

RESOLUTION NO. 90-203
RESOLUTION OF THE BOARD OF COUNTY-
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

WHEREAS, St. Augustine Ocean Gallery Partners as Owner, has applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat known as Ocean Gallery Homes Unit I 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 subject to the following conditions: (1). The Clerk will not record the plat until receiving acknowledgement from the St. Johns County Engineering Department of the completion of the roadways in conformity with the approved plans and specifications. (2). The owner will not sell any lots nor secure any building permit except upon the recording of the plat.

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 an acknowledgment from the Engineering Department of completion of the roadway and drainage improvements in accordance with County requirements has been delivered to the Clerk. If the plat is not signed and accepted by the Clerk for recording on or before November 13, 1991, 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 13th day of November, 1990.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Craig A. Maguire
Its Chairman

ATTEST:

Amy B. Mulligan
Deputy Clerk

MCCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

October 1, 1990

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

GEORGE M. MCCLURE

JOHN L. WHITEMAN

(By Hand Delivery)

Ms. Betty Sue Solana
Planning Technician
St. Johns County Planning &
Zoning Agency
County Administration Building
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1

Re: Proposed Plat
Ocean Gallery Homes Unit I

Dear Ms. Solana:

This will confirm that we will be requesting the Board of County Commissioners to waive the requirement for a performance bond in the platting of Ocean Gallery Homes, Units I and II.

The applicable ordinances grant to the Commission the authority to waive the requirement of a bond in its discretion. While we appreciate the importance of bonding roadway and utility improvements which are intended to be dedicated immediately to the County, we do not understand the requirement with respect to private roadways. It seems to us that any property owner has a right to construct roadways on his property without the unnecessary burden and expense of providing a public bond. We understand that platting gives to us the ability to sell lots before completion of the roadway and, therefore, feel that it is reasonable to expect a bond in that circumstance to protect a purchaser. In this case, however, we will specifically agree that we cannot sell any lot, nor can any building permit be pulled, except upon the completion of the roadway improvements and the filing of a certification by our engineer that the improvements meet the approved plans and specifications.

Very truly yours,


George M. McClure,
For the Firm

GMM:mld

McCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

GEORGE M. McCLURE

JOHN L. WHITEMAN

October 8, 1990

OPINION ON ACCESS

Board of County Commissioners
St. Johns County, Florida
c/o James G. Sisco, Esquire
County Administration Building
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1

Re: Ocean Gallery Homes, Units I and II

To Whom it May Concern:

I have been asked to provide an opinion with respect to the access to the property proposed for platting and known as OCEAN GALLERY HOMES, Units I and II. This property was the subject matter of a prior Opinion Letter, with respect to title only, provided to you under date of October 3, 1990.

The property in question constitutes a portion of property developed in St. Johns County, Florida, as a multi-condominium development and which is generally known as OCEAN GALLERY. The said property is described in Exhibit "A" which is attached hereto and incorporated herein by reference and was developed by Sun-Mark II Associates, a Joint Venture. The plan of development of Sun-Mark II Associates, a Joint Venture, provided for construction of roadways, parking areas, board walks, beach areas and certain recreational facilities (the "Property"). Grantor conveyed the Property to OCEAN GALLERY PROPERTY OWNERS' ASSOCIATION, INC., a Florida Not-For-Profit Corporation, by fee simple deed dated May 22, 1985 and recorded May 24, 1985 at Official Records Book 674 at Page 1548, Public Records of St. Johns County, Florida, (the "Right-of-Way Deed"). A true and correct copy of the Right-of-Way Deed is attached hereto as Exhibit "B" and is incorporated herein by reference. The Right-of-Way Deed reserved to the grantor therein easements for vehicular and pedestrian traffic as well as utility service over, through and across the Property conveyed to the OCEAN GALLERY PROPERTY OWNERS' ASSOCIATION, INC., for the benefit of

Oct. 8, 1990


all developed/undeveloped portions of the complex, including the parcel submitted for platting.

ST. AUGUSTINE OCEAN GALLERY PARTNERS, the entity submitting the Property described in the plat for platting is the successor in interest to Sun-Mark II Associates by virtue of Quit-Claim Deed dated August 26, 1988 and recorded at Official Records Book 794 at Page 0481, Public Records of St. Johns County, Florida. A true and correct copy of the Quit-Claim Deed is attached hereto as Exhibit "C" and is incorporated herein by reference.

The property over which the easements for ingress, egress and utilities were reserved abuts the Property submitted for platting and connects the said Property continuously and without interruption to the east right-of-way of State Road AIA, a public right-of-way.

Upon recording of the subdivision plats for Units I and II Ocean Gallery Homes, the lots therein will have a recorded legal right of ingress and egress to State Road AIA.

Very truly yours,



George M. McClure,
For the Firm

GMM:mld

McCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

October 2, 1990

GEORGE M. McCLURE

JOHN L. WHITEMAN

(BY HAND DELIVERY)

Board of County Commissioners
St. Johns County, Florida
c/o James G. Sisco, County Attorney
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1

Re: Ocean Gallery Homes, Units I and II

Dear Commissioners:

I have been asked to provide clarification regarding the position of St. Augustine Ocean Gallery Partners, the owners and developers of Ocean Gallery Homes, Units I and II, with respect to their request for a waiver of the bonding requirement.

This property is a PSD, having been down-zoned from a commercial classification earlier this year. The property is being developed into single family residential lots serviced by private roadways constructed by the developer. Access to AIA is provided through the interior private easements of the Ocean Gallery Condominium complex.

The terms of your paving and subdivision ordinances require the posting of performance bonds for all construction commenced pursuant to a plat, but authorizes the Commission to waive bonding in its discretion. We appreciate the importance of protecting the public against unscrupulous developers who may sell lots pursuant to a recorded plat but then not complete the subdivision improvements which are referenced on that plat. We presume that that is the reason for the bonding requirement.


My clients propose that you approve the plat so that they know that it meets the technical requirements of the Zoning and Subdivision Ordinance, but that the Clerk be instructed not to record the plat until his receipt of acknowledgment from the Engineering Department of completion of the improvements in conformity with the plans and specifications. In this fashion,

Oct. 2, 1990

were we to sell any lot prior to completion of the improvements, we would be in violation of the subdivision Ordinance and the enforcement mechanisms contained therein would be applicable.

In the procedure described, it would seem that the only potential breakdown in the process is the Clerk accidentally recording the plat prior to the receipt of the acknowledgment. Perhaps this could be addressed by not having the Chairman of the Board execute the plat until the receipt of that acknowledgment, also. It would seem that this mechanism meets the concerns of all. Most developers of private subdivisions with private roads do not understand the requirement of the significant additional expense and burden of a bond and this method would seem to provide relief from that requirement while still protecting the County and the public.

Very truly yours,



George M. McClure,
For the Firm

GMM:mld

McCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

October 2, 1990

GEORGE M. McCLURE

JOHN L. WHITEMAN

(BY HAND DELIVERY)

Board of County Commissioners
St. Johns County, Florida
c/o James G. Sisco, County Attorney
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1

Re: Ocean Gallery Homes, Units I and II

Dear Commissioners:

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My clients propose that you approve the plat so that they know that it meets the technical requirements of the Zoning and Subdivision Ordinance, but that the Clerk be instructed not to record the plat until his receipt of acknowledgment from the Engineering Department of completion of the improvements in conformity with the plans and specifications. In this fashion,

Oct. 2, 1990

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In the procedure described, it would seem that the only potential breakdown in the process is the Clerk accidentally recording the plat prior to the receipt of the acknowledgment. Perhaps this could be addressed by not having the Chairman of the Board execute the plat until the receipt of that acknowledgment, also. It would seem that this mechanism meets the concerns of all. Most developers of private subdivisions with private roads do not understand the requirement of the significant additional expense and burden of a bond and this method would seem to provide relief from that requirement while still protecting the County and the public.

Very truly yours,



George M. McClure,
For the Firm

GMM:mld

MCCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

November 13, 1990

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

GEORGE M. MCCLURE

JOHN L. WHITEMAN

Supplementary Title Opinion

Planning & Zoning Staff
Board of County Commissioners
St. Johns County, Florida
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1

Re: Ocean Gallery Unit I

To Whom it May Concern:

This letter relates to the status of the title of certain property located in St. Johns County, Florida, the legal description of which is attached hereto as Exhibit "A" and incorporated herein by reference, and which is the subject of a prior title opinion dated October 3, 1990.

After a careful and diligent checkdown of the Public Records of St. Johns County, Florida, from the date of the prior title opinion, to date, it is my opinion that the fee title to such property is still owned by St. Augustine Ocean Gallery Partners by virtue of Warranty Deed recorded at Official Records Book 794 at Page 475, Public Records of St. Johns County, Florida. The interest of said fee owner is subject only to a Mortgage lien in favor of The First, F.A., which Mortgage is recorded at Official Records Book 794 at Page 486, Public Records of St. Johns County, Florida, as modified by instrument dated March 21, 1990 and recorded at Official Records Book 851 at Page 1307 of the Public Records of said County, and further subject to the general lien for ad valorem real property taxes which became a lien on the property January 1, 1990.

This shall further advise that The First, F.A., is the same corporate entity as First Financial Associates.

Very truly yours,


George M. McClure,
For the Firm

GMM:mld
enc.

