

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

RESOLUTION NO. 88-49

WHEREAS, Harbour Developer Company, as Owner, has applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat known as Club Cove Unit One 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 waived.

Section 4. The Warranty Bond is waived.

Section 5. The Clerk is instructed to file the title OPINION.

Section 6. The approval and acceptance described in Sections 1 and 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. 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 23rd day of February, 1988.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

Carl "Bud" Markel, Clerk

BY: Lawrence C. Hartley
Its Chairman

ATTEST: Lynn M. McDonald
Deputy Clerk



METROPOLITAN ST. JOHNS COUNTY - PUBLIC WORKS
ENGINEERING - SUBDIVISION CONTROL

OPINION OF TITLE

TO: ST. JOHNS COUNTY, a political subdivision of the State of Florida.

With the understanding that this Opinion of Title is furnished to ST. JOHNS COUNTY, FLORIDA as an inducement for acceptance of a proposed final subdivision plat covering the real property hereinafter described, it is hereby certified that we have examined Loan Policy of Title Insurance Number 10 0113 02 002995, issued by Chicago Title Insurance Company, covering the period from the BEGINNING to October 26, 1987, at 3:25 p.m., inclusive, and computer update provided by Title Searchers of Flagler County, Inc., covering the period from October 26, 1987, at 3:25 p.m. through February 9, 1988, at 5:00 p.m., inclusive, of the following described real property:

See Exhibit "A" attached hereto and made a part hereof

Basing our opinion on said examination covering said period, we are of the opinion that on the last mentioned date the fee simple title to the above described real property was vested in:

HARBOUR DEVELOPMENT COMPANY,
a Florida general partnership

Subject to the following encumbrances, liens, and other exceptions (NOTE - All recording references herein, unless otherwise indicated, are to the Public Records of St. Johns County, Florida):

GENERAL EXCEPTIONS

1. All taxes for the year in which this opinion is rendered, unless noted below that such taxes have been paid.
2. Rights of persons other than the above owners who are in possession.
3. Facts that would be disclosed upon accurate survey.
4. Any unrecorded labor, mechanics' or materialmens' liens.
5. Zoning and other restrictions imposed by governmental authority.

SPECIAL EXCEPTIONS

1. RIPARIAN RIGHTS AND TITLE to that portion of subject property lying below the normal high water mark of the lake are hereby excepted.
2. AGREEMENT FOR SERVICE between Sawgrass, LTD., and Jacksonville Electric Authority, filed August 1, 1973, recorded in Official Records Book 236, Page 285, as amended by Official Records Book 317, Page 380.
3. RIGHT-OF-WAY EASEMENT between Sawgrass, LTD., and Southern Bell Telephone and Telegraph Company, filed November 20, 1973, recorded in Official Records Book 243, Page 315.
4. EASEMENTS as set forth in instrument recorded in Official Records Book 341, Page 703, as amended by EASEMENT AGREEMENT filed September 2, 1983, recorded in Official Records Book 602, Page 573, and further amended and assigned to Intercoastal Utilities, Inc., by ASSIGNMENT OF EASEMENTS AND

