

RESOLUTION NO. 2009- 70
RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
APPROVING A SUBDIVISION PLAT FOR HIGH DUNES OF PONTE VEDRA

WHEREAS, HIXVEST,LTD., A FLORIDA LIMITED LIABILITY 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 HIGH DUNES OF PONTE VEDRA.

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 and its dedicated areas depicted thereon are conditionally approved and accepted by the Board of County Commissioners of St. Johns County, Florida subject to Sections 2, 3, 4, 5 and 6.

Section 2. No Construction Bond will be required.

Section 3. No Maintenance Bond will be required.

Section 4. The approval and acceptance described in Section 1 shall not take effect until the Clerk has received a title opinion, certificate, or policy pertaining to the real property that is the subject of the a forenamed subdivision plat which opinion, certificate or policy is in a form acceptable to the County Attorney or Assistant County Attorney.

Section 5. The Clerk is instructed to file and record the consent and joinder (s) to the plat executed by all mortgages identified in the title opinion or certificate of the title in Section 4.

Section 6. The approval and acceptance described in Section 1 shall not take effect until the plat has been signed by each of the following departments, person or offices:

- a) Chairman or Vice-Chairman of the Board of County Commissioners of St. Johns County, Florida;
- b) Office of the County Attorney;
- c) County Planning and Zoning Department;
- d) Office of the County Surveyor; and
- 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. 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 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 been met.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 7th day of April, 2009.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Cyndi Stevenson
Chairman

ATTEST: Cheryl Strickland

Pam Halterman
Deputy Clerk

RENDITION DATE 4/9/09

HIGH DUNES OF PONTE VEDRA

A PART OF GOVERNMENT LOTS 2 AND 3, SECTION 14, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA.

CAPTION
 A PART OF GOVERNMENT LOTS 2 AND 3, SECTION 14, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF LOT 1, THE GROVE, AS RECORDED IN MAP BOOK 27, PAGES 102 THROUGH 104 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT LING ON THE WESTERLY RIGHT OF WAY LINE OF PONTE VEDRA BOULEVARD, STATE ROAD NO. A-1-1-A). (A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED). THENCE SOUTH 11°49'50" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1045.00 FEET TO THE SOUTHEAST CORNER OF THOSE LOTS OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1441, PAGE 1025 OF SAID PUBLIC RECORDS; THENCE SOUTH 78°10'10" WEST, ALONG THE SOUTH LINE OF APRESAID SECTION 14; THENCE NORTH 16°21'20" WEST, ALONG SAID WEST LINE, A DISTANCE OF 900.55 FEET TO A POINT LING ON THE WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1441, PAGE 1025 OF SAID PUBLIC RECORDS; THENCE SOUTH 78°10'10" WEST, ALONG THE WEST LINE OF APRESAID SECTION 14; THENCE NORTH 16°21'20" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1048.27 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1194, PAGE 450 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 78°10'10" EAST, ALONG THE NORTH LINE OF SAID OFFICIAL RECORDS BOOK 1194, PAGE 450, A DISTANCE OF 983.25 FEET TO THE AFORESAID WESTERLY RIGHT OF WAY LINE OF PONTE VEDRA BOULEVARD AND THE POINT OF BEGINNING, CONTAINING 984,290 SQUARE FEET AND/OR 22.80 ACRES MORE OR LESS.

ADOPTION AND DEDICATION
 THIS IS TO CERTIFY THAT HIXVEST, LTD., A FLORIDA LIMITED PARTNERSHIP IS THE LAWFUL OWNERS OF THE LANDS DESCRIBED IN THE CAPTION HERON KNOWN AS HIGH DUNES OF PONTE VEDRA, HAVING CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED. THIS PLAT BEING MADE IN ACCORDANCE WITH SAID SURVEY IS HEREBY ADOPTED AS A TRUE AND CORRECT PLAT OF THOSE LANDS.

