

RESOLUTION NO. 86-68  
RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

WHEREAS, the following persons and entities:

Wilbur L. Brown and Louise M. Brown

Gerald E. Upson and Pierre D. Thompson d/b/a Moultrie Trails Development

Moultrie Trails Homeowners Association Inc.

Moultrie Trails Utilities Company, Inc.

Pierre D. Thompson, John Bailey and A.H. Runk

have each tendered one or more of the

Easements

Assignment of Easement

Partial Release of Mortgage

Bill of Sales

Deeds

**copies of which** are attached hereto, to the Board of County Commissioners of St. Johns County, Florida, conveying the lands, easements and chattels described thereon to the County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. The above described documents are hereby accepted by the Board of County Commissioners of St. Johns County, Florida.

Section 2. The Clerk is instructed to file the title opinion and to record the documents in the official public records of St. Johns County at County expense.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 10th day of June, 1986.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis M. Boubaker  
Its Chairman

Attest: Carl "Bud" Markel, Clerk

By: Cheryl Kent  
Deputy Clerk

UPCHURCH, BAILEY AND UPCHURCH, P. A.

ATTORNEYS AT LAW  
501 ATLANTIC BANK BUILDING  
POST OFFICE BOX 170

SAINT AUGUSTINE, FLORIDA 32085-0170

(904) 829-9086

FRANK D. UPCHURCH  
OF COUNSEL

FN-H-85-557

HAMILTON D. UPCHURCH  
JOHN D. BAILEY, JR.  
H. DAVIS UPCHURCH, JR.  
FRANK D. UPCHURCH, III  
TRACY W. UPCHURCH

June 10, 1986

Honorable Francis Brubaker, Chairman  
Board of County Commissioners  
c/o Honorable James G. Sisco  
St. Johns County Attorney  
State Road 16  
St. Augustine, Florida 32084

Dear Sir:

I hand you herewith the following:

1. Easement from Wilbur L. Brown and Louise M. Brown, his wife, to St. Johns County dated June 6, 1986;
2. Easement from Wilbur L. Brown and Louise M. Brown, his wife, to St. Johns County dated June 9, 1986;
3. Partial Release of Mortgage from Pierre D. Thompson, John D. Bailey and A. H. Runk to Wilbur L. Brown, Jr., and Louise M. Brown, his wife, dated February 10, 1986;
4. Bill of Sale from Pierre D. Thompson, John D. Bailey and A. H. Runk to Moultrie Trails Utilities Company, Inc., dated March 12, 1986;
5. Bill of Sale from Moultrie Trails Utilities Company, Inc., to St. Johns County dated March 12, 1986;
6. Easement from Moultrie Trails Homeowners Association, Inc., to St. Johns County dated February 5, 1986;
7. Assignment of Easement from Gerald E. Upson and Pierre D. Thompson, a Joint Venture doing business as Moultrie Trails Development, to St. Johns County dated February 4, 1986;
8. Warranty Deed from Pierre D. Thompson, John D. Bailey and A. H. Runk to Moultrie Trails Utilities Company, Inc., dated March 12, 1986;
9. Warranty Deed from Moultrie Trails Utilities Company, Inc., to St. Johns County dated March 12, 1986;

Honorable Francis Brubaker, Chairman  
June 10, 1986

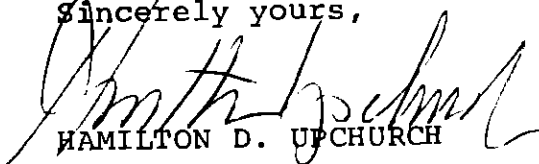
-2-

10. Save harmless letter of Pierre D. Thompson, John D. Bailey and A. H. Runk to St. Johns County dated June 10, 1986;
11. Two title searches prepared by St. Johns County Title & Abstract dated December 15, 1985, and December 23, 1985, respectively;
12. Two title opinions of Upchurch, Bailey and Upchurch, P.A., dated June 10, 1986;
13. Customer List of Moultrie Trails Utilities Company, Inc., as of December 31, 1985;
14. Signed copy of appraisal of "RBA" Robert Baker & Associates, Inc.; and
15. Five drafts of IRS Form No. 8283.

Please accept the foregoing documents which will conclude conveyance of Moultrie Trails Utilities Company, Inc., water tower, underlying lands, and all access easements, water transmission and distribution lines, underlying easements, metering devices, and customer lists.

Upon your acceptance, please execute the enclosed five copies of Part II of IRS Form No. 8283.

Sincerely yours,

  
HAMILTON D. UPCHURCH

HDU:vsh

Encls.

E A S E M E N T

THIS EASEMENT, Made as of the 9<sup>th</sup> day of June, 1986, between WILBUR L. BROWN and LOUISE M. BROWN, his wife, ("Grantors"), and ST. JOHNS COUNTY, a Political Subdivision of the State of Florida, ("Grantee");

In consideration of the sum of \$10.00 and other valuable considerations, the receipt and sufficiency of which are acknowledged, Grantors do hereby grant to Grantee, its successors and assigns, as follows:

A non-exclusive easement for access over a twenty-five foot strip of land, being described as follows:

Being a parcel of land in Section 38, Township 8 South, Range 29 East, and Section 48, (F. FALANY GRANT) Township 8 South, Range 30 East. Begin at a point being the intersection of the range line between Range 29 East and Range 30 East and the Southerly Right-of-Way of Wildwood Drive a 66 foot Right-of-Way; Thence along said Range line previously described S 2° 10' E a distance of 653.40 feet; Thence N 87° 57' E (parallel to the Southerly Right-of-Way of Wildwood Drive) a distance of 425.00 feet; Thence S 2° 10' E a distance of 25.00 feet; Thence S 87° 57' W a distance of 450.00 feet; Thence N 2° 10' W a distance of 678.40 feet to a point in the Southerly Right-of-Way of Wildwood Drive; Thence along the Southerly Right-of-Way of Wildwood Drive N 87° 57' E a distance of 25.00 feet to the POINT OF BEGINNING.

THIS INSTRUMENT PREPARED BY:  
HAMILTON D. UPCHURCH  
UPCHURCH, BAILEY AND UPCHURCH, P.A.  
501 Atlantic Bank Bldg. - St. Augustine, FL 32084

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals on the day and year first above written.

Signed, sealed and delivered in the presence of:

Wilbur L. Brown (SEAL)  
Wilbur L. Brown

[Signature]  
[Signature]

Louise M. Brown (SEAL)  
Louise M. Brown

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of June, 1986, by WILBUR L. BROWN and LOUISE M. BROWN, his wife.

[Signature]  
Notary Public, State of Florida at Large

My commission expires 8-19-88

E A S E M E N T

THIS EASEMENT, Made as of the 6th day of June, 1986, between WILBUR L. BROWN and LOUISE M. BROWN, his wife, ("Grantors"), and ST. JOHNS COUNTY, a Political Subdivision of the State of Florida, ("Grantee");

In consideration of the sum of \$10.00 and other valuable considerations, the receipt and sufficiency of which are acknowledged, Grantors do hereby grant to Grantee, its successors and assigns, as follows:

The perpetual, non-exclusive right and easement to construct, maintain, repair and replace all water transmission and distribution lines of Grantee situate on lands of Grantors more particularly described in Exhibit "A" attached hereto and as located and shown on as built Water Distribution and Sanitary Sewer Plan of MOLTRIE OAKS PARK prepared by William Hood & Associates, Inc., dated February 1, 1984, and revised March 7, 1984, and attached hereto as Exhibit "B".

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals on the day and year first above written.

Signed, sealed, and delivered in the presence of:

*Michael J. Barnes*  
*Brigid Barnes*

*Wilbur L. Brown Jr.* (SEAL)  
Wilbur L. Brown  
*Louise M. Brown* (SEAL)  
Louise M. Brown

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 6th day of June, 1986, by WILBUR L. BROWN and LOUISE M. BROWN, his wife.

*Brigid Barnes*  
Notary Public, State of Florida at Large  
My commission expires \_\_\_\_\_

EXHIBIT "A"

PARCEL ONE: A parcel of land in the F. FALANY GRANT, Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, being more fully described as follows:

BEGINNING at a point 2,175 feet, more or less, from Moultrie Creek South along range line between Ranges 29 and 30 East; from this point run South along said range line 2,050 feet; thence West 410 feet; thence North parallel with said range line 2,050 feet; thence East 410 feet to the point of beginning at the range line; said land being in the FERNANDO FALANY GRANT, Section 38, Township 8 South of Range 29<sup>1/5</sup> East, St. Johns County, Florida; ALSO BEING KNOWN AS: A parcel of land in the F. FALANY GRANT, Section 38, Township 8 South, Range 29 East and Range 30 East with the South right of way line of Wildwood Drive, a 66-foot width county road; thence South 2 degrees 10 minutes East, on said range line, 2,050 feet; thence South 87 degrees 57 minutes West 410 feet; thence North 2 degrees 10 minutes West, 2,050 feet; thence North 87 degrees 57 minutes East, on said South right of way line of Wildwood Drive, 410 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM those lands described in Official Records Book 372, page 739, said public records of St. Johns County, Florida.

PARCEL TWO: A parcel of land located in Wildwood Estates called "TRACT A" as per plat recorded in Map Book 13, page 6, of the public records of St. Johns County, Florida.

PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, WILBUR L. BROWN, JR., and LOUISE M. BROWN, his wife, hereinafter referred to as the Mortgagors, by Indenture of Mortgage bearing date the 19th day of May, 1983, and recorded in the office of the Clerk of the Circuit Court in and for the County of St. Johns, State of Florida, in Official Records Book 585, Page 48, granted and conveyed unto JOHN D. BAILEY, A. H. RUNK and PIERRE D. THOMPSON and SHIRLEY N. THOMPSON, his wife, hereinafter referred to as the Mortgagees, and their assigns, the premises therein particularly described, to secure the payment of ONE HUNDRED TWENTY THOUSAND AND NO/100 (\$120,000.00) DOLLARS, with interest as therein mentioned;

AND, WHEREAS, the said Mortgagors have requested the said Mortgagees to release the premises hereinafter described, being part of said mortgaged premises, from the lien and operation of said mortgage;

NOW, THEREFORE, KNOW YE, that the said Mortgagees, in consideration of the premises and of the sum of \$10.00 and other good and valuable considerations to them in hand paid by, or on behalf of, the said Mortgagors at the time of the execution hereof, the receipt whereof is hereby acknowledged, do remise, release, quit-claim, exonerate and discharge from the lien and operation of said mortgage unto the said Mortgagors, their heirs and assigns, that certain portion of the premises conveyed by said mortgage, more particularly described as follows:

All water transmission and distribution lines situate on lands of Mortgagors more particularly described in said mortgage and as located and shown on Water Distribution and Sanitary Sewer Plan of MOLTRIE OAKS PARK prepared by William Hood & Associates, Inc., for MOLTRIE OAKS PARK, INC., dated February 1, 1984, and revised March 7, 1984.

MORTGAGORS FURTHER CONSENT to the granting of a non-

exclusive easement to ST. JOHNS COUNTY for the repair and maintenance of said water transmission and distribution lines.

TO HAVE AND TO HOLD the same, with the appurtenances, unto the said Mortgagors, their heirs and assigns forever, freed, exonerated and discharged of and from the lien of said mortgage, and every part thereof; provided always, nevertheless, that nothing herein contained shall in anywise impair, alter or diminish the effect, lien or encumbrance of the aforesaid mortgage on the remaining part of said mortgaged premises not hereby released therefrom, or any of the rights and remedies of the holders thereof.

IN WITNESS WHEREOF, the said Mortgagees have hereunto set their hands and seals this 10<sup>th</sup> day of February, 1986.

Signed, sealed and delivered in the presence of:

John D. Bailey (SEAL)  
John D. Bailey

David Barnes  
Ether Arguin  
As to John D. Bailey

A. H. Runk (SEAL)  
A. H. Runk

David Barnes  
Ether Arguin  
As to A. H. Runk

Pierre D. Thompson (SEAL)  
Pierre D. Thompson

David Barnes  
Ether Arguin  
As to Pierre D. Thompson and wife

Shirley N. Thompson (SEAL)  
Shirley N. Thompson

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared JOHN D. BAILEY, to me known to be one of the persons described in and who executed the foregoing instrument, and he acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 10<sup>th</sup> day of February, 1986.

Ether Arguin  
Notary Public, State of Florida at Large  
NOTARY PUBLIC STATE OF FLORIDA  
My commission expires March 1, 1987

STATE OF FLORIDA

COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared A. H. RUNK, to me known to be one of the persons described in and who executed the foregoing instrument, and he acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 10<sup>th</sup> day of February, 1986.