A parcel of land in Government Lot 4, Section 15, Township 8 South, Range 30 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Beginning use the intersection of the North boundary line of lands as described in Official Records Book 470, page 290, public records of said County, and the east right-of-way line of State Road A-1-A; thence South 14 degrees 50 minutes 00 seconds East along said East right-of-way line 100.22 feet; thence North 75 degrees 02 minutes 00 seconds East along the North line of a ingress and egress roadway, 79.24 feet to angle point in said North line; thence North 03 degrees 31 minutes 20 seconds East, 67.74 feet to the P.C. of a non-tangent curve to the right having a radius, chord and chord bearing of 259 feet, 55.77 feet and North 81 degrees 12 minutes 51 seconds East; thence around the arc of said curve, 55.00 feet to a point of Reverse curvature of a curve to the left having a radius, chord and chord bearing of 25 feet, 34.71 feet, and North 43 degrees 24 minutes 06 seconds East; thence around the arc of said curve 38.30 feet to the P.C. of said curve; thence North 00 degrees 35 minutes 30 seconds West, 231.27 feet to said North boundary line of lands as described in Official Records Book 470, page 290, public records of said County; thence South 89 degrees 24 minutes 30 seconds West, 298.00 feet along said North line to the point of beginning.

OCEAN GALLERY HOMES UNIT I

EXHIBIT "A"

McCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

October 1, 1990

GEORGE M. McCLURE

JOHN L. WHITEMAN

TITLE OPINION

St. Johns County Planning &
Zoning Agency
County Administration Building
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1


Re: Proposed Plat
Ocean Gallery Homes Unit I

Gentlemen:

Please be advised that I am an attorney-at-law admitted to practice before the Courts of the State of Florida. I have been asked to review the title to property, the legal description of which is attached hereto as Exhibit "A", and which is being submitted for platting in conformity with applicable County Ordinances. After a careful and diligent search of the Public Records of St. Johns County, Florida, it is my opinion that the record owner of the fee title of such property is:

ST. AUGUSTINE OCEAN GALLERY PARTNERS, by virtue of Warranty Deed recorded at Official Records Book 794, Page 475, Public Records of St. Johns County, Florida, SUBJECT to a Mortgage lien in favor of THE FIRST, F.A., recorded at Official Records Book 794 at Page 486, Public Records of St. Johns County, Florida.

Very truly yours,


George M. McClure,
For the Firm

GMM:mld

enc.

A parcel of land in Government Lot 4, Section 15, Township 8 South, Range 30 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Beginning use the intersection of the North boundary line of lands as described in Official Records Book 478, page 298, public records of said County, and the East right-of-way line of State Road A-1-A; thence South 14 degrees 50 minutes 00 seconds East along said East right-of-way line 300.22 feet; thence North 75 degrees 02 minutes 00 seconds East along the North line of a ingress and egress roadway, 79.24 feet to angle point in said North line; thence North 01 degrees 31 minutes 20 seconds East, 67.74 feet to the P.C. of a non-tangent curve to the right having a radius, chord and chord bearing of 259 feet, 55.77 feet and North 81 degrees 12 minutes 51 seconds East; thence around the arc of said curve, 55.88 feet to a Point of Reverse curvature of a curve to the left having a radius, chord and chord bearing of 25 feet, 34.73 feet and North 43 degrees 24 minutes 06 seconds East; thence around the arc of said curve 38.19 feet to the P.T. of said curve; thence North 00 degrees 35 minutes 30 seconds West, 231.27 feet to said North boundary line of lands as described in Official Records Book 478, page 298, public records of said County; thence South 89 degrees 24 minutes 30 seconds West, 298.00 feet along said North line to the Point of Beginning.

OCEAN GALLERY HOMES UNIT I

McCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

GEORGE M. McCLURE

JOHN L. WHITEMAN

October 3, 1990

TITLE OPINION

Board of County Commissioners
St. Johns County, Florida
County Administration Building
Lewis Speedway
St. Augustine, Florida 32084

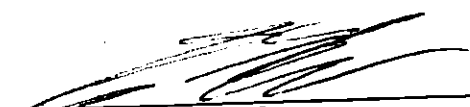
File: 6332.1

Re: Ocean Gallery Homes, Units I and II

To Whom it May Concern:

Please be advised that I am an attorney-at-law admitted to practice before the Courts of the State of Florida. I have been asked to review the title to property, the legal description of which is attached hereto as composite Exhibit "A" and incorporated herein by reference, and which is being submitted for platting in conformity with applicable County Ordinances. After a careful and diligent search of the Public Records of St. Johns County, Florida, it is my opinion that the fee title to such property is owned by ST. AUGUSTINE OCEAN GALLERY PARTNERS by virtue of Warranty Deed recorded at Official Records Book 794, at Page 475, Public Records of St. Johns County, Florida. The interest of the said fee owner is subject only to a mortgage lien in favor of THE FIRST, F.A., which mortgage is recorded at Official Records Book 794 at Page 486, Public Records of St. Johns County, Florida, as modified by instrument dated March 21, 1990 and recorded in Official Records Book 851, Page 1307, Public Records of St. Johns County, Florida; and further subject to the general lien for ad valorem real property taxes which became a lien on the property January 1, 1990, but which are not payable until November 1, 1990, nor delinquent until April 1, 1991.

Very truly yours,


George M. McClure,
For the Firm

GMM:mld

A parcel of land in Government Lot 4, Section 15, Township 8 South, Range 30 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Beginning use the intersection of the North Boundary line of lands as described in Official Records Book 478, page 298, public records of said County, and the East right-of-way line of State Road A-1-A; thence South 14 degrees 50 minutes 00 seconds East along said East right-of-way line 300.22 feet; thence North 75 degrees 02 minutes 00 seconds East along the North line of a ingress and egress roadway, 79.24 feet to angle point in said North line; thence North 03 degrees 11 minutes 20 seconds East, 67.74 feet to the P.C. of a Non-tangent curve to the right having a radius, chord and chord bearing of 259 feet, 55.77 feet and North 81 degrees 12 minutes 51 seconds East; thence around the arc of said curve, 55.88 feet to a Point of Reverse curvature of a curve to the left having a radius, chord and chord bearing of 25 feet, 14.73 feet and North 43 degrees 24 minutes 06 seconds East; thence around the arc of said curve 38.39 feet to the P.T. of said curve; thence North 00 degrees 35 minutes 30 seconds West, 231.27 feet to said North boundary line of lands as described in Official Records Book 478, page 298, public records of said County; thence South 89 degrees 24 minutes 30 seconds West, 298.00 feet along said North line to the Point of Beginning.

OCEAN GALLERY HOMES UNIT 1

EXHIBIT "A"

A parcel of land in Government Lot 4, Section 15, Township 8 South, Range 30 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Commencement, use the intersection of the North boundary line of lands as described in Official Records Book 478, page 290, public records of said County, and the East right-of-way line of State Road A-1-A; thence South 14 degrees 50 minutes 00 seconds East along said East right-of-way line 348.22 feet to the Point of Beginning; thence continue South 14 degrees 50 minutes 00 seconds East, 331.77 feet; thence North 75 degrees 02 minutes 00 seconds East, 191.49 feet to the P.C. of a nontangent curve to the right having a radius, chord and chord bearing of 421.17 feet, 243.42 feet and North 12 degrees 30 minutes 37 seconds East; thence around the arc of said curve 246.94 feet to the P.T.; thence North 29 degrees 25 minutes 56 seconds East, 43.60 feet to the P.C. of a nontangent curve to the right having a radius, chord and chord bearing of 464.0 feet 23.27 feet and North 57 degrees 30 minutes 59 seconds West; thence around the arc of said curve 23.27 feet to the Point of Reverse curvature of a curve to the left having a radius, chord and chord bearing of 211.0 feet, 109.54 feet and North 80 degrees 44 minutes 45 seconds West; thence around the arc of said curve, 195.30 feet to the P.T. of said curve; thence South 66 degrees 32 minutes 40 seconds West, 67.74 feet; thence South 75 degrees 02 minutes 00 seconds West, 79.24 feet to the Point of Beginning.

ODEAN GALLERY HOMES UNIT II

McCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

GEORGE M. McCLURE

JOHN L. WHITEMAN

October 4, 1990

OPINION ON ACCESS

Board of County Commissioners
St. Johns County, Florida
c/o James G. Sisco, Esquire
County Administration Building
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1

Re: Ocean Gallery Homes, Units I and II

To Whom it May Concern:

I have been asked to provide an opinion with respect to the access to the property proposed for platting and known as OCEAN GALLERY HOMES, Units I and II. This property was the subject matter of a prior Opinion Letter, with respect to title to you under date of October 3, 1990.

constitutes a portion of
as a

Upon recording of the subdivision plats for Units I and II Ocean Gallery Homes, the lots on streets will have a recorded legal right of ingress and egress to State Road A-1-A

Records of ...

A true and correct copy of ...

hereto as Exhibit "B" and is incorporated herein. The Right-of-Way Deed reserved to the grantor therein easements for vehicular and pedestrian traffic as well as utility service over, through and across the Property conveyed to the OCEAN GALLERY PROPERTY OWNERS' ASSOCIATION, INC., for the benefit of

10/4/90 Copy to Clerk to Clerk "Legal"

McCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

GEORGE M. McCLURE

JOHN L. WHITEMAN

October 4, 1990

OPINION ON ACCESS

Board of County Commissioners
St. Johns County, Florida
c/o James G. Sisco, Esquire
County Administration Building
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1

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The property in question constitutes a portion of property developed in St. Johns County, Florida, as a multi-condominium development and which is generally known as OCEAN GALLERY. The said property is described in Exhibit "A" which is attached hereto and incorporated herein by reference and was developed by Sun-Mark II Associates, a Joint Venture. The plan of development of Sun-Mark II Associates, a Joint Venture, provided for construction of roadways, parking areas, board walks, beach areas and certain recreational facilities (the "Property"). Grantor conveyed the Property to OCEAN GALLERY PROPERTY OWNERS' ASSOCIATION, INC., a Florida Not-For-Profit Corporation, by fee simple deed dated May 22, 1985 and recorded May 24, 1985 at Official Records Book 674 at Page 1548, Public Records of St. Johns County, Florida, (the "Right-of-Way Deed"). A true and correct copy of the Right-of-Way Deed is attached hereto as Exhibit "B" and is incorporated herein by reference. The Right-of-Way Deed reserved to the grantor therein easements for vehicular and pedestrian traffic as well as utility service over, through and across the Property conveyed to the OCEAN GALLERY PROPERTY OWNERS' ASSOCIATION, INC., for the benefit of

10/4/90 Copy to Steve H to dev "legal"


Oct. 4, 1990

all developed/undeveloped portions of the complex, including the parcel submitted for platting.

