# MONTSERRAT AT UTC

*A CONDOMINIUM,*
*LYING AND BEING IN*
*SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST*
*SARASOTA COUNTY, FLORIDA*



RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2018047835 5 PG(S)
April 13, 2018 11:20:25 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

## DESCRIPTION - OVERALL

*THE WEST 1/2 OF THE SOUTH 1/2 OF THE NW 1/4 OF THE SW 1/4 OF THE NW 1/4, SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, LESS RIGHT-OF-WAY FOR HONORE AVENUE MORE PARTICULARLY DESCRIBED IN ORDER OF TAKING IN OFFICIAL RECORDS BOOK 2486, PAGE 95, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.*

*AND*

*THE EAST 1/2 OF THE SOUTH 1/2 OF THE NW 1/4 OF THE SW 1/4 OF THE NW 1/4 OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.*

## COMMUNITY RECORDINGS

*SEE THE DECLARATION OF CONDOMINIUM FOR MONTSERRAT AT UTC CONDOMINIUM FOR ADDITIONAL INFORMATION REGARDING COMMON ELEMENTS.*

*THE CONDOMINIUM PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTION OF RECORD.*

## UNIT BOUNDARIES

*EACH UNIT SHALL INCLUDE THAT PART OF THE BUILDING CONTAINING THE UNIT THAT LIES WITHIN THE FOLLOWING BOUNDARIES:*

### UPPER AND LOWER BOUNDARIES

*THE UPPER AND LOWER BOUNDARIES OF THE UNIT SHALL BE THE FOLLOWING BOUNDARIES EXTENDED TO THEIR PLANAR INTERSECTIONS WITH THE PERIMETRICAL BOUNDARIES:*

### UPPER BOUNDARIES

*THE HORIZONTAL PLANE OF THE UNFINISHED LOWER SURFACE OF THE CEILING*

### LOWER BOUNDARIES

*THE HORIZONTAL PLANE OF THE UNFINISHED UPPER SURFACE OF THE FLOOR OF THE UNIT*

### PERIMETRICAL BOUNDARIES

*PERIMETRICAL BOUNDARIES OF THE UNIT SHALL BE VERTICAL PLANES OF UNFINISHED INTERIOR SURFACES OF THE WALLS BOUNDING THE UNIT EXTENDED TO THEIR PLANAR INTERSECTIONS WITH EACH OTHER AND WITH UPPER AND LOWER BOUNDARIES (AND TO THE EXTENT THAT THE WALLS ARE DRYWALL AND/OR GYPSUM BOARD, THE UNIT BOUNDARIES SHALL BE DEEMED TO BE THE AREA IMMEDIATELY BEHIND THE DRYWALL OR GYPSUM BOARD, SO THAT FOR PURPOSES HEREUNDER THE DRYWALL AND/OR GYPSUM BOARD SHALL BE DEEMED TO BE A PART OF THE UNIT AND NOT A PART OF COMMON ELEMENTS).*

## CERTIFICATE OF SURVEYOR

*I, JAMES L. CLEMENTS, BEING A PROFESSIONAL LAND SURVEYOR AUTHORIZED TO PRACTICE IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT:*

*1. A BOUNDARY SURVEY OF THE HEREON DESCRIBED PROPERTY WAS MADE UNDER MY DIRECTION ON MAY 16, 2017, AND THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THE SURVEY REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE AS SET FORTH UNDER CHAPTER 5G17-6, FLORIDA ADMINISTRATIVE CODE AND CHAPTER 472, FLORIDA STATUTES.*