*Ether Angwin*  
Notary Public, State of Florida at Large  
NOTARY PUBLIC, STATE OF FLORIDA  
My commission expires My Commission Expires Oct. 26, 1987

STATE OF FLORIDA

COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared PIERRE D. THOMPSON and SHIRLEY N. THOMPSON, his wife, to me known to be two of the persons described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 10<sup>th</sup> day of February, 1986.

*Ether Angwin*  
Notary Public, State of Florida at Large  
NOTARY PUBLIC, STATE OF FLORIDA  
My commission expires My Commission Expires Oct. 26, 1987



# Know All Men By These Presents,

*Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one*

That PIERRE D. THOMPSON, JOHN D. BAILEY AND A. H. RUNK, all

of the City of St. Augustine, in the County of St. Johns and State of Florida, of the first part, for and in consideration of the sum of \$10.00 and other good and valuable considerations-----~~Dollars~~, lawful money of the United States, to him paid by MOULTRIE TRAILS UTILITIES, INC., a Florida corporation, of St. Augustine, St. Johns County, Florida, party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer and deliver unto the said party of the second part, the following goods and chattels;

Elevated water tank and all water transmission and distribution lines, and all water and metering devices, situate on or under all real property and easements more particularly described in Schedule "A" attached hereto.

THIS INSTRUMENT PREPARED BY:  
HAMILTON D. UFGUENNE  
UPCHURCH, BAILEY AND UFGUENNE, P.A.  
501 Atlantic Bank Bldg. - St. Augustine, FL 32084

To Have and to Hold the same unto the said party of the second part forever.

And he does covenant to and with the said party of the second part that he is the lawful owner of the said goods and chattels; that they are free from all incumbrances; that he has good right to sell the same as aforesaid, and that he will warrant and defend the sale of the said property, goods and chattels hereby made, unto the said party of the second part, against the lawful claims and demands of all persons whomsoever.

In Witness Whereof, he has hereunto set his hand and seal the 12th day of March, in the year one thousand nine hundred and eighty-six.

Signed, Sealed and Delivered in Presence of:

Bugle Barnes

Jetha Leguain

State of Florida

County of ST. JOHNS

Pierre D. Thompson  
Pierre D. Thompson

John D. Bailey  
John D. Bailey

A. H. Runk  
A. H. Runk



LS

I Hereby Certify That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, PIERRE D. THOMPSON, JOHN D. BAILEY and A. H. RUNK,

to me well known to be the persons described in and who executed the foregoing Bill of Sale, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal at St. Augustine County of St. Johns, and State of Florida, this 12th day of March, A. D. 19 86.

Jetha Leguain  
Notary Public, State of Florida at Large  
My Commission Expires

SCHEDULE "A"

- (A). Being a part of that land described in O. R. Book 461, Page 385, and being more fully described as follows: Being all of said property described in O. R. Book 461, Page 385, less and except the South 140 feet thereof, and described as follows: Commence at the intersection of the South line of Section 38, Township 8 South, Range 30 East, with the Range line between Range 29 East and Range 30 East; thence North  $0^{\circ}32'$  West on said Range line, 558.69 feet; thence continuing on said Range line North  $2^{\circ}10'$  West a distance of 1876.17 feet; thence North  $87^{\circ}57'$  East (653.40 feet southerly of and parallel to the southerly right of way of Wildwood Drive, a 66 foot right of way) a distance of 400 feet; thence North  $2^{\circ}10'$  West (parallel to the West line of Section 48) a distance of 140 feet to the Point of Beginning; then continue North  $2^{\circ}10'$  West a distance of 513.40 feet to a point in the southerly right of way of Wildwood Drive; thence South  $14^{\circ}15'18''$  East a distance of 525.27 feet; thence South  $87^{\circ}57'$  West a distance of 110.0 feet to the Point of Beginning.

TOGETHER WITH a non-exclusive easement over the West 12.0 feet of the South 140 feet of that parcel of land described in O. R. Book 461, Page 385, public records of St. Johns County, Florida, all lying in Section 48, Township 8 South, Range 30 East, containing 0.65 acres<sup>+</sup>.

AND TOGETHER WITH a non-exclusive easement for access over a twenty-five foot strip of land, being described as follows:

Being a parcel of land in Section 38, Township 8 South, Range 29 East, and Section 48, (F. FALANY GRANT) Township 8 South, Range 30 East. Begin at a point being the intersection of the range line between Range 29 East and Range 30 East and the Southerly Right-of-Way of Wildwood Drive a 66 foot Right-of-Way; Thence along said Range line previously described S  $2^{\circ}10'$  E a distance of 653.40 feet; Thence N  $87^{\circ}57'$  E (parallel to the Southerly Right-of-Way of Wildwood Drive) a distance of 425.00 feet; Thence S  $2^{\circ}10'$  E a distance of 25.00 feet; Thence S  $87^{\circ}57'$  W a distance of 450.00 feet; Thence N  $2^{\circ}10'$  W a distance of 678.40 feet to a point in the Southerly Right-of-Way of Wildwood Drive; Thence along the Southerly Right-of-Way of Wildwood Drive N  $87^{\circ}57'$  E a distance of 25.00 feet to the POINT OF BEGINNING.

SCHEDULE "A"  
(continued)

(B).        PARCEL ONE: A parcel of land in the F. FALANY GRANT, Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, being more fully described as follows:

BEGINNING at a point 2,175 feet, more or less, from Moultrie Creek South along range line between Ranges 29 and 30 East; from this point run South along said range line 2,050 feet; thence West 410 feet; thence North parallel with said range line 2,050 feet; thence East 410 feet to the point of beginning at the range line; said land being in the FERNANDO FALANY GRANT, Section 38, Township 8 South of Range 29<sup>1/2</sup> East, St. Johns County, Florida; ALSO BEING KNOWN AS: A parcel of land in the F. FALANY GRANT, Section 38, Township 8 South, Range 29 East and Range 30 East with the South right of way line of Wildwood Drive, a 66-foot width county road; thence South 2 degrees 10 minutes East, on said range line, 2,050 feet; thence South 87 degrees 57 minutes West 410 feet; thence North 2 degrees 10 minutes West, 2,050 feet; thence North 87 degrees 57 minutes East, on said South right of way line of Wildwood Drive, 410 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM those lands described in Official Records Book 372, page 739, said public records of St. Johns County, Florida.

PARCEL TWO: A parcel of land located in Wildwood Estates called "TRACT A" as per plat recorded in Map Book 13, page 6, of the public records of St. Johns County, Florida.

SCHEDULE "A"  
(continued)

- (C).
1. That certain Easement dated July 3, 1979, and recorded in Official Records Book 418, Page 796, St. Johns County Records, wherein parties of the first part did reserve unto themselves, their successors and assigns, an easement over that part of the common areas shown on plat of MOULTRIE TRAILS SUBDIVISION as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records, as private streets for the purpose of construction and maintaining a central water distribution system.
  2. A 10-foot utility and drainage easement across the front (street side) lot lines of all lots as delineated on plat of MOULTRIE TRAILS SUBDIVISION as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records.
  3. A 15-foot utility easement and emergency vehicle easement along the West lot line of Lot 41, MOULTRIE TRAILS SUBDIVISION, as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records.

# Know All Men By These Presents,

*Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one.*

That MOULTRIE TRAILS UTILITIES, INC., a Florida corporation with its principal place of business in

of the City of St. Augustine, in the County of St. Johns and State of Florida, party of the first part, for and in consideration of the sum of \$10.00 and other good and valuable considerations—~~Dollars~~, lawful money of the United States, to it paid by ST. JOHNS COUNTY, a Political Subdivision of the State of Florida, whose mailing address is St. Johns County Courthouse, St. Augustine, Florida 32084, party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer and deliver unto the said party of the second part, the following goods and chattels;

Elevated water tank and all water transmission and distribution lines, and all water and metering devices, situate on or under all real property and easements more particularly described in Schedule "A" attached hereto.

THIS INSTRUMENT PREPARED BY:  
HAMILTON D. UPCHURCH  
UPCHURCH, BAILEY AND UPCHURCH, P.A.  
501 Atlantic Bank Bldg. - St. Augustine, FL 32084

To Have and to Hold the same unto the said party of the second part forever.

And it does covenant to and with the said party of the the second part that it is the lawful owner of the said goods and chattels; that they are free from all incumbrances; that it has good right to sell the same as aforesaid, and that it will warrant and defend the sale of the said property, goods and chattels hereby made, unto the said party of the second part, against the lawful claims and demands of all persons whomsoever.

In Witness Whereof, the said party of the first part has caused these presents to be signed in its name by its President, and its corporate seal to be affixed, attested by its Secretary,

(Corporate Seal)

this 12th day of March 1986.

MOULTRIE TRAILS UTILITIES, INC.

By [Signature]  
Its President.

Attest: [Signature]  
Its Secretary.

Signed, Sealed and Delivered in Our Presence:

[Signature]  
[Signature]

SCHEDULE "A"

(A). Being a part of that land described in O. R. Book 461, Page 385, and being more fully described as follows: Being all of said property described in O. R. Book 461, Page 385, less and except the South 140 feet thereof, and described as follows: Commence at the intersection of the South line of Section 38, Township 8 South, Range 30 East, with the Range line between Range 29 East and Range 30 East; thence North  $0^{\circ}32'$  West on said Range line, 558.69 feet; thence continuing on said Range line North  $2^{\circ}10'$  West a distance of 1876.17 feet; thence North  $87^{\circ}57'$  East (653.40 feet southerly of and parallel to the southerly right of way of Wildwood Drive, a 66 foot right of way) a distance of 400 feet; thence North  $2^{\circ}10'$  West (parallel to the West line of Section 48) a distance of 140 feet to the Point of Beginning; then continue North  $2^{\circ}10'$  West a distance of 513.40 feet to a point in the southerly right of way of Wildwood Drive; thence South  $14^{\circ}15'18''$  East a distance of 525.27 feet; thence South  $87^{\circ}57'$  West a distance of 110.0 feet to the Point of Beginning.

TOGETHER WITH a non-exclusive easement over the West 12.0 feet of the South 140 feet of that parcel of land described in O. R. Book 461, Page 385, public records of St. Johns County, Florida, all lying in Section 48, Township 8 South, Range 30 East, containing 0.65 acres<sub>+</sub>.

AND TOGETHER WITH a non-exclusive easement for access over a twenty-five foot strip of land, being described as follows:

Being a parcel of land in Section 38, Township 8 South, Range 29 East, and Section 48, (F. FALANY GRANT) Township 8 South, Range 30 East. Begin at a point being the intersection of the range line between Range 29 East and Range 30 East and the Southerly Right-of-Way of Wildwood Drive a 66 foot Right-of-Way; Thence along said Range line previously described S  $2^{\circ}10'$  E a distance of 653.40 feet; Thence N  $87^{\circ}57'$  E (parallel to the Southerly Right-of-Way of Wildwood Drive) a distance of 425.00 feet; Thence S  $2^{\circ}10'$  E a distance of 25.00 feet; Thence S  $87^{\circ}57'$  W a distance of 450.00 feet; Thence N  $2^{\circ}10'$  W a distance of 678.40 feet to a point in the Southerly Right-of-Way of Wildwood Drive; Thence along the Southerly Right-of-Way of Wildwood Drive N  $87^{\circ}57'$  E a distance of 25.00 feet to the POINT OF BEGINNING.

SCHEDULE "A"  
(continued)

(B). PARCEL ONE: A parcel of land in the F. FALANY GRANT, Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, being more fully described as follows:

BEGINNING at a point 2,175 feet, more or less, from Moultrie Creek South along range line between Ranges 29 and 30 East; from this point run South along said range line 2,050 feet; thence West 410 feet; thence North parallel with said range line 2,050 feet; thence East 410 feet to the point of beginning at the range line; said land being in the FERNANDO FALANY GRANT, Section 38, Township 8 South of Range 29<sup>1/2</sup> East, St. Johns County, Florida; ALSO BEING KNOWN AS: A parcel of land in the F. FALANY GRANT, Section 38, Township 8 South, Range 29 East and Range 30 East with the South right of way line of Wildwood Drive, a 66-foot width county road; thence South 2 degrees 10 minutes East, on said range line, 2,050 feet; thence South 87 degrees 57 minutes West 410 feet; thence North 2 degrees 10 minutes West, 2,050 feet; thence North 87 degrees 57 minutes East, on said South right of way line of Wildwood Drive, 410 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM those lands described in Official Records Book 372, page 739, said public records of St. Johns County, Florida.

PARCEL TWO: A parcel of land located in Wildwood Estates called "TRACT A" as per plat recorded in Map Book 13, page 6, of the public records of St. Johns County, Florida.