ST. AUGUSTINE OCEAN GALLERY PARTNERS, the entity submitting the Property described in the plat for platting is the successor in interest to Sun-Mark II Associates by virtue of Quit-Claim Deed dated August 26, 1988 and recorded at Official Records Book 794 at Page 0481, Public Records of St. Johns County, Florida. A true and correct copy of the Quit-Claim Deed is attached hereto as Exhibit "C" and is incorporated herein by reference.

The property over which the easements for ingress, egress and utilities were reserved abuts the Property submitted for platting and connects the said Property continuously and without interruption to the east right-of-way of State Road AIA, a public right-of-way.

Very truly yours,


George M. McClure,
For the Firm

GMM:mld

description:

THE OCEAN GALLERY

A parcel of land in Government Lots 1 and 4 in Section 15, Township 8 South, Range 30 East, St. Johns County, Florida, being further described as follows:

Beginning at a point of intersection of the East right-of-way line of State Road No. A-1-A, said right-of-way line being 50 feet East of the centerline of said road, with a line 300 feet North of and parallel with the South line of said Government Lot 4, said point also lying on a curve concave Southwesterly and having a radius of 11,509.20 feet (a radial to said curve bears N. 75°41'50" E.); thence Northwesterly along said curve 133.36 feet through a central angle of 00°39'50"; thence tangent N. 14°58'00" W., 1136.64 feet; thence N. 89°24'30" E., 1596 feet more or less to the mean high water line of the Atlantic Ocean; thence Southerly along said mean high water line, 1289 feet more or less to its intersection with a line which bears, N. 89°24'30" E. from the "TRUE POINT OF BEGINNING"; thence S. 89°24'30" W., 1403 feet more or less to the "TRUE POINT OF BEGINNING".

Containing 44.1 acres more or less

Together with any littoral rights thereunto appertaining.

EXHIBIT
"A"

FEE SIMPLE DEED

This Fee Simple Deed is between Sun-Mark II Associates, a Joint Venture, whose post office address is 5911-K Breckenridge Parkway, Tampa, Florida 33610, as Grantor, and The Ocean Gallery Property Owners Association, Inc., a Florida not-for-profit corporation, whose post office address is Route 5, Box 17K, Highway A1A South, St. Augustine, Florida 32084, as Grantee, their successors and assigns.

Background

Grantor is developing the property in St. Johns County, Florida, legally described in Exhibit 1 as a multi-condominium development (the "Complex"). The Complex is partially developed, and Grantor has previously recorded the following Declarations of Condominium (the "Declarations"), all of which are encompassed within the Complex.

<u>Condominium</u>	<u>O.R. Book</u>	<u>Page No.</u>
The Ocean Gallery Vistas, Premiere	522	16
The Ocean Gallery Vistas, Caribe	588	781
The Ocean Gallery Vistas, Aegean	631	183
The Ocean Gallery Village Del Lago, Unit 1	614	584
The Ocean Gallery Village Del Lago, Unit 2	631	119
The Ocean Gallery Village Del Prado	665	526

Grantor's plan of development provides for the roadways, parking areas, boardwalks, beach area, and certain recreational facilities to be owned by Grantee for the use and benefit of all unit owners within the Complex as provided in the Declarations. The Condominium Declarations recited above omitted or expressly excluded these roadways, parking areas, boardwalks, beachfront and other recreational areas. The purpose of this instrument is to convey these properties from the developer to the Grantee for the use and benefit of the unit owners in the Ocean Gallery complex.

Conveyance

Pursuant to its plan of development, Grantor hereby conveys to Grantee all of its right, title and interest in:

EXHIBIT
"B"

3. the property legally described in Exhibit 3 (the clubhouse and other recreational facilities); and
4. the property legally described in Exhibit 4 (part of the A1A access road).

TO HAVE AND TO HOLD the above-described land, with all improvements thereon, unto Grantee in fee simple forever.

Reservations and Prohibition

Grantor reserves from all the property hereby conveyed:

1. such utility easements as may be required for utility service in order to adequately serve the developed/undeveloped portions of the Complex;
2. easements for pedestrian traffic over, through, and across sidewalks, paths, and lanes as the same may from time to time exist upon the property conveyed; and for vehicular traffic over, through, and across such portions of such property as may from time to time be paved and intended for such purposes; or as may be required to adequately serve the developed/undeveloped portions of the Complex;
3. the right to bring prospective purchasers of condominium units in the Complex through all the property hereby conveyed until such time as all the condominium units constructed or to be constructed by Grantor within the Complex have been conveyed; and
4. an easement for the benefit of all condominium parcels within the Complex, whether constructed or to be constructed, for the use of the recreational facilities and driving and parking areas, subject to the reasonable rules and regulations of Grantee.

Grantee is hereby prohibited from constructing and building upon the property described in Exhibit 2, and Grantee accepts this Deed subject to this prohibition.

The reservations and prohibitions in this Deed are covenants running with the land and create an equitable servitude.

EXECUTED this 22 day of May, 1985.

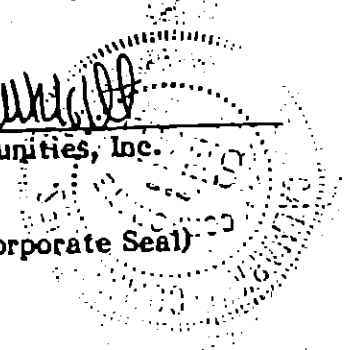
SUN-MARK II ASSOCIATES, a Joint Venture

Witnesses:

[Signature]
[Signature]

By: [Signature]
Calmark Communities, Inc.

(Affix Corporate Seal)



STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 22 day of May, 1985 by J. Andrew Seawright, who is the Executive Vice President of Calmark Communities, Inc., on behalf of the corporation.

[Signature]
Notary Public
My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 23, 1988
BONDED THROUGH MUROSKI-ASHTON, INC.



EXECUTED this 22 day of May, 1985.

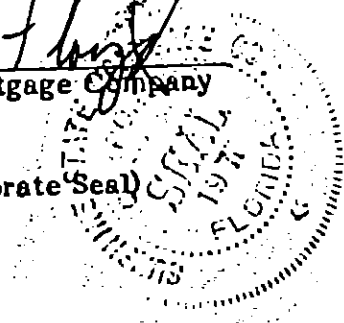
SUN-MARK II ASSOCIATES, a Joint Venture

Witnesses:

[Signature]
[Signature]

By: [Signature]
Sunshine State Mortgage Company

(Affix Corporate Seal)



STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 22 day of May, 1985 by Robert D. Floyd, who is

description:

THE OCEAN GALLERY

A parcel of land in Government Lots 1 and 4 in Section 15, Township 8 South, Range 20 East, St. Johns County, Florida, being further described as follows:

Beginning at a point of intersection of the East right-of-way line of State Road No. A-1-A, said right-of-way line being 50 feet East of the centerline of said road, with a line 300 feet North of and parallel with the South line of said Government Lot 4, said point also lying on a curve concave Southwesterly and having a radius of 11,509.20 feet (a radial to said curve bears N. 75°41'50" E.); thence Northwesterly along said curve 133.36 feet through a central angle of 00°39'50"; thence tangent N. 14°58'00" W., 1136.64 feet; thence N. 89°24'30" E., 1596 feet more or less to the mean high water line of the Atlantic Ocean; thence Southerly along said mean high water line, 1289 feet more or less to its intersection with a line which bears, N. 89°24'30" E. from the "TRUE POINT OF BEGINNING"; thence S. 89°24'30" W., 1403 feet more or less to the "TRUE POINT OF BEGINNING".

Containing 44.1 acres more or less

Together with any littoral rights thereunto appertaining.

EXHIBIT
"A"

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 26th day of August, 1988, by SUNMARK II ASSOCIATES, a Florida joint venture comprised of SUNSHINE STATE MORTGAGE COMPANY, a Florida corporation, and CALMARK COMMUNITIES, INC., a California corporation authorized to do business in Florida, as partners, being also referred to as SUN-MARK II ASSOCIATES, LTD., a Florida limited partnership, existing under the laws of the State of Florida, first party, to ST. AUGUSTINE OCEAN GALLERY PARTNERS, a Florida general partnership, whose post office address is: 341 Wildwood Drive, St. Augustine, Florida 32086, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the said first party, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim, unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO
AND BY THIS REFERENCE MADE A PART HEREOF**

The purpose of this quit-claim deed is to clarify the conveyance of the subject property from a dissolved joint venture, and this quit-claim deed is being executed and delivered together with a warranty deed of even date, and therefore only minimum documentary stamps are due on this quit-claim deed.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

SIGNATURES ON NEXT PAGE

STAUG. 010

Page 1 of 2

THIS INSTRUMENT PREPARED BY (AND RETURN TO)
STEPHEN A. BENNETT, ATTORNEY AT LAW
KASA, MOORE & BASS, JR.
1505 N. FLORIDA AVENUE
TAMPA, FLORIDA 33602

EXHIBIT

"C"

Secretary Tax Pd. 8.55
Intangible Tax Pd.
Carl "Bud" Merkel, Clerk St. Johns
County BY: [Signature] D.C.

