WITHIN TRACT 932, PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF ALL UNSURVEYED PART OF TOWNSHIP 31 SOUTH OF RANGE 37 EAST IN ST. LUCIE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 1 AND 2, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 932, SAID PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION, RUN SOUTH 89°27'16" EAST ALONG THE NORTH LINE OF SAID TRACT 932, A DISTANCE OF 25.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 507/ BABCOCK ROAD (80 FEET WIDE) AND POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE SOUTH 89°27'16" EAST ALONG SAID NORTH LINE OF TRACT 932, A DISTANCE OF 326.33 FEET; THENCE LEAVING SAID NORTH LINE RUN SOUTH 00°30'16" WEST, A DISTANCE OF 629.96 FEET TO THE SOUTH LINE OF SAID TRACT 932; THENCE RUN NORTH 89°27'04" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 326.33 FEET TO THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF COUNTY ROAD 507/ BABCOCK ROAD; THENCE RUN NORTH 00°30'16" EAST ALONG THE SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 629.95 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 205,575.93 SQUARE FEET OR 4.72 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

## LOT 2

A PARCEL OF LAND SITUATED WITHIN TRACTS 932 AND 933, PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF ALL UNSURVEYED PART OF TOWNSHIP 31 SOUTH OF RANGE 37 EAST IN ST. LUCIE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 1 AND 2, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 932, SAID PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION, RUN SOUTH 89°27'16" EAST ALONG THE NORTH LINE OF SAID TRACT 932, A DISTANCE OF 351.33 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE SOUTH 89°27'16" EAST ALONG SAID NORTH LINE OF TRACT 932 AND THE NORTH LINE OF AFOREMENTIONED TRACT 933, A DISTANCE OF 326.33 FEET; THENCE LEAVING SAID NORTH LINE OF TRACT 933 RUN SOUTH 00°30'16" WEST, A DISTANCE OF 629.98 FEET TO THE SOUTH LINE OF SAID TRACT 933; THENCE RUN NORTH 89°27'04" WEST ALONG SAID SOUTH LINE OF TRACT 933 AND 932, A DISTANCE OF 326.33 FEET; THENCE LEAVING SAID SOUTH LINE OF TRACT 932 RUN NORTH 00°30'16" EAST, A DISTANCE OF 629.96 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 205,581.95 SQUARE FEET OR 4.72 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

## VERTICAL DATUM:

ORIGINATING BENCHMARK:

THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 1988) AND ARE DISPLAYED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.

DESIGNATION: "T 646"

U.S.G.S. QUAD: FELLSMERE (2018)

N.A.V.D. 88 ORTHO HEIGHT: 22.70 FEET ADJUSTED PUBLISHED

DESCRIPTION: SURVEY DISK STAMPED "T 646 2005" SET IN TOP OF CONCRETE MONUMENT.

LOCATION: 40.8' EAST OF THE CENTERLINE OF COUNTY ROAD 507, 26.8' NORTH OF THE APPROX.

CENTERLINE OF 109TH STREET, 15.8' NORTH OF A WOODEN POWER POLE (#48501274508), 2.0'

WEST OF A CARSONITE WITNESS POST

AFFIDAVIT OF EXEMPTION B.M. #1 = TOP OF P.R.M. NORTHEAST PROPERTY CORNER OF AFFIDAVIT OF EXEMPTION

TOP ELEVATION: 22.28' FEET (N.A.V.D. 1988)

AFFIDAVIT OF EXEMPTION B.M. #2= TOP OF P.R.M. SOUTHWEST PROPERTY CORNER OF AFFIDAVIT OF EXEMPTION

ELEVATION: 24.13' FEET (N.A.V.D. 1988)

