

RESOLUTION NO. 85-11

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA

WHEREAS, Earl Sluder,, Gloria Sluder, Mike Severt and Kathy Severt, as Owner, have applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat known as Mill Creek Pines, and,

WHEREAS, the Owner and Mortgagees have dedicated certain roads, streets, easements, rights-of-way or other public areas to the public as shown on the subdivision plat for the uses and purposes thereon stated,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. The above-described subdivision plat is conditionally approved by the Board of County Commissioners of St. Johns County, Florida, subject to Section #8.

Section 2. The dedicated roads, streets, easements, rights-of-way and other public areas shown on the plat are conditionally accepted by the Board of County Commissioners of St. Johns County on behalf of the public. This accept- ance shall not be deemed an acceptance requiring construction or maintenance of the roads, streets, easements, rights-of-way or other public areas by the County. This acceptance is subject to Section #8.

Section 3. The Construction Bond in the amount of \$ 100,000 , is hereby conditionally accepted, subject to Section #8.

Section 4. The Warranty Bond is set in the amount of \$ 3000⁰⁰ and the record title owner has agreed that it will, upon request, provide such Bond.

Section 5. The Clerk is instructed to file the title opinion.

Section 6. The Clerk is instructed to accept the Construction Bond subject to Section #8.

Section 7. Paving of Road outside of subdivision. The road connecting Pine Creek Drive to State Road #16 shall be paved to County specifications by Owner at Owner's expense from 5 feet south of Pine Creek Drive to State Road #16 at the same time the subdivision roads are paved. *In the event*

Section 7A. *When the road described in section 7 is paved the Owner shall construct at its expense an appropriate acceleration lane on State Road 16.*
Section 8. The approval described in Section #1 and the Acceptances described in Section #2, 3, and 6 shall not take effect until the plat has been signed by each of the following departments, persons or offices;

- a) Chairman or Vice-Chairman of the Board of County Commissioners of St. Johns County, Florida
- b) County Attorney
- c) County Planning Department or Office
- d) County Zoning Department of Office
- e) Clerk of Courts

In the event that the developer causes such road (the portion to be paved) to be deeded to the County with marketable title prior to paving of the road, the County shall pay 1/3 of the cost of such paving with the County share not to exceed \$7000.00. In the event the deed is not delivered to the County prior to the construction,

the County shall pay nothing.

The Clerk shall not sign or accept the plat for recording until it has been signed by each of the above persons or entities described in a) through d) above and the construction bond unless waived, has been delivered to the Clerk. If the plat is not signed and accepted by the Clerk for recording within 14 days from the date hereof, then the above-described conditional approval and acceptances shall automatically terminate. If the plat is signed by the Clerk on or before such time, the conditions described herein shall be deemed to have occurred.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 22nd day of January, 1985.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: *Henry Walker*
Its Chairman

ATTEST: CARL "BUD" MARKEL
ITS CLERK

BY: *Marie Hudson*
Deputy Clerk

WOODROW F. HARPER

ATTORNEY AND COUNSELLOR AT LAW

46 SPANISH STREET

ST. AUGUSTINE, FLORIDA 32084

(904) 824-7226

January 21, 1985

Board of County Commissioners
St. Johns County
St. Augustine, Florida 32084

RE: PROPOSED PLAT OF MILL CREEK PINES.

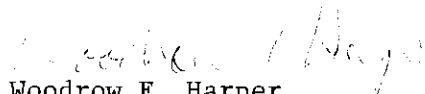
Ladies and Gentlemen;

Based upon the information contained in Title and Trust Company of Florida's Title Policy #B 175626, dated October 25, 1984 and checked down through January 7, 1985 by Alliance Title and Escrow Services, Inc., of 1713 Blanding Blvd., Jacksonville, Florida 32210, I find that the title to the land described in the proposed plat of Mill Creek Pines to be vested in Michael Severt and Kathy Severt, his wife; and Earl M. Sluder and Gloria S. Sluder, his wife. The legal description is attached hereto as Exhibit "A". Title to the property is subject to the following matters of record in the public records of St. Johns County, Florida:

- (1) The Mortgage from Michael Severt and Kathy Severt, his wife; and Earl M. Sluder and Gloria S. Sluder, his wife, to Family Credit Services, Inc., dated October 22, 1984 and recorded on October 25, 1984 at 12:30 p.m. in Official Records Book 658, Page 1821 of the public records of St. Johns County, Florida.

In addition to the matters discussed in the proceeding paragraph, my opinion as to title to the property is also subject to:

- (1) The rights of the parties in possession, if any.
- (2) Unrecorded mechanic's or materialmen's liens.
- (3) Unrecorded easements, if any, above and below the surface.
- (4) St. Johns County taxes assessed subsequent to December 31, 1984.


Woodrow F. Harper
Attorney and Counselor at Law

WFH/jdt

EXHIBIT "A"

PART OF LOT 11, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY FLORIDA, DESCRIBED AS; COMMENCE AT THE S.W. CORNER OF THE N. 1/2. OF THE N.E. 1/4, OF SAID LOT 11, THENCE RUN N 61° 20' 58" W., A DISTANCE OF 539.77 FEET; THENCE RUN N 24° 01' 13" E., A DISTANCE OF 230.00 FEET; THENCE RUN N. 06° 40' 07" A DISTANCE OF 210.00 FEET; THENCE RUN S. 69° 14' 58" W., A DISTANCE OF 319.40 FEET, TO THE POINT OF BEGINNING; THENCE RUN N. 06° 40' 07" W. A DISTANCE OF 543.68 FEET; THENCE RUN S. 68° 28' 45" E., A DISTANCE OF 351.50 FEET; THENCE RUN N. 06° 40' 07" W., A DISTANCE OF 42.52 FEET; THENCE RUN N. 09° 25' 28" E., A DISTANCE OF 22.95 FEET; THENCE RUN N. 68° 28' 45" W., A DISTANCE OF 297.00 FEET; THENCE RUN N. 09° 25' 28" E. A DISTANCE OF 300.00 FEET; THENCE RUN N. 68° 28' 45" W., A DISTANCE OF 1104.20 FEET; THENCE RUN S. 33° 54' 24" W., A DISTANCE OF 1125.00 FEET; THENCE RUN S. 56° 05' 37" E., A DISTANCE OF 580.00 FEET; THENCE RUN S. 82° 53' 02" E., A DISTANCE OF 920.02 FEET; THENCE RUN N. 69° 14' 58" E., A DISTANCE OF 240.60 FEET, TO THE POINT OF BEGINNING.