Signed, sealed and delivered
in the presence of:

SUNMARK II ASSOCIATES, a Florida
joint venture comprised of SUNSHINE
STATE MORTGAGE COMPANY, a Florida
corporation, and CALMARK
COMMUNITIES, INC., a California
corporation authorized to do
business in Florida, as partners,
being also referred to as SUN-MARK
II ASSOCIATES, LTD., a Florida
limited partnership, existing under
the laws of the State of Florida:

SUNSHINE STATE MORTGAGE COMPANY,
Florida corporation

Sarah Wilder
Margaret H. Carlisle

By: Robert B. Ben
As its Vice President
(CORPORATE SEAL)

CALMARK COMMUNITIES,
California corporation

Karen C. Hayden
James A. Hayden

By: James A. Hayden
As its Vice President
(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this
23 day of August, 1988, by Robert B. Ben as
the Vice President of SUNSHINE STATE
MORTGAGE COMPANY, a Florida corporation, on behalf of the
corporation.

Margaret H. Carlisle
Notary Public

Notary Public, State of Florida at Large
My Commission Expires: Aug. 1, 1991

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this
23 day of August, 1988, by James A. Hayden as
the Vice President of CALMARK COMMUNITIES,
INC., a California corporation, on behalf of the corporation.

Karen C. Hayden
Notary Public

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: AUG. 1, 1991

O.R. 794 PG 0483

EXHIBIT "A"

PARCEL 1:

A parcel of land in Government Lot 4, Section 15, Township 8 South, Range 10 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Beginning use the intersection of the North Boundary line of lands as described in Official Records Book 478, page 298, public records of said County, and the East right-of-way line of State Road A-1-A; thence South 14 degrees 58 minutes 00 seconds East along said East right-of-way line 300.22 feet; thence North 75 degrees 02 minutes 30 seconds East along the North line of an Ingress and egress roadway, 79.24 feet to angle point in said North line; thence North 83 degrees 31 minutes 20 seconds East, 67.74 feet to the P.C. of a Nonrangent curve to the right having a radius, chord and chord bearing of 259 feet, 55.77 feet and North 81 degrees 12 minutes 51 seconds East; thence around the arc of said curve, 55.80 feet to a Point of Reverse curvature of a curve to the left having a radius, chord and chord bearing of 25 feet, 34.73 feet and North 42 degrees 14 minutes 00 seconds East; thence around the arc of said curve 38.39 feet to the P.T. of said curve; thence North 00 degrees 35 minutes 30 seconds West, 231.27 feet to said North boundary line of lands as described in Official Records Book 476, page 298, public records of said County; thence South 89 degrees 24 minutes 30 seconds West, 298.00 feet along said North line to the Point of Beginning.

CONTINUED

RES...

O.R. 794 PG 0484

PARCEL 2:

A parcel of land in Government Lot 4, Section 15, Township 1 South, Range 30 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Commencement, use the intersection of the North boundary line of lands as described in Official Records Book 478, page 298, public records of said County, and the East right-of-way line of State Road A-1-A; thence South 14 degrees 58 minutes 00 seconds East along said East right-of-way line 348.22 feet to the Point of Beginning; thence continue South 14 degrees 58 minutes 00 seconds East, 331.77 feet; thence North 75 degrees 02 minutes 00 seconds East, 191.49 feet to the P.C. of a nontangent curve to the right having a radius, chord and chord bearing of 421.37 feet, 243.42 feet and North 12 degrees 30 minutes 37 seconds East; thence around the arc of said curve 246.94 feet to the P.T.; thence North 29 degrees 25 minutes 56 seconds East, 43.68 feet to the P.C. of a nontangent curve to the right having a radius, chord and chord bearing of 464.0 feet 23.27 feet and North 57 degrees 38 minutes 59 seconds West; thence around the arc of said curve 23.27 feet to the Point of Reverse Curvature of a curve to the left having a radius, chord and chord bearing of 231.0 feet, 189.54 feet and North 80 degrees 44 minutes 45 seconds West; thence around the arc of said curve, 195.30 feet to the P.T. of said curve; thence South 66 degrees 32 minutes 40 seconds West, 67.74 feet; thence South 75 degrees 02 minutes 00 seconds West, 79.24 feet to the Point of Beginning.

CONTINUED

Page 2 of 3

VERIFIED
7/2/84

PARCEL 3:

A parcel in Government Lot 4, Section 15, Township 8 South, Range 10 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the intersection of the North line of land as described in Official Records Book 478, page 298, public records of said County, and the East right-of-way line of State Road No. A-1-A; thence South 14 degrees 58 minutes 00 seconds East along said East right-of-way line 1819.99 feet to the Point of Beginning; thence continue South 14 degrees 58 minutes 00 seconds East, 166.65 feet to the P.C. of a curve to the left having a radius, delta and chord of 11,509 feet 00 degrees 39 minutes 50 seconds and 133.35 feet; thence southeasterly around the arc of the curve 133.36 feet to the South line of said tract; thence North 89 degrees 24 minutes 30 seconds East 244.12 feet on said South line; thence North 00 degrees 35 minutes 30 seconds West 124.34 feet to the P.C. of a curve to the left having a radius, delta and chord of 93 feet, 30 degrees 00 minutes 31 seconds, and 48.15 feet; thence Northwesterly around the arc of said curve 48.71 feet to a Point of Reverse Curvature for a curve to the right having a radius, delta and chord of 117 feet 52 degrees 22 minutes 13 seconds, and 103.26 feet; thence Northwest 11 and Northwesterly around the arc of said curve 106.94 feet to the P.T. of said curve; thence North 21 degrees 40 minutes 11 seconds East 51.75 feet to the Southerly line of a 66 foot right-of-way for ingress and egress said point being on a curve to the left, said curve being non tangent to the last line; said curve having a radius, chord and chord bearing of 282 feet, 166.30 feet and North 87 degrees 49 minutes 05 seconds West; thence Northwesterly around the arc of said curve, 168.81 feet to the P.T. of said curve; thence South 75 degrees 02 minutes 00 seconds West, 157.00 feet to the Point of Beginning.

RECORDED IN OFFICE OF THE
CLERK OF THE CIRCUIT COURT
88 AUG 31 1938
Clerk of the Circuit Court

1938

McCLURE AND WHITEMAN

ATTORNEYS AT LAW

81 KING STREET, SUITE A

P.O. BOX 3504

ST. AUGUSTINE, FLORIDA 32085-3504

TELEPHONES

ST. AUGUSTINE: (904) 824-0879

PONTE VEDRA BEACH: (904) 285-5075

GEORGE M. McCLURE
JOHN L. WHITEMAN

October 8, 1990

(BY HAND DELIVERY)

Board of County Commissioners
St. Johns County, Florida
c/o James G. Sisco, County Attorney
Lewis Speedway
St. Augustine, Florida 32084

File: 6332.1

Re: Ocean Gallery Homes, Units I and II

Dear Jim:

I am sorry that I did not get you all of the copies which you needed to complete your examination of the Title Opinion.

Attached is a complete copy of the Deed from Sun-Mark II Associates to The Ocean Gallery Property Owners Association, conveying all of the roadways within the Ocean Gallery complex. There is both a narrative and a survey description of the roads which abut and adjoin the parcels which are being submitted for platting.

Should you have any remaining questions, I would be happy to come out after my 2:00 o'clock meeting.

Very truly yours,


George M. McClure,
For the Firm

GMM:mld

enc.

85 11204

711674 na1548

FEES SIMPLE DEED

This Fee Simple Deed is between Sun-Mark II Associates, a Joint Venture, whose post office address is 5911-K Breckenridge Parkway, Tampa, Florida 33619, as Grantor, and The Ocean Gallery Property Owners Association, Inc., a Florida not-for-profit corporation, whose post office address is Route 5, Box 17K, Highway A1A South, St. Augustine, Florida 32084, as Grantee, their successors and assigns.

Background

Grantor is developing the property in St. Johns County, Florida, legally described in Exhibit 1 as a multi-condominium development (the "Complex"). The Complex is partially developed, and Grantor has previously recorded the following Declarations of Condominium (the "Declarations"), all of which are encompassed within the Complex.

<u>Condominium</u>	<u>O. R. Book</u>	<u>Page No.</u>
The Ocean Gallery Vistas, Premiere	522	16
The Ocean Gallery Vistas, Caribe	588	781
The Ocean Gallery Vistas, Aegean	631	183
The Ocean Gallery Village Del Lago, Unit 1	814	584
The Ocean Gallery Village Del Lago, Unit 2	631	119
The Ocean Gallery Village Del Prado	665	528

Grantor's plan of development provides for the roadways, parking areas, boardwalks, beach area, and certain recreational facilities to be owned by Grantee for the use and benefit of all unit owners within the Complex as provided in the Declarations. The Condominium Declarations recited above omitted or expressly excluded these roadways, parking areas, boardwalks, beachfront and other recreational areas. The purpose of this instrument is to convey these properties from the developer to the Grantee for the use and benefit of the unit owners in the Ocean Gallery complex.

Conveyance

Pursuant to its plan of development, Grantor hereby conveys to Grantee all of its right, title and interest in:

1. the Property, other than the storage units, graphically incorporated but expressly excluded from the Condominium Declarations recited above;
2. the property legally described in Exhibit 2 (the beach area);

CAL/SunMarkFee

EXHIBIT
"B"

3. the property legally described in Exhibit 3 (the clubhouse and other recreational facilities); and
4. the property legally described in Exhibit 4 (part of the AIA Access road).

TO HAVE AND TO HOLD the above-described land, with all improvements thereon, unto Grantee in fee simple forever.