## LOT 3

A PARCEL OF LAND SITUATED WITHIN TRACT 933, PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF ALL UNSURVEYED PART OF TOWNSHIP 31 SOUTH OF RANGE 37 EAST IN ST. LUCIE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 1 AND 2, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 932, SAID PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION, RUN SOUTH 89°27'16" EAST ALONG THE NORTH LINE OF SAID TRACT 932 AND THE NORTH LINE OF AFOREMENTIONED TRACT 933, A DISTANCE OF 677.67 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE SOUTH 89°27'16" EAST ALONG SAID NORTH LINE OF TRACT 933, A DISTANCE OF 326.33 FEET; THENCE LEAVING SAID NORTH LINE RUN SOUTH 00°30'16" WEST, A DISTANCE OF 630.00 FEET TO THE SOUTH LINE OF SAID TRACT 933; THENCE RUN NORTH 89°27'04" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 326.33 FEET; THENCE LEAVING SAID SOUTH LINE RUN NORTH 00°30'16" EAST, A DISTANCE OF 629.98 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 205,587.97 SQUARE FEET OR 4.72 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

## LOT 4

A PARCEL OF LAND SITUATED WITHIN TRACT 933, PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF ALL UNSURVEYED PART OF TOWNSHIP 31 SOUTH OF RANGE 37 EAST IN ST. LUCIE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 1 AND 2, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 932, SAID PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION, RUN SOUTH 89°27'16" EAST ALONG THE NORTH LINE OF SAID TRACT 932 AND THE NORTH LINE OF AFOREMENTIONED TRACT 933, A DISTANCE OF 1004.00 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE SOUTH 89°27'16" EAST ALONG SAID NORTH LINE OF TRACT 933, A DISTANCE OF 326.33 FEET; THENCE LEAVING SAID NORTH LINE RUN SOUTH 00°28'21" WEST, ALONG THE EAST LINE OF SAID TRACT 933, A DISTANCE OF 630.02 FEET TO THE SOUTH LINE OF SAID TRACT 933; THENCE RUN NORTH 89°27'04" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 326.68 FEET; THENCE LEAVING SAID SOUTH LINE RUN NORTH 00°30'16" EAST, A DISTANCE OF 630.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 205,704.43 SQUARE FEET OR 4.72 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

## LOT 5

A PARCEL OF LAND SITUATED WITHIN TRACT 961, PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF ALL UNSURVEYED PART OF TOWNSHIP 31 SOUTH OF RANGE 37 EAST IN ST. LUCIE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 1 AND 2, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 932 SAID PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION, RUN SOUTH 00°30'16" WEST ALONG THE WEST LINE OF SAID TRACT 932, A DISTANCE OF 629.94 FEET TO THE NORTHWEST CORNER OF AFOREMENTIONED TRACT 961; FROM SAID NORTHWEST CORNER OF RUN SOUTH 89°27'04" EAST ALONG THE NORTH LINE OF SAID TRACT 961, A DISTANCE OF 25.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 507/ BABCOCK ROAD (80 FEET WIDE) AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE SOUTH 89°27'04" EAST ALONG SAID NORTH LINE OF TRACT 961, A DISTANCE OF 312.75 FEET; THENCE LEAVING SAID NORTH LINE RUN SOUTH 00°30'16" WEST, A DISTANCE OF 639.92 FEET TO THE SOUTH LINE OF SAID TRACT 961; THENCE RUN NORTH 89°27'07" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 312.75 FEET TO THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF COUNTY ROAD 507/ BABCOCK ROAD; THENCE RUN NORTH 00°30'16" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 639.92 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 200,135.02 SQUARE FEET OR 4.59 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

## LOT 6

A PARCEL OF LAND SITUATED WITHIN TRACT 961, PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF ALL UNSURVEYED PART OF TOWNSHIP 31 SOUTH OF RANGE 37 EAST IN ST. LUCIE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 1 AND 2, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 932 SAID PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION, RUN SOUTH 00°30'16" EAST ALONG THE WEST LINE OF SAID TRACT 932, A DISTANCE OF 629.94 FEET TO THE NORTHWEST CORNER OF AFOREMENTIONED TRACT 961; FROM SAID NORTHWEST CORNER OF TRACT 961 RUN SOUTH 89°27'04" EAST ALONG THE NORTH LINE OF SAID TRACT 961, A DISTANCE OF 337.75 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE SOUTH 89°27'04" EAST ALONG SAID NORTH LINE OF TRACT 961, A DISTANCE OF 312.75 FEET; THENCE LEAVING SAID NORTH LINE, RUN SOUTH 00°30'16" WEST, ALONG THE EAST LINE OF SAID TRACT 961, A DISTANCE OF 639.91 FEET TO THE SOUTH LINE OF SAID TRACT 961; THENCE RUN NORTH 89°27'07" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 312.75 FEET; THENCE LEAVING SAID SOUTH LINE RUN NORTH 00°30'16" EAST, A DISTANCE OF 639.92 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 200,133.86 SQUARE FEET OR 4.59 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

