

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

Resolution No. 88-165

WHEREAS, OLDE TYME ACRES, LTD,

as Owner, has applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat known as PHASE TWO OF OLDE TYME ACRES and,

WHEREAS, the Owner and Mortgagee have dedicated certain roads, streets, easements, rights-of-way or other areas as shown on the subdivision plat to the County,

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. 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 \$100,300 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 \$10,800 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 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 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 14th day of JUNE, 1988.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hartley
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

BY: Ann M. McDonald
Deputy Clerk

UPCHURCH, BAILEY AND UPCHURCH, P. A.

ATTORNEYS AT LAW
501 FIRST UNION BANK BUILDING
POST OFFICE BOX 170

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FRANK D. UPCHURCH
(1894-1986)

HAMILTON D. UPCHURCH
JOHN D. BAILEY, JR.
FRANK D. UPCHURCH, III
TRACY W. UPCHURCH

KEITH R. FOUNTAIN

June 8, 1988

St. Johns County Board of Commissioners
St. Johns County Administration Building
State Road 16-A
St. Augustine, Florida 32084

RE: Plat of Phase II of Olde Tyme Acres

Dear Sirs:

At your request, we have prepared an opinion of title on land in St. Johns County, Florida, more particularly described on Exhibit "A" attached hereto, being that real property described in the caption of the plat of Phase II of Olde Tyme Acres.

From our examination, we find that Olde Tyme Acres, Ltd., a Florida Limited Partnership, is vested with a fee simple title to the above described real property subject only to the following:

1. Mortgage from Olde Tyme Acres Ltd., to Prosperity Bank of St. Augustine, recorded in Official Records Book 747, page 1378, Public Records of St. Johns County, Florida.
2. Mortgage from Olde Tyme Acres, Ltd., to John C. Tindall and Martha I. Tindall, recorded in Official Records Book 661, page 23, Public Records of St. Johns County, Florida.
3. Drainage Easement, recorded in Official Records Book 164, page 402, Public Records of St. Johns County, Florida.
4. Rights of parties in possession other than the record owner.
3. Any unpaid and unrecorded mechanics or materialmen's liens for labor or materials furnished beginning within ninety (90) days prior to June 2, 1988.
4. Applicable zoning ordinances and regulations.


Board of County Commissioners
April 4, 1988

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5. Any state of facts which an accurate survey might show.
6. Any lien or encumbrance on record after June 2, 1988.

This opinion reflects the status of the title as of June 2, 1988. If you have any questions, please feel free to contact this office.

Sincerely,


John D. Bailey, Jr.

JDB, JR./ksg

EXHIBIT "A"

A PARCEL OF LAND IN SECTIONS 8, 17 AND 38, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, CONTAINING 50.61 ACRES MORE OR LESS; BEING PART OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 601, PAGES 21 AND 22, PUBLIC RECORDS OF SAID COUNTY AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK "C", UNIT ONE OF GREEN ACRES ESTATES AS RECORDED IN MAP BOOK 10, PAGE 42, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 84 DEGREES 45 MINUTES 00 SECONDS EAST, ON THE SOUTH LINE OF SAID LOT 10 AND THE EASTERLY EXTENSION OF SAID LINE, 905.88 FEET TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTH 84 DEGREES 45 MINUTES 00 SECONDS EAST 910.91 FEET; THENCE SOUTH 5 DEGREES 30 MINUTES 10 SECONDS EAST 1,597.11 FEET; THENCE NORTH 75 DEGREES 36 MINUTES 25 SECONDS EAST 12.54 FEET; THENCE SOUTH 1 DEGREE 29 MINUTES 30 SECONDS WEST, ON THE WEST LINE OF SAID SECTION 38, A DISTANCE OF 228.73 FEET; THENCE SOUTH 19 DEGREES 58 MINUTES 31 SECONDS EAST, ON THE WEST LINE OF SECTION 39, TOWNSHIP 7 SOUTH, RANGE 29 EAST, 555.98 FEET; THENCE SOUTH 1 DEGREE 51 MINUTES 05 SECONDS EAST, ON THE EAST LINE OF SAID SECTION 17, A DISTANCE OF 284.53 FEET; THENCE SOUTH 87 DEGREES 11 MINUTES 52 SECONDS WEST, ON THE SOUTH LINE OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 601, PAGES 21 AND 22, A DISTANCE OF 1,030.88 FEET; THENCE NORTH 5 DEGREES 16 MINUTES 55 SECONDS WEST, ON THE EAST LINE OF PHASE ONE OF OLDE TYME ACRES, AS RECORDED IN MAP BOOK 19, PAGES 70, 71 AND 72, PUBLIC RECORDS OF SAID COUNTY, 1,296.78 FEET; THENCE NORTH 87 DEGREES 17 MINUTES 29 SECONDS EAST, ON A LINE OF SAID PHASE ONE OF OLDE TYME ACRES, 2.18 FEET; THENCE NORTH 5 DEGREES 13 MINUTES 33 SECONDS WEST, ON THE EAST LINE OF SAID PHASE ONE OF OLDE TYME ACRES, 1,303.30 FEET TO THE POINT OF BEGINNING.