SCHEDULE "A"

(continued)

- (C).
1. That certain Easement dated July 3, 1979, and recorded in Official Records Book 418, Page 796, St. Johns County Records, wherein parties of the first part did reserve unto themselves, their successors and assigns, an easement over that part of the common areas shown on plat of MOULTRIE TRAILS SUBDIVISION as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records, as private streets for the purpose of construction and maintaining a central water distribution system.
  2. A 10-foot utility and drainage easement across the front (street side) lot lines of all lots as delineated on plat of MOULTRIE TRAILS SUBDIVISION as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records.
  3. A 15-foot utility easement and emergency vehicle easement along the West lot line of Lot 41, MOULTRIE TRAILS SUBDIVISION, as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records.

E A S E M E N T

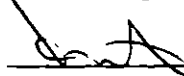
THIS INDENTURE, Made this 5th day of February, 1986, by and between MOULTRIE TRAILS HOMEOWNERS ASSOCIATION, INC., a Florida corporation, party of the first part, and ST. JOHNS COUNTY, a Political Subdivision of the State of Florida, party of the second part,

WITNESSETH, that said party of the first part, for and in consideration of the sum of \$1.00 and other good and valuable considerations, to it in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey and confirm unto the said party of the second part, its successors and assigns, as follows:

"A perpetual, non-exclusive right and easement to construct, maintain, repair and replace all water transmission and distribution lines under all common areas as shown on plat of MOULTRIE TRAILS SUBDIVISION as recorded in Map Book 13, Pages 87, 88 and 89, St. Johns County Records."

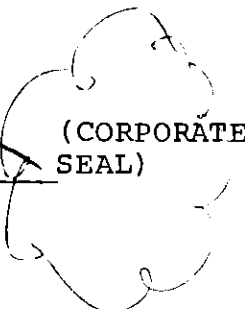
IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its President, and its corporate seal to be hereunto affixed, all on the day and year first above written.

Signed, sealed and delivered in the presence of:

  
\_\_\_\_\_  
Marjorie A. Scheidt

MOULTRIE TRAILS HOMEOWNERS ASSOCIATION, INC.

By   
\_\_\_\_\_  
Its President



STATE OF FLORIDA  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this 5<sup>th</sup> day of February, 1986, before me, a person duly authorized to take acknowledgments of deeds and other instruments, personally appeared DURWARD BRANDON,

as President of MOULTRIE TRAILS HOMEOWNERS ASSOCIATION, INC., a Florida corporation, to me known and known to me to be the person described in and who executed the foregoing instrument as such officer, and he acknowledged the execution thereof to be his free act and deed as such officer for the uses and purposes therein mentioned; and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at St. Augustine in the County of St. Johns, and State of Florida, on the day and year last aforesaid.

*Marjorie A. Scheib*  
Notary Public, State of Florida at Large  
My commission expires NOTARY PUBLIC, STATE OF FLORIDA  
~~My Commission Expires Sept. 2, 1988~~

79 9081

EASEMENT

The undersigned, being the owner in fee simple of all those lands embraced in the plat of Moultrie Trails Subdivision, as per map recorded in Map Book 13, pages <sup>87, 88</sup>89, Public Records of St. Johns County, Florida, does hereby reserve unto itself, its successors and assigns, an easement over that part of the Common Areas shown on said plat as Private Streets for the purpose of constructing and maintaining a central water distribution system. This easement, in addition to being reserved to the undersigned, shall be transferable to any utility, public or private, which shall provide central water service to Moultrie-Trails Subdivision.

IN WITNESS WHEREOF, the undersigned has set its hand and seal on this 3<sup>rd</sup> day of July, 1979.

WITNESSES:

, MOULTRIE TRAILS DEVELOPMENT

Carlos M. Tostick

By: Gerald E. Upson  
Gerald E. Upson

Michelle Carlson

By: Pierre Thompson  
Pierre Thompson

STATE OF FLORIDA

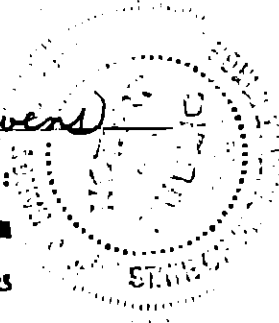
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of July, 1979, by GERALD E. UPSON of MOULTRIE TRAILS DEVELOPMENT Corporation, on behalf of the corporation.

Nancy E. Owens  
Notary Public  
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES NOV. 13 1982  
BONDED THRU GENERAL INS. UNDERWRITERS

11-13-82



FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

1979 JUL 11 AM 10:51

Oliver Lane  
CLERK CIRCUIT COURT

VERIFIED BY  
[Signature]

ASSIGNMENT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That GERALD E. UPSON and PIERRE D. THOMPSON, a Joint Venture doing business as MOULTRIE TRAILS DEVELOPMENT, parties of the first part, in consideration of the sum of \$10.00 and other good and valuable considerations, in hand paid by ST. JOHNS COUNTY, a Political Subdivision of the State of Florida, party of the second part, do hereby grant, assign and transfer unto said party of the second part, the following:

1. That certain Easement dated July 3, 1979, and recorded in Official Records Book 418, Page 796, St. Johns County Records, wherein parties of the first part did reserve unto themselves, their successors and assigns, an easement over that part of the common areas shown on plat of MOULTRIE TRAILS SUBDIVISION as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records, as private streets for the purpose of construction and maintaining a central water distribution system.
2. A 10-foot utility and drainage easement across the front (street side) lot lines of all lots as delineated on plat of MOULTRIE TRAILS SUBDIVISION as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records.
3. A 15-foot utility easement and emergency vehicle easement along the West lot line of Lot 41, MOULTRIE TRAILS SUBDIVISION, as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals this 4th day of February, 1986.

Signed, sealed and delivered in the presence of:

Gerald E. Upson  
Pierre D. Thompson

MOULTRIE TRAILS DEVELOPMENT,  
a Joint Venture

By Gerald E. Upson (SEAL)  
Gerald E. Upson  
By Pierre D. Thompson (SEAL)  
Pierre D. Thompson

STATE OF FLORIDA

COUNTY OF VOLUSIA

I HEREBY CERTIFY, That on this 4th day of February, 1986, before me personally appeared GERALD E. UPSON and PIERRE D. THOMPSON, a Joint Venture doing business as MOULTRIE TRAILS DEVELOPMENT, to me known to be the individuals described in and who executed the within and foregoing Assignment of Easement, and they acknowledged before me that they executed the same for the purposes therein expressed, pursuant to Joint Venture Agreement.

WITNESS my hand and official seal at Ormond Beach, said County and State, on the day and year last above written.

Darlene M. Rogers-Nanen  
Notary Public, State of Florida at Large

My commission expires July 31, 1987

NOTARY PUBLIC, State of Florida at Large  
My Commission Expires July 31, 1987  
Bonded thru AMERICAN PIONEER CASUALTY INS. CO.

79 9081

EASEMENT

The undersigned, being the owner in fee simple of all those lands embraced in the plat of Moultrie Trails Subdivision, as per map recorded in Map Book 13, pages 87, 88, 89, Public Records of St. Johns County, Florida, does hereby reserve unto itself, its successors and assigns, an easement over that part of the Common Areas shown on said plat as Private Streets for the purpose of constructing and maintaining a central water distribution system. This easement, in addition to being reserved to the undersigned, shall be transferable to any utility, public or private, which shall provide central water service to Moultrie Trails Subdivision.

IN WITNESS WHEREOF, the undersigned has set its hand and seal on this 3rd day of July, 1979.

WITNESSES:

, MOULTRIE TRAILS DEVELOPMENT

Carlos M. Tostick

By: Gerald E. Upson  
Gerald E. Upson

Michelle Carlson

By: Pierre Thompson  
Pierre Thompson

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 3rd day of July, 1979, by GERALD E. UPSON of MOULTRIE TRAILS DEVELOPMENT corporation, on behalf of the corporation.

Nancy E. Owens  
Notary Public  
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES NOV. 13 1982  
BONDED THRU GENERAL INS. UNDERWRITERS

11-13-82

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

1979 JUL 11 AM 10:51

Oliver Tamm  
CLERK CIRCUIT COURT

VERIFIED BY  
sp

WARRANTY DEED

THIS INDENTURE, Made this 12th day of March,

1986, between PIERRE D. THOMPSON, JOHN D. BAILEY and A. H. RUNK, each conveying his individually-owned interest in non-homestead property, all of the County of St. Johns and State of Florida, Grantors, and MOULTRIE TRAILS UTILITIES COMPANY, INC., a Florida corporation, whose mailing address is: 31 Cordova Street, St. Augustine, Florida 32084, of the County of St. Johns and State of Florida, Grantee,

WITNESSETH: That said Grantors, for and in consideration of the sum of \$10.00 and other good and valuable considerations, to said Grantors in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold unto the said Grantee, and Grantee's successors and assigns forever, that certain land, situate, lying and being in St. Johns County, Florida, and more particularly described in Schedule "A" attached hereto; and said Grantors do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

Bessie Barnes  
Ethel Ferguson

Pierre D. Thompson (SEAL)  
Pierre D. Thompson  
John D. Bailey (SEAL)  
John D. Bailey  
A. H. Runk (SEAL)  
A. H. Runk

STATE OF FLORIDA

COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared PIERRE D. THOMPSON, JOHN D. BAILEY and A. H. RUNK, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me the execution of same.

WITNESS my hand and official seal in the County and State last aforesaid this 12th day of March, 1986.

Ethel Ferguson  
Notary Public, State of Florida at Large  
My commission expires                       
NOTARY PUBLIC, STATE OF FLORIDA

SCHEDULE "A"

Being a part of that land described in O. R. Book 461, Page 385, and being more fully described as follows: Being all of said property described in O. R. Book 461, Page 385, less and except the South 140 feet thereof, and described as follows: Commence at the intersection of the South line of Section 38, Township 8 South, Range 30 East, with the Range line between Range 29 East and Range 30 East; thence North  $0^{\circ}32'$  West on said Range line, 558.69 feet; thence continuing on said Range line North  $2^{\circ}10'$  West a distance of 1876.17 feet; thence North  $87^{\circ}57'$  East (653.40 feet southerly of and parallel to the southerly right of way of Wildwood Drive, a 66 foot right of way) a distance of 400 feet; thence North  $2^{\circ}10'$  West (parallel to the West line of Section 48) a distance of 140 feet to the Point of Beginning; then continue North  $2^{\circ}10'$  West a distance of 513.40 feet to a point in the southerly right of way of Wildwood Drive; thence South  $14^{\circ}15'18''$  East a distance of 525.27 feet; thence South  $87^{\circ}57'$  West a distance of 110.0 feet to the Point of Beginning.

TOGETHER WITH a non-exclusive easement over the West 12.0 feet of the South 140 feet of that parcel of land described in O. R. Book 461, Page 385, public records of St. Johns County, Florida, all lying in Section 48, Township 8 South, Range 30 East, containing 0.65 acres<sub>+</sub>.

AND TOGETHER WITH a non-exclusive easement for access over a twenty-five foot strip of land, being described as follows:

Being a parcel of land in Section 38, Township 8 South, Range 29 East, and Section 48, (F. FALANY GRANT) Township 8 South, Range 30 East. Begin at a point being the intersection of the range line between Range 29 East and Range 30 East and the Southerly Right-of-Way of Wildwood Drive a 66 foot Right-of-Way; Thence along said Range line previously described S  $2^{\circ}10'$  E a distance of 653.40 feet; Thence N  $87^{\circ}57'$  E (parallel to the Southerly Right-of-Way of Wildwood Drive) a distance of 425.00 feet; Thence S  $2^{\circ}10'$  E a distance of 25.00 feet; Thence S  $87^{\circ}57'$  W a distance of 450.00 feet; Thence N  $2^{\circ}10'$  W a distance of 678.40 feet to a point in the Southerly Right-of-Way of Wildwood Drive; Thence along the Southerly Right-of-Way of Wildwood Drive N  $87^{\circ}57'$  E a distance of 25.00 feet to the POINT OF BEGINNING.

TOGETHER WITH elevated water storage tank situate on the above-described real property, and together with all water distribution and transmission lines situate on said real property conveyed or within easements granted.

executive line

# This Indenture,

Made this 12th day of March, A. D. 19 86,

Between MOULTRIE TRAILS UTILITIES COMPANY, INC., a corporation existing under the laws of the State of Florida having its principal place of business in the County of St. Johns and State of Florida party of the first part, and ST. JOHNS COUNTY, a Political Subdivision of the State of Florida, whose post office address is: St. Johns County Courthouse, St. Augustine, Florida 32084, of the County of St. Johns and State of Florida party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of --\$10.00 and other good and valuable considerations--~~Deeds~~, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part forever, the following described land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

REAL PROPERTY MORE PARTICULARLY DESCRIBED IN SCHEDULE "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has caused these presents to be signed in its name by its President, and its corporate seal to be affixed, attested by its Secretary, the day and year above written.