THE UPLAND BUFFER SHALL REMAIN PRIVATE AND THE SOLE EXCLUSIVE PROPERTY OF THE OWNERS, THEIR SUCCESSORS AND ASSIGNS.
 THOSE EASEMENTS DESIGNATED AS "5' B.E.S. ELECTRIC EASEMENTS" ARE HEREBY IRREVOCABLY DEDICATED TO THE CITY OF JACKSONVILLE BEACH, A MUNICIPAL CORPORATION IN DUVAL COUNTY, FLORIDA, D/B/A BEACHES ENERGY SERVICES, ITS SUCCESSORS AND ASSIGNS FOR ITS NON-EXCLUSIVE USE IN CONJUNCTION WITH ITS UNDERGROUND ELECTRICAL DISTRIBUTION SYSTEM, BEACHES ENERGY SERVICES HEREBY RESERVES THE NON-EXCLUSIVE, IRREVOCABLE AND PERPETUAL RIGHT OF INGRESS TO AND EGRESS FROM, OVER, UNDER, AND ACROSS ALL ROADS, STREETS, WAYS, BOULEVARDS, LANES, AND ELECTRIC EASEMENTS DEPICTED OR DEDICATED BY THIS PLAT FOR ITS USE IN THE CONSTRUCTION, INSTALLATION, MAINTENANCE, OR REMOVAL OF ITS UNDERGROUND ELECTRICAL DISTRIBUTION SYSTEM, SURFACE MOUNTED EQUIPMENT, FACILITIES, AND APPURTENANCES IN CONJUNCTION WITH ABOVE GROUND EQUIPMENT, AND APPURTENANCES OVER, UNDER, ACROSS, AND ALONG A MINIMUM OF FIVE (5) FEET IN WIDTH STRIP OF LAND ADJACENT TO, ADJUTING, PARALLEL, AND CONCENTRIC WITH THE ROAD RIGHT OF WAY (DENOTED AS "5.0 B.E.S. ELECTRIC EASEMENT"). THE AFORESAID SPECIFIC FIVE (5) FOOT B.E.S. ELECTRIC EASEMENTS ARE SUBJECT TO THE FOLLOWING COVENANTS WHICH SHALL RUN WITH THE LAND:
 (1) NO UTILITIES OTHER THAN BEACHES ENERGY SERVICES SHALL BE INSTALLED PARALLEL WITHIN SAID ELECTRIC EASEMENTS.
 (2) ELECTRIC EASEMENTS DEDICATED TO BEACHES ENERGY SERVICES AND WHERE ABOVE GROUND EQUIPMENT, FACILITIES, AND APPURTENANCES ARE PLACED SHALL REMAIN TOTALLY UNOBSERVED IN COMPLIANCE WITH THE UTILITY'S REQUIREMENTS AND SPECIFICATIONS FOR EQUIPMENT CLEARANCES FROM SHRUBS, TREES, PLANTS, FENCES, AND OTHER OBJECTS.
 (3) THE INSTALLATION OF FENCES, HEDGES, AND LANDSCAPING IS PERMISSIBLE BUT SUBJECT TO REMOVAL BY BEACHES ENERGY SERVICES WITHOUT PRIOR NOTICE, AT THE EXPENSE OF EACH LOT OWNER FOR THE REMOVAL AND REPLACEMENT OF SUCH ITEMS.

IN WITNESS WHEREOF, THE UNDERSIGNED SIGNED AND SEALED IN THE PRESENCE OF:
 _____ 2009. _____ DAY OF _____

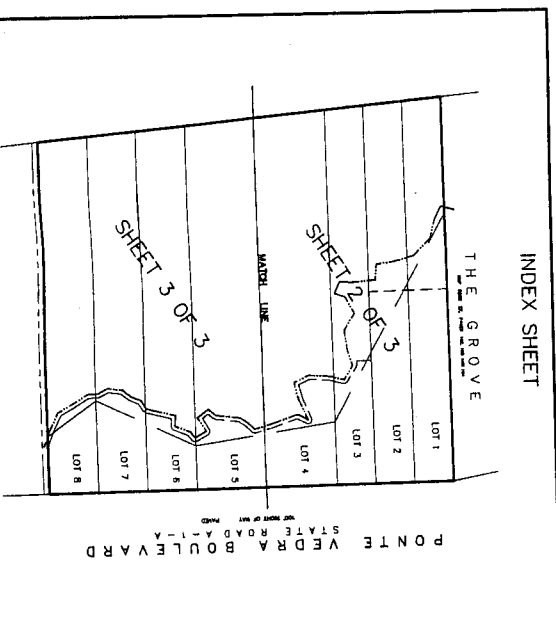
 WITNESS: Colleen R. Austin
 PRINT NAME: Colleen R. Austin
 PRINT NAME: Jean Bowman
 PRINT NAME: Jean Bowman

BY: Joseph M. Hixon IV, President
 HIXVEST, LTD., A FLORIDA LIMITED PARTNERSHIP
 BY: Hixvest C.P., Inc. A Florida Corporation,
 ITS GENERAL PARTNER