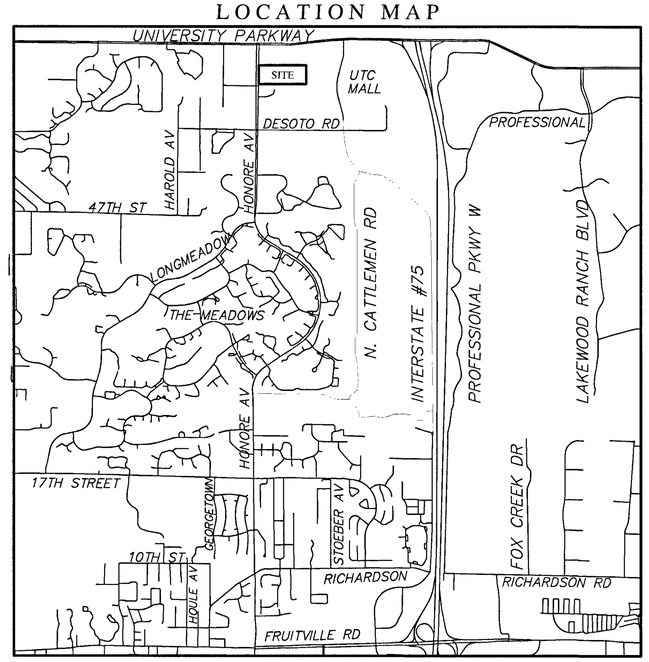
*2. THAT THE CONSTRUCTION OF THE IMPROVEMENTS WITHIN MONTSERRAT AT UTC, A CONDOMINIUM, AS SHOWN ARE NOT SUBSTANTIALLY COMPLETE SO THAT THESE MATERIALS COMPRISING EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM OF MONTSERRAT AT UTC CONDOMINIUM, TOGETHER WITH THE PROVISIONS OF THE DECLARATION DESCRIBING THE CONDOMINIUM PROPERTY, IS AN ACCURATE REPRESENTATION OF THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS AND THAT THE IDENTIFICATION, LOCATION AND DIMENSIONS OF THE COMMON ELEMENTS AND OF EACH UNIT IDENTIFIED HEREON CAN BE DETERMINED FROM THESE MATERIALS.*

*3. AND FURTHER, THAT ALL PLANNED IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO LANDSCAPING, UTILITY SERVICES, AND ACCESS TO THE UNITS IDENTIFIED HEREIN AND COMMON ELEMENT FACILITIES SERVICES THE HEREIN IDENTIFIED BUILDINGS HAVE NOT BEEN SUBSTANTIALLY COMPLETED.*

DATE OF CERTIFICATION: FEB 13, 2018

BY: James L. Clements
JAMES L. CLEMENTS, P.S.M #4091
LICENSE BUSINESS NO. 6667

## LOCATION MAP




*NOT TO SCALE*

## NOTES

*1. BEARINGS SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM (WEST ZONE) NAD83/1999. THEY WERE DERIVED USING A TRIMBLE R-2 NETWORK ROVER WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK. BEARINGS ARE BASED ON THE EASTERLY RIGHT OF WAY LINE OF HONORE AVENUE BEING N00°33'03"E.*

*2. PROPERTY LIES WITHIN FLOOD ZONE "X", AS PER FLOOD INSURANCE RATE MAP PANEL NO. 12115C0064F, DATED 11-04-16, (SUBJECT TO VERIFICATION).*

*3. THE DEFINITIONS SET FORTH IN THE DECLARATION OF CONDOMINIUM ARE INCORPORATED HEREIN BY REFERENCE.*

*4. "L.C.E." DESIGNATES LIMITED COMMON ELEMENTS AND "CE" DESIGNATES COMMON ELEMENTS.*

*5. THE DIMENSIONS, ELEVATIONS AND LOCATIONS AS SHOWN HEREON ARE SUBJECT TO DESIGN CHANGES OR CONSTRUCTION REQUIREMENTS IN THE FIELD.*

*6. ONLY THE LANDS DESCRIBED HEREIN AS MONTSERRAT AT UTC, CONDOMINIUM, ARE BEING SUBMITTED HEREBY TO THE CONDOMINIUM FORM OF OWNERSHIP. THE ATTACHED SURVEY IDENTIFIES CONDOMINIUM PROPERTY AND THE IMPROVEMENTS LOCATED THEREON.*

*7. ALL THE PERMITTED IMPROVEMENTS AND STRUCTURES WITHIN THE UNIT BOUNDARIES HAVE NOT BEEN CONSTRUCTED OR LOCATED.*

*8. ELEVATIONS SHOWN ARE PROVIDED IN NATIONAL GEODETIC VERTICAL DATUM OF 1929.*

## RESERVATION OF EASEMENTS

*EASEMENTS ARE EXPRESSLY CREATED, PROVIDED FOR AND RESERVED (IN ADDITION TO ANY EASEMENTS CREATED UNDER THE ACT) IN FAVOR OF THE UNIT OWNERS, THEIR LESSEES, THEIR GUESTS AND INVITEES AND THE ASSOCIATION, AS FOLLOWS:*

