

AN ORDINANCE AND RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER:

TRACT A FROM R-1-C TO R-3;  
TRACT B FROM R-1-C TO R-3  
WITH SOLE USE TO BE BY COUNTY FOR LIBRARY FACILITIES;  
TRACT D FROM R-1-C TO R-3;  
TRACT C FROM R-1-C TO R-3  
WITH SOLE USE TO BE BY COUNTY FOR FIRE AND EMERGENCY RESCUE FACILITIES;  
TRACT E FROM R-2 SOLE USE FEDERAL POST OFFICE TO R-2 SOLE USE FEDERAL POST OFFICE WITH CONDITIONS;

SAID LANDS BEING WITHIN THE PONTE VEDRA ZONING DISTRICT; AND PROVIDING AN EFFECTIVE DATE:

BE IT RESOLVED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of March Investments, Inc. the zoning classifications on the following tracts (the legal description of each tract is set forth on Exhibit A attached hereto) are hereby changed in the following manner:

- A. The existing zoning classification of R-1-C on Tract A is hereby changed to R-3.
- B. The existing zoning classification of R-1-C on Tract B is hereby changed to R-3 for the sole purpose of permitting said property to be used by St. Johns County for library facilities.
- C. The existing zoning classification of R-1-C on Tract D is hereby changed to R-3.
- D. The existing zoning classification of R-1-C on Tract C is hereby changed to R-3 for the sole purpose of permitting said property to be used by St. Johns County for fire and emergency rescue facilities.
- E. The existing zoning classification of R-2 with sole use federal post office on Tract E is hereby changed to R-2 for the sole purpose of permitting said property to be used by the United States Government as a Post Office with the added conditions that the building(s) on said property shall comply with all set-back, height, and other building

restrictions applicable to such building(s), and further that there shall be adequate on-site parking to accommodate the public usage of the building(s).

SECTION 2. The rezoning of Tract B accomplished hereby shall revert to the R-1-C classification in the event the above described governmental usage of the Tract B property does not occur, or after commencement and useage, is abandoned or terminated.

SECTION 3. The rezoning of Tract C accomplished hereby shall revert to the R-1-C classification in the event the above described governmental usage of the Tract C property does not occur, or after commencement and useage, is abandoned or terminated.

SECTION 4. Since the existing zoning of Tract E provides that the R-2 sole use federal post office zoning on said Tract shall revert to the R-1-C zoning classification in the event the federal post office use allowed by such zoning should not occur or, after commencement, is abandoned or terminated, the rezoning of Tract E accomplished hereby shall revert to the R-1-C zoning classification in the event the above described governmental usage of, and construction on, the Tract E property does not occur, or after commencement and useage, is abandoned or terminated.

SECTION 5. Except as provided in Sections 1,2,3, and 4, nothing herein contained shall be deemed to impose conditions, limitations, or requirements not applicable to all other land in the zoning district wherein said lands are located.

SECTION 6. The Zoning Inspector is authorized to issue construction permits allowed by classification as rezoned hereby.

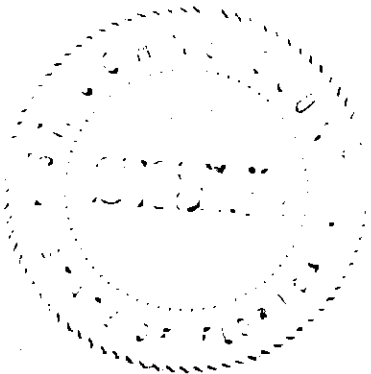
SECTION 7. This ordinance and resolution shall not take effect until <sup>the later of (i)</sup> receipt of official acknowledgment by the Clerk of the Board of County Commissioners of St. Johns County, Florida from the Office of the Department of State, that same has been filed and (ii) November