(Corporate Seal)

MOULTRIE TRAILS UTILITIES COMPANY, INC.

Attest: John D. Bailey  
Its Secretary

By Pierre D. Thompson  
Its President.

Signed, Sealed and Delivered in Our Presence:

Bridget Barnes  
Ethel Ferguson  
State of Florida

County of ST. JOHNS

I Hereby Certify, That on this 12th day of March A. D. 19 86, before me personally appeared PIERRE D. THOMPSON and JOHN D. BAILEY, President and Secretary respectively of MOULTRIE TRAILS UTILITIES COMPANY, INC., a corporation under the laws of the State of Florida, to me known to be the persons described in and who executed the foregoing conveyance to ST. JOHNS COUNTY, a Political Subdivision of the State of Florida,

and severally acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

Witness my signature and official seal at St. Augustine in the County of St. Johns and State of Florida, the day and year last aforesaid.

Ethel Ferguson  
Notary Public, State of Florida at Large  
My Commission Expires

THIS INSTRUMENT PREPARED BY:  
HAMILTON D. UPCHURCH  
UPCHURCH, BAILEY AND UPCHURCH, P.A.  
501 Atlantic Bank Bldg., St. Augustine, FL 32084

SCHEDULE "A"

Being a part of that land described in O. R. Book 461, Page 385, and being more fully described as follows: Being all of said property described in O. R. Book 461, Page 385, less and except the South 140 feet thereof, and described as follows: Commence at the intersection of the South line of Section 38, Township 8 South, Range 30 East, with the Range line between Range 29 East and Range 30 East; thence North  $0^{\circ}32'$  West on said Range line, 558.69 feet; thence continuing on said Range line North  $2^{\circ}10'$  West a distance of 1876.17 feet; thence North  $87^{\circ}57'$  East (653.40 feet southerly of and parallel to the southerly right of way of Wildwood Drive, a 66 foot right of way) a distance of 400 feet; thence North  $2^{\circ}10'$  West (parallel to the West line of Section 48) a distance of 140 feet to the Point of Beginning; then continue North  $2^{\circ}10'$  West a distance of 513.40 feet to a point in the southerly right of way of Wildwood Drive; thence South  $14^{\circ}15'18''$  East a distance of 525.27 feet; thence South  $87^{\circ}57'$  West a distance of 110.0 feet to the Point of Beginning.

TOGETHER WITH a non-exclusive easement over the West 12.0 feet of the South 140 feet of that parcel of land described in O. R. Book 461, Page 385, public records of St. Johns County, Florida, all lying in Section 48, Township 8 South, Range 30 East, containing 0.65 acres<sub>±</sub>.

AND TOGETHER WITH a non-exclusive easement for access over a twenty-five foot strip of land, being described as follows:

Being a parcel of land in Section 38, Township 8 South, Range 29 East, and Section 48, (F. FALANY GRANT) Township 8 South, Range 30 East. Begin at a point being the intersection of the range line between Range 29 East and Range 30 East and the Southerly Right-of-Way of Wildwood Drive a 66 foot Right-of-Way; Thence along said Range line previously described S  $2^{\circ}10'$  E a distance of 653.40 feet; Thence N  $87^{\circ}57'$  E (parallel to the Southerly Right-of-Way of Wildwood Drive) a distance of 425.00 feet; Thence S  $2^{\circ}10'$  E a distance of 25.00 feet; Thence S  $87^{\circ}57'$  W a distance of 450.00 feet; Thence N  $2^{\circ}10'$  W a distance of 678.40 feet to a point in the Southerly Right-of-Way of Wildwood Drive; Thence along the Southerly Right-of-Way of Wildwood Drive N  $87^{\circ}57'$  E a distance of 25.00 feet to the POINT OF BEGINNING.

TOGETHER WITH elevated water storage tank situate on the above-described real property, and together with all water distribution and transmission lines situate on said real property conveyed or within easements granted.



ST. JOHNS COUNTY  
TITLE & ABSTRACT

93A ORANGE STREET, P.O. BOX 389  
ST. AUGUSTINE, FLORIDA 32085-0389  
(904) 829-9082

June 9, 1986

Search No. 14,230  
1st Revision

St. Johns County  
Attn: James Sisco, Esq.  
State Road 16  
St. Augustine, Florida 32084

Dear Mr. Sisco:

In re: Moultrie Trails Subdivision  
Road & Utility Easements; and  
Easement across W. 15' of Lot 41  
and across E. 5' of Lot 42

A search of the public records of St. Johns County, Florida, from 12/15/85 thru 5/9/86, reveals no changes of record affecting above captioned lands.

In furnishing this information the St. Johns County Title & Abstract Company assumes no monetary liability.

Yours truly,

ST. JOHNS COUNTY TITLE & ABSTRACT

*Mary Jane Dardi*  
Mary Jane Dardi, Manager

d

# ST. JOHNS COUNTY TITLE & ABSTRACT

83A ORANGE STREET, P. O. BOX 389  
ST. AUGUSTINE, FLORIDA 32085-0389  
(904) 829-9082

December 15, 1985

Search No. 14,230

St. Johns County  
Attn: James Sisco, Esquire  
County Attorney  
State Road 16  
St. Augustine, Florida 32084

Dear Sir:

In re: Moultrie Trails Subdivision  
Road & Utility Easements; and  
Easement across W. 15' of Lot 41  
and across E. 5' of Lot 42

A search of the public records of St. Johns County, Florida shows a Plat of Moultrie Trails, filed June 26, 1979 in Map Book 13, pages 87, 88 and 89, filed by Moultrie Trails Development, which said plat reserved the " -- private right of way, trails or common areas --- privately owned and the sole and exclusive property of Moultrie Trails Development --"; and

said public records further reveals an Easement filed July 11, 1979 in Official Records Book 418, page 796, of said public records, which recites: " -- the owner -- does hereby reserve -- and easement over -- the Common Areas shown on said plat as Private Streets --"; and

further reveals a Quit Claim Deed from Moultrie Trails Development, a Joint Venture, to Moultrie Trails Homeowners Association, Inc. filed June 10, 1981, in Official Records Book 496, page 386, of said public records, conveying "All common areas -- on the Plat of Moultrie Trails Subdivision --".

It would appear that it was the intent to convey the roads on said Plat to the Moultrie Trails Homeowners Association, Inc.; and the title to the easements appearing on said Plat would appear to be still vested in the Platmaker, Moultrie Trails Development, pursuant to Surveyor's Note on the recorded Plat, which recites: "A 10 foot utility and drainage easement is hereby reserved across the front (street side) lot lines of all lots."

Continued ----

MEMBER ASSOCIATED LAND TITLE GROUP, INC. / 41 OFFICES THROUGHOUT FLORIDA TO SERVE YOU

St. Johns County  
Attn: James Sisco, Esquire  
County Attorney

Search No. 14,230

December 15, 1985

As to the 15 Ft. Utility Easement and emergency vehicle easement along the West lot line of Lot 41, title appears of record in William T. Hoever and Patricia E. Hoever, his wife, by virtue of deed filed July 3, 1984 in Official Records Book 649, page 1719, of the public records of St. Johns County, Florida, subject to the interest of Moultrie Trails Development by virtue of Plat in Map Book 13, pages 87, 88 and 89; and

As to the 5 Ft. Utility Easement and emergency vehicle easement along the West lot line of 42, title appears of record in Joseph Bisogno, a single man, and Tara M. Rouge, a single woman, by virtue of deed filed August 6, 1984 in Official Records Book 652, page 1621, of the public records of St. Johns County, Florida, subject to the interest of Moultrie Trails Development by virtue of Plat in Map Book 13, pages 87, 88 and 89.

A judgment search nor tax search is provided as part of this report.

In furnishing this information the St. Johns County Title & Abstract Company assumes no monetary liability.

Yours truly,

ST. JOHNS COUNTY TITLE & ABSTRACT



Mary Jane Dardi, Manager

MJD/lwc

79 9081

EASEMENT

The undersigned, being the owner in fee simple of all those lands embraced in the plat of Moultrie Trails Subdivision, as per map recorded in Map Book 13, pages <sup>87, 88</sup> 89, Public Records of St. Johns County, Florida, does hereby reserve unto itself, its successors and assigns, an easement over that part of the Common Areas shown on said plat as Private Streets for the purpose of constructing and maintaining a central water distribution system. This easement, in addition to being reserved to the undersigned, shall be transferable to any utility, public or private, which shall provide central water service to Moultrie Trails Subdivision.

IN WITNESS WHEREOF, the undersigned has set its hand and seal on this 3<sup>rd</sup> day of July, 1979.

WITNESSES:

, MOULTRIE TRAILS DEVELOPMENT

Carlos M. Testich

By:

Gerald E. Upsen  
Gerald E. Upsen

Michelle Carlson

By:

Pierre Thompson  
Pierre Thompson

STATE OF FLORIDA

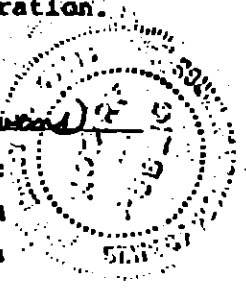
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of July, 1979, by GERALD E. UPSON of MOULTRIE TRAILS DEVELOPMENT Corporation, on behalf of the corporation.

Nancy E. Owens  
Notary Public  
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES NOV 11 1982  
DONOLD TRAU GENERAL INS. UNDERWRITERS

11-13-82



JUL 11 1979

QUIT-CLAIM DEED

81 8139

496 386

This Quit-Claim Deed, Executed this 29th day of May, A. D. 1981, by

MOULTRIE TRAILS DEVELOPMENT, a Joint Venture,  
first party, to

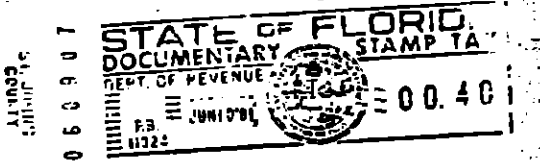
MOULTRIE TRAILS HOMEOWNERS ASSOCIATION, INC.  
whose postoffice address is  
121 Crooked Trail, R.R. #4, St. Augustine, Florida,  
second party:

(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 \$10.00-----  
in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, re-  
lease 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:

All common areas as shown on the Plat of Moultrie Trails  
Subdivision, recorded at Map Book 13, Page 87-89, Public  
Records of St. Johns County, Florida.

SUBJECT TO easements and restrictions of record, if any.



FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY FLA.

JUN 10 1981 4:01

Paul "Bud" Howell  
CLERK OF COUNTY COURT

This Deed is executed pursuant to authority of Memorandum of  
Association recorded in Official Records Book 304, Page 231,  
Public Records of St. Johns County, Florida.

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 what-  
soever 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.  
Signed, sealed and delivered in presence of:

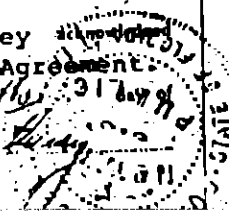
MOULTRIE TRAILS DEVELOPMENT, a  
Joint Venture  
BY: *Gerald E. Upson* [Signature] [Stamp] Gerald E. Upson, Managing Agent  
BY: *Pierre D. Thompson* [Signature] [Stamp] Pierre D. Thompson  
STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, an  
officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

Gerald E. Upson and Pierre D. Thompson  
to me known to be the person described in and who executed the foregoing instrument and they acknowledged  
before me that they executed the same, pursuant to the Joint Venture Agreement.

WITNESS my hand and official seal in the County and State last aforesaid this  
May A. D. 1981.

*Shirley P. Pittman*  
Notary Public



Post Office Box 3807  
St. Augustine, Florida 32085-3807  
June 10, 1986

Honorable Francis N. Brubaker, Chairman  
Board of County Commissioners  
St. Johns County Courthouse  
St. Augustine, Florida 32084

Re: Moultrie Trails Utilities

Dear Chairman Brubaker:

Simultaneously with the delivery of this letter, we have delivered to you a 12-foot easement for access to the elevated water tank, which is being donated to St. Johns County, as well as a warranty deed to the land on which the tank is now situate.

This is to advise you that should you require more width than that as set out in the easement in order for you to dismantle and remove the elevated tank, we will make same available to you on a temporary basis, either along the easement conveyed, or via a suitable alternate route.

We have further submitted to you certificates of the St. Johns County Title and Abstract Company designating owners of all of the subject real properties and easements; however, such certificates deny any monetary liability for the opinions expressed. This is to advise you that the undersigned agree to save harmless St. Johns County, its successors and assigns, from any claim against them based on a deficient title being in the grantors of any of the lands or easements conveyed to St. Johns County simultaneously with this letter.