*(A) SUPPORT. EACH UNIT AND ANY STRUCTURE AND/OR IMPROVEMENT NOW OR HEREAFTER CONSTRUCTED, SHALL HAVE AN EASEMENT OF SUPPORT AND OF NECESSITY AND SHALL BE SUBJECT TO AN EASEMENT OF SUPPORT AND NECESSITY IN FAVOR OF ALL OTHER UNITS AND COMMON ELEMENTS AND/OR ASSOCIATION PROPERTY AND ANY OTHER STRUCTURE OR IMPROVEMENT WHICH ABUTS ANY UNIT, BUILDING OR ANY OTHER IMPROVEMENTS.*

*(B) UTILITY AND OTHER SERVICES; DRAINAGE. EASEMENTS ARE RESERVED ON, UNDER, THROUGH, OVER AND ACROSS THE CONDOMINIUM PROPERTY AS MAY BE REQUIRED FROM TIME TO TIME FOR UTILITY, CABLE TELEVISION, COMMUNICATIONS AND MONITORING SYSTEMS, LIFE SAFETY SYSTEMS, DIGITAL AND/OR OTHER SATELLITE SYSTEMS, BROADBAND COMMUNICATIONS AND OTHER SERVICES AND DRAINAGE IN ORDER TO SERVE THE CONDOMINIUM AND/OR MEMBERS OF THE ASSOCIATION.*

*(C) ENCROACHMENTS. IF (I) ANY PORTION OF COMMON ELEMENTS AND/OR ASSOCIATION PROPERTY ENCROACHES UPON ANY UNIT (OR LIMITED COMMON ELEMENT APPURTENANT THERETO); (II) ANY UNIT (OR LIMITED COMMON ELEMENT APPURTENANT THERETO) ENCROACHES UPON ANY OTHER UNIT OR UPON ANY PORTION OF COMMON ELEMENTS AND/OR ASSOCIATION PROPERTY; OR (III) ANY ENCROACHMENT SHALL HEREAFTER OCCUR AS A RESULT OF (1) CONSTRUCTION OF IMPROVEMENTS; (2) SETTLING OR SHIFTING OF IMPROVEMENTS; (3) ANY ALTERATION OR REPAIR TO COMMON ELEMENTS AND/OR ASSOCIATION PROPERTY MADE BY OR WITH CONSENT OF THE ASSOCIATION OR DEVELOPER, AS APPROPRIATE, OR (4) ANY REPAIR OR RESTORATION OF IMPROVEMENTS (OR PORTION) OR ANY UNIT AFTER DAMAGE BY FIRE OR CASUALTY OR ANY TAKING BY CONDEMNATION OR EMINENT DOMAIN PROCEEDINGS OF ALL OR ANY PORTION OF A UNIT OR COMMON ELEMENTS AND/OR ASSOCIATION PROPERTY, THEN, IN SUCH EVENT, A VALID EASEMENT SHALL EXIST FOR SUCH ENCROACHMENT AND FOR MAINTENANCE THEREOF SO LONG AS THE IMPROVEMENTS STAND.*

*(D) INGRESS AND EGRESS. A NON-EXCLUSIVE EASEMENT IN FAVOR OF EACH UNIT OWNER AND RESIDENT, THEIR GUESTS, TENANTS AND INVITEES, AND FOR EACH MEMBER OF THE ASSOCIATION AND THEIR GUESTS, TENANTS AND INVITEES, SHALL EXIST FOR PEDESTRIAN TRAFFIC ON, OVER, THROUGH AND ACROSS SIDEWALKS, STREETS, PATHS, WALKS AND OTHER PORTIONS OF COMMON ELEMENTS (INCLUDING WITHOUT LIMITATIONS, LIMITED COMMON ELEMENTS) AND ASSOCIATION PROPERTY AS TIME TO TIME MAY BE INTENDED AND DESIGNATED FOR SUCH PURPOSE AND USE BY THE BOARD; AND FOR VEHICULAR AND PEDESTRIAN TRAFFIC ON, OVER, THROUGH AND ACROSS, AND PARKING ON, SUCH PORTIONS OF COMMON ELEMENTS AND ASSOCIATION PROPERTY AS FROM TIME TO TIME MAY BE PAVED AND INTENDED FOR SUCH PURPOSES. NONE OF THE EASEMENTS SPECIFIED IN THIS SUBPARAGRAPH SHALL BE ENCUMBERED BY ANY LEASEHOLD OR LIEN OTHER THAN THOSE ON CONDOMINIUM PARCELS. ANY SUCH LIEN ENCUMBERING SUCH EASEMENTS (OTHER THAN THOSE ON CONDOMINIUM PARCELS) AUTOMATICALLY SHALL BE SUBORDINATE TO THE RIGHTS OF UNIT OWNERS AND THE ASSOCIATION WITH RESPECT TO SUCH EASEMENTS.*

