

RESOLUTION NO. 88-139

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

7

WHEREAS, The Plantation Developers, as Owner, has applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat known as The  
Jennas Center and,

WHEREAS, the Owner and Mortgagee have dedicated certain roads, streets, easements, rights-of-way or other areas 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 #6.

Section 2. The dedicated roads, streets, easements, rights-of-way and other areas shown on the plat are conditionally accepted by the Board of County Commissioners of St. Johns County on behalf of the beneficiaries to the dedication. This acceptance shall not be deemed an acceptance requiring construction or maintenance of the roads, streets, easements, rights-of-way or other areas by the County. This acceptance is subject to Section #6.

Section 3. The Construction Bond is set in the amount of \$106,000 and shall be submitted to the Clerk of Courts for his approval prior to recording the plat.

Section 4. The Warranty Bond is set in the amount of \$ ZERO 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 approval described in Section #1 and the Acceptance described in Section #2 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

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 and approved by him. 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 acceptance 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 10th day of May , 1988.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hatley  
Its

Carl "Bud" Markel, Clerk

ATTEST: Lynn M. McDonald  
Deputy Clerk

ROGERS, TOWERS, BAILEY, JONES & GAY

A PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

1300 GULF LIFE DRIVE

JACKSONVILLE, FLORIDA 32207

(904) 398-3911

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ANTHONY A. ANDERSON  
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VICKI R. REYNOLDS  
C. ALBERT TURNER III  
JOANNE L. MARTIN

SPECIAL COUNSEL  
RICHARD B. SCHWALBE

WM. H. ROGERS - 1884 - 1967  
CHARLES D. TOWERS - 1894 - 1989  
TAYLOR JONES - 1911 - 1982

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JEFFERSON AT MONROE STREET  
POST OFFICE BOX 1872  
TALLAHASSEE, FLORIDA 32302  
(904) 222-7200  
FRANK L. JONES

PLEASE REPLY:  
JACKSONVILLE

May 10, 1988

Board of County Commissioners  
c/o James Sisco, Esquire  
Post Office Box 1533  
St. Augustine, Florida 32084

RE: The Tennis Center at The Plantation

Gentlemen:

The undersigned are attorneys for The Plantation Developers, a Florida general partnership, and are familiar with the title to that certain property shown on Exhibit "A" attached hereto.

We understand that said property is to be platted as "The Tennis Center at The Plantation". Please be advised that we have been supplied with a title search by Title Insurance Company of Minnesota regarding the title to the property described in Exhibit "A" through May 10, 1988 and we find the following to be true:

1. The apparent record owner of the property described in Exhibit "A" is The Plantation Developers, a Florida general partnership.
2. There are three mortgages which encumber the property described as follows:
  - (a) Mortgage and Security Agreement from The Plantation Developers, a Florida general partnership, Sun Bank, N.A., dated December 26, 1985, recorded in Official Records Book 692, page 1879, as modified by Note and Mortgage Modification Agreement recorded in Official Records Book 700, page 286, as subordinated by Subordination Agreement recorded May 1, 1986, in Official Records Book 703, page 65, as further modified by Second Modification of Mortgage Agreement and Partial Release of Mortgage Lien recorded in Official Records Book 723, page 578, as modified by Third Mortgage Modification Agreement recorded in Official Records Book 737, page 349, as modified in Fourth Mortgage Modification recorded in Official Records Book 769, page 888, public records of St. Johns County, Florida.

Continued

ROGERS, TOWERS, BAILEY, JONES & GAY

Board of County Commissioners  
May 10, 1988  
Page Two . . .

- (b) Mortgage and Security Agreement from The Plantation Developers, a Florida general partnership, to Sun Bank, National Association, dated November 6, 1986, recorded in Official Records Book 723, page 591, re-recorded in Official Records Book 730, page 1323, public records of St. Johns County, Florida.
- (c) Mortgage and Security Agreement from The Plantation Developers, a Florida general partnership, to Sun Bank, National Association, dated November 5, 1986, recorded in Official Records Book 723, page 615, as modified by Subordination Agreement recorded in Official Records Book 737, page 357, public records of St. Johns County, Florida.