Reservations and Prohibition

Grantor reserves from all the property hereby conveyed:

1. such utility easements as may be required for utility service in order to adequately serve the developed/undeveloped portions of the Complex;
2. easements for pedestrian traffic over, through, and across sidewalks, paths, and lanes as the same may from time to time exist upon the property conveyed; and for vehicular traffic over, through, and across such portions of such property as may from time to time be paved and intended for such purposes; or as may be required to adequately serve the developed/undeveloped portions of the Complex;
3. the right to bring prospective purchasers of condominium units in the Complex through all the property hereby conveyed until such time as all the condominium units constructed or to be constructed by Grantor within the Complex have been conveyed; and
4. an easement for the benefit of all condominium parcels within the Complex, whether constructed or to be constructed, for the use of the recreational facilities and driving and parking areas, subject to the reasonable rules and regulations of Grantee.

Grantee is hereby prohibited from constructing and building upon the property described in Exhibit 2, and Grantee accepts this Deed subject to this prohibition.

The reservations and prohibitions in this Deed are covenants running with the land and create an equitable servitude.

TT674 not1550

EXECUTED this 22 day of May, 1985.

SUN-MARK II ASSOCIATES, a Joint Venture

Witnesses:

[Signature]
[Signature]

By:

[Signature]
Calmark Communities, Inc.
(Affix Corporate Seal)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 22 day of May, 1985 by J. Andrew Seawright, who is the Executive Vice President of Calmark Communities, Inc., on behalf of the corporation.

[Signature]
Notary Public
My Commission Expires:
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 20, 1988
BONDED THROUGH MORTGAGE BANKERS ASSOCIATION

EXECUTED this 22 day of May, 1985.

SUN-MARK II ASSOCIATES, a Joint Venture

Witnesses:

[Signature]
[Signature]

By:

[Signature]
Sunshine State Mortgage Company
(Affix Corporate Seal)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 22 day of May, 1985 by Robert D. Floyd, who is the Vice President of Sunshine State Mortgage Company, on behalf of the corporation.

[Signature]
Notary Public
My Commission Expires:
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 20, 1988
BONDED THROUGH MORTGAGE BANKERS ASSOCIATION

CAL/SunMarkFee

111674-1551

description:

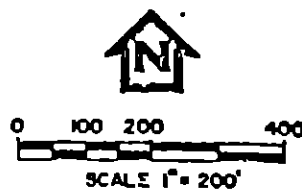
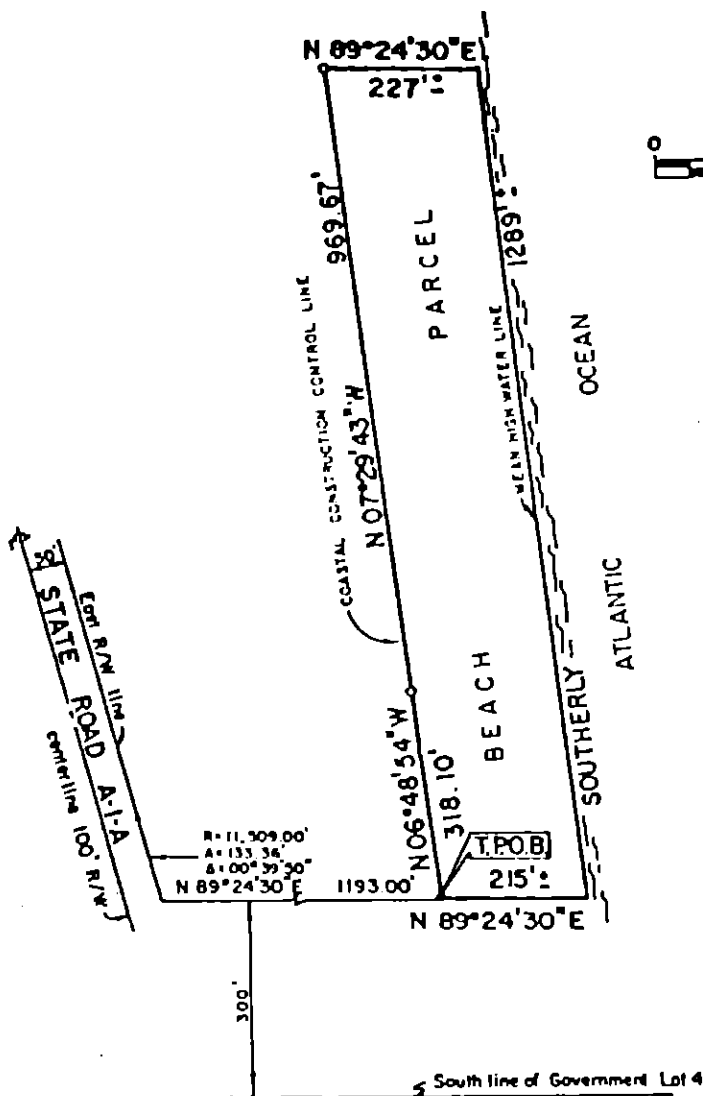
THE OCEAN GALLERY

A parcel of land in Government Lots 1 and 4 in Section 13, Township 8 South, Range 30 East, St. Johns County, Florida, being further described as follows:

Beginning at a point of intersection of the East right-of-way line of State Road No. A-1-A, said right-of-way line being 50 feet East of the centerline of said road, with a line 300 feet North of and parallel with the South line of said Government Lot 4, said point also lying on a curve concave Southwesterly and having a radius of 11,509.20 feet (a radial to said curve bears N. 75°41'50" E.); thence Northwesterly along said curve 133.36 feet through a central angle of 03°37'50"; thence tangent N. 14°53'00" W., 1135.64 feet; thence N. 89°24'30" E., 1596 feet more or less to the mean high water line of the Atlantic Ocean; thence Southerly along said mean high water line, 1289 feet more or less to its intersection with a line which bears N. 89°24'30" E. from the "TRUE POINT OF BEGINNING"; thence S. 89°24'30" W., 1403 feet more or less to the "TRUE POINT OF BEGINNING".

Containing 44.1 acres more or less

Together with any littoral rights thereunto appertaining.



SKETCH ONLY-NOT A SURVEY

Sheet 1 of 2
See sheet 2 of 2 for
description

CUMBEY & FAIR INC.
CONSULTING CIVIL ENGINEERS



2488 ENTERPRISE ROAD, CLEARWATER, FLORIDA 38873

THE OCEAN GALLERY
BEACH PARCEL

SCALE 1" = 200'	DATE 2-18-85	DR. D.R.	CHE	JOB No. 0281
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EXHIBIT 2

A parcel of land in Government Lots 1 and 4 in Section 15, Township 8 South, Range 30 East, St. Johns County, Florida, being further described as follows:

Beginning at a point of intersection of the East right-of-way line of State Road No. A-1-A, said right-of-way line being 50 feet East of the centerline of said road, with a line 300 feet North of and parallel with the South line of said Government Lot 4; thence along said line, N. 89°24'30" E., 1193.00 feet to the coastal construction control line and the "TRUE POINT OF BEGINNING"; thence along said control line N. 06°48'54" W., 318.10 feet; thence continue along said control line, N. 07°29'43" W., 969.67 feet; thence N. 89°24'30" E., 227 feet more or less to the mean high water line of the Atlantic Ocean; thence Southerly along said mean high water line, 1289 feet more or less to its intersection with a line which bears N. 89°24'30" E. from the "TRUE POINT OF BEGINNING"; thence S. 89°24'30" W., 215 feet more or less to the "TRUE POINT OF BEGINNING".

Containing 6.5 acres more or less

Together with any littoral rights thereunto appertaining.

Sheet 2 of 2

CUMBEY & FAIR INC.
CONSULTING CIVIL ENGINEERS

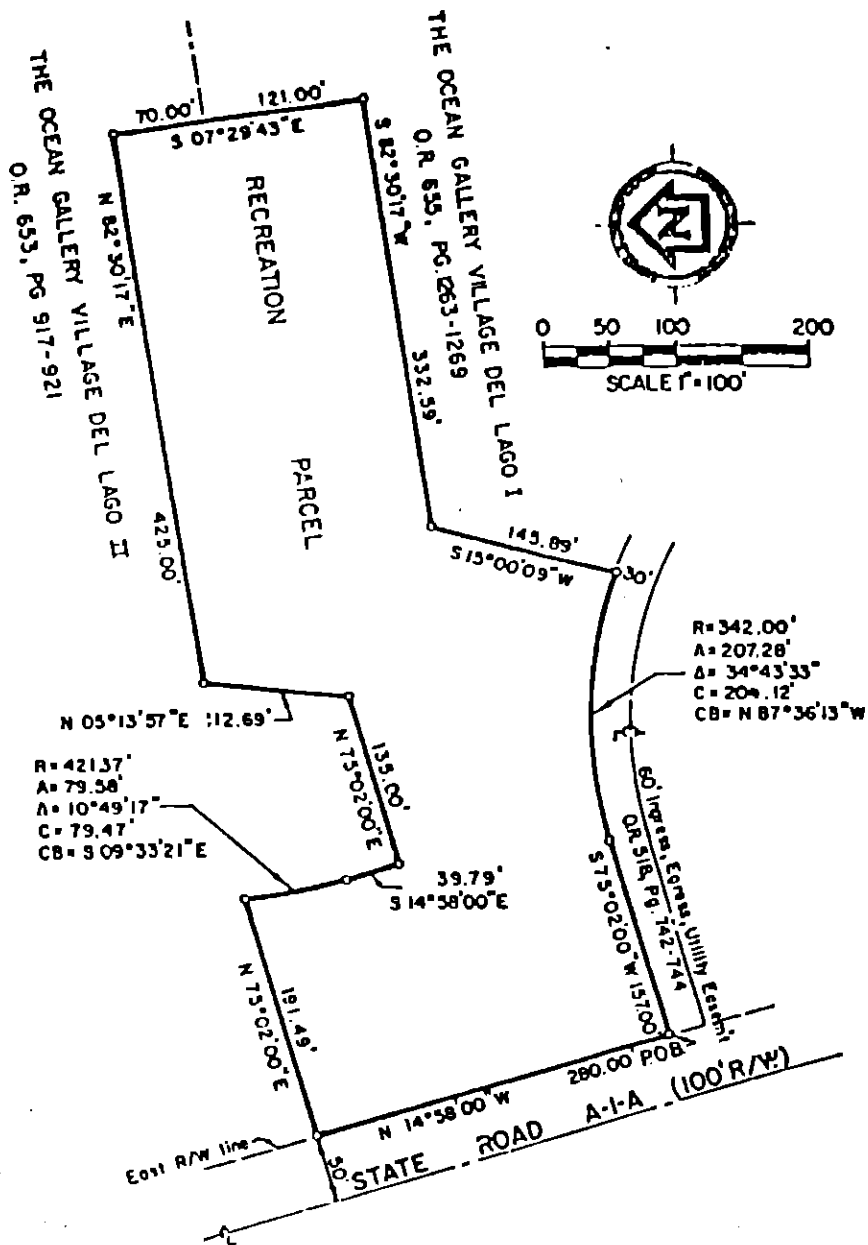


3482 ENTERPRISE ROAD, CLEARWATER, FLORIDA 38875

THE OCEAN GALLERY

BEACH PARCEL

SCALE	DATE 2-18-85	DR D.R.	CHK	JOB NO. 0281
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SKETCH ONLY-NOT A SURVEY