Yours truly,



PIERRE D. THOMPSON



JOHN D. BAILEY



A. H. RUNK

Encls.

Post Office Box 3807  
St. Augustine, Florida 32085-3807  
June 10, 1986

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Yours truly,



PIERRE D. THOMPSON



JOHN D. BAILEY



A. H. RUNK

Encls.

# CERTIFICATE OF ADOPTION AND DEDICATION

THIS IS TO CERTIFY THAT THE UNDERSIGNED, MOULTRIE TRAILS DEVELOPMENT, A FLORIDA JOINT VENTURE, IS THE LAWFUL OWNER OF ALL THE LANDS DESCRIBED IN THE ADOPTION HEREON AND THAT IT HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, SO THAT THIS PLAT WHICH SHALL BE KNOWN AS "MOULTRIE TRAILS SUBDIVISION," IS MADE IN ACCORDANCE WITH SAID SURVEY AND IS HEREBY ADOPTED AS THE TRUE AND CORRECT PLAT OF SAID LANDS. NO PART OF SAID LANDS IS DEDICATED TO ST. JOHNS COUNTY, FLORIDA OR THE PUBLIC. ALL OF THE PROPERTY DESIGNATED ON THIS PLAT AS PRIVATE RIGHT-OF-WAY, TRAILS OR COMMON AREAS IS AND SHALL REMAIN PRIVATELY OWNED AND THE SOLE AND EXCLUSIVE PROPERTY OF MOULTRIE TRAILS DEVELOPMENT, ITS SUCCESSORS, ASSIGNS AND GRANTEEES IF ANY OF SAID PRIVATE RIGHT-OF-WAY. MOULTRIE TRAILS DEVELOPMENT DOES HEREBY GRANT TO PRESENT AND FUTURE OWNERS OF THE LOTS SHOWN ON THIS PLAT AND THEIR GUESTS, INVITEES AND DOMESTIC HELP, AND TO DELIVERY, PICK UP AND FIRE PROTECTION SERVICES, POLICE AND OTHER AUTHORITIES OF THE LAW, UNITED STATES MAIL CARRIERS, REPRESENTATIVES OF UTILITIES AUTHORIZED BY ST. JOHNS COUNTY TO SERVE THE LANDS SHOWN ON THIS PLAT, HOLDERS OF MORTGAGE LIENS ON SUCH LANDS OR ANY PART THEREOF AND SUCH OTHER PERSONS DESIGNATED BY MOULTRIE TRAILS DEVELOPMENT FROM TIME TO TIME MAY DESIGNATE, THE NON-EXCLUSIVE AND PERPETUAL RIGHT OF INGRESS AND EGRESS OVER AND ACROSS SAID PRIVATE RIGHT-OF-WAYS, TRAILS AND/OR COMMON WAYS, NOT WITHSTANDING THE PROCEEDING PROVISIONS, MOULTRIE TRAILS DEVELOPMENT AND ITS ASSIGNS, RESERVE AND SHALL HAVE THE UNRESTRICTED AND ABSOLUTE RIGHT TO DENY INGRESS TO ANY PERSON WHO IN THE OPINION OF SAID MOULTRIE TRAILS DEVELOPMENT AND ASSIGNS MAY CREATE OR PARTICIPATE IN A DISTURBANCE OR A NUISANCE OF ANY PART OF THE LANDS SHOWN ON THIS PLAT. EASEMENT FOR UTILITIES AND DRAINAGE ARE PROVIDED AND DEDICATED FOR SUCH PUBLIC USE AND ACROSS THE FRONT 10 FEET ALONG AND ADJACENT TO THE STREET LINE OF ALL LOTS WITHIN ALL COMMON AREAS. WITNESS WHERE OF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY SEAL TO THIS ADOPTION AND DEDICATION ON JANUARY 9, 1979

WITNESSED IN THE PRESENCE OF  
Nancy C Owens  
Charles M. Sertich

MOULTRIE TRAILS DEVELOPMENT  
Perre D. Thompson  
Gerald E. Upson

## STATE OF FLORIDA, COUNTY OF ST. JOHNS

THIS IS TO CERTIFY THAT ON JANUARY 10, 1979, BEFORE ME PERSONS DULY AUTHORIZED TO TAKE ACKNOWLEDGEMENTS IN THE STATE AND COUNTY AFORESAID PERSONALLY APPEARED PERRE D. THOMPSON AND GERALD E. UPSON, RESPECTIVELY OF MOULTRIE TRAILS DEVELOPMENT TO ME KNOWN TO BE THE PERSONS DESCRIBED ABOVE AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR FREE ACT AND DEED ON BEHALF OF MOULTRIE TRAILS DEVELOPMENT, IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND OFFICIAL SEAL ON THE ABOVE DATE

Nancy C Owens  
 NOTARY PUBLIC MY COMMISSION EXPIRES Nov 13, 1982

SEAL

## ORDER AND CONSENT TO ADOPTION AND DEDICATION

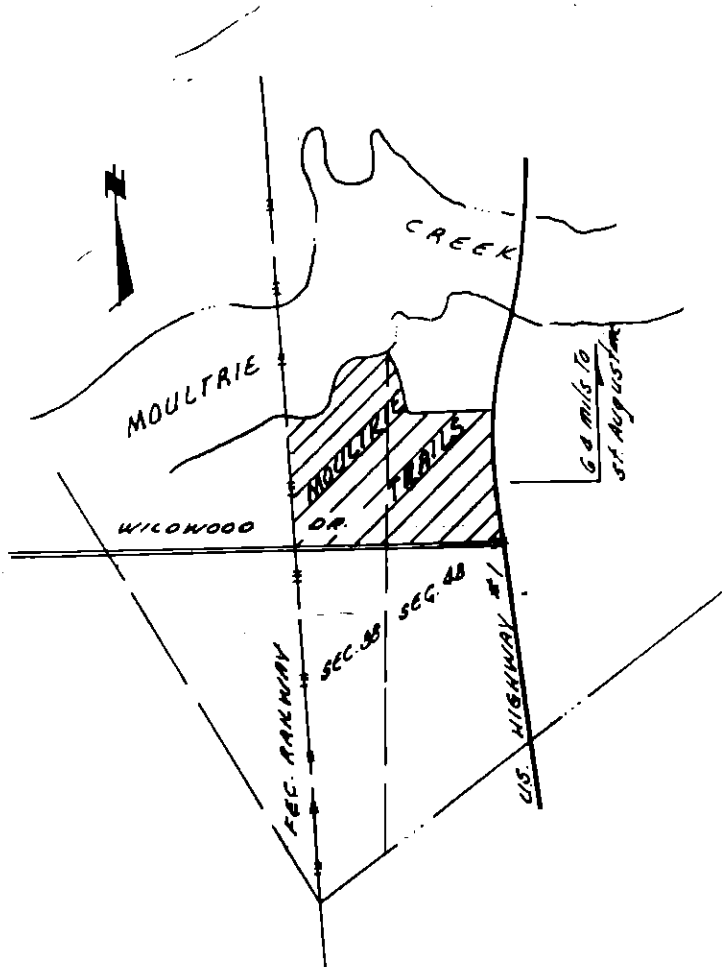
THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE LIEN UPON THE ABOVE DESCRIBED PROPERTY TO BE KNOWN AS "MOULTRIE TRAILS SUBDIVISION" AND THAT THE UNDERSIGNED HEREBY JOINS IN AND CONSENTS TO THE ADOPTION OF SAID SURVEY AND PLAT AND DEDICATION OF THE LANDS DESCRIBED ABOVE BY THE OWNER(S) THEREOF, AND AGREES THAT ITS (MORTGAGE, LIEN) WHICH IS RECORDED IN OFFICIAL RECORDS BOOK 403, PAGE 125, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA SHALL BE SUBORDINATED TO THE TO THE ABOVE DEDICATION.

WITNESSED, SEALED AND DELIVERED \_\_\_\_\_ SECURITY FIRST FEDERAL SAVINGS LOAN ASSOCIATION  
 IN THE PRESENCE OF:

Walter R. Hayward  
Ray M. Wiles

George C. Brown, Jr.  
 BY PRESIDENT  
 CORPORATE SEAL

Walter R. Hayward



VICINITY MAP U.S.C.G.S  
ST. AUGUSTINE BEACH QUADRANGLE

**CLERK'S CERTIFICATE**

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH THE LAWS OF THE STATE OF FLORIDA REGULATING THE FILING OF PLATS AND IS FILED IN MAP BOOK 13 PAGES 87 - THRU 89 INCLUSIVE OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA

THIS 26<sup>th</sup> DAY OF June, 1979

*Chives Lawton*

CLERK OF CIRCUIT COURT

**SURVEYOR'S NOTE:**

A 10 FOOT UTILITY AND DRAINAGE EASEMENT IS HEREBY RESERVED ACROSS THE FRONT (STREET SIDE) LOT LINES OF ALL LOTS.

**CERTIFICATE OF ADOPTION**

THIS IS TO CERTIFY THAT THE UNDERSIGNED, A FLORIDA JOINT VENTURE, IS THE LAWYER CAPTION HEREON AND THAT IT HAS CAUSED AND THAT THIS PLAT WHICH SHALL BE MADE IN ACCORDANCE WITH SAID SURVEY CORRECT PLAT OF SAID LANDS. NO PART OF SAID LANDS BELONGS TO THE COUNTY, FLORIDA OR THE PUBLIC. ALL OF SAID LANDS ARE PRIVATE RIGHT OF WAY, TRAILS OR COMMON LOTS AND THE SOLE AND EXCLUSIVE PROPERTY OF SAID SUCCESSORS, ASSIGNS AND GRANTEE. MOULTRIE TRAILS DEVELOPMENT DOES NOT HAVE ANY INTEREST IN ANY OF THE LOTS SHOWN ON THIS PLAT AND TO DELIVERY, PICK UP AND FIRE POLICE AUTHORITIES OF THE LAW, UNITED STATES OF AMERICA AUTHORIZED BY ST. JOHNS COUNTY TO REMOVE ANY OF MORTGAGE LIENS ON SUCH LANDS OR AS MOULTRIE TRAILS DEVELOPMENT FROM SAID LANDS AND PERPETUAL RIGHT OF INGRESS AND EGRESS OF WAYS, TRAILS AND/OR COMMON WAYS. MOULTRIE TRAILS DEVELOPMENT AND THE UNDERSIGNED HAVE AN UNRESTRICTED AND ABSOLUTE RIGHT OF WAY AND OPINION OF SAID MOULTRIE TRAILS DEVELOPMENT PARTICIPATE IN A DISTURBANCE OR A DISCONTINUANCE OF THIS PLAT EASEMENT FOR UTILITIES AND DRAINAGE OVER AND ACROSS THE FRONT 10 FEET ALONG THE FRONT LOT LINES AND WITHIN ALL COMMON AREAS. IN WITNESS WHERE OF, I HAVE HEREON SET MY HAND AND SEAL TO THIS ADOPTION AND DEDICATION.

SIGNED IN THE PRESENCE OF

*Nancy E Owens*

*Charles M. Fortescue*

**STATE OF FLORIDA, COUNTY OF ST. JOHNS**

THIS IS TO CERTIFY THAT ON JANUARY 15, 1979, I TOOK ACKNOWLEDGEMENTS IN THE PRESENCE OF PIERRE D. THOMPSON AND GERALD D. THOMPSON DEVELOPMENT TO ME KNOWN TO BE THE UNDERSIGNED AND ACKNOWLEDGED THE EXECUTION THEREOF BY SAID MOULTRIE TRAILS DEVELOPMENT, IN WITNESS WHERE OF, I HAVE HEREON SET MY HAND AND SEAL ON THE ABOVE DATE.