THIS INSTRUMENT WAS PREPARED BY: DAVID E. LUETHJE, P.S.M.

DATE: AUGUST 3RD, 2023

**CARTER ASSOCIATES, INC.**

CONSULTING ENGINEERS AND PROFESSIONAL SURVEYORS AND MAPPERS

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PROJECT # 23-065S

SHEET 2 OF 3

# INDIAN SUMMER ESTATES AFFIDAVIT OF EXEMPTION

A DIVISION OF LAND UNDER THE AFFIDAVIT OF EXEMPTION PROCESS LYING WITHIN TRACT 961, LESS THE WEST 25 FEET FOR ROAD RIGHT-OF-WAY; TRACT 933; TRACT 932, LESS THE WEST 25 FEET FOR ROAD RIGHT-OF-WAY, ACCORDING TO THE PLAT OF FELLSMERE FARMS COMPANY SUBDIVISION OF TOWNSHIP 31 SOUTH, RANGE 37 EAST, ACCORDING TO THE PLAT FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 1 AND 2; SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA,

THERE MAY BE ADDITIONAL COVENANTS, RESTRICTIONS, OR RESERVATIONS AFFECTING THE OWNERSHIP OR USE OF THE PROPERTY SHOWN THAT ARE NOT RECORDED ON THIS AFFIDAVIT OF EXEMPTION THAT MAY BE FOUND IN THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

PLAT BOOK: \_\_\_\_\_  
 PAGE: \_\_\_\_\_  
 CLERK'S FILE NUMBER (CFN): \_\_\_\_\_

## LEGEND

ASSOC. ID.	ASSOCIATES IDENTIFICATION		BENCH MARK SYMBOL
I.R.CO., FL.	INDIAN RIVER COUNTY, FLORIDA		EASEMENT
I.R.F.CO., SD.	INDIAN RIVER FARMS COMPANY SUBDIVISION	P.R.M.	"PERMANENT REFERENCE MONUMENT" DENOTES SET (4"x4"x24" CONCRETE MONUMENT WITH 2" DIAMETER ALUMINUM DISK STAMPED "CARTER ASSOC. PRM LB 205")
I.R.F.W.C.D.	INDIAN RIVER FARMS WATER CONTROL DISTRICT	P.R.M.	"PERMANENT REFERENCE MONUMENT" DENOTES 1/2" DIAMETER X 18" LONG REBAR WITH ALUMINUM CAP STAMPED "PRM CARTER ASSOC. LB 205" (TYP.)
PG.	PAGE	P.R.M.	"PERMANENT REFERENCE MONUMENT" DENOTES 1/2" DIAMETER X 18" LONG REBAR WITH ALUMINUM CAP STAMPED "PRM CARTER ASSOC. LB 205" (TYP.)
P.R.M.	PERMANENT REFERENCE MONUMENT	P.R.M.	"PERMANENT REFERENCE MONUMENT" DENOTES 1/2" DIAMETER X 18" LONG REBAR WITH ALUMINUM CAP STAMPED "PRM CARTER ASSOC. LB 205" (TYP.)
P.B.	PLAT BOOK	S.R.C.	"SET REBAR AND CAP" DENOTES 1/2" DIAMETER X 18" LONG REBAR WITH CAP STAMPED "CARTER ASSOC." (TYP.)
P.L.S.	PROFESSIONAL LAND SURVEYOR		
P.O.B.	POINT OF BEGINNING		
P.O.C.	POINT OF COMMENCEMENT		
R.O.W.	RIGHT-OF-WAY		
(P)	RECORD PLAT DATA		
S.R.C.	SET REBAR AND CAP		
S.F.	SQUARE FEET		
S.L.CO., FL.	ST. LUCIE COUNTY, FLORIDA		
SD.	SUBDIVISION		
T.B.M.	TEMPORARY BENCH MARK		
TWP.	TOWNSHIP		