Sheet 1 of 2
See sheet 2 of 2 for
description

CUMBEY & FAIR INC.
CONSULTING CIVIL ENGINEERS



3488 ENTERPRISE ROAD, CLEARWATER, FLORIDA 38678

THE OCEAN GALLERY

RECREATION PARCEL

SCALE 1"=100'	DATE 2-19-85	DR D.R.	CHK	JOB NO. 0281
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EXHIBIT 3

A parcel of land lying in Government Lot 4, in Section 15, Township 8 South, Range 30 East, St. John's County, Florida being further described as follows:

Beginning at the intersection of the East right-of-way line of State Road A-1-A (100' R/W) and the North line of a 60 foot ingress-egress and utility easement, as recorded in O.R. Book 518, Pages 742 through 744, of the Public Records of St. John's County, Florida; thence along said East right-of-way line; N.14°58'00"W., 280.00 feet; thence leaving said East right-of-way line; N. 75°02'00" E., 191.49 feet to the boundary of THE OCEAN GALLERY VILLAGE DEL LAGO UNIT 11, A Condominium recorded in O.R. Book 653, Pages 917-921 of the aforesaid Public Records, being a non-tangent curve concave Easterly and having a radius of 421.37 feet; thence along said Condominium boundary the following: Southerly along said curve, 79.58 feet through a central angle of 10°49'17" (C.B. S. 09°33'21" E., 79.47 feet); thence S. 14°58'00" E., 39.79 feet; thence N. 75°02'00" E., 135.00 feet; thence N.05°13'57"E., 112.69 feet; thence N. 82°30'17" E., 425.00 feet; thence S. 07°29'43" E., 70.00 feet to the boundary of THE OCEAN GALLERY VILLAGE DEL LAGO UNIT 1, recorded in O.R. Book 655, Pages 1263-1269 of the aforesaid Public Records; thence along said Condominium boundary the following: S. 07°29'43" E., 121.00 feet; thence S. 82°30'17" W., 332.59 feet; thence S. 15°00'09" W., 145.89 feet to the Southwest corner of said Condominium boundary and a non-tangent curve concave Southerly and having a radius of 342.00 feet also being the North line of the aforesaid 60' ingress, egress and utility easement; thence Westerly along said curve and North line, 207.28 feet through a central angle of 34°43'33" (C.B. N. 87°36'13" W., 204.12 feet); thence continue along said North line; S. 75°02'10" W., 157.00 feet to the POINT OF BEGINNING.

Containing 3.88 acres more or less.

Subject to easements, restrictions and rights-of-way of record.

Sheet 2 of 2

CUMBEY & FAIR INC.
CONSULTING CIVIL ENGINEERS
 3488 ENTERPRISE ROAD, CLEARWATER, FLORIDA 34675



THE OCEAN GALLERY
RECREATION PARCEL

SCALE	DATE 2-19-05	DR/D.R.	CHE	JOB No. 0281
-------	--------------	---------	-----	--------------

description:

THE OCEAN GALLERY INGRESS - EGRESS and UTILITY EASEMENT

A parcel of land in Government Lot 4 in Section 15,
Township 8 South, Range 30 East, St. Johns County, Florida,
being further described as follows:

Beginning at a point of intersection of the East right-of-way
line of State Road No. A-1-A, said right-of-way line being
50 feet East of the centerline of said road, with a line
300 feet North of and parallel with the South line of said
Government Lot 4; thence along said line, N. 89°24'30" E.,
870.10 feet; thence N. 06°48'54" W., 271.91 feet for a
"TRUE POINT OF BEGINNING"; thence N. 34°55'53" W., 8.67 feet
to a tangent curve concave Southwesterly and having a radius
of 70.00 feet; thence Northwesterly along said curve,
58.43 feet through a central angle of 47°49'31" to a reverse
curve concave Northeasterly and having a radius of 130.00 feet;
thence Northwesterly along said curve, 104.14 feet through a
central angle of 45°53'50" to a non-tangent curve concave
Northerly and having a radius of 400.00 feet (a radial to said
curve bears S. 33°41'25" E.); thence Westerly along said curve
464.62 feet through a central angle of 55°27'36" to a reverse
curve concave Southerly and having a radius of 282.00 feet;
thence Westerly along said curve 180.81 feet through a central
angle of 36°44'11"; thence tangent S. 75°02'00" W., 157.00 feet
to the East right-of-way line of said State Road No. A-1-A;
thence along said right-of-way line, N. 14°58'00" W., 60.00 feet;
thence N. 75°02'00" E., 157.00 feet to a tangent curve concave
Southerly and having a radius of 342.00 feet; thence Easterly
along said curve 219.28 feet through a central angle of
36°44'11" to a reverse curve concave Northerly and having
a radius of 420.00 feet; thence Easterly along said curve
465.01 feet through a central angle of 63°26'09"; thence
S. 41°39'58" E., 60.00 feet radial to a curve concave
Northwesterly and having a radius of 480.00 feet; thence
Southwesterly along said curve 6.78 feet through a central
angle of 00°48'32" to a non-tangent curve concave Northeasterly
and having a radius of 70.00 feet (a radial to said curve
bears S. 53°29'43" W.); thence Southeasterly along said
curve 56.51 feet through a central angle of 46°15'07" to
a reverse curve concave Southwesterly and having a radius
of 130.00 feet; thence Southeasterly along said curve
35.05 feet through a central angle of 15°53'21"; thence
non-tangent S. 07°29'43" E., 78.02 feet; thence S. 06°46'54" E.,
9.29 feet to the "TRUE POINT OF BEGINNING".

Containing 1.354 acres more or less

REC'D JAN - 6 PM 2 13
ST. JOHNS COUNTY, FLA.
CLERK OF COUNTY COURT

12/15

OCEAN GALLERY VIDEOS
MIBIE 2

EXHIBIT 4

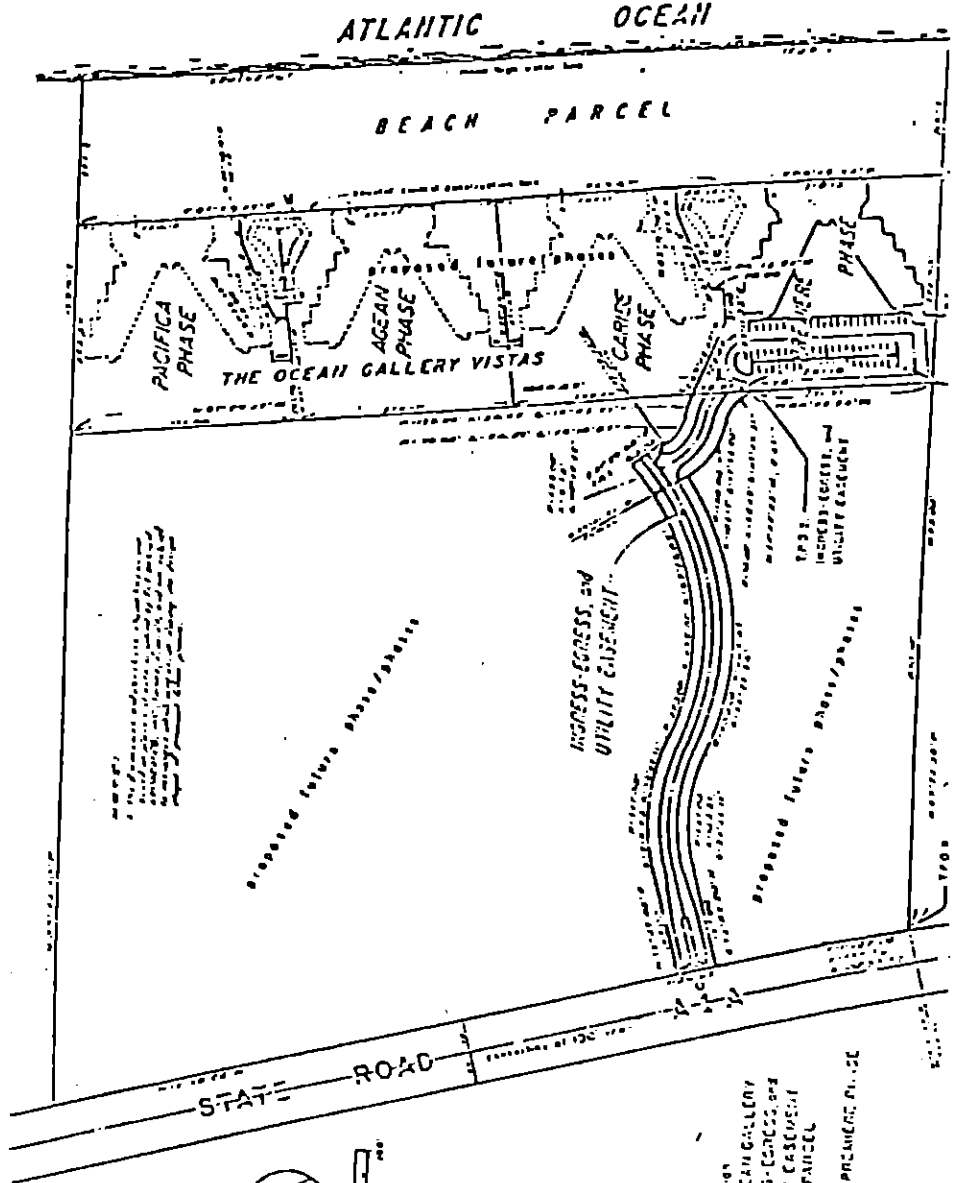
0102

THE OCEAN GALLERY

A PROPOSED
CONDOMINIUM

PROPOSED PHASE BOUNDARY PLAN

of portion of section 15, Township 8 South, Range 30 West, 1st JMW's & Montz, Florida



