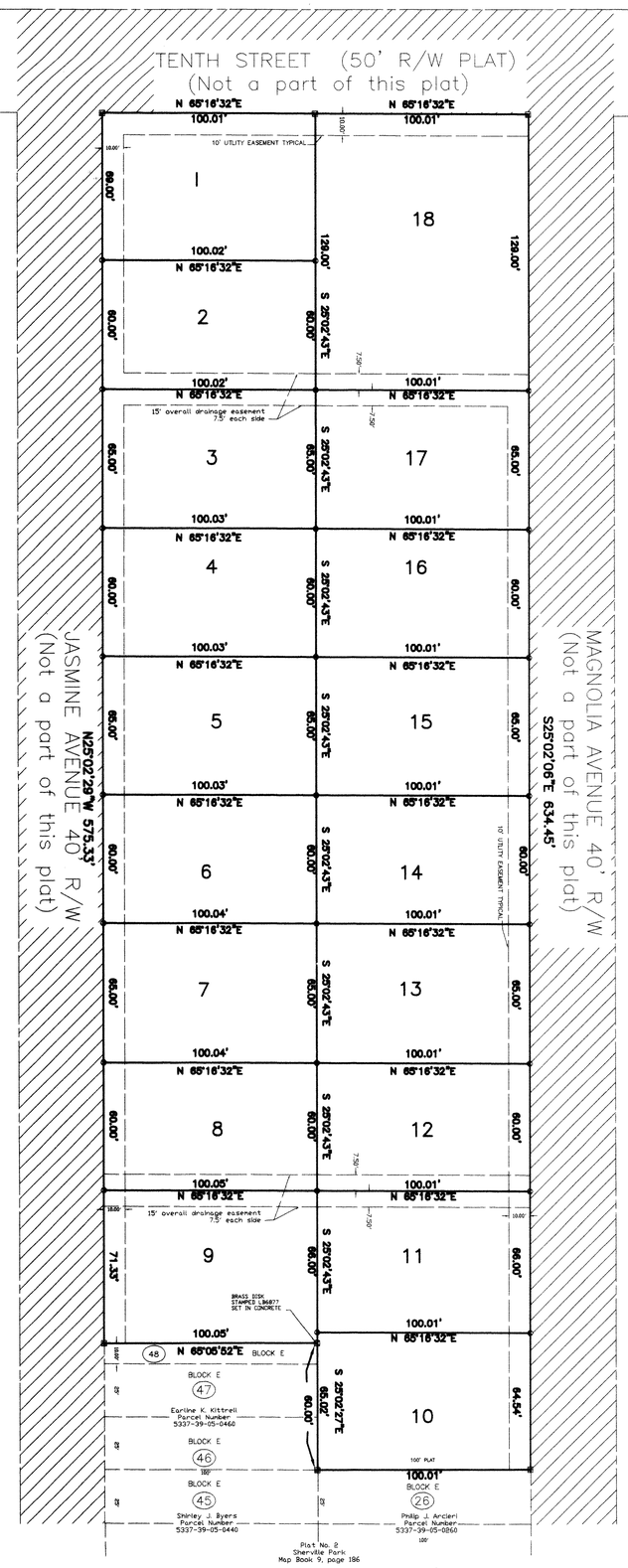
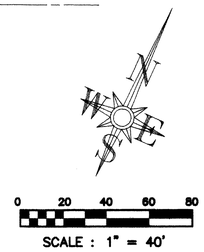
08/17/2007 02:51 PM
Instrument 2007-188765 # 1
Book: 54
Page: 142
Diane M. Matousek
Volusia County, Clerk of Court

MAGNOLIA WATERS SUBDIVISION

being a replat of a portion of Plat No. 2, Sherville Park, Map Book 9, page 86, of the public records of Volusia County, Florida in Section 42, Township 14, South, Range 32 East, Volusia County, in the City of Holly Hill, Florida



LEGAL DESCRIPTION:
Lots 1 to 25, inclusive; Lot 48, except the South 10 feet: and Lots 49 to 70, inclusive, Block E, Plat No. 2, Sherville Park, according to the map or plat thereof as recorded in Plat Book 9, page 186, Public Records of Volusia County, Florida.