*(E) EXTERIOR BUILDING MAINTENANCE/ASSOCIATION. AN EASEMENT IS HEREBY RESERVED ON, OVER, THROUGH AND ACROSS EACH UNIT, AND ALL LIMITED COMMON ELEMENTS APPURTENANT THERETO AND THE CONDOMINIUM PROPERTY, IN ORDER TO AFFORD ACCESS TO THE ASSOCIATION (AND ITS CONTRACTORS) FOR THE PURPOSE OF PERFORMING ITS LAWFUL FUNCTIONS PURSUANT TO THIS DECLARATION, INCLUDING, WITHOUT LIMITATION, THE MAINTENANCE OF THE BUILDINGS, THE IMPROVEMENTS, TO PERFORM ROOF REPAIRS AND/OR REPLACEMENTS, AND TO REPAIR, REPLACE, MAINTAIN AND/OR ALTER ANY ROOFTOP MECHANICAL EQUIPMENT, TO STAGE WINDOW WASHING EQUIPMENT AND TO PERFORM WINDOW WASHING AND/OR ANY OTHER EXTERIOR MAINTENANCE, REPAIR AND/OR REPLACEMENT AND/OR PAINTING OF THE BUILDINGS.*

*(F) PUBLIC EASEMENTS. FIRE POLICE, HEALTH, SANITATION AND OTHER PUBLIC SERVICE PERSONNEL AND VEHICLES SHALL HAVE PERMANENT AND PERPETUAL EASEMENTS FOR INGRESS AND EGRESS OVER AND ACROSS COMMON ELEMENTS IN THE PERFORMANCE OF THEIR RESPECTIVE DUTIES.*

*SEE THE DECLARATION OF CONDOMINIUM FOR MONTSERRAT AT UTC CONDOMINIUM FOR ADDITIONAL EASEMENTS.*

CLEMENTS SURVEYING, INC.
509 8TH AVENUE WEST
SUITE 140
PALMETTO, FLORIDA 34221
(941) 729-6690 FAX (941) 729-7580
LB #6667
www.ClementsSurveying.com

