

# APPLICANT'S AFFIDAVIT

STATE OF Florida

COUNTY OF Brevard

COMES NOW, John Q. Public and Jane Q. Public, husband and wife ,  
and being first duly sworn, deposes and states as follows:

1. We are the current owners in fee simple of the land described in Exhibit A attached hereto and made a part hereof, pursuant to a deed dated July 14, 1998, from Robert R. Doe, and recorded in O.R. Book 4751 at Page 1211 on July 15, 1998, Public Records of Brevard County, Florida;
2. The filled lands lying adjacent to and riparian with the above referenced property were filled prior to July 1, 1975 and were not filled or caused to be filled by the current owner(s)/applicant(s); and,
3. The filled lands have not been judicially adjudicated and were not the subject of litigation pending on January 1, 1993, involving title to such lands.

FURTHER AFFIANT SAYETH NOT.

\_\_\_\_\_ (signature) \_\_\_\_\_

AFFIANT

\_\_\_\_\_ (signature) \_\_\_\_\_

AFFIANT

SWORN TO AND SUBSCRIBED

Before me this \_\_\_\_\_ day

Of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_ (signature) \_\_\_\_\_

NOTARY PUBLIC

State of Florida

(Seal)

DESCRIPTION

A LINE BEING THE WATERWARD BOUNDARY LINE AS OF JULY 1<sup>st</sup>, 1975 LYING ALONG PELICAN BAY ADJACENT TO BAY BREEZE, A SUBDIVISION AS RECORDED IN PLAT BOOK 77 AT PAGE 23, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 264 OF SAID BAY BREEZE SUBDIVISION; THENCE N23°23'53"E FOR 63.51 FEET TO THE NORTHWEST CORNER OF SAID LOT 264, THENCE CONTINUE ALONG THE NORTHEASTERLY EXTENSION OF THE WESTERLY LINE OF LOT 264 FOR 13.30 FEET TO THE WET FACE OF AN EXISTING SEAWALL AND THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED LINE, THENCE N82°23'50"E FOR 35.00 FEET; THENCE S81°23'12"E FOR 28.10; THENCE S57°53'01"E FOR 23.17 TO THE INTERSECTION WITH THE EASTERLY PROJECTED LINE OF SAID LOT 264 SAID INTERSECTION BEING THE **POINT OF TERMINUS**. ALL COURSES ARE ALONG THE EXISTING WET FACE OF SEAWALL.