GENERAL NOTES

1. Monumentation
   - ⊠ - Denotes Permanent Reference Monument set 4'x4' concrete monument stamped PRM Myer LB6877
   - ⊗ - Denotes 1/2' Iron Rod & Cap to be set stamped Myer LB 6877
   - ⊗ - Denotes Permanent Control Point set Metal disk stamped Myer LB 6877
2. (R) - Denotes a line radial relative to adjacent curve.
   (NR) - Denotes a line not radial relative to adjacent curve.
3. Dimensions shown are in feet and decimals thereof.
4. Accuracy
   The boundary linear error of closure does not exceed 1:10,000.
   The boundary angular error of closure does not exceed 15 seconds multiplied by the square root of the number of angles turned.
5. Bearings shown here on are relative to assumed datum, based on the southerly right of way of 10th Street, being N65°16'32"E.
6. NOTE: All measurements refer to horizontal plane in accordance with the definition of the U.S. Survey Foot or meter adopted by the National Institute of Standards and Technology. All measurements shall use the 39.37/12=3.280833333333 equation for conversion from a U.S. foot to meters.
7. NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.
8. This plat is subject to all easements of record and reservations of easements, including but not limited to drainage and utility easements dedicated hereon which shall be located as follows except as otherwise noted on the plat: Front lot line(s) (street frontage) 10.00 feet wide EXCEPT LOT 18 ON MAGNOLIA STREET.
9. Utilities include but are not limited to sanitary sewer, potable water, reclaimed water, storm drainage, electric, telephone, cable television, security, and natural gas.
10. Utility easements provided on this plat include easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas or other public utility. Such construction, installation, maintenance and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.
11. Maximum lot coverage 35%.
12. Building setback requirements:
    Front (street frontage) 25'
    Side: 7.5'
    Rear: 20'
13. Abbreviations:

L.B	Licensed Business
N(LY)	North(erly)
S(LY)	South(erly)
E(LY)	East(erly)
W(LY)	West(erly)
No.	Number
R/W	Right of Way

JOINDER AND CONSENT TO DEDICATION
Florida Capital Bank, N.A., hereby certifies that it is the holder of a mortgage, lien or other encumberance upon the property shown on the Plat entitled, "Magnolia Waters Subdivision", located in the City of Holly Hill, Volusia County, Florida. Florida Capital Bank, N.A., hereby joins and consents to the dedication of the lands and the plat and agrees that its mortgages, liens or other encumberances, recorded in Official Record Book 5925, pages 3091 through 3108, inclusive, of the Public Records of Volusia County, Florida, shall be subordinated to the said dedication.

In witness whereof, Florida Capital Bank, N.A., have caused these presents to be signed, attested and sealed by those named below.

Signed: Bruce McCandless
Bruce McCandless, Vice-president
Florida Capital Bank, N.A.

WITNESSES: Martha I. Hurst
PRINTED NAME MARTHA I. HURST
Nde Rabea
PRINTED NAME Nde Rabea

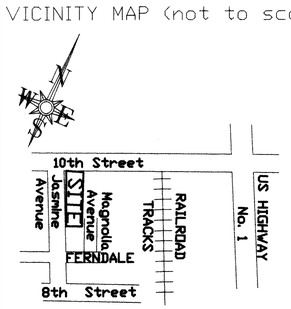
I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME PERSONALLY APPEARED BRUCE MCCANDLESS, VICE-PRESIDENT, FLORIDA CAPITAL BANK, N.A. TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS ACT AND DEED OF AND FOR THE USES THEREIN EXPRESSED AND AFFIXED THERETO HIS SIGNATURE. HE IS KNOWN TO ME AND DID TAKE AN OATH. THIS 27TH DAY OF OCTOBER, 2006.
WITNESS MY HAND AND OFFICIAL SEAL ON THE DATE AFORESAID.
Martha I. Hurst
PRINTED NAME MARTHA I. HURST
COMMISSION NO. DD376619
MY COMMISSION EXPIRES: 12/17/2008

NOTARY PUBLIC
MARTHA I. HURST
Notary Public, State of Florida
My comm. expires Dec. 17, 2008
No. DD 376619

PLAT PREPARED BY:

MYER LAND SURVEYING, INC.
LICENSED BUSINESS #6877
MICHAEL M. MYER
PROFESSIONAL SURVEYOR AND MAPPER
#LS 4006
316 RIDGEWOOD AVE., HOLLY HILL, FLORIDA 32117
TELEPHONE 386 255-6304 FACSIMILE 386 255-6306

VICINITY MAP (not to scale)



DEDICATION
KNOW ALL MEN BY THESE PRESENTS, that Magnolia Avenue Development Group, LLC, being the owner in fee simple of the lands shown and described hereon as the plat entitled: MAGNOLIA WATERS SUBDIVISION located in the City of Holly Hill, Volusia County, Florida, hereby dedicates the said lands and plat for the uses and purposes hereon expressed. All potable water, reclaimed water, and sanitary sewer mains constructed within the area encompassed within the plat are dedicated to the City of Holly Hill. All drainage and utility, easements shown or described on the plat are, unless otherwise indicated, dedicated to the City of Holly Hill. All drainage are, unless otherwise indicated, dedicated to the City of Holly Hill. All drainage easements shown or described on the plat are also, unless otherwise indicated, granted to the City of Holly Hill, for the purposes described in the General Notes.