3. The 1987 taxes for the captioned property have been paid.

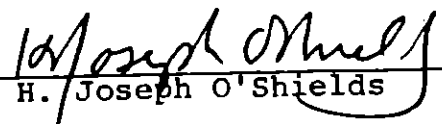
For purposes of information, there has also been recorded in the public records of St. Johns County, Florida, the following document which also pertains to property described herein on Exhibit "A":

Declaration of Easements, Covenants, Conditions, Restrictions and Limitations for The Plantation at Ponte Vedra recorded in Official Records Book 718, page 769, as amended by Amended and Restated Declaration in Official Records Book 723, page 540, and as amended by First Supplemental Declaration recorded in Official Records Book 735, page 1910, and as further amended by Second Supplemental Declaration recorded in Official Records Book 748, page 1869, as amended in Third Supplemental Declaration recorded in Official Records Book 775, page 852, said Third Supplemental Declaration re-recorded in Official Records Book 776, page 1739, public records of St. Johns County, Florida.

There are no other Easements, Judgments or Encumbrances which attach to the property described herein.

Very truly yours,

ROGERS, TOWERS, BAILEY, JONES  
& GAY

By:   
H. Joseph O'Shields

HJO/bcd

A portion of Government Lot 14, Section 10, together with a portion of Section 15, together with a portion of the Francis X. Sanchez Grant, Section 46, all being in Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: BEGIN at the Southeast corner of Lot 112 as shown on the plat of The Plantation at Ponte Vedra Unit One, as recorded in Map Book 19, pages 39 through 51 inclusive, of the Public Records of said County; thence Southeasterly and Southwesterly around the Northwesterly right-of-way line and Northerly right-of-way line of Plantation Circle (a 60 foot right-of-way as now established) run the following five courses and distances: Course No. 1: thence Southeasterly along and around the arc of a curve being concave Easterly, and having a radius of 1671.02 feet, an arc distance of 267.19 feet, said arc being subtended by a chord bearing and distance of South 15°42'30" East, 261.91 feet to the point of reverse curvature of a curve leading Southeasterly; Course No. 2: thence along and around the arc of a curve concave Westerly, and having a radius of 438.68 feet, an arc distance of 239.07 feet, said arc being subtended by a chord bearing and distance of South 04°43'46" East, 236.13 feet to the point of tangency of said curve; Course No. 3: thence South 10°52'59" West, 125.65 feet to the point of curvature of a curve leading Southwesterly; Course No. 4: thence Southwesterly along and around the arc of a curve concave Northwesterly, and having a radius of 795.44 feet, an arc distance of 431.84 feet, said arc being subtended by a chord bearing and distance of South 26°26'08" West, 426.55 feet to the point of compound curvature of a curve leading Southwesterly; Course No. 5: thence Southwesterly along and around the arc of a curve being concave Northwesterly, and having a radius of 698.12 feet, an arc distance of 190.59 feet, said arc being subtended by a chord bearing and distance of South 48°48'33" West, 190.00 feet; thence North 30°02'35" West, 413.30 feet; thence North 19°18'19" East, 792.53 feet to the Southerly line of said Lot 112, Plantation at Ponte Vedra Unit One; thence North 87°24'28" East along last said line, a distance of 213.51 feet to the POINT OF BEGINNING.

EXHIBIT A

ROGERS, TOWERS, BAILEY, JONES & GAY

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PLEASE REPLY:  
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SPECIAL COUNSEL  
RICHARD B. SCHWALBE  
HOWARD I. KORMAN

April 25, 1988

James G. Sisco, Esquire  
Post Office Box 1533  
St. Augustine, Florida 32084

RE: The Tennis Center at  
The Plantation

Dear Jim:

I am sending to you the final plat opinion letter for The Tennis Center at The Plantation. This opinion letter is dated May 10, 1988, the date of the next Board of County Commissioners' meeting. As we discussed in our telephone call, the title information is stated to be good through May 9, 1988, the date prior to the Board of County Commissioners' meeting. I am having Title Insurance Company of Minnesota checkdown the public records in St. Johns County on that date and intend to call you on the afternoon of May 9, 1988 to release this letter to you finally. Thank you for your help and for talking to me about this matter.

Very truly yours,

H. Joseph O'Shields

HJO/bcd

Enclosure

*personal are releasing*

**MESSAGE** For *mtw*

*Whitaker Rel. Plat. Pls*

From \_\_\_\_\_ Date \_\_\_\_\_

Of *opinion* Time *5-10*  am  pm

Message *Plantation*

*Rogers, Jones*

Phone (\_\_\_\_\_) *398-3911* By \_\_\_\_\_

- Phoned You
- Please Call
- Will Call Again
- Returned Your Call
- Wants to See You
- Came In
- See Operator
- Urgent