

RESOLUTION NO. 88-322

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

WHEREAS, Marsh Creek Partnership, as Owner, has applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat known as Marsh Creek Unit Two 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 \$ 600,800 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.

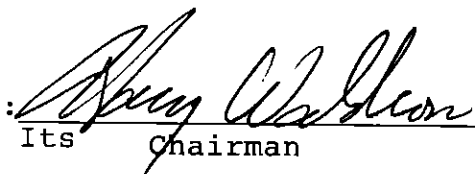
Section 6. The approval described in Section #1 and the Acceptance described in Section #2 shall not take effect until the plat has been signed by each of the following departments, persons or offices;

- 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 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 13 day of December 1988

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: 
Its Chairman

ATTEST: Connie E. McDaniel
Deputy Clerk

GALLAGHER, BAUMER, MIKALS, BRADFORD, CANNON & WALTERS

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December 8, 1988

St. Johns County Commissioners
St. Johns County Courthouse
St. Augustine, Florida 32084

Re: Marsh Creek, Unit Two

Dear Gentlemen:

The undersigned is the attorney for Marsh Creek Partnership. Based upon a search of the title records performed by the Title Insurance Company of Minnesota (File No. 5586-108) the undersigned hereby states that as of December 2, 1988 at 5:00 p.m., title to the property described in Exhibit "A" attached hereto is vested in Marsh Creek Partnership subject to the following:

1. Mortgage from Marsh Creek Partnership and Marsh Creek Commercial Partnership to First Federal Savings and Loan Association of Jacksonville, dated October 27, 1987 and recorded October 28, 1987 in Official Records Book 761, page 1443 of the public records of St. Johns County, Florida as modified by that certain First Amendment to Mortgage and Security Agreement recorded in Official Records Book 780, page 1314 of the public records of St. Johns County, Florida.

2. UCC-Financing Statement from Marsh Creek Partnership and Marsh Creek Commercial Partnership recorded in Official Records Book 761, page 1486 of the public records of St. Johns County, Florida.

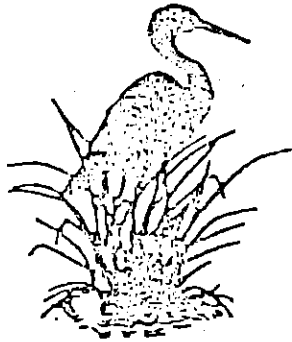
Taxes for the year 1987 are paid; 1988 taxes are due and owing but are not in default until April 1, 1989.

This certificate is issued solely for the purpose of complying with Section 177.041, Florida Statutes, St. Johns County Ordinance No. 78-38, as amended from time to time.

The undersigned has reviewed the Adoption and Dedication language contained on the front page of the referenced proposed plat and the language is in compliance with the requirements of Florida Statutes 177.081. In addition, I have reviewed the revised signature block and it contains the correct partnership designations.

GALLAGHER, BAUMER, MIKALS,
BRADFORD, CANNON & WALTERS, P. A.