30, 1988. In the event that the Deed and the two mortgage releases described in the title opinion dated October 25, 1988, attached hereto - pertaining to the lands described in Exhibit B attached to said opinion - have not been duly executed, delivered to St. Johns County, accepted by the County, and recorded in the official public records of St. Johns County prior to November 30, 1988, then this rezoning ordinance and resolution shall automatically be void ab initio and of no force and effect whatsoever. In addition, in the event that the Amendment To Declaration Of Covenants And Restrictions, a copy of which is attached hereto, (i) has not been duly amended to delete all provisions in the Declarations of Covenants and Restrictions as amended that (a) restrict or regulate the uses or construction of, upon, or on Tract B and Tract D as such Tracts are described in said Declaration, and that (b) in any other manner hinders, regulate or effect said Tracts B and D, and (ii) as amended has not been duly executed by each of the parties thereto and recorded in the official public records of St. Johns County prior to November 30, 1988, then this rezoning ordinance and resolution shall automatically be void ab initio and of no force and effect whatsoever.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, this 25th day of October, 1988.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hartley  
Chairman



ATTEST: Carl "Bud" Markel, Clerk

BY: Carl "Bud" Markel  
Clerk

Adopted regular meeting October 25, 1988

Effective: November 30, 1988

TRACT "A"

A PART OF GOVERNMENT LOT 12, SECTION 21, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE NORTH 89°02'18" EAST, ALONG THE SOUTH LINE OF SECTION 22, OF SAID TOWNSHIP AND RANGE, THE SAME BEING THE NORTH LINE OF SANDY OAKS UNIT 1, AS RECORDED IN MAP BOOK 14, PAGES 98 AND 99 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 238.91 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A, (AS NOW ESTABLISHED AS A 100 FOOT RIGHT OF WAY); THENCE NORTH 17°57'52" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 698.55 FEET TO A POINT, SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 210.79 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF NORTH 79°14'00" WEST AND A CHORD DISTANCE OF 202.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 30°30'07" WEST A DISTANCE OF 134.24 FEET TO A POINT OF CURVE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 203.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF NORTH 70°51'04" WEST AND A CHORD DISTANCE OF 198.21 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 88°48'00" WEST A DISTANCE OF 7.28 FEET TO A POINT OF CURVE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 30.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A CHORD BEARING OF NORTH 46°12'00" WEST AND A CHORD DISTANCE OF 42.43 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 01°12'00" WEST A DISTANCE OF 170.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°12'00" WEST, ALONG LAST SAID LINE, A DISTANCE OF 181.24 FEET TO THE SOUTHERLY RIGHT OF WAY OF SOLANO ROAD, (AS NOW ESTABLISHED AS A 60 FOOT RIGHT OF WAY); THENCE NORTH 88°36'36" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SOLANO ROAD, A DISTANCE OF 306.69 FEET TO THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A, SAID RIGHT OF WAY LINE BEING A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 2952.93 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT OF WAY LINE A CHORD BEARING OF SOUTH 11°44'56" EAST AND A CHORD DISTANCE OF 184.24 FEET TO A POINT ON SAID CURVE; THENCE SOUTH 88°36'36" WEST, PARALLEL WITH THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED SOLANO ROAD, A DISTANCE OF 420.42 FEET TO THE POINT OF BEGINNING. CONTAINING 1.67 ACRES MORE OR LESS.

TRACT "C"

A PART OF GOVERNMENT LOT 12, SECTION 21, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 21, THE SAME BEING THE NORTHEAST CORNER OF INNLET BEACH UNIT EIGHT, AS RECORDED IN MAP BOOK 13, PAGES 111, 112 AND 113 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH  $89^{\circ} 04' 18''$  WEST, ALONG THE SOUTH LINE OF SAID SECTION 21, THE SAME BEING THE NORTH LINE OF SAID INNLET BEACH UNIT EIGHT, A DISTANCE OF 500.90 FEET; THENCE NORTH  $01^{\circ} 12' 00''$  WEST, PARALLEL WITH THE WESTERLY LINE OF SAID GOVERNMENT LOT 12, A DISTANCE OF 907.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH  $01^{\circ} 12' 00''$  WEST, A DISTANCE OF 176.99 FEET; THENCE NORTH  $88^{\circ} 36' 36''$  EAST, PARALLEL WITH THE SOUTHERLY RIGHT OF WAY LINE OF SOLANO ROAD, (AS NOW ESTABLISHED AS A 60 FOOT RIGHT OF WAY), A DISTANCE OF 135.00 FEET; THENCE SOUTH  $01^{\circ} 12' 00''$  EAST, A DISTANCE OF 226.71 FEET TO A POINT ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 285.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE SUBTENDED BY A CHORD BEARING OF NORTH  $81^{\circ} 10' 26''$  WEST AND A CHORD DISTANCE OF 99.24 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH  $88^{\circ} 48' 00''$  WEST, A DISTANCE OF 7.28 FEET TO A POINT OF CURVE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 30.00; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE SUBTENDED BY A CHORD BEARING OF NORTH  $46^{\circ} 12' 00''$  WEST AND A CHORD DISTANCE OF 42.47 FEET TO THE POINT OF TANGENCY OF SAID CURVE AND THE POINT OF BEGINNING, CONTAINING 0.66 ACRES MORE OR LESS.