- LEGALS:
- 1 THE DEVELOPER
 - 2 THE OCEAN GALLERY
 - 3 INGRESS-EGRESS AND UTILITY EASEMENT
 - 4 BEACH PARCEL
 - 5 VISTAS
 - 6 VISTAS PREMIERE PHASE

EXHIBIT D

0025

111074 no 1558

THE OCEAN GALLERY
INGRESS-EGRESS & UTILITY EASEMENT

A parcel of land in Government Lot 4 in Section 13, Township 8 South, Range 30 East, St. Johns County, Florida, being further described as follows:

Commence at the intersection of the East right-of-way line of State Road A-1-A (100' R/W) and the centerline of the 60 foot ingress-egress and utility easement as recorded in O.R. Book 518, Pages 742 to 744 of the Public Records of St. Johns County, Florida; thence along said centerline of said easement, N. 75°02'00" E., 157.00 feet to a point of curvature; thence continue along said centerline along a curve to the right through a central angle of 36°44'11", radius 317.00 feet, and arc of 200.05 feet to a point of reverse curvature; thence continue along said centerline along a curve to the left through a central angle of 63°26'10", radius of 450.00 feet, arc of 498.23 feet to a point of compound curvature, said point also being a Point of Beginning of an ingress-egress and utility easement lying 25.00 feet on either side of the following described centerline; thence continue along a curve to the left through a central angle of 55°49'48", radius of 143.22 feet, arc of 139.56 feet; thence N. 07°29'43" W., 267.00 feet to a point of curvature; thence along a curve to the left through a central angle of 51°37'21", having a radius of 150.00 feet, arc of 135.15 feet to a point of ending.

Containing 0.622 acres more or less.

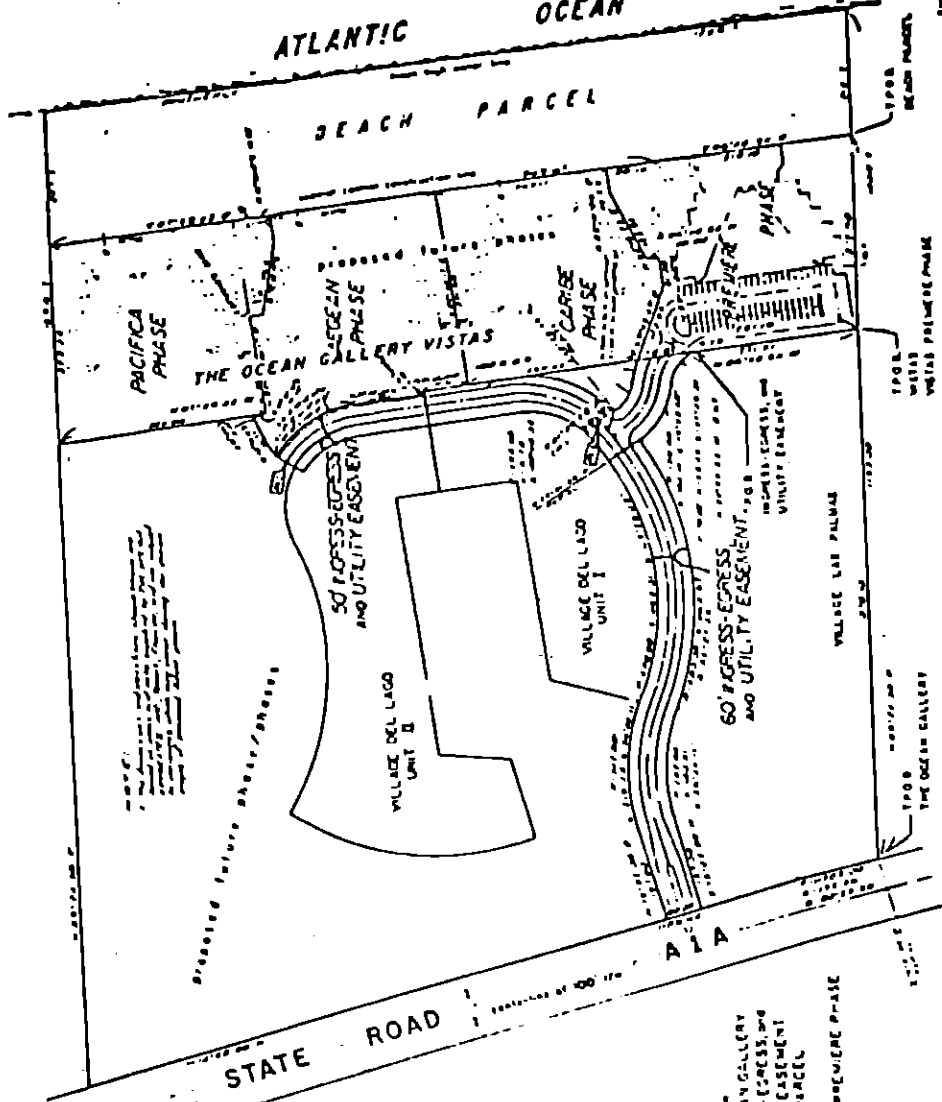
J.N. 078A
WVF/kr
2/24/84

EXHIBIT 18
Page 1 of 2

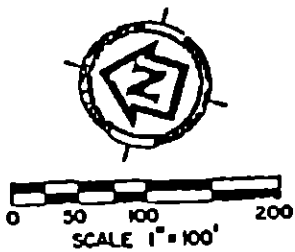
THE OCEAN GALLERY

a portion of section 18, township 8 north, range 30 east, st. john's county, florida

111674 PL 1559



- LEGALS:
- 1 50' ACCESS-EGRESS AND UTILITY EASEMENT
 - 2 THE OCEAN GALLERY
 - 3 60' ACCESS-EGRESS AND UTILITY EASEMENT
 - 4 BEACH PARCEL
 - 5 VISTAS
 - 6 VISTAS PREMIERE PHASE



THE OCEAN GALLERY
VISTAS AEGEAN
PHASE OR. 631
PAGE 183-201

Northeast corner of
The Ocean Gallery -
Village Del Lago
Unit 2

P.O.B.

(R)
38.00'
S 30°32'56" W

P = 169.00'
A = 168.38'
Δ = 56°28'33"
C = 159.92'
CB = S 87°21'21" E

R = 131.00'
A = 129.13'
Δ = 56°28'33"
C = 123.96'
CB = N 87°21'21" W

THE OCEAN GALLERY VILLAGE DEL PRADO PROPOSED

Ingress, Egress &
Utility Easement

R = 431.00'
A = 445.91'
Δ = 59°16'39"
C = 426.29'
CB = S 85°57'18" E

R = 469.00'
A = 485.22'
Δ = 59°16'39"
C = 463.87'
CB = N 85°57'18" W

THE OCEAN GALLERY
VILLAGE DEL LAGO UNIT 2
OR. BOOK 631 PG 119-182

R = 264.00'
A = 224.17'
Δ = 48°39'02"
C = 217.49'
CB = S 80°38'29" E

R = 226.00'
A = 191.90'
Δ = 48°39'02"
C = 186.19'
CB = N 80°38'29" W

UNPLATTED

UNPLATTED

N 83°31'20" E 67.74'

S 66°32'40" W 67.74'

N 75°02'00" E 79.24'

S 75°02'00" W 79.24'

East R/W line

N 14°58'00" W 50.00'

STATE ROAD A-1-A (100' R/W)

Sheet 1 of 2
see sheet 2 of 2 for descriptions

CUMBEY & FAIR INC.
CONSULTING CIVIL ENGINEERS
2442 ENTERPRISE ROAD, CLEARWATER, FLORIDA 38873

THE OCEAN GALLERY
Ingress, Egress & Utility
Easement

SCALE 1" = 100'	DATE 9/18/84	DR D.R.	CHK	JOB NO. 0081
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EXHIBIT

111674 REC 1581

LEGAL DESCRIPTION
INGRESS, EGRESS & UTILITY EASEMENT

That portion of Government Lot 4, lying in Section 13, Township 8 South, Range 30 East, St. Johns County, Florida, being further described as follows:

Begin at the Northeast corner of "The Ocean Gallery - Village Del Lago Unit 2", as recorded in O.R. Book 631, Pages 119 through 182 of the Public Records of St. Johns County, Florida; thence along the North line of said "The Ocean Gallery - Village Del Lago Unit 2", the following courses and curves: S. 30°52'56" W., 38.00 feet to a non-tangent curve concave Southerly and having a radius of 131.00 feet; thence Northwesterly along said curve 129.13 feet through a central angle of 56°28'33" (C.B. N. 87°21'21" W., 123.96 feet) to a reverse curve concave Northerly and having a radius of 469.00 feet; thence continue along aforesaid North line and line extended Southwesterly along said curve 485.22 feet through a central angle of 59°16'39" (C.B. N. 85°57'18" W., 463.87 feet) to a reverse curve concave Southwesterly and having a radius of 226.00 feet; thence Northwesterly along said curve, 121.90 feet through a central angle of 48°39'02" (C.B. N. 80°38'29" W., 186.19 feet); thence S. 66°32'40" W., 67.74 feet; thence S. 75°02'00" W., 79.24 feet to the East right-of-way line of State Road A-1-A (100' R/W); thence along said East right-of-way line; N. 14°58'00" W., 58.00 feet; thence leaving said East right-of-way line; N. 75°02'00" E., 79.24 feet; thence N. 83°31'20" E., 67.74 feet to a curve concave Southwesterly and having a radius of 264.00 feet; thence Southeasterly along said curve 224.17 feet through a central angle of 48°39'02" (C.B. S. 80°38'29" E., 217.49 feet) to a reverse curve concave Northerly and having a radius of 431.00 feet; thence Northeasterly along said curve, 445.91 feet through a central angle of 59°16'39" (C.B. S. 85°57'18" E., 426.29 feet) to a reverse curve concave Southerly and having a radius of 169.00 feet; thence Southeasterly along said curve 166.58 feet through a central angle of 56°20'33" (C.B. S. 87°21'21" E., 159.92 feet) to the POINT OF BEGINNING.

Containing 0.90 acres more or less.

RECORDED
DECEMBER 26 PM 4:01
CUMBEY & FAIR INC.
CLEARWATER, FLORIDA

Sheet 2 of 2

CUMBEY & FAIR INC. CONSULTING CIVIL ENGINEERS  2483 ENTERPRISE ROAD, CLEARWATER, FLORIDA 33873		THE OCEAN GALLERY Ingress, Egress & Utility Easement	
SCALE 1"=100'	DATE 9/10/84	DR D.R. CASE	JOB No. 0281

EXHIBIT 16, 2 of 2

SS 22371

O.R. 794 PG 0481

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 16th day of August, 1988, by SUNMARK II ASSOCIATES, a Florida joint venture comprised of SUNSHINE STATE MORTGAGE COMPANY, a Florida corporation, and CALMARK COMMUNITIES, INC., a California corporation authorized to do business in Florida, as partners, being also referred to as SUN-MARK II ASSOCIATES, LTD., a Florida limited partnership, existing under the laws of the State of Florida, first party, to ST. AUGUSTINE OCEAN GALLERY PARTNERS, a Florida general partnership, whose post office address is: 341 Wildwood Drive, St. Augustine, Florida 32086, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the said first party, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid by the said second party, the receipt whereof is hereby acknowledge, does hereby remise, release and quit-claim, unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO
AND BY THIS REFERENCE MADE A PART HEREOF

The purpose of this quit-claim deed is to clarify the conveyance of the subject property from a dissolved joint venture, and this quit-claim deed is being executed and delivered together with a warranty deed of even date, and therefore only minimum documentary stamps are due on this quit-claim deed.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

SIGNATURES ON NEXT PAGE

STAUG.010

Page 1 of 2

THIS INSTRUMENT PREPARED BY AND RETURN TO:
STEPHEN A. BONNETT, ATTORNEY AT LAW
RASE, MOORE & BASS, JR.
1605 N. FLORIDA AVENUE
TAMPA, FLORIDA 33602

EXHIBIT

"C"

Documentary Tax Pd. \$1.55
Intangible Tax Pd.
Carl "Bud" Vashel, Clerk St. Johns
County St. Johns, D.C.

Signed, sealed and delivered
in the presence of:

SUNMARK II ASSOCIATES, a Florida
joint venture comprised of SUNSHINE
STATE MORTGAGE COMPANY, a Florida
corporation, and CALMARK
COMMUNITIES, INC., a California
corporation authorized to do
business in Florida, as partners,
being also referred to as SUN-MARK
II ASSOCIATES, LTD., a Florida
limited partnership, existing under
the laws of the State of Florida:

SUNSHINE STATE MORTGAGE COMPANY,
Florida corporation

Sarah Wilder
Margaret H. Carlisle

By: Robert Brown
As its Vice President
(CORPORATE SEAL)

CALMARK COMMUNITIES,
California corporation

Raven C. Hayden
James A. ...

By: James A. ...
As its Vice President
(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this
23 day of August, 1988, by Robert Brown as
the Vice President of SUNSHINE STATE
MORTGAGE COMPANY, a Florida corporation, on behalf of the
corporation.

Margaret H. Carlisle
Notary Public

Notary Public, State of Florida at Large
My Commission Expires April 3, 1989

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this
23 day of August, 1988, by James A. ... as
the Vice President of CALMARK COMMUNITIES,
INC., a California corporation, on behalf of the corporation.

Raven C. Hayden
Notary Public

Notary Public, State of Florida
My Commission Expires Aug 1, 1989

EXHIBIT "A"

PARCEL 1:

A parcel of land in Government Lot 4, Section 15, Township 0 South, Range 30 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Beginning use the intersection of the North Boundary line of lands as described in Official Records Book 478, page 298, public records of said County, and the East right-of-way line of State Road A-1-A; thence South 14 degrees 58 minutes 00 seconds East along said East right-of-way line 300.22 feet; thence North 75 degrees 02 minutes 00 seconds East along the North line of a Ingress and egress roadway, 79.24 feet to angle point in said North line; thence North 83 degrees 31 minutes 20 seconds East, 67.74 feet to the P.C. of a Nontangent curve to the right having a radius, chord and chord bearing of 259 feet, 55.77 feet and North 81 degrees 12 minutes 51 seconds East; thence around the arc of said curve, 55.88 feet to a Point of Reverse curvature of a curve to the left having a radius, chord and chord bearing of 25 feet, 14.73 feet and North 43 degrees 14 minutes 00 seconds East; thence around the arc of said curve 18.39 feet to the P.T. of said curve; thence North 00 degrees 35 minutes 30 seconds West, 231.27 feet to said North boundary line of lands as described in Official Records Book 478, page 298, public records of said County; thence South 89 degrees 24 minutes 30 seconds West, 298.00 feet along said North line to the Point of Beginning.

CONTINUED

O.R. 794 PG 0484

PANCEL 2:

A parcel of land in Government Lot 4, Section 15, Township 1 South, Range 30 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Commencement, use the intersection of the North boundary line of lands as described in Official Records Book 478, page 298, public records of said County, and the East right-of-way line of State Road A-1-A; thence South 14 degrees 58 minutes 00 seconds East along said East right-of-way line 348.22 feet to the Point of Beginning; thence continue South 14 degrees 58 minutes 00 seconds East, 311.77 feet; thence North 75 degrees 02 minutes 00 seconds East, 191.49 feet to the P.C. of a nontangent curve to the right having a radius, chord and chord bearing of 421.37 feet, 243.42 feet and North 12 degrees 38 minutes 37 seconds East; thence around the arc of said curve 246.94 feet to the P.T.; thence North 29 degrees 25 minutes 56 seconds East, 43.68 feet to the P.C. of a nontangent curve to the right having a radius, chord and chord bearing of 464.0 feet 23.27 feet and North 57 degrees 38 minutes 59 seconds West; thence around the arc of said curve 23.27 feet to the Point of Reverse curvature of a curve to the left having a radius, chord and chord bearing of 231.0 feet, 189.54 feet and North 80 degrees 44 minutes 45 seconds West; thence around the arc of said curve, 195.30 feet to the P.T. of said curve; thence South 66 degrees 32 minutes 40 seconds West, 67.74 feet; thence South 75 degrees 02 minutes 00 seconds West, 79.24 feet to the Point of Beginning.

CONTINUED

Page 2 of 3

RECORDED
7-1-54

PARCEL 3:

A parcel in Government Lot 4, Section 15, Township 8 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the intersection of the North line of land as described in Official Records Book 478, page 298, public records of said County, and the East right-of-way line of State Road No. A-1-A; thence South 14 degrees 58 minutes 00 seconds East along said East right-of-way line 1819.99 feet to the Point of Beginning; thence continue South 14 degrees 58 minutes 00 seconds East, 166.65 feet to the P.C. of a curve to the left having a radius, delta and chord of 11,509 feet 00 degrees 39 minutes 50 seconds and 133.35 feet; thence Southeasterly around the arc of the curve 133.36 feet to the South line of said tract; thence North 89 degrees 24 minutes 30 seconds East 244.12 feet on said South line; thence North 00 degrees 35 minutes 30 seconds West 124.34 feet to the P.C. of a curve to the left having a radius, delta and chord of 93 feet, 30 degrees 00 minutes 11 seconds, and 48.15 feet; thence Northwesterly around the arc of said curve 48.71 feet to a Point of Reverse Curvature for a curve to the right having a radius, delta and chord of 117 feet 52 degrees 22 minutes 13 seconds, and 103.26 feet; thence Northwest-ly, and Northeasterly around the arc of said curve 106.94 feet to the P.T. of said curve; thence North 21 degrees 40 minutes 11 seconds East 51.75 feet to the Southerly line of a 66 foot right-of-way for ingress and egress said point being on a curve to the left, said curve being non tangent to the last line; said curve having a radius, chord and chord bearing of 282 feet, 166.38 feet and North 87 degrees 49 minutes 05 seconds West; thence Northwesterly around the arc of said curve, 168.81 feet to the P.T. of said curve; thence South 75 degrees 02 minutes 00 seconds West, 157.0 feet to the Point of beginning.

Page 1 of 3

80 AUG 31 04 1:38

Gene M. Mohr
CLERK OF CIRCUIT COURT