WITNESSES:
Deborah Pawson
PRINTED NAME Deborah Pawson
PRINTED NAME ERIK J. NIELSEN

Magnolia Avenue Development Group, LLC
A FLORIDA COMPANY
BY:
COMPANY SEAL
PRINTED NAME Thomas Pawson
TITLE: General Manager

STATE OF FLORIDA, COUNTY OF VOLUSIA

I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME PERSONALLY APPEARED THOMAS PAWSON AS GENERAL MANAGER, OF MAGNOLIA AVENUE DEVELOPMENT GROUP, LLC TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED THE EXECUTION THEREOF TO BE THE ACT AND DEED OF SAID COMPANY FOR THE USES THEREIN EXPRESSED AND AFFIXED THERETO THE OFFICIAL SEAL OF SAID COMPANY. HE IS KNOWN TO ME AND DID TAKE AN OATH. THIS 3 DAY OF NOV, 2006.
WITNESS MY HAND AND OFFICIAL SEAL ON THE DATE AFORESAID.
PRINTED NAME DONALD C. NIELSEN
COMMISSION NO. DD179161
MY COMMISSION EXPIRES: 3-15-07

JOINDER AND CONSENT TO DEDICATION
Ellis L. Flippo, Jr., hereby certifies that he is the holder of a Life Estate upon the portion of the property depicted as Lot 18, Magnolia Waters Subdivision, located in the City of Holly Hill, Volusia County, Florida. I, Ellis L. Flippo, Jr., hereby join and consent to the dedication of the lands and the plat and agree that ther Life Estate, recorded in Official Record Book 5845, page 1410, of the Public Records of Volusia County, Florida, shall be subordinated to the said dedication.

In witness whereof, Ellis L. Flippo, Jr., has caused these presents to be signed, attested and sealed by those named below.

Signed: Ellis L. Flippo Jr
Ellis L. Flippo, Jr.

WITNESSES: Deborah Pawson
PRINTED NAME Deborah Pawson
PRINTED NAME ERIK J. NIELSEN

I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME PERSONALLY APPEARED Ellis L. Flippo, Jr.
TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS ACT AND DEED OF AND FOR THE USES THEREIN EXPRESSED AND AFFIXED THERETO THEIR SIGNATURES. HE IS KNOWN TO ME AND DID TAKE AN OATH. THIS 3 DAY OF NOV, 2006.
WITNESS MY HAND AND OFFICIAL SEAL ON THE DATE AFORESAID.
PRINTED NAME DONALD C. NIELSEN
COMMISSION NO. DD179161
MY COMMISSION EXPIRES: 3-15-07

CERTIFICATE OF SURVEYOR AND MAPPER
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING A LICENSED AND PROFESSIONAL SURVEYOR AND MAPPER, DOES HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON, ENTITLED MAGNOLIA WATERS SUBDIVISION, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, THAT THE PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT ALL MONUMENTATION SHOWN HEREON OR REQUIRED PER CHAPTER 177, FLORIDA STATUTES, HAS BEEN PROPERLY PLACED.

DATE: 10/26/06

Michael M. Myer, P.S.M. LS4006
Myer Land Surveying, Inc.
Licensed Business No. LB6877
316 Ridgewood Avenue
Holly Hill, FL 32117 (386) 255-6304

REVIEW BY SURVEYOR AND MAPPER FOR THE CITY
I HEREBY CERTIFY TO THE CITY, THAT I HAVE REVIEWED THE FOREGOING PLAT FOR COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT I HAVE PROVIDED BOTH THE CITY AND THE SURVEYOR AND MAPPER OF RECORD A LIST OF DEVIATIONS, IF ANY, FROM SUCH REQUIREMENTS.

DATE: 10/26/06

PRINTED NAME: Michael E. Awad P.S.M. NO.: 5574

BOARD OF PLANNING AND APPEALS CERTIFICATE OF APPROVAL

This statement hereby certifies that the plat entitled MAGNOLIA WATERS SUBDIVISION was approved by the Holly Hill Board of Planning and Appeals on 8-7-06

BY: Acting Michael M. Myer
Chairman of the Holly Hill Board of Planning and Appeals

CITY COUNCIL CERTIFICATE OF APPROVAL

This statement hereby certifies that the plat entitled MAGNOLIA WATERS SUBDIVISION was approved by the Holly Hill City Council on _____

BY: _____ ATTEST: Valerie Manning
Mayor of the City of Holly Hill Clerk of the City of Holly Hill

CERTIFICATE OF CLERK

I hereby certify that I have examined the foregoing plat and found that it complies, in form, with all requirements stated in Chapter 177, Florida Statutes, and that it was filed for record on 8/17/07 at 3:51 a.m. (p.m.) DeLand, FL.

Anne Lorenzato, DC File No. 2007 188765
Clerk of Circuit Court
Volusia County, Florida

SHEET 1 OF 1