TRACT "D"

A PART OF GOVERNMENT LOT 12, SECTION 21, AND A PART OF GOVERNMENT LOT 7, SECTION 22, ALL IN TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE NORTH  $89^{\circ} 02' 10''$  EAST, ALONG THE SOUTH LINE OF SAID SECTION 22, THE SAME BEING THE NORTH LINE OF SANDY OAKS UNIT 1, AS RECORDED IN MAP BOOK 14, PAGES 98 AND 99 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 238.91 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A (AS NOW ESTABLISHED AS A 188 FOOT RIGHT OF WAY); THENCE NORTH  $17^{\circ} 57' 52''$  WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 698.55 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 210.79 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE SUBTENDED BY A CHORD BEARING OF NORTH  $79^{\circ} 14' 00''$  WEST AND A CHORD DISTANCE OF 202.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH  $50^{\circ} 30' 07''$  WEST, A DISTANCE OF 154.24 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 285.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE SUBTENDED BY A CHORD BEARING OF NORTH  $55^{\circ} 14' 29''$  WEST AND A CHORD DISTANCE OF 47.10 FEET TO A POINT ON SAID CURVE; THENCE NORTH  $01^{\circ} 12' 00''$  WEST, PARALLEL WITH THE WEST LINE OF AFOREMENTIONED GOVERNMENT LOT 12, A DISTANCE OF 63.00 FEET; THENCE NORTH  $63^{\circ} 07' 45''$  EAST, A DISTANCE OF 40.73 FEET; THENCE NORTH  $88^{\circ} 36' 36''$  EAST, PARALLEL WITH THE SOUTHERLY RIGHT OF WAY LINE OF SOLANO ROAD (AS NOW ESTABLISHED AS A 60 FOOT RIGHT OF WAY), A DISTANCE OF 241.20 FEET TO THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A, SAID RIGHT OF WAY LINE BEING A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2952.93 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT OF WAY SUBTENDED BY A CHORD BEARING OF SOUTH  $17^{\circ} 27' 11''$  EAST AND A CHORD DISTANCE OF 52.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH  $17^{\circ} 57' 52''$  EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.41 ACRES MORE OR LESS.

TRACT "B"

A PART OF GOVERNMENT LOT 12, SECTION 21, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE NORTH 89° 02' 18" EAST, ALONG THE SOUTH LINE OF SECTION 22, OF SAID TOWNSHIP AND RANGE, THE SAME BEING THE NORTH LINE OF SANDY OAKS UNIT 1, AS RECORDED IN MAP BOOK 14, PAGES 98 AND 99 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 238.91 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A (AS NOW ESTABLISHED AS A 188 FOOT RIGHT OF WAY); THENCE NORTH 17° 57' 52" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 908.55 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2952.93 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE SUBTENDED BY A CHORD BEARING OF NORTH 17° 27' 11" WEST AND A CHORD DISTANCE OF 52.73 FEET TO A POINT ON SAID CURVE AND SAID RIGHT OF WAY LINE AND THE POINT OF BEGINNING; THENCE SOUTH 88° 36' 36" WEST PARALLEL WITH THE SOUTHERLY RIGHT OF WAY LINE OF SOLANO ROAD (AS NOW ESTABLISHED AS A 60 FOOT RIGHT OF WAY), A DISTANCE OF 241.28 FEET; THENCE SOUTH 63° 07' 45" WEST, A DISTANCE OF 40.73 FEET; THENCE SOUTH 01° 12' 00" EAST PARALLEL WITH THE WEST LINE OF AFOREMENTIONED GOVERNMENT LOT 12, A DISTANCE OF 63.00 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 285.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE SUBTENDED BY A CHORD BEARING OF NORTH 65° 33' 51" WEST AND A CHORD DISTANCE OF 55.46 FEET TO A POINT ON SAID CURVE; THENCE NORTH 01° 12' 00" WEST, PARALLEL WITH THE WEST LINE OF AFOREMENTIONED GOVERNMENT LOT 12, A DISTANCE OF 226.71 FEET; THENCE NORTH 89° 36' 36" EAST, PARALLEL WITH THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF SOLANO ROAD, A DISTANCE OF 285.43 FEET TO THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A, SAID RIGHT OF WAY BEING A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2952.93 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE SUBTENDED BY A CHORD BEARING OF SOUTH 15° 14' 20" EAST AND A CHORD DISTANCE OF 175.45 FEET TO THE POINT OF BEGINNING, CONTAINING 1.28 ACRES MORE OR LESS.