- EXCLUSIVE SERVICE RIGHTS, filed September 2, 1983, recorded in Official Records Book 602, Page 624.
5. DECLARATION OF COVENANTS AND MEMORANDUM OF UTILITY SERVICE AGREEMENT between Intercoastal Utilities, Inc., Arvida Corporation and Sawgrass Properties, Inc., dated September 21, 1983, recorded in Official Records Book 602, Page 650.
 6. EASEMENTS AND RESERVATIONS as recited on plat of Sawgrass, Unit One, filed in Map Book 12, Pages 3 through 18.
 7. DECLARATION OF RESTRICTIONS AND SUPPLEMENTARY RESTATED SAWGRASS DECLARATION OF COVENANTS RE: ASSESSMENTS (HDC/COUNTRY CLUB) filed May 1, 1987, recorded in Official Records Book 743, Page 425.
 8. MEMORANDUM OF AGREEMENTS (HDC/COUNTRY CLUB), filed May 1, 1987, recorded in Official Records Book 743, Page 447.
 9. COVENANTS, RESTRICTIONS AND RESERVATIONS as set forth in SPECIAL WARRANTY DEED (HDC/COUNTRY CLUB) dated April 30, 1987, by ARVIDA CORPORATION to HARBOUR DEVELOPMENT COMPANY, filed May 1, 1987, recorded in Official Records Book 743, Page 452.
 10. ACCESS EASEMENT OVER SAWGRASS DRIVE (HDC/COUNTRY CLUB), filed May 1, 1987, recorded in Official Records Book 743, Page 484.
 11. MORTGAGE AND SECURITY AGREEMENT (HDC/COUNTRY CLUB) dated April 30, 1987, between HARBOUR DEVELOPMENT COMPANY ("Mortgagor") and ARVIDA CORPORATION ("Mortgagee") to secure the amount of \$1,946,000.00, filed May 1, 1987, recorded in Official Records Book 743, Page 463, as assigned by ARVIDA CORPORATION to ARVIDA/JMB PARTNERS pursuant to ASSIGNMENT OF MORTGAGES, filed September 14, 1987, recorded in Official Records Book 757, Page 253, and modified pursuant to MORTGAGE SPREADER AGREEMENT, filed October 23, 1987, recorded in Official Records Book 761, Page 324.
 12. ASSIGNMENT OF DEVELOPER'S/DECLARANT'S RIGHTS by ARVIDA CORPORATION to ARVIDA/JMB PARTNERS, filed September 14, 1987, recorded in Official Records Book 757, Page 245.
 13. ASSIGNMENT OF RESERVED RIGHTS RELATING TO REAL PROPERTY by ARVIDA CORPORATION to ARVIDA/JMB PARTNERS, filed September 14, 1987, recorded in Official Records Book 757, Page 248.
 14. The following security documents between HARBOUR DEVELOPMENT COMPANY and CENVILL INVESTORS, INC., which documents have been subordinated to the mortgage described in item 15(a) hereof pursuant to that certain SUBORDINATION AGREEMENT dated and filed October 26, 1987, between CENVILL INVESTORS, INC. and FLORIDA FEDERAL SAVINGS AND LOAN ASSOCIATION, recorded in Official Records Book 761, Page 969:
 - (a) MORTGAGE dated April 30, 1987, between HARBOUR DEVELOPMENT COMPANY ("Mortgagor") and CENVILL INVESTORS, INC. ("Mortgagee") to secure the amount of \$1,200,000.00, filed May 1, 1987, recorded in Official Records Book 743, Page 490 (COVERING SUBJECT PROPERTY AND OTHER LAND).
 - (b) COLLATERAL ASSIGNMENT OF LICENSES AND AGREEMENTS AFFECTING REAL ESTATE dated April 30, 1987 between HARBOUR DEVELOPMENT COMPANY ("Borrower") and CENVILL INVESTORS, INC. ("Lender"), filed May 1, 1987, recorded in Official Records Book 743, Page 518.
 - (c) COLLATERAL ASSIGNMENT OF PURCHASE AGREEMENTS dated April 30, 1987 between HARBOUR DEVELOPMENT COMPANY ("Assignor") and CENVILL INVESTORS, INC. ("Assignee"), filed May 1, 1987, recorded in Official Records Book 743, Page 525.

- (d) ASSIGNMENT OF LESSOR'S INTEREST dated April 30, 1987 between HARBOUR DEVELOPMENT COMPANY ("Assignor") and CENVILL INVESTORS, INC. ("Assignee"), filed May 1, 1987, recorded in Official Records Book 743, Page 531.
 - (e) COLLATERAL ASSIGNMENT OF UTILITY AGREEMENTS dated April 30, 1987 between HARBOUR DEVELOPMENT COMPANY ("Assignor") and CENVILL INVESTORS, INC. ("Assignee"), filed May 1, 1987, recorded in Official Records Book 743, Page 538.
 - (f) UNIFORM COMMERCIAL CODE - FINANCING STATEMENT, filed May 21, 1987, recorded in Official Records Book 745, Page 972.
 - (g) NOTICE LIMITING AMOUNT OF FUTURE ADVANCES dated October 27, 1987, filed November 12, 1987, recorded in Official Records Book 763, Page 1120.
 - (h) MORTGAGE SPREADER AGREEMENT, filed October 23, 1987, recorded in Official Records Book 761, Page 328.
15. The following security documents between HARBOUR DEVELOPMENT COMPANY ("Borrower") and FLORIDA FEDERAL SAVINGS AND LOAN ASSOCIATION ("Lender") dated and filed October 26, 1987:
- (a) MORTGAGE recorded in Official Records Book 761, Page 946.
 - (b) COLLATERAL ASSIGNMENT OF RENTS, LEASES, CONTRACTS, ACCOUNTS RECEIVABLE, ACCOUNTS AND DEPOSIT ACCOUNTS recorded in Official Records Book 761, Page 961.
 - (c) UNIFORM COMMERCIAL CODE - FINANCING STATEMENT recorded in Official Records Book 761, Page 1188.

Therefore, it is our opinion that the following parties must join in the platting of the above described real property in order to grant ST. JOHNS COUNTY, FLORIDA, and the public, a good and proper title to the dedicated areas shown on the final Plat of the aforescribed property.

<u>NAME</u>	<u>INTEREST</u>	<u>SPECIAL EXCEPTION NUMBER</u>
ARVIDA/JMB PARTNERS	Mortgagee	12
CENVILL INVESTORS, INC.	Mortgagee	15
FLORIDA FEDERAL SAVINGS AND LOAN ASSOCIATION	Mortgagee	16

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.

Respectfully submitted this
17th day of February, 1988.