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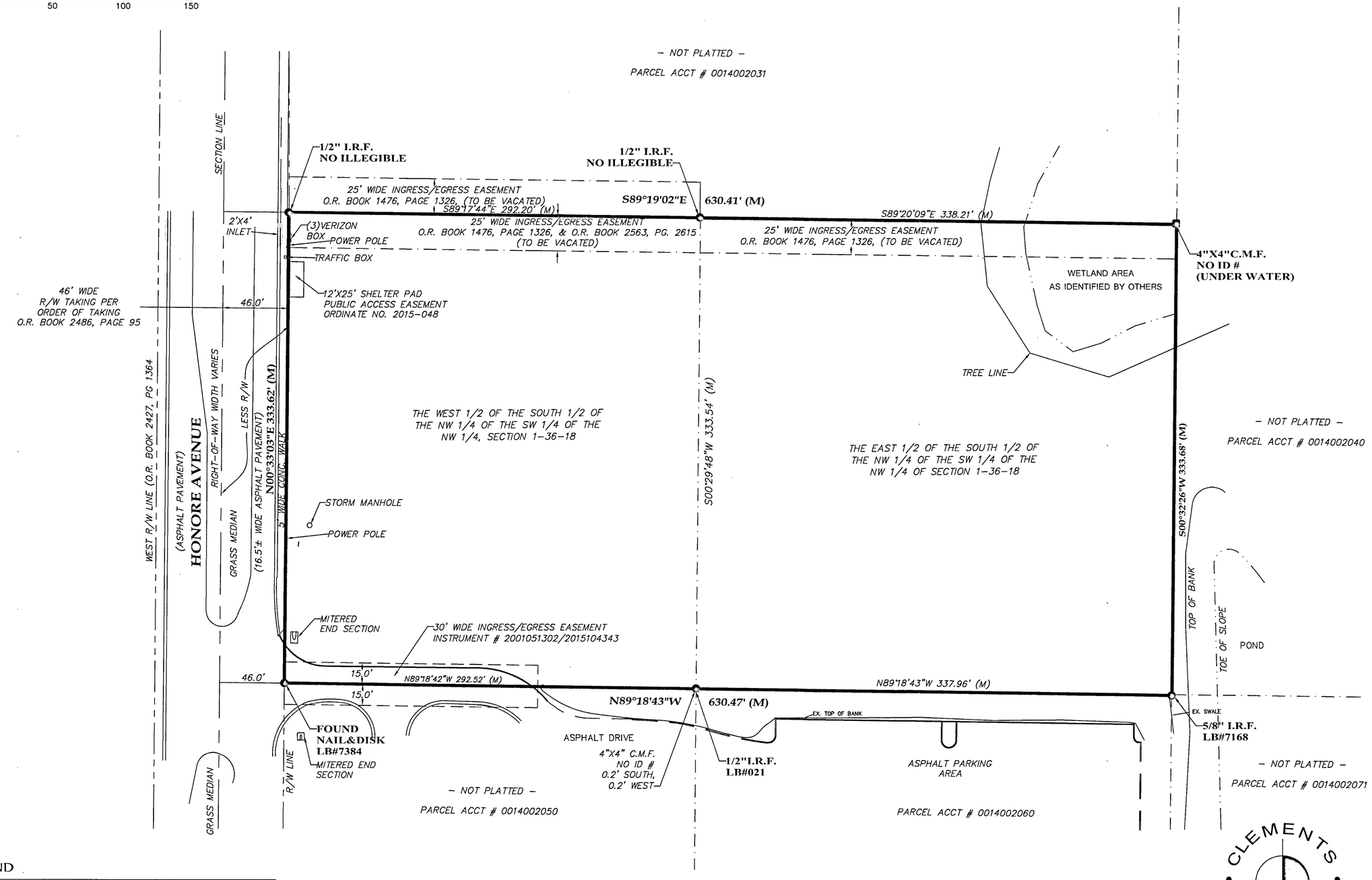
*SARASOTA COUNTY, FLORIDA*

CONDOMINIUM BOOK 44 PAGE 19

SHEET 2 OF 5

SCALE 1"= 50'

0 50 100 150




## LEGEND

| | | | |
|---|---|---|---|
| PSM | PROFESSIONAL SURVEYOR AND MAPPER | | |
| ■ | C.M.F. (CONCRETE MONUMENT FOUND) SIZE AND NUMBER DENOTED. | | |
| ⊠ | PERMANENT REFERENCE MONUMENT (P.R.M.)SET, NUMBER LB#6667 | | |
| | C.M.S. (4" SQUARE CONCRETE MONUMENT SET) | | |
| ⊙ | P.C.P. PERMANENT CONTROL POINT(5/8"I.R.S.) | | |
| ◐ | I.R.F. (IRON ROD) FOUND SIZE AND NUMBER DENOTED | | |
| ○ | 5/8" IRON ROD WITH PLASTIC CAP STAMPED LB#6667 SET | | |
| SEC. | SECTION | P.C. | POINT OF CURVE |
| PG. | PAGE | P.C.C. | POINT OF COMPOUND CURVE |
| BM | BENCHMARK | P.O.B. | POINT OF BEGINNING |
| ELEV. | ELEVATION | P.O.C. | POINT OF COMMENCEMENT |
| R/W | RIGHT OF WAY | SQ. FT. | SQUARE FOOTAGE |
| LS | LICENSED SURVEYOR | PI | PARCEL IDENTIFICATION |
| LB | LICENSED BUSINESS | PCP | PERMANENT CONTROL POINT |
| O.R. | OFFICIAL RECORDS BOOK | L.C.E. | LIMITED COMMON ELEMENT |