TRACT "E"

A PART OF GOVERNMENT LOT 12, SECTION 21, AND A PART OF GOVERNMENT LOT 7, SECTION 22, ALL IN TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA. ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH  $89^{\circ} 04' 18''$  WEST, ALONG THE SOUTH LINE OF SAID SECTION 21, A DISTANCE OF 500.90 FEET; THENCE NORTH  $81^{\circ} 12' 00''$  WEST A DISTANCE OF 777.01 FEET TO A POINT OF CURVE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF NORTH  $43^{\circ} 48' 00''$  EAST AND A CHORD DISTANCE OF 42.43 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH  $88^{\circ} 48' 00''$  EAST A DISTANCE OF 7.29 FEET TO A POINT OF CURVE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS 215.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF SOUTH  $70^{\circ} 51' 04''$  EAST AND A CHORD DISTANCE OF 149.53 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH  $50^{\circ} 38' 07''$  EAST A DISTANCE OF 154.24 FEET TO A POINT OF CURVE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 280.79 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF SOUTH  $79^{\circ} 14' 00''$  EAST AND A CHORD DISTANCE OF 269.96 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A, AS NOW ESTABLISHED AS A 188 FOOT RIGHT OF WAY; THENCE SOUTH  $17^{\circ} 57' 52''$  EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 628.55 FEET TO THE SOUTH LINE OF SAID SECTION 22; THENCE SOUTH  $89^{\circ} 02' 18''$  WEST, ALONG SAID SOUTH LINE, THE SAME BEING THE NORTH LINE OF SANDY OAKS UNIT 1, AS RECORDED IN MAP BOOK 14, PAGES 98 AND 99 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 238.91 FEET TO THE POINT OF BEGINNING, CONTAINING 10.04 ACRES MORE OR LESS.

CHRISTIAN, PROM, KORN & ZEHMER

A PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

JACKSONVILLE, FLORIDA

PLEASE REPLY TO:  
POST OFFICE BOX 19276  
JACKSONVILLE, FLORIDA 32245-9276  
TELEX 62951052

SUITE 316, SOUTHPOINT BUILDING  
6620 SOUTHPOINT DRIVE, SOUTH  
JACKSONVILLE, FLORIDA 32216  
TELEPHONE (904) 730-2111

October 25, 1988

St. Johns County Planning and  
Zoning Department  
County Administration Building  
State Road #16-A  
St. Augustine, Florida 32085

Re: Title Opinion on Property Located in St. Johns County,  
Florida, owned by March Investments, Inc., and  
described in Rezoning Application PV-88-0006 (the  
"Property").

Gentlemen:

Based upon an examination of title conducted by Ticor Title Insurance Company and a checkdown through September 26, 1988, and a subsequent checkdown through October 18, 1988, it is our opinion that the fee simple title to the Property described in this rezoning application is vested in March Investments, Inc., a Florida Corporation. Attached hereto as Exhibit "A" is a copy of the Warranty Deed vesting title to a forty acre tract of land that includes the subject Property.

You have also requested our opinion regarding liens and encumbrances affecting two parcels within the Property, being known as the library site and the fire station site, and being more particularly described in Exhibit "B" attached hereto, and being the same lands described in a deed to St. Johns County, Florida, which has been forwarded in trust pending final approval of the above-referenced rezoning application.