### FLOODZONE

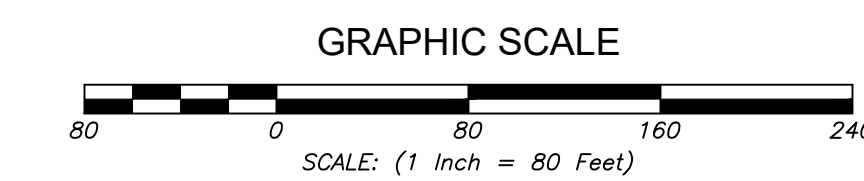
THE HEREON DESCRIBED PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AND "A" AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 12061C0090 J, COMMUNITY NUMBER 120119, PANEL 0090, SUFFIX J MAP REVISED DATE JANUARY 26TH, 2023, MAP INDEX DATE JANUARY 26TH, 2023. NO ADDITIONAL SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED. THERE MAY BE ADDITIONAL MAP AMENDMENTS AFFECTING THIS PROPERTY.

### FLOOD HAZARD WARNING

THIS PROPERTY MAY BE SUBJECT TO FLOODING DURING A ONE HUNDRED-YEAR BASE FLOOD EVENT. YOU SHOULD CONTACT LOCAL BUILDING AND ZONING OFFICIALS AND OBTAIN THE LATEST INFORMATION REGARDING FLOOD ELEVATIONS AND RESTRICTIONS ON DEVELOPMENT BEFORE MAKING PLANS FOR THE USE OF THIS PROPERTY.

### GENERAL NOTES:

- COORDINATE VALUES AND BEARING DATUM ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011 (N.A.D.83/11), AND ARE PROJECTED INTO THE STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, 0901. THE NORTH LINE OF TRACT 932 & 933, BEARS SOUTH 89°27'16" EAST.
- THE PERMANENT REFERENCE MONUMENTS WERE CERTIFIED AND/OR SET ON MAY 30TH, 2025
- PROPERTIES ARE SUBJECT TO INDIAN RIVER COUNTY LAND DEVELOPMENT REGULATIONS (LDRs) IN CHAPTERS 930 AND 934 FOR STORMWATER MANAGEMENT, GRADING AND EXCAVATION OF LAND. PROPOSED ACTIVITY MAY OR MAY NOT BE EXEMPT IN ACCORDANCE WITH INDIAN RIVER COUNTY CODE SECTIONS 934.04 AND 930.06. CONTACT THE COUNTY FOR FURTHER INFORMATION.
- THE SUBJECT PROPERTY IS ZONED A-1, AGRICULTURAL DISTRICT, THE APPLICABLE BUILDING SETBACKS FROM ALL PROPERTY LINES IS 30 FEET. THERE MAY BE ADDITIONAL SETBACK REQUIREMENTS FOR ALL OTHER APPURTENANCES, SEE INDIAN RIVER COUNTY CODE OF ORDINANCES FOR ALL OTHER SETBACK REQUIREMENTS.
- THE FIRE MARSHAL'S OFFICE STRONGLY RECOMMENDS THAT AN APPROVED WATER SOURCE COMPLYING WITH FLORIDA FIRE PROTECTION CODE (NFPA-1) 18.3 AND 18.4 BE ESTABLISHED TO PROTECT THE BUILDINGS IN THIS DEVELOPMENT. AS SIZE, NUMBER, AND LOCATION OF THESE PROPERTIES WILL CAUSE A DELAY IN INADEQUATE FIRE SUPPRESSION.



THIS INSTRUMENT WAS PREPARED BY: DAVID E. LUETHJE, P.S.M.  
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