GREENBERG, TRAURIG, ASKEW,
HOFFMAN, LIPOFF, ROSEN &
QUENTEL, P.A.

By: 
David J. Taney

1401 Brickell Avenue
Miami, Florida 33131

(305) 579-0565

CLUB COVE UNIT ONE

A PART OF PARCEL "AA", AS DESCRIBED IN SAWGRASS UNIT ONE, AS RECORDED IN MAP BOOK 12, PAGES 3-18, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA

ADOPTION AND DEDICATION

CAPTION A PART OF PARCEL "AA", AS DESCRIBED IN SAWGRASS UNIT ONE, AS RECORDED IN MAP BOOK 12, PAGES 3 THROUGH 18 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEASTERLY CORNER OF TRACT "B", AS DESCRIBED IN SAID SAWGRASS UNIT ONE; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SAWGRASS DRIVE EAST (PARCEL "A"), AS DESCRIBED IN SAID SAWGRASS UNIT ONE, SAID RIGHT OF WAY LINE BEING A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 325.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF S.09°46'53"E. AND A CHORD DISTANCE OF 185.58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID SAWGRASS DRIVE THE FOLLOWING FIVE COURSES: SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 325.00 FEET, A CHORD BEARING OF S.31°51'35"E. AND A CHORD DISTANCE OF 62.17 FEET TO THE POINT OF TANGENCY OF SAID CURVE; S.37°20'54"E. A DISTANCE OF 280.22 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 375.00 FEET; SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF S.18°04'09"E. AND A CHORD DISTANCE OF 247.63 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.01°12'35"W. A DISTANCE OF 347.16 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 348.93 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF S.01°28'30"W. AND A CHORD DISTANCE OF 3.23 FEET TO A POINT OF CUSP; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF N.43°31'30"W. AND A CHORD DISTANCE OF 35.52 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.88°47'25"W. A DISTANCE OF 60.00 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A CHORD BEARING OF S.46°32'07"W. AND A CHORD DISTANCE OF 35.15 FEET; THENCE N.01°12'35"E. A DISTANCE OF 20.17 FEET; THENCE N.88°47'25"W. A DISTANCE OF 20.00 FEET; THENCE N.01°12'35"E. A DISTANCE OF 182.00 FEET; THENCE N.88°47'25"W. A DISTANCE OF 105.00 FEET; THENCE S.01°12'35"W. A DISTANCE OF 178.00 FEET; THENCE S.08°57'00"W. A DISTANCE OF 42.00 FEET; THENCE N.54°16'34"W. A DISTANCE OF 248.04 FEET; THENCE N.69°07'00"W. A DISTANCE OF 160.00 FEET; THENCE N.24°22'47"E. A DISTANCE OF 88.00 FEET; THENCE N.03°29'15"W. A DISTANCE OF 127.37 FEET; THENCE N.20°14'15"W. A DISTANCE OF 165.14 FEET; THENCE N.83°40'30"E. A DISTANCE OF 191.91 FEET; THENCE N.33°34'00"E. A DISTANCE OF 218.42 FEET; THENCE N.06°45'00"W. A DISTANCE OF 46.58 FEET; THENCE N.39°18'00"E. A DISTANCE OF 98.78 FEET TO THE POINT OF BEGINNING; CONTAINING 7.80 ACRES MORE OR LESS.

CERTIFICATE OF APPROVAL THE ST. JOHNS COUNTY PLANNING DEPARTMENT HEREBY APPROVES THIS FINAL PLANNING DEPARTMENT PLAT OF CLUB COVE UNIT ONE, ON THIS _____ DAY OF _____ A.D., 1988.

CAPTIONED LANDS, HENCEFOR BE SURVEYED AND SUBDIVIDED AS THE TRUE AND CORRECT PLATS OR TO THE PUBLIC. UTILITIES DESIGNATED ON THE DEVELOPMENT COMPANY, THE DEVELOPMENT COMPANY, THE ALL RIGHTS OF WAY OR EASE MAINTAINING ANY DRAINAGE HARBOUR DEVELOPMENT COMPANY THIS PLAT AND THEIR GOVERNMENT AND OTHER AUTHORITY UTILITIES AUTHORIZED BY HOLDERS OF MORTGAGE LIENS FROM TIME TO TIME DESIGNATED ACROSS SAID PARCEL "A", THE HARBOUR DEVELOPMENT COMPANY, EXCEPT THE LOT OWNED BY COMPANY, MAY CAUSE A DISCONTINUATION OF CABLE TELEVISION SERVICE OPERATED BY THE FLORIDA CABLE TELEVISION SERVICE COMPANY, THE SOLE AND ABSOLUTE RIGHT OF ST. JOHNS COUNTY, FLORIDA LANDS SHOWN ON THIS PLAT

IN WITNESS WHEREOF, HARBOUR DEVELOPMENT COMPANY REPRESENTS TO BE SIGNED BY ITS PRESIDENT, BY ITS PRESIDENT, ITS CORPORATE SEAL,