# BOUNDARY SURVEY


CLEMENTS SURVEYING, INC.
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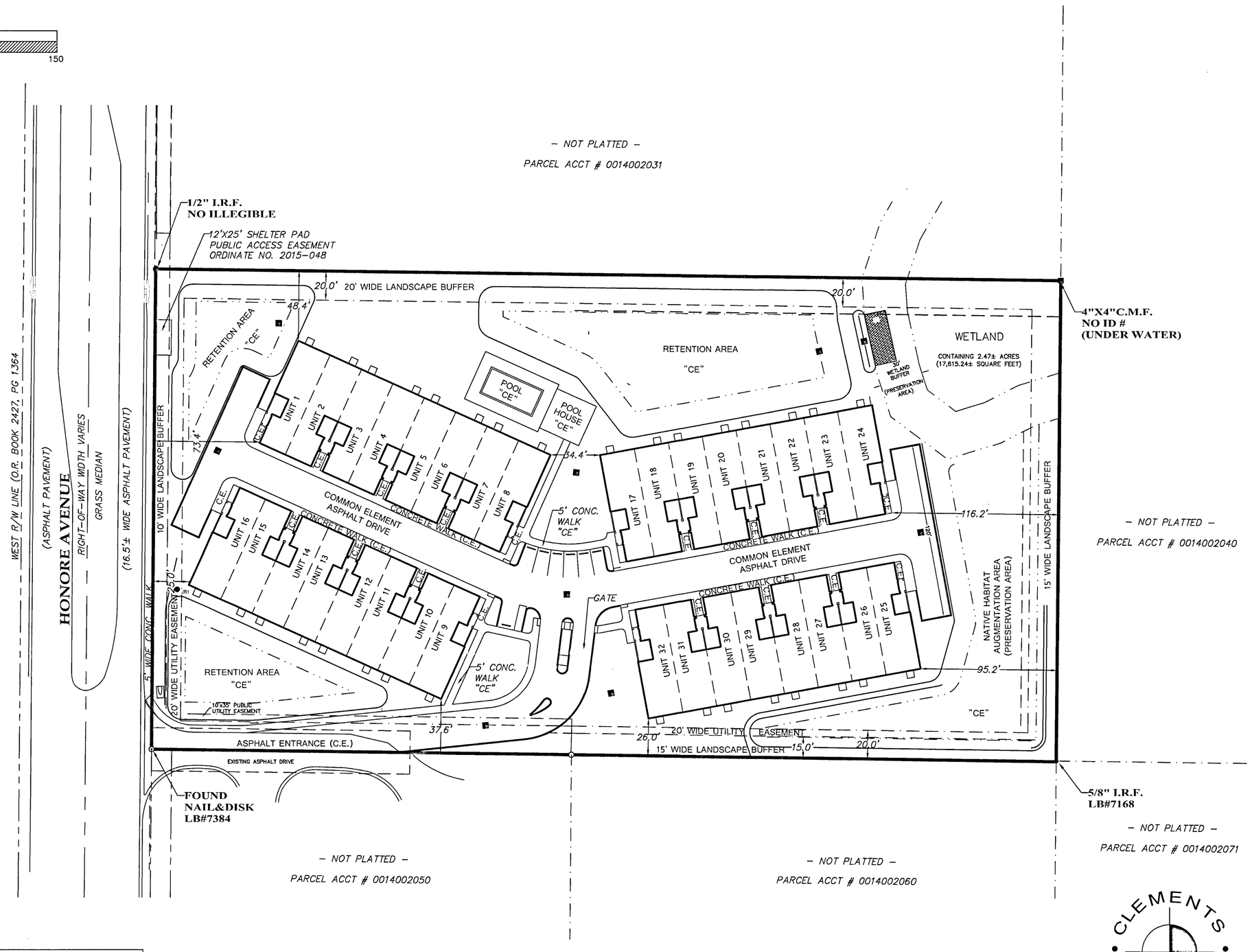
CONDOMINIUM BOOK 44 PAGE 20
SHEET 3 OF 5

