CFN 2023084124, OR BK 9773 Page 38, Recorded 04/26/2023 at 04:23 PM Rachel M. Sadoff, Clerk of Courts, Brevard County Doc. D: \$0.70

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INSTRUMENT PREPARED BY AND TO BE RETURNED TO: Laura Minton Young, Esquire DEAN, MEAD, et al., 7380 Murrell Road, Suite 200 Viera, Florida 32940 (321) 259-8900

\*\*\*Note: This instrument is exempt from Florida Documentary Stamp Taxes pursuant to Section 201.02, Florida Statutes, because, at the time of this conveyance, the Property is not encumbered by a mortgage, Grantee is a conduit entity of Grantor, and Grantor is the sole shareholder of Grantee. Nevertheless, minimum Florida Documentary Stamp Taxes are being paid in connection with the recording of this instrument.

## SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made as of the 24 day of April, 2023, by THE VIERA COMPANY, a Florida corporation, having its principal place of business at 7380 Murrell Road, Suite 201, Viera, Florida 32940 (hereinafter referred to as the "Grantor"), to VIERA BUILDERS, INC., a Florida corporation, whose post office address is 7380 Murrell Road, Suite 202, Viera, Florida 32940 (hereinafter referred to as the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument, the heirs, legal representatives and assigns of individuals, and the successors and assigns of trustees, partnerships and corporations.)

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all of the Grantor's right, title and interest in and to that certain real property situate, lying and being in Brevard County, Florida (hereinafter referred to as the "Property") being more particularly described on Exhibit "A", attached hereto and made a part hereof.

TOGETHER with all of the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property; and that Grantor hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against no others. This conveyance is made subject to those matters described in Exhibit "B", attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and delivered in its name, by its corporate officer thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered

in the presence of:

Deupanin E. Wilson Print Name: Benjamin E. Wilson

Print Name: (

THE VIERA COMPANY,

a Florida corporation

Fodd J. Pokrywa

President

Address:

7380 Murrell Road, Suite 201

Viera, FL 32940

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of (check one) physical presence or online notarization this quant day of April, 2023, by Todd J. Pokrywa, as President of THE VIERA COMPANY, a Florida corporation, on behalf of the corporation. Said person is personally known to me.

Print Name: Benjamin E. Wilson

Notary Public, State of Florida Commission No.: ## 1408 32

My Commission Expires: 10110/25

BENJAMIN E. WILSON
Commission # HH 140832
Expires October 10, 2025
Bonded Thru Budget Notary Services

#### EXHIBIT "A"

## Parcel 1:

Lots 7, Block BB, REELING PARK SOUTH – PHASE 4, according to the plat thereof, as recorded in Plat Book 71, Pages 63 through 68, inclusive, Public Records of Brevard County, Florida.

### Parcel 2:

Lots17, 18, 19 and 20 Block F, AVALONIA SUBDIVISION – PHASE 3, according to the plat thereof, as recorded in Plat Book 71, Pages 35 through 39, inclusive, Public Records of Brevard County, Florida.

#### Parcel 3:

Lots 9, 12 and 16, Block C, Lots 7, 9, 10, 12, 28 and 36, Block D, Lots 7 and 8, Block F, Lots 7, 8, 12 and 14, Block HH, Lot 3, Block JJ, Lot 12, Block KK and Lots 1, 2, 4, 6 and 7, Block LL, PANGEA PARK – PHASES 1 & 2, according to the plat thereof, as recorded in Plat Book 70, Pages 58 through 70, inclusive, Public Records of Brevard County, Florida.

### Parcel 4:

Lot 3, Block C, Lot 7, Block E and Lot 9, Block F, LAURASIA – PHASE 1, according to the plat thereof, as recorded in Plat Book 72, Pages 33 through 43, inclusive, Public Records of Brevard County, Florida.