BY: 
Its Shareholder



Marsh Creek

UNIT TWO

A portion of Section 03, Township 7 South, Range 30 East and Section 4, Township 8 South, Range 30 East, both in St. Johns County, Florida, being more particularly described as follows: [COMMENT] at the Northeast corner of lot 244, Marsh Creek Unit One, according to plat recorded in Map Book 20, Pages 72 through 73, inclusive, of the General Land records of said County; thence Northerly along and around the arc of a curve concave Westerly and having a radius of 399.19 feet, an arc distance of 155.76 feet, said arc being subtended by a chord bearing and distance of North $19^{\circ}25'00''$ West to the point of tangency of said curve; thence North $02^{\circ}28'07''$ West, 92.45 feet to the point of curvature of a curve leading to the right; thence Northerly along and around the arc of a curve concave Easterly, having a radius of 477.57 feet, an arc distance of 24.50 feet to the POINT OF BEGINNING, said arc being subtended by a chord bearing and distance of North $21^{\circ}57'50''$ West, 24.50 feet. From the POINT OF BEGINNING thus described continue Northerly along the arc of last mentioned curve; an arc distance of 295.63 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $18^{\circ}11'27''$ West, 204.09 feet; thence North $05^{\circ}51'10''$ West, 113.37 feet to the point of curvature of a curve leading to the left; thence Northwesterly along and around the arc of a curve concave Southwesterly and having a radius of 379.87 feet, an arc distance of 216.54 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $25^{\circ}07'14''$ West, 261.11 feet; thence North $46^{\circ}02'18''$ West, 180.47 feet to the point of curvature of a curve leading to the right; thence Northwesterly along and around the arc of a curve concave Northeasterly and having a radius of 180.00 feet, an arc distance of 75.53 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $23^{\circ}17'34''$ West, 139.29 feet; thence North $00^{\circ}31'49''$ West, 164.17 feet to the point of curvature of a curve leading to the left; thence Northwesterly along and around the arc of a curve concave Southwesterly and having a radius of 269.35 feet, an arc distance of 317.20 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $34^{\circ}16'37''$ West, 299.27 feet; thence North $68^{\circ}01'25''$ West, 120.73 feet to the point of curvature of a curve leading to the right; thence Northwesterly along and around the arc of a curve concave Northeasterly and having a radius of 675.53 feet, an arc distance of 214.78 feet, said arc being subtended by a chord bearing and distance of North $58^{\circ}54'55''$ West, 213.00 feet; thence North $67^{\circ}35'19''$ West, 501.60 feet; thence North $03^{\circ}19'57''$ West, 303.42 feet; thence North $71^{\circ}00'54''$ West, 132.65 feet; thence South $82^{\circ}57'27''$ West, 101.09 feet; thence South $54^{\circ}11'31''$ West, 68.64 feet; thence North $85^{\circ}23'57''$ West, 316.44 feet; thence North $86^{\circ}54'52''$ West, 85.23 feet; thence North $56^{\circ}33'48''$ West, 283.04 feet; thence North $03^{\circ}26'23''$ West, 1030.30 feet; thence North $40^{\circ}02'30''$ East, 317.42 feet; thence South $00^{\circ}52'50''$ East, 150.02 feet; thence Northeasterly along and around the arc of a curve concave Southeasterly and having a radius of 520.93 feet, an arc distance of 262.60 feet to a point of compound curvature, said arc being subtended by a chord bearing and distance of North $51^{\circ}06'39''$ East, 259.89 feet; thence Easterly along and around the arc of a curve concave Southerly and having a radius of 377.91 feet, an arc distance of 164.19 feet to the point of tangency of said curve, said point hereinafter referred to as Reference Point "A", said arc being subtended by a chord bearing and distance of North $77^{\circ}22'36''$ East, 163.03 feet; thence North $09^{\circ}11'52''$ East, 320.16 feet to the point of curvature of a curve leading to the right; thence Easterly along and around the arc of a curve concave Southerly and having a radius of 314.69 feet, an arc distance of 191.70 feet, said arc being subtended by a chord bearing and distance of South $72^{\circ}37'00''$ East, 191.70 feet.