SCALE
1"= 50'
0 50 100 150

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| L.C.E. | LIMITED COMMON ELEMENT | (D) | DEED (M) MEASURED |

UTILITY - BUFFER AND LANDSCAPE EASEMENS AS PER CAVOLI ENGINEERING, INC. APPROVED SITE PLAN

# PLOT PLAN


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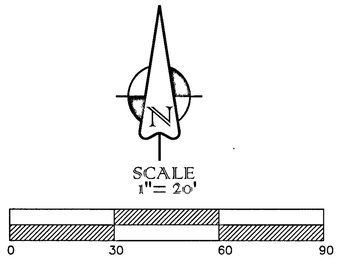
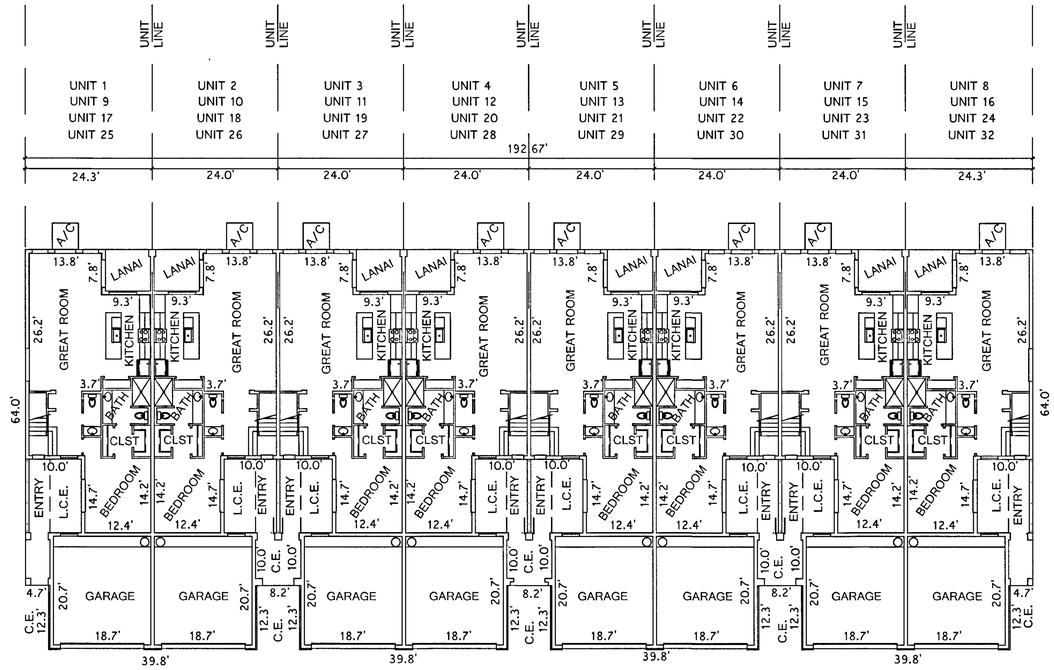
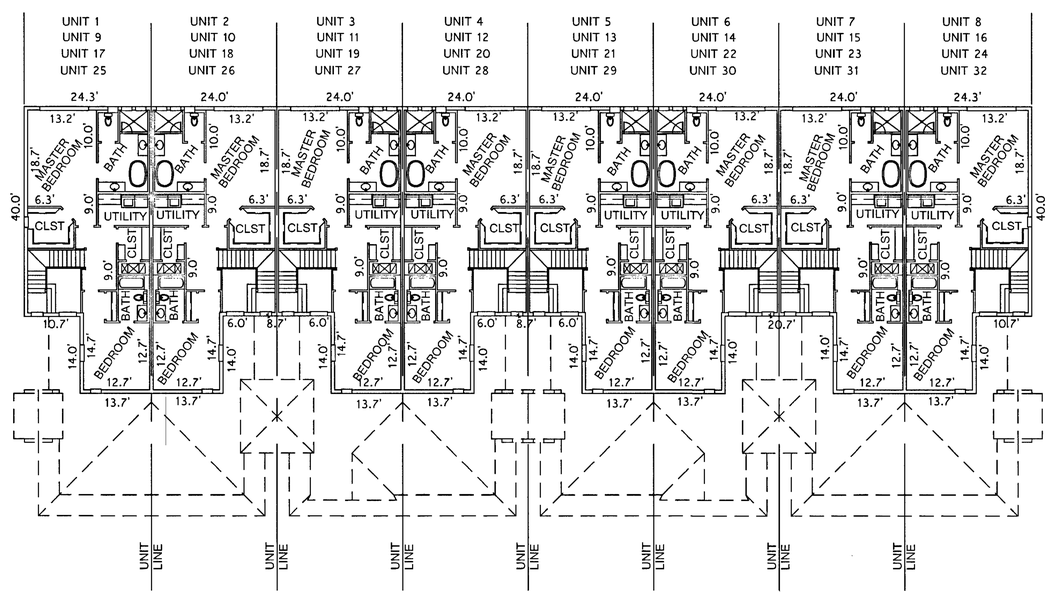