With respect to the library site and the fire station site, it is our opinion that the fee simple title to the sites is vested in March Investments, Inc., a Florida Corporation, subject only to the lien of 1988 real estate taxes which are not yet due and payable, that certain Declaration of Covenants and



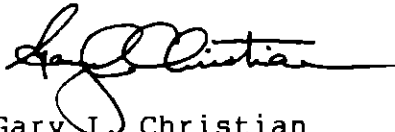
St. Johns County Planning and  
Zoning Department  
October 25, 1988  
Page 2

Restrictions recorded on October 14, 1988, in Official Records Book 799, page 187, of the public records of St. Johns County, Florida, executed by March Investments, Inc. and dated September 29, 1988, and certain mortgages held by Sandia Federal Savings and Loan Association, which Sandia has committed to release with respect to the property. The release of the mortgages requires the consent of the Federal Home Loan Bank Board, which is expected shortly. It is our expectation that the release will be executed and delivered to the County within 7 days of the date hereof. Obviously, the title to these lands will be further encumbered by the additional restrictions contained in the Amendment to Declaration of Covenants and Restrictions which you are currently holding in trust pending final approval of the above-referenced rezoning application.

This opinion may be relied upon by St. Johns County, Florida, its successors and assigns, and by no other party.

Sincerely,

Christian, Prom, Korn & Zehmer



Gary L. Christian  
For the Firm

CPKZ/GIC/thd\March.TO

Attachment

84 11549

Warranty Deed

77648 rec 611

THIS INDENTURE, made this 15th day of June 1964 between

BASFORD-CREWS & ASSOCIATES, INC., a Florida corporation

of the County of Duval and State of Florida hereinafter called the grantor, which term shall include, wherever the context permits or requires, singular or plural, heirs, legal representatives, successors, and assigns, and

MARCE INVESTMENTS, INC.

whose post-office address is 2601 Gulf Life Drive, Jacksonville, Florida 32207

County of Duval and State of Florida hereinafter called the grantee, which term shall include, wherever the context permits or requires, singular or plural, heirs, legal representatives, successors and assigns.

WITNESSETH: That the grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations to the grantor in hand paid by the grantee, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee forever all that certain real property situate in the County of St. Johns, State of Florida, described as follows:

SEE EXHIBIT "A" Attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the grantee in fee simple.

And the grantor does hereby fully warrant the title to said real property, excepting herefrom riparian and littoral rights herein conveyed, if any, and said grantor will defend the same against the lawful claims of all persons whomsoever.

This conveyance is SUBJECT TO: (1) All unpaid taxes for the current year, if any, the payment of which is assumed by the grantee as part of the consideration for this conveyance; and, (2) Restrictions and restrictive covenants of record, if any, and, if a recorded plat is above mentioned, such restrictions and/or encumbrances as may be shown thereon. \*option agreement(s).

IN WITNESS WHEREOF, the grantor has executed this warranty deed under seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

*[Handwritten signature]*

BASFORD-CREWS & ASSOCIATES, INC.

BY: *[Handwritten signature]* (SEAL)

HENRY A. CREWS, President

WITNESSES: *[Handwritten signature]*  
WILLIAM T. BASFORD, JR., Secretary

STATE OF FLORIDA  
COUNTY OF DUVAL

I HEREBY CERTIFY that on this day before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared  
Henry A. Crews

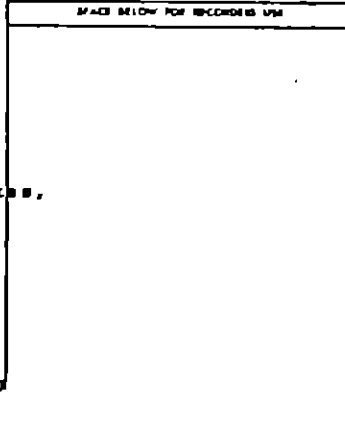
to me known to be the persons described in and who executed the foregoing warranty deed as President and Secretary of BASFORD-CREWS & ASSOCIATES, INC.

the corporation named therein, and severally acknowledged to and before me that they executed the same as the act and deed of said corporation.