North 77°46'49" East, 171.73 feet; thence South 24°34'39" East, 194.31 feet; thence South 04°30'17" West, 440.95 feet; thence South 00°23'21" West, 450.09 feet; thence South 26°47'29" East, 446.40 feet; thence South 20°23'20" West, 20.00 feet; thence Southeasterly along and around the arc of a curve concave Southwesterly and having a radius of 607.91 feet, an arc distance of 191.23 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 50°55'07" East, 191.42 feet; thence South 41°51'32" East, 178.85 feet; thence North 20°20'24" East, 212.97 feet; thence North 30°26'29" West, 359.49 feet to the Southeast corner of the West 1/2 of the West 1/2 of the Southeast 1/4 of said Section 33; thence South 07°17'05" West along the Southerly line of said Section 33, a distance of 355.86 feet to the Southeast corner of the East 1/2 of the West 1/2 of the Southeast 1/4 of said Section 33; thence South 00°37'17" East along the Westerly line of Government Lot 1, said Section 33, a distance of 450.41 feet; thence North 85°23'39" West, 328.73 feet; thence North 00°02'28" West, 73.41 feet; thence South 30°28'14" West, 199.96 feet; thence Southeasterly along and around the arc of a curve concave Northeasterly and having a radius of 615.53 feet, an arc distance of 253.98 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 56°17'11" East, 253.10 feet; thence South 80°01'25" East, 120.72 feet to the point of curvature of a curve leading to the right; thence Southeasterly along and around the arc of a curve concave Southwesterly and having a radius of 329.36 feet, an arc distance of 337.90 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 34°10'37" East, 365.93 feet; thence South 00°31'49" East, 264.17 feet to the point of curvature of a curve leading to the left; thence Southeasterly along and around the arc of a curve concave Northeasterly and having a radius of 120.00 feet, an arc distance of 95.25 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 23°17'34" East, 92.06 feet; thence South 46°03'18" East, 180.47 feet to the point of curvature of a curve leading to the right; thence Southeasterly along and around the arc of a curve concave Southwesterly and having a radius of 439.87 feet, an arc distance of 208.64 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 25°57'14" East, 202.25 feet; thence South 05°51'10" East, 113.37 feet to the point of curvature of a curve leading to the left; thence Southerly along and around the arc of a curve concave Easterly and having a radius of 417.57 feet, an arc distance of 179.84 feet, said arc being subtended by a chord bearing and distance of South 10°11'27" East, 179.45 feet; thence South 59°28'10" West, 60.00 feet to the POINT OF BEGINNING.

LESS AND EXCEPT the following described land: A portion of said Section 33, Township 7 South, Range 30 East, and said Section 4, Township 8 South, Range 30 East, both in St. Johns County, Florida, being more particularly described as follows: COMMENCE at aforementioned Interchange Point "A"; thence South 00°48'00" East, 60.00 feet to the POINT OF BEGINNING; from the POINT OF BEGINNING thus described run North 89°11'52" East, 220.16 feet to the point of curvature of a curve leading to the right; thence Easterly along and around the arc of a curve concave Southerly and having a radius of 254.69 feet, an arc distance of 141.54 feet, said arc being subtended by a chord bearing and distance of South 74°52'53" East, 129.73 feet; thence South 10°14'44" West, 870.16 feet; thence South 00°21'04" West, 195.89 feet; thence South 03°49'54" West, 221.56 feet; thence Westerly along and around the arc of a curve concave Southerly and having a radius of 1269.24 feet, an arc distance of 280.53 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 85°05'13" West, 280.02 feet; thence South 78°45'13" West, 172.48 feet to the point of curvature of a curve leading to the right; thence Westerly along and around the arc of a curve concave Northerly and having a radius of 162.75 feet, an arc distance of 74.01 feet, said arc being subtended by a chord bearing and distance of North 00°10'04" West, 73.20 feet; thence North 04°56'05" East, 282.76 feet; thence North 03°52'53" West, 206.05 feet; thence North 02°42'16" East, 58.00 feet; thence North 00°23'40" West, 101.45 feet; thence North 01°32'16" West, 102.91 feet; thence North 05°30'42" East, 08.70 feet; thence North 22°11'21" East, 160.02 feet; thence North 41°22'26" East, 126.34 feet; thence North 63°27'26" West, 130.00 feet; thence Northeasterly along and around the arc of a curve concave Southeasterly and having a radius of 460.93 feet, an arc distance of 139.82 feet to a point of compound curvature, said arc being subtended by a chord bearing and distance of North 56°51'54" East, 139.29 feet; thence Easterly along and around the arc of a curve concave Southerly and having a radius of 327.91 feet, an arc distance of 139.43 feet to the POINT OF BEGINNING, said arc being subtended by a chord bearing and distance of North 77°22'00" East, 130.44 feet.

Containing 41.59 acres, more or less.