## LOWER BOUNDARY




## UPPER BOUNDARY

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C.E.=COMMON ELEMENT
L.C.E.=LIMITED COMMON ELEMENT
CLST=CLOSET
UTILITY=UTILITY ROOM
BATH=BATHROOM

# FLOOR PLAN

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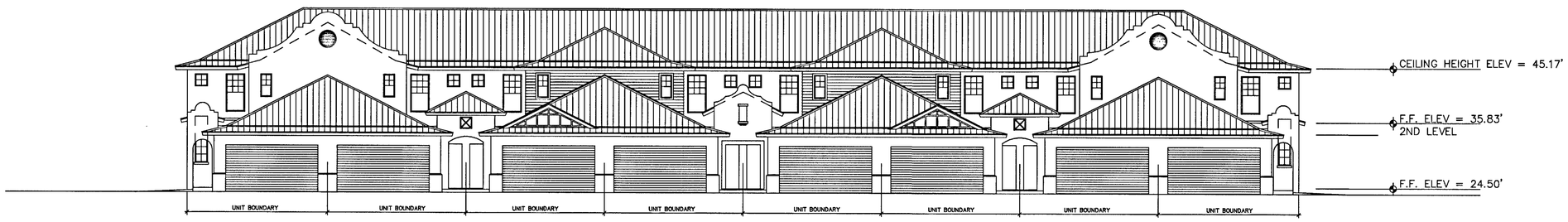
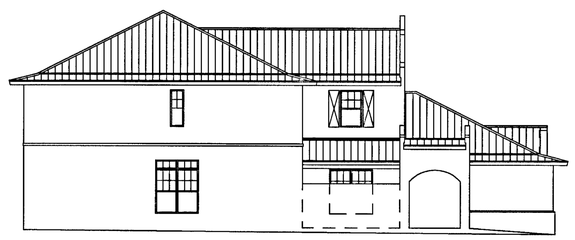
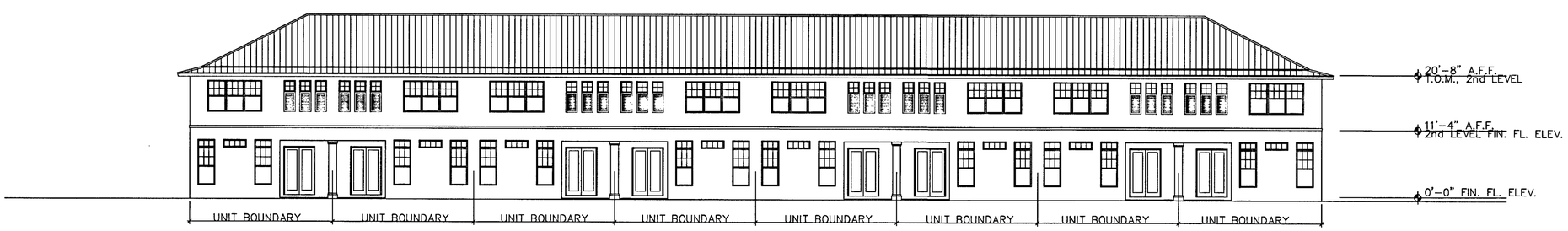


LEFT SIDE VIEW

RIGHT SIDE VIEW




REAR BUILDING VIEW

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# BUILDING / ELEVATION VIEW

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