*Nancy E Owens*

NOTARY PUBLIC MY COMMISSION

**JOINDER AND CONSENT**

THE UNDERSIGNED HEREBY CERTIFY THAT I AM THE OWNER OF THE ABOVE DESCRIBED PROPERTY AND THAT THE UNDERSIGNED HEREBY JOINDER AND CONSENT TO THIS SURVEY AND PLAT AND DEDICATION OF SAID PROPERTY TO THE OWNER(S) THEREOF, AND AGREES THAT THIS PLAT AND OFFICIAL RECORDS BOOK 403, PAGE 87, ST. JOHNS COUNTY, FLORIDA SHALL BE SUBORDINATE TO ANY OTHER PLAT

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

*Shelley R. Keywood*

*Joy M. Wiles*





# ST. JOHNS COUNTY TITLE & ABSTRACT

93A ORANGE STREET, P.O. BOX 389  
ST. AUGUSTINE, FLORIDA 32085-0389  
(904) 829-9082

June 9, 1986

Search No. 14,231  
1st Revision

St. Johns County  
Attn: James Sisco, Esq.  
County Attorney  
State Road 16  
St. Augustine, Florida 32084

Dear Mr. Sisco:

In re: Lands lying in Section 48, Township 8 South, Range 30 East, and in Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, as more fully set forth in instrument recorded in Official Records Book 461, page 384, copy of which is attached hereto; and lands commonly called "Moultrie Oaks" being more particularly described in Official Records Book 585, page 84, copy of which is attached hereto

A search of the public records of St. Johns County, Florida, from 12/5/85 thru 5/9/86, reveals the following instruments of record affecting above captioned lands:

Warranty Deed from Pierre D. Thompson, John D. Bailey and A. H. Runk, Grantors, to Wilbur L. Brown, Jr. and Louise Brown, his wife, Grantees, conveying lands lying South of lands set forth in O.R. Book 461, page 384, above, and would include the easement set forth therein. (Copy enclosed herewith); said deed filed December 30, 1985 and recorded in O.R. Book 692, page 1683.  
In furnishing this information the St. Johns County Title & Abstract Company assumes no monetary liability.

Yours truly,

ST. JOHNS COUNTY TITLE & ABSTRACT COMPANY

*Mary Jane Dardi*  
Mary Jane Dardi, Manager

d  
Encl.

---

MEMBER ASSOCIATED LAND TITLE GROUP, INC./41 OFFICES THROUGHOUT FLORIDA TO SERVE YOU

711692 1683

85 27715

This instrument prepared by:  
JOHN D. BAILEY, JR.  
Upchurch, Bailey, and Upchurch, P.A.  
501 Atlantic Bank Building  
St. Augustine, Florida 32084

**WARRANTY DEED**

THIS INDENTURE, Made this 18 day of December, 1983, Between PIERRE D. THOMPSON, JOHN D. BAILEY and A. H. RUNK, all married men each conveying his individually owned interest in non-homestead property of the County of St. Johns and State of Florida, Grantors, and WILBUR L. BROWN, JR. and LOUISE BROWN, his wife, whose post office address is 2 Hickory Lane, St. Augustine, Florida 32086, of the County of St. Johns and State of Florida, Grantees.

WITNESSETH, That said Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable considerations to said Grantors in hand paid by said Grantees, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said Grantees and Grantees' heirs and assigns forever, the following described land situate, lying and being in St. Johns County, Florida, to-wit:

A parcel of land in Section 48, Township 8 South, Range 30 East, St. Johns County, Florida, containing 15.48 acres more or less being more fully described as follows:

Beginning on the West line of said Section 48 at the Northeast corner of Lot 43 in Wildwood Estates as recorded in Map Book 13, page 6, public records of said County; thence North 2 degrees 10 minutes West, on said West line of Section 48, a distance of 1396.60 feet; thence North 87 degrees 57 minutes East, on the South line of that land described in Official Records Book 35, Page 567, public records of said County, 400.00 feet; thence continuing North 87 degrees 57 minutes East, 150 feet more or less to the center of a creek; thence ~~W~~andering Southerly on said center of creek 920 feet more or less; thence South 00 degrees 34 minutes 41 seconds East 116 feet more or less; thence continuing South 00 degrees 34 minutes 41 seconds East 733.55 feet; thence South 89 degrees 25 minutes West 341.47 feet; thence North 2 degrees 10 minutes West, on said West line of Section 48, a distance of 262.33 feet to the Point of Beginning.

TOGETHER WITH a 20' easement for ingress and egress running easterly across adjoining lands owned by Grantors to the western extension of Meridian Drive. ✓

SUBJECT TO: Taxes for the year 1986 and subsequent years.

SUBJECT TO: A drainage easement 20' in width running from the northeast corner of Lot 43, Wildwood Estates as per plat recorded in Map Book 13, page 6, Public Records of St. Johns County, Florida, to the said creek referred to above. ✓

SUBJECT TO: An easement 20' in width across the westerly 500' of the northerly 20' of the real property conveyed herein. ✓

SUBJECT TO: A 20' easement for the installation and maintenance of utility lines more particularly described as follows:

A strip of land 20 feet in width in Section 48, Township South, Range 30 East, St. Johns County, Florida, the center line of said strip of land being more fully described as follows:

MISSISSIPPI DOCUMENTARY STAMP TAX PAID  
Date 12-30-83 \$ 4.10 00  
CARL "BOB" MARTEL  
Clerk Circuit Court St. Johns County  
By Carl "Bob" Martel Deputy Clerk

Commencing at the Southwest corner of that land described in Official Records Book 35, Page 567, Public Records of said County, said point being on the West line of said Section 48; thence North 87 degrees 57 minutes East, on the South line of said land described in Official Records Book 35, Page 567, a distance of 70.00 feet to the point of beginning at the North end of the herein described center line; thence South 2 degrees 10 minutes East, parallel with and 70 feet Easterly from said West line of Section 48, a distance of 862.50 feet; thence North 88 degrees 19 minutes East 545 feet to the Southeast end of said center line.

**SUBJECT TO:** An easement 20' in width across the real property conveyed for ingress and egress for contiguous lands owned by DuPont Development Corp., Inc., lying south of said real property conveyed herein.

and said Grantors do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF,** Grantors have hereunto set their hands and seals on the day and year first above written.

Signed, sealed and delivered in the presence of:

David Jones  
Patricia Wood

Pierre D. Thompson  
Pierre D. Thompson  
John D. Bailey  
John D. Bailey  
A. H. Runk  
A. H. Runk

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day before me personally appeared PIERRE D. THOMPSON, JOHN D. BAILEY and A. H. RUNK, all married me, each conveying his individually owned interest in non-homestead property, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 5<sup>th</sup> day of December, 1985.

Patricia Wood  
Notary Public, State of Florida  
My Commission Expires: 1-1-86

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLORIDA

25 DEC 30 AM 11:06

Paul D. Smith  
CLERK

# ST. JOHNS COUNTY TITLE & ABSTRACT

83A ORANGE STREET, P. O. BOX 389  
ST. AUGUSTINE, FLORIDA 32085-0389  
(804) 828-9082

December 23, 1985

Search No. 14,231

St. Johns County  
Attn: James Sisco, Esquire  
County Attorney  
State Road 16  
St. Augustine, Florida 32084

Dear Sir:

In re: Lands lying in Section 48, Township 8 South, Range 30 East, and in Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, as more fully set forth in instrument recorded in Official Records Book 461, page 384, copy of which is attached hereto; and lands commonly called "Moultrie Oaks" being more particularly described in Official Records Book 585, page 84, copy of which is attached hereto.

A search of the public records of St. Johns County, Florida, reveals that the title to that portion of the above captioned lands lying within Section 38, Township 8 South, Range 30 East, is vested in Wilbur L. Brown and Louise M. Brown, his wife, by virtue of deed filed May 19, 1985 in Official Records Book 585, page 45, subject to:

1. Easement as set forth in instrument recorded in Official Records Book 461, page 384, which runs along the Easterly line of Official Records Book 585, page 45;
2. Road and Mineral Reservations reserved in the State of Florida by virtue of that certain Trustees' Deed filed October 6, 1948 in Deed Book 175, page 498;
3. Mortgage from Wilbur L. Brown, Jr. and Louise M. Brown, his wife, to John D. Bailey, A. H. Runk and Pierre D. Thompson and Shirley M. Thompson, his wife, filed May 19, 1983 in Official Records Book 585, page 48;
4. Easements to the Florida Power & Light Company, filed June 20, 1984 in Official Records Book 684, page 1087, and filed October 10, 1984 in Official Records Book 657, page 371;

Also, there appears of record an Affidavit of Fictitious Name indicating that Ocean Manor Housing, Inc. is the business enterprise doing business as "Moultrie Oaks", however, we find nother else of record to substantiate same.

Continued ----

MEMBER ASSOCIATED LAND TITLE GROUP, INC. / 41 OFFICES THROUGHOUT FLORIDA TO SERVE YOU

St. Johns County  
Attn: James Sisco, Esquire  
County Attorney

Search No. 14,231

December 23, 1985

As to that portion of captioned lands lying within Section 48, Township 8 South, Range 30 East, title appears of record in Pierre D. Thompson, John D. Bailey and A. H. Runk, by various deeds, subject to:

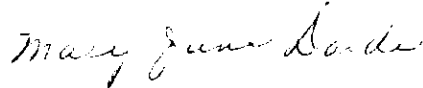
No Exceptions. Information provided thru: 12/5/85.

A tax search is not provided as part of this search.

In furnishing this information the St. Johns County Title & Abstract Company assumes no monetary liability.

Yours truly,

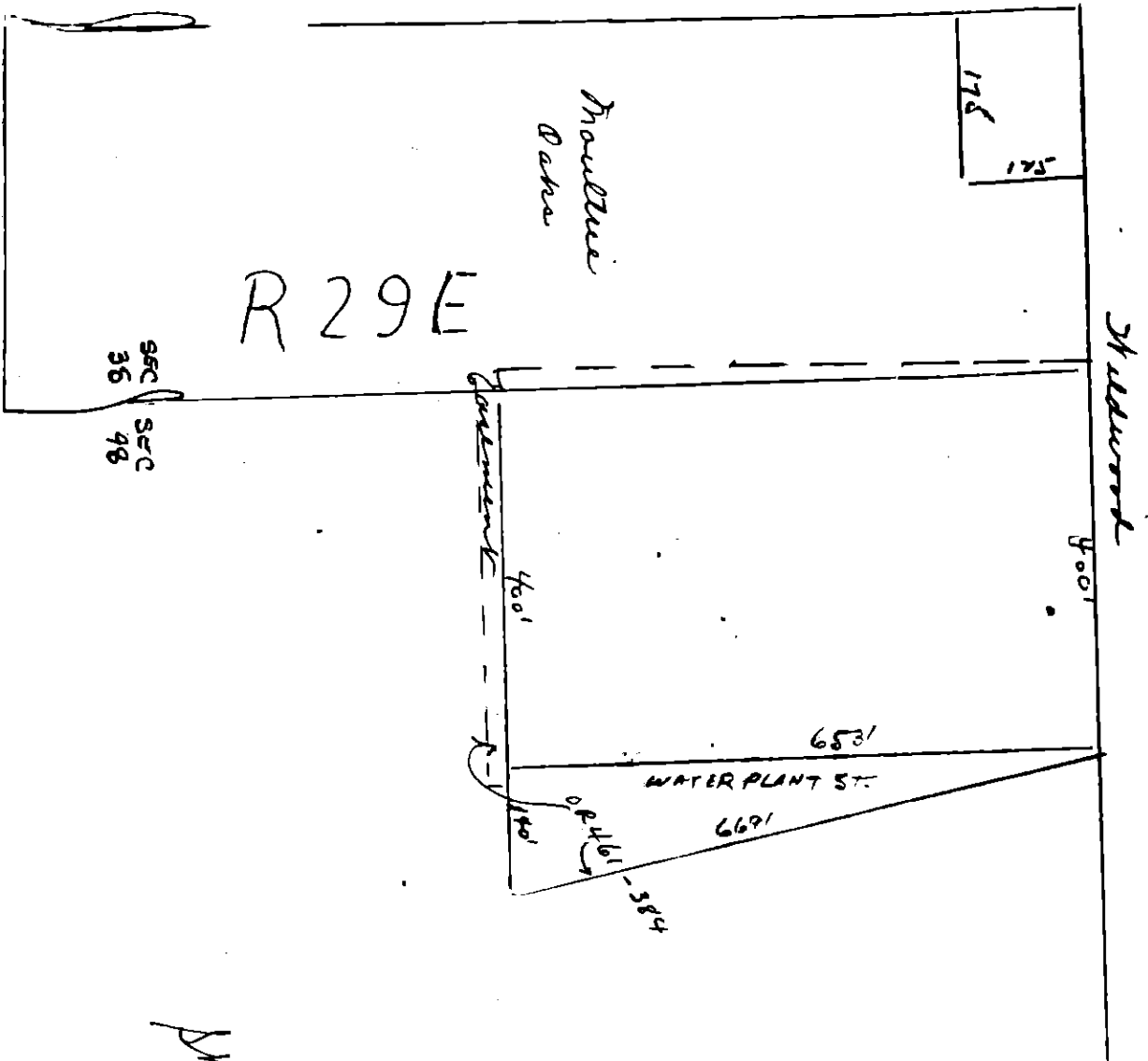
ST. JOHNS COUNTY TITLE & ABSTRACT



Mary Jane Dardi, Manager

MJD/lwc

Encls.