STATE OF FLORIDA, COUNTY OF ST. JOHNS
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ A.D. 2009, BY JOSEPH M. HIXON, IV, (PRESIDENT OF HIXVEST, LTD.), WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE AN OATH.
Stephanie Burch
 My Commission # DD-24424
 Expires May 1, 2009
 MY COMMISSION EXPIRES _____

JURISDICTIONAL WETLANDS REGULATION:
 CURRENT LAW PROVIDES THAT NO CONSTRUCTION, FILLING, REMOVAL OF EARTH, CUTTING OF TREES OR OTHER PLANTS SHALL TAKE PLACE WATERWARD OF THE JURISDICTIONAL WETLANDS LINE AS DEPICTED THIS PLAT WITHOUT THE WRITTEN APPROVAL OF ST. JOHNS COUNTY AND OTHER REGULATORY AGENCIES WITH JURISDICTION OVER SAID WETLANDS. IT IS THE RESPONSIBILITY OF THE LOT OWNER, HIS AGENT AND THE ENTITY PERFORMING ANY ACTIVITY WITHIN THE WETLAND TO ACQUIRE THE NECESSARY WRITTEN APPROVALS PRIOR TO THE BEGINNING OF ANY WORK. THIS WETLAND JURISDICTIONAL LINE MAY BE SUPERCEDED AND REDEFINED FROM TIME TO TIME BY THE APPROPRIATE GOVERNMENT AGENCIES.

NOTICE:
 THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEFINITION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL UNDER NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT



CERTIFICATE OF APPROVAL AND ACCEPTANCE BOARD OF COMMISSIONERS
 THIS IS TO CERTIFY THAT THIS PLAT OF HIGH DUNES OF PONTE VEDRA HAS BEEN APPROVED AND ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____ 2009. THIS ACCEPTANCE SHALL NOT BE DEEMED AS REQUIRING CONSTRUCTION OR MAINTENANCE BY ST. JOHNS COUNTY OF ANY PART OF SAID SUBDIVISION.

BY: _____
 CHAIRMAN, ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

CERTIFICATE OF PLAT REVIEW
 THIS IS TO CERTIFY THAT THIS PLAT OF HIGH DUNES OF PONTE VEDRA HAS BEEN REVIEWED FOR CONFORMITY TO FLORIDA STATUTES CHAPTER 177 BY THE OFFICE OF THE COUNTY SURVEYOR FOR ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____ 2009.

GAIL OLIVER, P.S.M., COUNTY SURVEYOR
 PROFESSIONAL SURVEYOR AND MAPPER
 LICENSE NUMBER 4564

CERTIFICATE OF APPROVAL OF THE PLANNING AND ZONING DEPARTMENT
 THE ST. JOHNS COUNTY PLANNING AND ZONING DEPARTMENT HEREBY APPROVES THIS PLAT OF HIGH DUNES OF PONTE VEDRA ON THIS _____ DAY OF _____ 2009.

ST. JOHNS COUNTY PLANNING AND ZONING OFFICIAL
CERTIFICATE OF COUNTY ATTORNEY
 THIS IS TO CERTIFY THAT THIS PLAT OF HIGH DUNES OF PONTE VEDRA HAS BEEN EXAMINED AND APPROVED BY THE OFFICE OF THE COUNTY ATTORNEY FOR ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____ 2009.

BY: _____
 OFFICE OF THE ST. JOHNS COUNTY ATTORNEY
CERTIFICATE OF CLERK
 THIS IS TO CERTIFY THAT THIS PLAT OF HIGH DUNES OF PONTE VEDRA HAS BEEN EXAMINED AND APPROVED AND THAT IT COMPLETES IN FORM WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND IS RECORDED IN MAP BOOK _____ OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____ 2009.

CLERK OF THE CIRCUIT COURT
SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT I AM CURRENTLY LICENSED AND REGISTERED BY THE STATE OF FLORIDA AS A PROFESSIONAL LAND SURVEYOR, THAT I HAVE COMPLETED A SURVEY OF LAND SHOWN ON THIS PLAT AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED; THAT THE SURVEY WAS CONDUCTED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT THE SURVEY DATA COMPLETES WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART 3, PLANNING, FLORIDA STATUTES. _____ DAY OF _____ 2009

_____ DAY OF _____ 2009
 DONALD W. BOATWRIGHT, P.S.M.
 FLORIDA LICENSED SURVEYOR & MAPPER NUMBER 3295
 BOATWRIGHT LAND SURVEYORS, INC.
 1500 ROBERTS DRIVE
 JACKSONVILLE BEACH, FLORIDA 32250
 FLORIDA LICENSED SURVEYING AND MAPPING BUSINESS NUMBER 3672