

RESOLUTION NO. 89-97

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

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 Plantation at Ponte Vedra - Garden Homes - Tract^C 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 \$ 171,325 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.

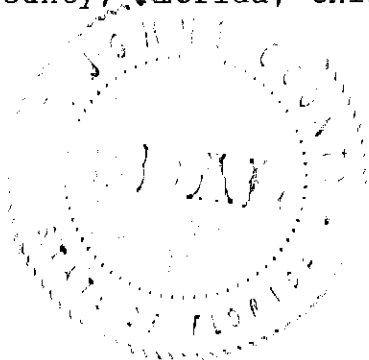
Section 5. The Clerk is instructed to file the title OPINION.

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 9th day of May, 1989.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: [Signature]
Its Chairman

ATTEST:

Connie E. McDaniel
Deputy Clerk

ROGERS, TOWERS, BAILEY, JONES & GAY

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
1300 GULF LIFE DRIVE
JACKSONVILLE, FLORIDA 32207

TELEPHONE (904) 398-3911

WM. H. ROGERS - 1884-1967
CHARLES D. TOWERS - 1894-1969
TAYLOR JONES - 1911-1982

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FRANK K. FRIEDMANN, JR.
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JOHN B. CHANDLER, JR.
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SAMUEL L. LYPRELL
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PAUL P. SANFORD
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SPECIAL COUNSEL
RICHARD B. SCHWALBE
HOWARD I. KORMAN

PLEASE REPLY TO:
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TALLAHASSEE OFFICE
120 EAST JEFFERSON STREET
POST OFFICE BOX 1872
TALLAHASSEE, FLORIDA 32302
(904) 222-7200
FRANK L. JONES

April 24, 1989

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

RE: The Plantation at Ponte Vedra,
Garden Homes - Tract C

Dear Mr. Sisco:

I am sending to you the final plat opinion letter for The Plantation at Ponte Vedra, Garden Homes - Tract C. This opinion letter is dated May 9, 1989, the date of the next Board of County Commissioners meeting. We will have Title Insurance Company of Minnesota checkdown the public records in St. Johns County on Monday, May 8, 1989, and we intend to call you that afternoon to release this letter to you finally and to give you the correct and most recent checkdown date for title search information on captioned property.

Thank you for your assistance in this matter.

Very truly yours,

ROGERS, TOWERS, BAILEY, JONES & GAY

By: 
H. Joseph O'Shields

HJO/bcd

Enclosure

ROGERS, TOWERS, BAILEY, JONES & GAY

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(904) 222-7200
FRANK L. JONES

May 9, 1989

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

RE: The Plantation at Ponte Vedra,
Garden Homes - Tract C

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 Plantation at Ponte Vedra, Garden Homes - Tract C. 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 1, 1989, and we find the following to be true:

1. The 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

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Official Records Book 737, page 349, as modified in Fourth Mortgage Modification recorded in Official Records Book 769, page 888, and further modified in Fifth Mortgage Modification recorded in Official Records Book 805, page 1153, public records of St. Johns County, Florida.

- (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 1988 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, and modified again by Fourth Supplemental Declaration recorded in Official Records Book 784, page 1003, and further modified in Fifth Supplemental Declaration recorded in Official Records Book 796, page 760, public records of St. Johns County, Florida.

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ROGERS, TOWERS, BAILEY, JONES & GAY

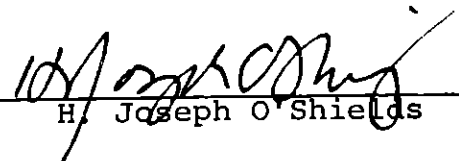
Board of County Commissioners
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There are no other Easements, Judgments or Encumbrances which
attach to the property described herein.

Very truly yours,

ROGERS, TOWERS, BAILEY, JONES & GAY

By: _____



H. Joseph O'Shields

HJO/bcd

A portion of Section 44, the Francis X. Sanchez Grant, Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the most Easterly corner of Lot 62, as shown on the Plat of The Plantation at Ponte Vedra Unit One, as recorded in Map Book 19, Pages 39 through 51, inclusively of the Current Public Records of said St. Johns County, said Easterly corner also lying on the Southerly right-of-way line of Plantation Circle (a 60 foot private right-of-way as now established); thence along said right-of-way line on an arc of a curve leading Southeasterly, said curve being concave Northeasterly, having a radius of 726.77 feet, an arc distance of 355.86 feet, said arc being subtended by a chord bearing and distance of South 57°15'21" East, 352.32 feet to the POINT OF BEGINNING; thence continuing along aforementioned Southerly right-of-way of Plantation Circle run the following three (3) courses and distances: COURSE NO. 1: thence Southeasterly along and around the arc of a curve concave Northeasterly, having a radius of 726.77 feet, an arc distance of 401.64 feet, said arc being subtended by a chord bearing and distance of South 87°06'53" East, 396.55 feet to the point of tangency of said curve; COURSE NO. 2: North 77°03'13" East, 242.69 feet to the point of curvature of a curve leading Southeasterly; COURSE NO. 3: thence Southeasterly along and around the arc of a curve concave Southwesterly, having a radius of 790.55 feet, an arc distance of 467.59 feet, said arc being subtended by a chord bearing and distance of South 86°00'07" East, 460.81 feet; thence South 01°41'16" West, 246.76 feet; thence South 23°45'08" West, 91.36 feet; thence South 52°05'08" West, 73.54 feet; thence North 62°59'14" West, 121.38 feet; thence North 76°56'57" West, 79.59 feet; thence North 64°52'42" West, 150.25 feet; thence North 83°00'47" West, 60.47 feet; thence South 73°27'09" West, 101.59 feet; thence South 57°48'19" West, 41.76 feet; thence South 55°02'42" West, 59.28 feet; thence South 42°03'26" West, 53.91 feet; thence South 33°15'06" West, 49.62 feet; thence South 36°27'50" West, 64.27 feet; thence South 41°24'10" West, 190.70 feet; thence South 61°55'39" West, 170.00 feet; thence North 67°09'59" West, 206.16 feet; thence North 14°02'10" West, 107.00 feet; thence North 13°29'04" East, 190.00 feet; thence North 16°45'16" East, 125.73 feet; thence North 20°39'15" East, 117.67 feet; thence North 31°55'33" East, 83.97 feet to the POINT OF BEGINNING.

EXHIBIT "A"