WITNESS my hand and official seal in the State and County aforesaid this 15th day of June 1964

*[Handwritten signature]*  
Notary Public in and for the State and County Aforesaid  
My commission expires 10/20/67

This instrument prepared by:  
Address John T. Esquire  
337B East Bay 5 Jacksonville, Fl 32202



STATE OF FLORIDA  
COUNTY OF DUVAL

Before me personally appeared, WILLIAM T. BASFORD, JR., to me known to be the person described in and who executed the foregoing warranty deed as Secretary of Basford-Crewe & Associates, Inc., the corporation named therein, and he acknowledged to and before me that he executed the same as the act and deed of said corporation.

WITNESS my hand and official seal in the State and County aforesaid this 15th day of June, A.D., 1984.

*Sam J. Christian*  
Notary Public, State of Florida.  
My Commission expires:  
Notary Public, State of Florida  
My Commission Expires Oct. 30, 1984

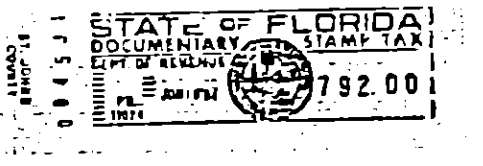
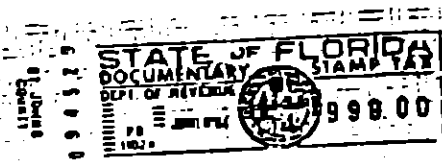
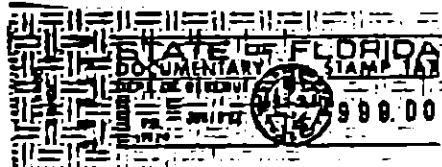
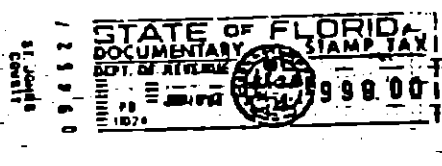
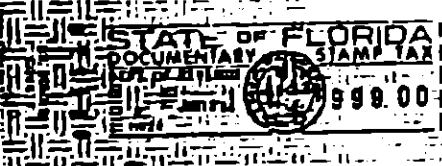
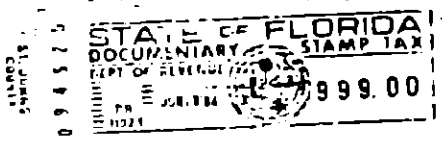
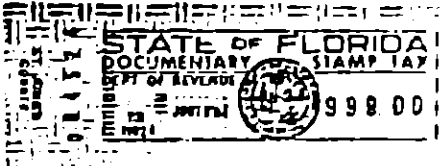


EXHIBIT "A"

71646 and 613

All of that part of Government Lot 7, Section 22, Township 3 South, Range 29 East, St. Johns County, Florida, lying Westerly of State Road No. 203 (A-1-A By-Pass a 188.00' right-of-way) all of that part of Government Lot 12, Section 21, Township 3 South, Range 29 East, St. Johns County, Florida, lying Westerly of State Road No. 203 and Southerly of Solano Road (a 60.00' right-of-way) being more particularly described as beginning at the Southeast corner of said Government Lot 12; thence S. 89° 04' 02" W., along the South line of said Government Lot 12, 1328.32'; thence N. 01° 13' 06" W., along the West line of said Government Lot 12, 1260.59' to a point in the Southerly right-of-way line of Solano Road; thence N. 88° 37' 10" E., along said Southerly right-of-way line, 1214.56' to an intersection with said Westerly right-of-way line of State Road No. 203, said point being in a curve concave Northeasterly and having a radius of 2952.93'; thence along and around said curve, an arc distance of 412.19' to a Point of Tangency said arc being subtended by a chord bearing and distance of S. 13° 57' 56" E., 411.06'; thence S. 17° 57' 52" E., continuing along said Westerly right-of-way line of State Road No. 203, 908.54' to an intersection with the Southerly line of said Government Lot 7; thence S. 85° 02' 18" W., along said Southerly line of Government Lot 7, 238.91' to the Point of Beginning.

Lands thus described contain 40.08 acres, more or less.

