

RESOLUTION NO. 85-130
RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA

WHEREAS, L'Atrium Corporation and Baita /Landtec Associates, as Owner, has applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat known as L'Atrium Unit IV, Phase A,

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 #5.

SECTION 2. The Construction Bond is waived.

SECTION 3. The Warranty Bond is waived.

SECTION 4. The Clerk is instructed to file the title opinion.

SECTION 5. The approval described in Section #1., 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 or Office
- e) Clerk of Courts

The Clerk shall not sign or accept the plat for recording until it has been signed by each of the above persons or entitites 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 24th day of September, 1985.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Ray Walden
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

By: Cheryl Kent
Deputy Clerk

GALLAGHER, BAUMER, MIKALS, BRADFORD, CANNON & WALTERS

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SHARON STRAYER LEARCH
ELLEN F. M. POSNER
MARK G. ALEXANDER
DEBORAH D. BARTON

September 9, 1985

Planning Department
St. Johns County
Post Office Drawer 349
St. Augustine, Florida 32085

Re: L'Atrium IV, Phase A

Gentlemen:

The undersigned attorney for L'Atrium Corporation, a Florida corporation, hereby certifies that he has examined the title to the lands described on the plat of L'Atrium IV, Phase A, copy of said description being attached hereto and made a part hereof, and that the fee simple title to said land is vested in L'Atrium Corporation, a Florida corporation, as to an undivided fifty percent (50%) interest, and Baita/Landtec Associates, a Florida limited partnership, as to an undivided fifty percent (50%) interest, as joint venturers.

The undersigned further certifies that the lands described on the L'Atrium, Phase IV Development Plan are free and clear of all liens and encumbrances except as follows:

1. Easements contained in instrument recorded in Deed Book 106, page 329, and Official Records Book 406, pages 5 and 11, with second supplementary easement contained in Official Records Book 642, page 738, and in Official Records Book 643, page 44, public records of St. Johns County, Florida.

2. Mortgage to AmeriFirst Federal Savings and Loan Association dated September 6, 1985, recorded September 9, 1985, in Official Records Book 683, page 1239, public records, St. Johns County, Florida; Collateral Assignment of Rents, Leases and Profits in favor of AmeriFirst Federal Savings and

Loan Association dated September 6, 1985, recorded September 9, 1985, in Official Records Book 683, page 1247, public records, St. Johns County, Florida; and UCC Statement in favor of AmeriFirst Federal Savings and Loan Association recorded September 9, 1985, in Official Records Book 683, page 1252, public records, St. Johns County, Florida.

3. Declaration of Joint Venture dated April 5, 1985, by Baita/Landtec Associates, a Florida general partnership, and L'Atrium Corporation, a Florida corporation, recorded in Official Records Book 673, page 634, public records of St. Johns County, Florida.

All real estate ad valorem taxes have been paid through the year 1984.

Very truly yours,


Daniel J. Gallagher

DJG:vte

Attachment

LAtIVOpin

A PORTION OF SECTION 44, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 44; THENCE SOUTH $15^{\circ}37'30''$ EAST ALONG THE WESTERLY LINE OF SAID SECTION 44, A DISTANCE OF 1432.66 FEET TO THE POINT OF BEGINNING; THENCE NORTH $83^{\circ}30'30''$ EAST, A DISTANCE OF 7.02 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 896.65 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 61.70 FEET, MAKING A CENTRAL ANGLE OF $3^{\circ}56'33''$ HAVING A CHORD BEARING OF NORTH $85^{\circ}28'46''$ EAST AND A CHORD DISTANCE OF 61.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH $87^{\circ}27'02''$ EAST, A DISTANCE OF 141.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 690.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 342.08 FEET, MAKING A CENTRAL ANGLE OF $28^{\circ}24'20''$, HAVING A CHORD BEARING OF NORTH $73^{\circ}14'52''$ EAST AND A CHORD DISTANCE OF 338.59 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH $59^{\circ}02'42''$ EAST, A DISTANCE OF 144.03 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 170.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 169.84 FEET, MAKING A CENTRAL ANGLE OF $57^{\circ}14'30''$ HAVING A CHORD BEARING OF NORTH $87^{\circ}39'57''$ EAST AND A CHORD DISTANCE OF 162.86 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 12.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 19.12 FEET, MAKING A CENTRAL ANGLE OF $87^{\circ}38'40''$ HAVING A CHORD BEARING OF NORTH $72^{\circ}27'52''$ EAST AND A CHORD DISTANCE OF 17.31 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 62.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 54.28 FEET, MAKING A CENTRAL ANGLE OF $49^{\circ}45'24''$ HAVING A CHORD BEARING OF NORTH $03^{\circ}45'50''$ EAST AND A CHORD DISTANCE OF 52.59 FEET TO THE POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 355.88 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 85.31 FEET, MAKING A CENTRAL ANGLE OF $13^{\circ}44'05''$ HAVING A CHORD BEARING OF NORTH $14^{\circ}14'50''$ WEST AND A CHORD DISTANCE OF 85.11 FEET; THENCE NORTH $84^{\circ}22'30''$ EAST A DISTANCE OF 140.71 FEET; THENCE SOUTH $21^{\circ}55'08''$ WEST, A DISTANCE OF 27.00 FEET; THENCE SOUTH $35^{\circ}55'04''$ EAST, A DISTANCE OF 93.97 FEET; THENCE SOUTH $80^{\circ}57'19''$ EAST, A DISTANCE OF 60.54 FEET; THENCE SOUTH $56^{\circ}21'31''$ EAST, A DISTANCE OF 33.65 FEET; THENCE SOUTH $02^{\circ}16'51''$ WEST, A DISTANCE OF 46.75 FEET; THENCE SOUTH $14^{\circ}39'02''$ WEST, A DISTANCE OF 94.15 FEET; THENCE NORTH $86^{\circ}06'16''$ WEST, A DISTANCE OF 35.92 FEET; THENCE SOUTH $28^{\circ}13'04''$ WEST, A DISTANCE OF 71.36 FEET; THENCE SOUTH $03^{\circ}59'58''$ EAST, A DISTANCE OF 153.19 FEET; THENCE SOUTH $37^{\circ}00'00''$ EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH $60^{\circ}39'10''$ WEST, A DISTANCE OF 80.95 FEET; THENCE SOUTH $50^{\circ}03'34''$ WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 140.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 104.28 FEET, MAKING A CENTRAL ANGLE OF $42^{\circ}40'42''$ HAVING A CHORD BEARING OF SOUTH $74^{\circ}11'30''$ WEST AND A CHORD DISTANCE OF 101.89 FEET; THENCE SOUTH $07^{\circ}30'00''$ WEST, A DISTANCE OF 78.30 FEET; THENCE SOUTH $51^{\circ}40'00''$ WEST, A DISTANCE OF 173.00 FEET; THENCE SOUTH $02^{\circ}40'00''$ EAST, A DISTANCE OF 275.00 FEET; THENCE SOUTH $31^{\circ}43'40''$ WEST, A DISTANCE OF 207.00 FEET; THENCE SOUTH $84^{\circ}22'30''$ WEST, A DISTANCE OF 180.00 FEET; THENCE NORTH $15^{\circ}37'30''$ WEST, A DISTANCE OF 96.45 FEET; THENCE SOUTH $84^{\circ}22'30''$ WEST, A DISTANCE OF 142.16 FEET TO AFORESAID WESTERLY LINE OF SECTION 44; THENCE NORTH $15^{\circ}37'30''$ WEST, A DISTANCE OF 872.63 FEET TO THE POINT OF BEGINNING.