*Added taken  
from Appraiser's  
map*

This Indenture, Made this 13 day of , A. D. 19

Between JOHN D. BAILEY, conveying his undivided 1/3 interest in non-homestead property, A. H. RUNK, conveying his undivided 1/3 interest in non-homestead property, and PIERRE D. THOMPSON and SHIRLEY N. THOMPSON, his wife, conveying their 1/3 interest in non-homestead property,

of the County of St. Johns and State of Florida parties of the first part, and WILBUR L. BROWN and LOUISE M. BROWN, his wife, whose mailing address is P.O. Box 170, St. Aug., FLA. 32084

of the County of St. Johns and State of Florida

Witnesseth, that the said parties of the first part, for and in consideration of the sum of \$10.00 Dollars, and other good and valuable considerations to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part and their heirs and assigns forever, all that certain parcel of land lying and being in the County of St. Johns and State of Florida, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO.

SUBJECT TO County taxes for 1983 and subsequent years.

Together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining: To Have and to Hold the same in fee simple forever.

And the said parties of the first part do covenant with the said parties of the second part that they have lawfully seized of the said premises, that they are free from all encumbrances and that they have good right and lawful authority to sell the same; and the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year above written.

Signed, sealed and delivered in our presence:

Handwritten signatures of witnesses: Mary Ann P. Helms, Alice M. ... and Ruth D. ...

Printed names and signatures of parties: John D. Bailey, A. H. Runk, Pierre D. Thompson, Shirley N. Thompson. Each signature is accompanied by a circular stamp containing the letters 'LS'.

This Instrument prepared by: Address:

State of FLORIDA  
County of ST. JOHNS

I Hereby Certify, That on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared, JOHN D. BAILEY, A. H. RUNK, and PIERRE D. THOMPSON AND SHIRLEY M. THOMPSON, his wife,

to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

Witness my hand and official seal in the County and State last aforesaid this 13<sup>th</sup> day of May, A. D. 1983 .

*Harold P. Bailey*  
Notary Public, State of Fla. at Large  
My commission expires  
NOTARY PUBLIC, STATE OF FLORIDA  
My Commission Expires May 30, 1986

Warranty Deed

RAMCO FORM 4

To

Date

Abstract of Description

(CA)

EXHIBIT "A"

PARCEL ONE: A parcel of land in the F. FALANY GRANT, Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, being more fully described as follows:

BEGINNING at a point 2,175 feet, more or less, from Moultrie Creek South along range line between Ranges 29 and 30 East; from this point run South along said range line 2,050 feet; thence West 410 feet; thence North parallel with said range line 2,050 feet; thence East 410 feet to the point of beginning at the range line; said land being in the FERNANDO FALANY GRANT, Section 38, Township 8 South of Range 29 East, St. Johns County, Florida; ALSO BEING KNOWN AS: A parcel of land in the F. FALANY GRANT, Section 38, Township 8 South, Range 29 East and Range 30 East with the South right of way line of Wildwood Drive, a 66-foot width county road; thence South 2 degrees 10 minutes East, on said range line, 2,050 feet; thence South 87 degrees 57 minutes West 410 feet; thence North 2 degrees 10 minutes West, 2,050 feet; thence North 87 degrees 57 minutes East, on said South right of way line of Wildwood Drive, 410 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM those lands described in Official Records Book 372, page 739, said public records of St. Johns County, Florida.

PARCEL TWO: A parcel of land located in Wildwood Estates called "TRACT A" as per plat recorded in Map Book 13, page 6, of the public records of St. Johns County, Florida.

SUBJECT TO County taxes for 1983 and subsequent years.

SUBJECT TO Easement as set forth in instrument from Moultrie Trails Development to A. H. Runk, Pierre D. Thompson and John D. Bailey, filed August 18, 1980, recorded in Official Records Book 461, page 384, of the Public Records of St. Johns County, Florida -- 25 feet along East line of caption.

SUBJECT TO Mineral Reservation as set forth in instrument dated September 25, 1948, filed October 6, 1948, recorded in Deed Book 175, page 498, of the public records of St. Johns County, Florida.

SUBJECT TO Drainage Easement from Pierre D. Thompson, et al, to Julian L. Goad and James E. Dimsdale, filed May 17, 1983, in Official Records Book 584, apge 640, of the public records of St. Johns County, Florida.

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

1983 MAY 19 PM 3:50

Carl [unclear] [unclear]  
CLERK OF COUNTY COURT

80 10199

# Warranty Deed

EXEMPTORY FORM — SECTION 689.02 (F.S.)

This instrument was prepared by:  
B. Paul Katz  
Attorney at Law  
901 N. Grandview Ave.  
Daytona Beach, Florida 32018

SEE 461 PAGE 384

This instrument, made this 31st day of July,

19 80. Between

Moultrie Trails Development

of the County of Volusia

State of Florida

A. H. Runk, Pierre D. Thompson, and John D. Bailey

grantor, and

whose post office address is PO Drawer 1067, St. Augustine, FL 32084

of the County of St. Johns

State of Florida

grantee.

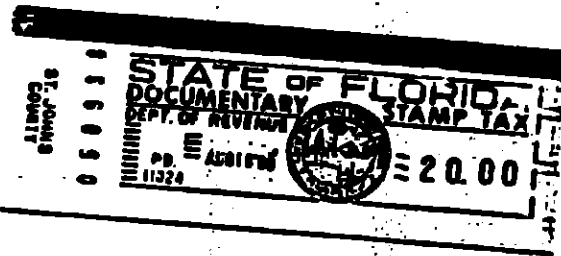
Witnesseth, That said grantor, for and in consideration of the sum of

Ten and 00/100

Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantor's heirs and assigns forever, the following described land, situate, lying and being in St. Johns County, Florida, to-wit:

See Attached Schedule "A"



and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\* "Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presence:

Handwritten signatures of witnesses

MOULTRIE TRAILS DEVELOPMENT (Seal)  
BY: Gerald E. Upson (Seal)  
BY: Pierre D. Thompson (Seal)

STATE OF Florida  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared GERALD E. UPSON and PIERRE D. THOMPSON

to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same, on behalf of MOULTRIE TRAILS DEVELOPMENT.

WITNESS my hand and official seal in the County and State last aforesaid this 31st day of July 19 80.

My commission expires:

Handwritten signature of Notary Public  
Notary Public

SCHEDULE "A"

A parcel of land being located in the F. Falany Grant, Section 48, Township 8 South, Range 30 East and being more particularly described as follows:

Commence at the intersection of the South line of Section 38 with the Range line between said Range 29 East and Range 30 East; Thence N 0° 32' 00" W on said Range line 558.69 feet; Thence continuing on said Range line N 2° 10' W a distance of 1,876.17 feet; Thence N 87° 57' E (653.40 feet Southerly of and parallel to the Southerly Right-of-Way of Wildwood Drive a 66 foot Right-of-Way) a distance of 400 feet for the POINT OF BEGINNING; Thence N 2° 10' W (parallel to the West line of Section 48) a distance of 653.40 feet to a point in the Southerly Right-of-Way of Wildwood Drive; Thence S 14° 15' 18" E a distance of 668.51 feet; thence S 87° 57' W a distance of 140.00 feet to the POINT OF BEGINNING.

CONTAINING 1.05 ACRES MORE OR LESS

Together with the right of Ingress and Egress over a twenty-five foot utility easement being described as follows:

Being a parcel of land in Section 38, Township 8 South, Range 29 East and Section 48, (F. Falany Grant) Township 8 South, Range 30 East. Begin at a point being the intersection of the range line between Range 29 East and Range 30 East and the Southerly Right-of-Way of Wildwood Drive a 66 foot Right-of-Way; Thence along said Range line previously described S 2° 10' E a distance of 653.40 feet; Thence N 87° 57' E (parallel to the Southerly Right-of-Way of Wildwood Drive) a distance of 425.00 feet; Thence S 2° 10' E a distance of 25.00 feet; Thence S 87° 57' W a distance of 450.00 feet; Thence N 2° 10' W a distance of 678.40 feet to a point in the Southerly Right-of-Way of Wildwood Drive; Thence <sup>alt</sup> the Southerly Right-of-Way of Wildwood Drive N 87° 57' E a distance of 25.00 feet to the POINT OF BEGINNING.

653.40  
- 25  
678.40

FILED AND RECORDED IN PUBLIC RECORDS

State of Florida, through  
the Trustees of the Internal  
Improvement Fund of State of  
Florida

TO  
C. J. Graham -- 237 West King  
Street, St. Augustine, St. Johns  
County, Florida.

Trustees Deed  
Dated: September 25, 1948  
Filed: October 6, 1948  
Deed Book 175 page 498  
St. Johns County Records  
Consdn: \$25.00

RECITES: Whereas in pursuance of provisions of Section 9 of  
Chapter 18296, Laws of Florida, Acts of 1937, title to the lands  
hereinafter described vested in the State of Florida, and said  
State by said Section of said Chapter is authorized and empowered  
to sell said lands through the Trustees of the Internal Improve-  
ment Fund of the State of Florida; and

WHEREAS pursuant to Notice duly given by said Trustees -- the  
land referred to by the Certificates hereinafter described, was  
offered for sale on August 12, 1948 in St. Johns County and bids were  
received, and said Trustees having accepted the highest and best bid  
for said land and having awarded the sale of said land to person  
making such bid, being the Grantee herein named; therefore

GRANT, bargain, sell and convey -- following described land  
situate, lying and being in St. Johns County, Florida, as referred  
to, identified and described by State and County Tax Sale Certifi-  
cates, to-wit:

No.	Date	Description	Amount Rec'd
4370	1933	Part of F. Palany Grant as shown in Mtgo. Book "Z" page 137, Section 30 continued -----	\$25.00

Township South Range 29 East, more particularly described as: Beginning at a point 2175 feet more or less from Moultrie Creek south along range line between ranges 29 and 30, from this point run south along said range line 2050 feet; thence west 410 feet; thence north parallel with said range line 2050 feet; thence east 410 feet to the point of beginning at the range line. Said land being in the Fernando Palany Grant, Section 38, Township 9 South of Range 29 East.

AS TO ALL LANDS there is reserved unto the State of Florida title to an undivided 1/2 of all petroleum and petroleum products and title to an undivided 3/4 of all other minerals which may be found on or under said land, together with privilege outside any municipality, this date, to explore for and to mine etc--

AS TO ALL LANDS outside any municipality, as of this date, there is reserved unto the State of Florida an easement for state road right of way 200 feet wide lying equally on each side of the center line of any state road existing on date of this deed, through so much of any parcel -- as is within 100 feet of said center line.

DO HAVE AND TO HOLD ---- all in pursuance of Section 9 of Chapter 18296 aforesaid.

Signed and sealed by the Five Trustees as and composing the Trustees of the Internal Improvement Fund of State of Florida. Official Seal. Also Seal of Department of Agriculture of the State of Florida.

This instrument was prepared by

III: GAS H: 1087

FLORIDA POWER & LIGHT COMPANY  
P. O. BOX 14000, JACKSONVILLE, FLORIDA

EASEMENT  
Form 5720 (Revised Nov. 6-58)

Date 4-23 19 54

Sec. 28 Top 20 Ref. 202

84 11771

The undersigned, owner (s) of the premises described below, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its successors, agents, assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time, with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them, on the property described as follows:

THE EAST TEN FEET OF A PROPERTY DESCRIBED IN O.R. 585, PAGE 847,  
AS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

RECORDED IN PUBLIC RECORDS  
ST. JOHNS COUNTY, FLORIDA  
APR 23 1954  
00.45

together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes with the right of ingress and egress to said premises at all times, to clear the land and keep it cleared of all trees, undergrowth or other obstructions within the easement area, to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution, and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned hereunto signed and sealed this agreement on \_\_\_\_\_ 19\_\_\_\_

Signed, sealed and delivered in the presence of

*Joy S. Aubrey*  
*Harold A. Aubrey*  
*Joy S. Aubrey*  
*Harold A. Aubrey*

*Wilbur L. Brown, Jr.* (SEAL)  
Wilbur L. Brown, Jr. (husband) (SEAL)  
*Louise M. Brown* (SEAL)  
Louise M. Brown (wife) (SEAL)

STATE OF FLORIDA AND COUNTY OF \_\_\_\_\_

This foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

by \_\_\_\_\_ and \_\_\_\_\_  
respectively the \_\_\_\_\_ President and \_\_\_\_\_ Secretary of \_\_\_\_\_  
corporation, or behalf of the corporation

FILED AND RECORDED IN  
PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA

APR 20 PM 3 50

NOTARY PUBLIC, STATE OF FLORIDA BY LARGE  
MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF FLORIDA AND COUNTY OF St. Johns