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

1981 JUN 18 PM 2:35

*Paul "Bud" Munkel*  
CLERK OF COUNTY COURT

## TRACT B

A PART OF GOVERNMENT LOT 12, SECTION 21, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE NORTH 89° 02' 18" EAST, ALONG THE SOUTH LINE OF SECTION 22, OF SAID TOWNSHIP AND RANGE, THE SAME BEING THE NORTH LINE OF SANDY DAKS UNIT 1, AS RECORDED IN MAP BOOK 14, PAGES 98 AND 99 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 238.91 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A (AS NOW ESTABLISHED AS A 100 FOOT RIGHT OF WAY); THENCE NORTH 17° 57' 52" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 988.55 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2952.93 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE SUBTENDED BY A CHORD BEARING OF NORTH 17° 27' 11" WEST AND A CHORD DISTANCE OF 52.73 FEET TO A POINT ON SAID CURVE AND SAID RIGHT OF WAY LINE AND THE POINT OF BEGINNING; THENCE SOUTH 88° 36' 36" WEST PARALLEL WITH THE SOUTHERLY RIGHT OF WAY LINE OF BOLAND ROAD (AS NOW ESTABLISHED AS A 60 FOOT RIGHT OF WAY), A DISTANCE OF 241.28 FEET; THENCE SOUTH 63° 07' 45" WEST, A DISTANCE OF 48.73 FEET; THENCE SOUTH 81° 12' 00" EAST PARALLEL WITH THE WEST LINE OF AFOREMENTIONED GOVERNMENT LOT 12, A DISTANCE OF 63.88 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 285.88 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE SUBTENDED BY A CHORD BEARING OF NORTH 65° 33' 51" WEST AND A CHORD DISTANCE OF 55.46 FEET TO A POINT ON SAID CURVE; THENCE NORTH 81° 12' 00" WEST, PARALLEL WITH THE WEST LINE OF AFOREMENTIONED GOVERNMENT LOT 12, A DISTANCE OF 226.71 FEET; THENCE NORTH 88° 36' 36" EAST, PARALLEL WITH THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF BOLAND ROAD, A DISTANCE OF 285.43 FEET TO THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A, SAID RIGHT OF WAY BEING A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2952.93 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE SUBTENDED BY A CHORD BEARING OF SOUTH 19° 14' 28" EAST AND A CHORD DISTANCE OF 175.45 FEET TO THE POINT OF BEGINNING, CONTAINING 1.28 ACRES MORE OR LESS.

Library

## TRACT C

A PART OF GOVERNMENT LOT 12, SECTION 21, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 21, THE SAME BEING THE NORTHEAST CORNER OF INLET BEACH UNIT EIGHT, AS RECORDED IN MAP BOOK 13, PAGES 111, 112 AND 113 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89° 04' 18" WEST, ALONG THE SOUTH LINE OF SAID SECTION 21, THE SAME BEING THE NORTH LINE OF SAID INLET BEACH UNIT EIGHT, A DISTANCE OF 588.98 FEET; THENCE NORTH 81° 12' 00" WEST, PARALLEL WITH THE WESTERLY LINE OF SAID GOVERNMENT LOT 12, A DISTANCE OF 987.81 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 81° 12' 00" WEST, A DISTANCE OF 178.99 FEET; THENCE NORTH 88° 36' 36" EAST, PARALLEL WITH THE SOUTHERLY RIGHT OF WAY LINE OF BOLAND ROAD, (AS NOW ESTABLISHED AS A 60 FOOT RIGHT OF WAY), A DISTANCE OF 135.88 FEET; THENCE SOUTH 81° 12' 00" EAST, A DISTANCE OF 226.71 FEET TO A POINT ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 285.88 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE SUBTENDED BY A CHORD BEARING OF NORTH 81° 18' 26" WEST AND A CHORD DISTANCE OF 99.24 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 88° 48' 00" WEST, A DISTANCE OF 7.28 FEET TO A POINT OF CURVE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 38.88; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE SUBTENDED BY A CHORD BEARING OF NORTH 46° 12' 00" WEST AND A CHORD DISTANCE OF 42.43 FEET TO THE POINT OF TANGENCY OF SAID CURVE AND THE POINT OF BEGINNING, CONTAINING 8.66 ACRES MORE OR LESS.

Fire Station

**AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS**

This Amendment, made and entered into on this \_\_\_\_ day of October, 1988, by March Investments, Inc., a Florida corporation, having a mailing address of Post Office Box 183, Ponte Vedra Beach, Florida, 32082-0183 ("Developer").