# EXHIBIT "B" (Page 1 of 2)

- 1. Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Central Viera Community recorded July 25, 1994 in Official Records Book 3409, Page 624, as the same may be amended, modified or supplemented from time to time.
- 2. Amended and Restated Development Order for the Viera Development of Regional Impact, as approved by that certain Resolution 19-134 adopted by the Brevard County Board of County Commissioners on August 20, 2019 and as evidenced by Notice of Modification of a Development Order recorded September 23, 2019 in Official Records Book 8545, page 418, Public Records of Brevard County, Florida.
- 3. Agreement Covering Water Service between The Viera Company and the City of Cocoa, Florida dated August 26, 1988, as amended by that certain Amendment #1 To Agreement To Provide Water Service dated June 13, 1989, as further amended by the certain Second Amendment to Agreement dated May 27, 1994 as recorded in Official Records Book 3404 page 0953, and re-recorded in Official Records Book 3407 page 3452, together with Third Amendment to Agreement recorded August 16, 2017 in Official Records Book 7962 page 1632, Fourth Amendment to Agreement recorded August 16, 2017 in Official Records Book 7962 page 1655 and Fifth Amendment to Agreement recorded November 15, 2021 in Official Records Book 9326, page 1646, all of the Public Records of Brevard County, Florida.
- Agreement between A. Duda & Sons, Inc. and The Florida Department of Community Affairs recorded in Official Records Book 3005, Page 3575, and Agreement between The Viera Company and The Florida Department of Community Affairs recorded on January 17, 1991 in Official Records Book 3104, Page 1881, all of the Public Records of Brevard County, Florida, as may be amended, supplemented or modified from time to time.
- 5. Notice of Creation and Establishment of the Viera Stewardship District dated August 8, 2006, as recorded in Official Records Book 5683, Page 2029, as amended by that certain Notice of Boundary Amendment for the Viera Stewardship District dated December 14, 2009 and recorded in Official Records Book 6081, Page 1341, and as further amended in Official Records Book 6081, Page 1354, all of the Public Records of Brevard County, Florida.
- Disclosure of Public Financing and Maintenance of Improvements to Real Property Undertaken by Viera Stewardship District dated May 1, 2013 as recorded in Official Records Book 6879, Page 1970, Public Records of Brevard County, Florida.
- Declaration of Covenants, Conditions, Reservations and Restrictions for Addison Village Club recorded on January 13, 2017 in Official Records Book 7797, Page 2722, of the Public Records of Brevard County, Florida, as may be amended, supplemented or modified from time to time
  - (Exception 7 as to Parcels 1 and 2)
- 8. All matters contained on the Plat of REELING PARK SOUTH PHASE 4, recorded in Plat Book 70, Pages 1 through 6, inclusive, Public Records of Brevard County, Florida.
- 9. Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Reeling Park South Neighborhood Area recorded in Official Records Book 8691, Page 2106, Public Records of Brevard County, Florida, as the same may be amended, modified or supplemented from time to time.
  - (Exceptions 8 and 9 as to Parcel 1)
- 10. All matters contained on the Plat of AVALONIA SUBDIVISION PHASE 3, as recorded in Plat Book 71, Pages 35 through 39, inclusive, Public Records of Brevard County, Florida.
- 11. Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Avalonia Neighborhood Area recorded in Official Records Book 8646, Page 1837, Public Records of Brevard County, Florida.

## EXHIBIT "B" (Page 2 of 2)

12. Mineral rights reserved by Consolidated Naval Stores Company, in Deed recorded in Deed Book 270 page 409, as affected by Warranty Deed from Consolidated Financial Corporation (f/k/a Consolidated Naval Stores Company) to Consolidated-Tomoka Land Co., recorded in Official Records Book 1097, Page 564 and partially released by the Release of surface, entry rights with respect to Oil Gas and mineral interest, dated 9/30/1987, by Consolidated -Tomoka Land Co. in Official Records Book 2852 page 1304, which releases "all of the rights of the releasor to explore for, drill for, develop, mine and remove Oil, gas and other minerals, or otherwise to enter upon, use occupy, disrupt or damage the surface ..., said Mineral rights further conveyed by Consolidated -Tomoka Land Co. to Indigo Group, Inc. by Warranty Deed recorded in Official Records Book 5387 page 3769, Public Records of Brevard County, Florida.

(Exceptions 10 through 12 as to Parcel 2)

- 13. All matters contained on the Plat of PANGEA PARK PHASES 1 & 2, recorded in Plat Book 70, Pages 58 through 70, inclusive, Public Records of Brevard County, Florida.
- 14. Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Pangea Park Neighborhood Area recorded in Official Records Book 9254, Page 324, Public Records of Brevard County, Florida, as the same may be amended, modified or supplemented from time to time.
- 15. Stormwater Flow-Way Operation and Maintenance Easement Agreement recorded June 29, 2016, in Official Records Book 7651, Page 283, Public Records of Brevard County, Florida.

(Exceptions 13 through 15 as to Parcel 3)

- 17. All matters contained on the Plat of LAURASIA PHASE 1, recorded in Plat Book 72, Pages 33 through 43, inclusive, Public Records of Brevard County, Florida.
- 18. Declaration of Covenants, Conditions, Easements, Reservations and Restrictions for Laurasia Neighborhood Area recorded April 15, 2022 in Official Records Book 9477, Page 1355, Public Records of Brevard County, Florida, as the same may be amended, modified or supplemented from time to time.
- 19. Viera Stewardship District Notice of Special Assessments/Governmental Lien of Record recorded July 2, 2020 in Official Records Book 8784, Page 1579, Public Records of Brevard County, Florida, as amended by that certain Viera Stewardship District Amended and Restated Notice of Special Assessments/Governmental Lien of Records dated September 15, 2021, as recorded in Official Records Book 9261, Page 539, all of the Public Records of Brevard County, Florida.

(Exceptions 17 through 19 as to Parcel 4)

- 20. Viera Stewardship District Notice of Special Assessments/Governmental Lien of Record recorded July 2, 2020 in Official Records Book 8784, Page 1579, Public Records of Brevard County, Florida.
- Viera Stewardship District Notice of Imposition of Series 2021 Special Assessments (Village 2) recorded November 22, 2021 in Official Records Book 9334, Page 1389, Public Records of Brevard County, Florida
- 22. Declaration of Consent to Jurisdiction of The Viera Stewardship District and to Imposition of Special Assessments (Village 2), recorded November 22, 2021 in Official Records Book 9334, Page 1413, Public Records of Brevard County, Florida. (Exceptions 20 through 22 as to Parcels 3 and 4)
- 23. Zoning, restrictions, reservations, prohibitions and other requirements imposed by governmental authorities.
- 24. Taxes and assessments for the year of closing and subsequent years (Exceptions 23 and 24 as to all property)