**W I T N E S S E T H:**

WHEREAS, Developer entered into that certain Declaration of Covenants and Restrictions dated September 29, 1988, and recorded on October 14, 1988, in Official Records Book 799, page 0187, of the public records of St. Johns County, Florida, (the "Declaration") with respect to certain property located in St. Johns County, Florida, at the southwest intersection of Solana Road and State Road 1A being more particularly described therein ("the Property"); and

WHEREAS, the Developer now desires to enter into this Amendment for the purpose of further restricting the uses to which certain portions of the Property may be put, and to redefine the residual use for the post office site set forth in the Declaration.

NOW THEREFORE, the Developer, for good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, for itself, and its successors in title, and assigns, amends the above-described Declaration as follows:

1. Section 1(E) of the Declaration is hereby modified so that the second and third sentences thereof are hereby deleted, and the following is substituted in lieu thereof: "If the post office site is not developed for use as a post office within five years from the date hereof, or if the post office purchases the property and operates a post office on the site, and thereafter ceases operation, the post office site shall be thereafter used only for uses permitted under the R-1-C Zoning classification within the Ponte Vedra Zoning Regulations in effect as of the date hereof, and for no other purposes.

2. The following additional provision is hereby added and incorporated into the Declaration:

"5. Height Restriction. No structure shall be erected upon the bank site, designated as Tract "A" in the Declaration or upon the office site, designated as Tract "C" in the Declaration, exceeding one story in height. No structure shall be erected upon the post office site, designated as Tract E, the fire station site, designated as Tract D, or the library site, designated as Tract B, exceeding 33 feet in height".

3. The following additional provision is hereby added and incorporated into the Declaration:

"6. Access Restriction. No direct vehicular access will be allowed from any portion of the Property to or upon either Solano Road or State Road 1A. All vehicular access from all portions of the Property will be routed over and through Sandia Boulevard and Burts Boulevard."

4. Except as expressly modified and amended hereby, the Declaration shall remain in full force and effect as originally written.

5. Sandia Federal Savings and Loan Association and St. Johns County, Florida, join herein for the purpose of accepting and approving the amendments contained herein.

IN WITNESS WHEREOF, the Developer has caused this instrument to be executed on the day and year first above written.

Signed, sealed and delivered in the presence of:

MARCH INVESTMENTS, INC.

\_\_\_\_\_

By: \_\_\_\_\_  
Its President

As to Developer \_\_\_\_\_

SANDIA FEDERAL SAVINGS AND LOAN ASSOCIATION

Juan P. Craig  
Carolyn E. Jones  
As to Sandia

By: Wayne H. Walker  
Its ~~President~~ Senior Vice President

ST. JOHNS COUNTY, FLORIDA

\_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_

As to St. Johns County \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF DUVAL

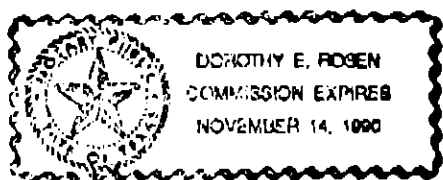
The foregoing Amendment to Declaration of Covenants and Restrictions was acknowledged before me this \_\_\_\_\_ day of October, 1988, by Jerry J. Whittle, the President of March Investments, Inc., a Florida Corporation, on behalf of the said corporation.

\_\_\_\_\_  
Notary Public, State of Florida, at Large  
My Commission Expires:

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing Amendment to Declaration of Covenants and Restrictions was acknowledged before me this 25 day of October, 1988, by Wayne H. Walker Sr. Vice ~~President~~ President of Sandia Federal Savings and Loan Association, a Federal Savings and Loan Association, on behalf of the said Association.



Dorothy E. Rosen  
Notary Public, State of Florida, at Large  
My Commission Expires:

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing Amendment to Declaration of Covenants and Restrictions was acknowledged before me this \_\_\_\_ day of October, 1988, by \_\_\_\_\_, the \_\_\_\_\_ of St. Johns County, Florida, a ~~municipal corporation~~ organized and existing under the laws of the State of Florida, on behalf of the said ~~corporation~~.

2 political subdivision

political subdivision

\_\_\_\_\_  
Notary Public, State of  
Florida, at Large  
My Commission Expires:

GIC/c11\MAR-AD10.20