This foregoing instrument was acknowledged before me this 25th day of May 1954

by \_\_\_\_\_ and Louise M. Brown

*Louise M. Brown*  
NOTARY PUBLIC, STATE OF FLORIDA BY LARGE  
MY COMMISSION EXPIRES \_\_\_\_\_

ASSIGNMENT

Notary Public in and for the State of Florida  
Bill Taylor

Notary Public in and for the State of Florida  
Exp. 1-21-1936

Notary Public in and for the State of Florida  
Exp. 1-21-1936

Pub. No. 04 20181

WEST 371

The undersigned owner (s) of the premises described below, in consideration of the payment of \$1.00 and other good and valuable consideration, the receipt and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its Successors, agents, executors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and apparatus equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them, on the property described as follows:

A 10 foot easement for Florida Power and Light Company service lying in Section 30, Township 8 South, Range 29 East, St. Johns County, Florida, lying Southerly of Wildwood Drive and being more particularly described as follows:

Commence at the intersection of the Easterly boundary of said Section 30 (also being the line between Range 29 East and Range 30 East) and the Southerly right-of-way of aforementioned Wildwood Drive (as established for a 66 foot right-of-way); thence South 7° 10' East along said Easterly Section line, 229.0 feet to the Point of Beginning of the centerline description of said 10 foot easement lying 5 feet and at right angles to said centerline; thence South 87° 30' West, 13.43 feet; thence South 65° 55' 15" West, 29.53 feet to Point on a curve (non congruent to this line), said curve having radius, chord and chord bearing of 23 feet, 29.15 feet and North 52° 30' 42" West; thence around the arc of the curve to the left, 31.57 feet to its P.T.; thence South 87° 30' West, 38 feet to Reference Point "A"; thence continue South 87° 30' West, 33 feet; thence North 2° 10' West, 117.5 feet; thence North 87° 30' East, 30 feet; thence North 7° 10' West, 30 feet to Reference Point "B"; thence South 87° 30' West, 158 feet to Reference Point "C"; thence continue South (cont'd)--- together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes with the right of ingress and egress to said premises at all times, to clear the land and keep it cleared of all trees, undergrowth or other obstacles within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution, and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinafore granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this agreement on \_\_\_\_\_ 19\_\_\_\_.

Signed sealed and delivered in the presence of:

X Joy L. Aubrey  
R. Hart  
Joy L. Aubrey

Wilbur L. Brown, Jr. (SEAL)  
Wilbur L. Brown, Jr. (husband) (SEAL)  
Louise M. Brown (SEAL)  
Louise M. Brown (wife) (SEAL)

STATE OF FLORIDA AND COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

by \_\_\_\_\_ and \_\_\_\_\_  
respectively the \_\_\_\_\_ President and \_\_\_\_\_ Secretary of \_\_\_\_\_  
corporation, on behalf of the corporation

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF FLORIDA AND COUNTY OF St. Johns

The foregoing instrument was acknowledged before me this 22 day of May 1936

by Wilbur L. Brown, Jr. and Louise M. Brown

Bill Taylor  
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES \_\_\_\_\_

87° 30' East, 48 feet to the P.C. of a curve to the left having a radius, chord and chord bearing of 131.5 feet, 26.57 feet, and South 47° 30' East; thence around the arc of said curve, 62.83 feet to its P.T.; thence South 7° 10' East, 131.5 feet to Reference Point "B"; thence continue South 7° 10' East, 93.5 feet to the P.C. of a curve to the left having a radius, chord and chord bearing of 40 feet, 16.57 feet and South 47° 10' East; thence around the arc of said curve, 62.83 feet to its P.T.; thence North 87° 30' East, 33 feet to Reference Point "C"; thence continue North 87° 30' East, 163 feet to Reference Point "D"; thence continue North 87° 30' East, 2.72 feet to the P.C. of a curve to the right having a radius, chord and chord bearing of 10 feet, 9.85 feet and South 67° 40' 14" East; thence around the arc of said curve, 10.30 feet to a point of reverse curve for a curve to the left and having a radius, chord and chord bearing of 23 feet, 42.12 feet and North 78° 36' 27" East; thence around the arc of said curve 54.77 feet; thence North 87° 30' East 35.55 feet; thence South 7° 10' East, 45 feet; thence North 87° 30' East, 5 feet to said Easterly Section boundary and the Terminus of the main easement. Said Terminus is South 2° 10' East and 214 feet distant from the Point of Beginning.

Begin again at Reference Point "A"; thence South 15° 18' 02" East, 33.81 feet to an end of service.

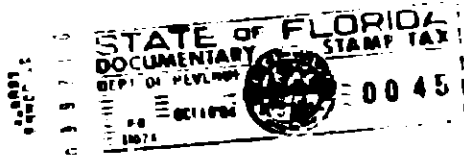
Begin again at Reference Point "B" thence North 87° 30' East, 12.72 feet to the P.C. of a curve to the left having a radius, chord and chord bearing of 10 feet, 12.10 feet and North 50° 35' 28" East; thence around the arc of said curve to an end of service.

Begin again at Reference Point "C"; thence South 1° 38' 51" West, 33.07 feet to an end of service.

Begin again at Reference Point "D"; thence North 52° 12' 20" East, 38.91 feet to an end of service.

Begin again at Reference Point "E"; thence North 6° 21' 51" East, 33.34 feet to an end of service.

Begin again at Reference Point "F"; thence North 23° 58' 05" West, 35.31 feet to an end of service.



FILED AND RECORDED IN PUBLIC RECORDS OF

OCT 10 AM 11:00

Chas. B. ...

9.00  
 45  
 ---  
 9.45

... CO.

84 20165

11657 REC 425

COPY OF ADVERTISEMENT

**The St. Augustine Record**

PRINTED EVERY AFTERNOON EXCEPT SUNDAY  
ST. AUGUSTINE AND ST. JOHN COUNTY, FLORIDA

STATE OF FLORIDA, }  
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared \_\_\_\_\_  
Virginia L. Goodrich who on oath says that he is  
Advertising Manager of the St. Augustine Record, a  
daily newspaper published at St. Augustine in St. Johns County, Florida;  
that the attached copy of advertisement, being a \_\_\_\_\_  
Public Notice

\_\_\_\_\_ in the matter of \_\_\_\_\_  
Fictitious Name Law - Moultrie Oaks  
\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of \_\_\_\_\_  
July 21 & 28, August 4 & 11, 1934

Affiant further says that the St. Augustine Record is a newspaper  
published at St. Augustine, in said St. Johns County, Florida, and that the  
said newspaper has heretofore been continuously published in said St.  
Johns County, Florida, each day, except Sundays, and has been entered  
as second class mail matter at the post office in the City of St. Augustine,  
in said St. Johns County, Florida, for a period of one year next preceding  
the first publication of the attached copy of advertisement; and affiant  
further says that he has neither paid nor promised any person, firm or  
corporation any discount, rebate, commission or reward for the purpose  
of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me Virginia L. Goodrich  
this 13th day of AUGUST

W. D. Walker  
Notary Public



AFFIDAVIT  
FICTITIOUS NAME STATUTE

STATE OF FLORIDA )  
COUNTY OF ST. JAMES ) SS

The undersigned officer hereby certifies that

Yvonne A Dorman  
personally appeared before me, and after being by me duly sworn  
stated that

Yvonne A Dorman  
James B Butler Graham  
Dorothy hundy hennie Adams Sr  
is (are) the only person interested in the business enterprise  
of Green Manor Housing Inc.  
and that the interest of

above business

is (are) as follows:

Yvonne A Dorman President.  
James B Graham V. President.  
Dorothy hundy Sec. Treasurer.  
hennie Adams Sr. Stock holder.  
and that said business enterprise is carried on under the fictitious  
name of Moultrie Oaks

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JAMES COUNTY, FLA.

OCT 10 PM 2 36

Paul "Bud" Stahl  
CLERK OF COURT

[Signature]  
[Signature]  
[Signature]  
[Signature]

Sworn to and subscribed before  
me this 10th day of September  
A.D., 1987.

[Signature]  
Notary Public, State of Florida  
at Large.  
My commission expires: July 11, 1988



UPCHURCH, BAILEY AND UPCHURCH, P. A.

ATTORNEYS AT LAW  
501 ATLANTIC BANK BUILDING  
POST OFFICE BOX 170

SAINT AUGUSTINE, FLORIDA 32085-0170

(904) 829-9066

FRANK D. UPCHURCH  
OF COUNSEL

HAMILTON D. UPCHURCH  
JOHN D. BAILEY, JR.  
H. DAVIS UPCHURCH, JR.  
FRANK D. UPCHURCH, III  
TRACY W. UPCHURCH

June 10, 1986

FN-H-85-557

St. Johns County  
Attention: James G. Sisco, Esquire  
St. Johns County Attorney  
State Road 16  
St. Augustine, Florida 32084

Re: Lands lying in Section 48, Township 8 South, Range 30 East, and in Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, as more fully set forth in instrument recorded in Official Records Book 461, page 384, copy of which is attached hereto; and all lands commonly called "Moultrie Oaks" being more particularly described in Official Records Book 585, page 84, St. Johns County Public Records

---

Dear Sir:

After a search of the public records of St. Johns County, Florida, it is our opinion that title to that portion of the above-captioned lands lying within Section 38, Township 8 South, Range 30 East, is vested in Wilbur L. Brown and Louise M. Brown, his wife, by virtue of deed filed May 19, 1985, in Official Records Book 585, page 45, subject to:

1. Easement as set forth in instrument recorded in Official Records Book 461, page 384, which runs along the Easterly line of Official Records Book 585, page 45;
2. Road and Mineral Reservations reserved in the State of Florida by virtue of that certain Trustees' Deed filed October 6, 1948, in Deed Book 175, page 498;
3. Mortgage from Wilbur L. Brown, Jr., and Louise M. Brown, his wife, to John D. Bailey, A. H. Runk and Pierre D. Thompson and Shirley M. Thompson, his wife, filed May 19, 1983, in Official Records Book 585, page 48;
4. Easements to the Florida Power & Light Company filed June 20, 1984, in Official Records Book 684, page 1087, and filed October 10, 1984, in Official Records Book 657, page 371; and
5. St. Johns County ad valorem taxes for 1986.

St. Johns County  
June 10, 1986

-2-

It is our understanding you propose to accept a conveyance of easement over a portion of the lands of Wilbur L. Brown and Louise M. Brown, his wife; therefore, we recommend that, before you accept the proposed conveyance, you require and place of record a partial release of the mortgage described in said Item 3.

Items 1, 2 and 4 above do not appear objectionable for your intended uses.

It is further our opinion as to that portion of captioned lands lying within Section 48, Township 8 South, Range 30 East, that title of record is vested in Pierre D. Thompson, John D. Bailey and A. H. Runk by various deeds. Before you accept title, we recommend that you require and place of record a second easement from Wilbur L. Brown and Louise M. Brown, his wife, to St. Johns County, the effect of which will be to eliminate scrivener's error in deed from Pierre D. Thompson, John D. Bailey and A. H. Runk to Wilbur L. Brown, Jr., and Louise Brown, his wife, dated December 18, 1985, recorded in Official Records Book 692, Page 1683, St. Johns County Public Records, and to show it was the Grantors' intention to except and retain in Grantors a 25-foot easement across the westerly 500 feet of the northerly 25 feet of the real property conveyed in said warranty deed.

UPCHURCH, BAILEY AND UPCHURCH, P.A.

By 

Hamilton D. Upchurch

HDU:vsh

UPCHURCH, BAILEY AND UPCHURCH, P. A.

ATTORNEYS AT LAW  
501 ATLANTIC BANK BUILDING  
POST OFFICE BOX 170

SAINT AUGUSTINE, FLORIDA 32085-0170

(904) 829-9086

HAMILTON D. UPCHURCH  
JOHN D. BAILEY, JR.  
H. DAVIS UPCHURCH, JR.  
FRANK D. UPCHURCH, III  
TRACY W. UPCHURCH

FRANK D. UPCHURCH  
OF COUNSEL

June 10, 1986

FN-H-85-557

St. Johns County  
Attention: James G. Sisco, Esquire  
St. Johns County Attorney  
State Road 16  
St. Augustine, Florida 32084

Re: Moultrie Trails Subdivision  
Road and Utility Easements; and  
Easement across W. 15' of Lot 41  
and across E. 5' of Lot 42

Dear Sir:

A search of the public records of St. Johns County, Florida, shows a Plat of Moultrie Trails, filed June 26, 1979, in Map Book 13, pages 87, 88 and 89, filed by Moultrie Trails Development, which said plat reserved the "...private right of way, trails or common areas...privately owned and the sole and exclusive property of Moultrie Trails Development..."; and

said public records further reveals an Easement filed July 11, 1979, in Official Records Book 418, page 796, of said public records, which recites: "...the owner...does hereby reserve... and easement over...the Common Areas shown on said plat as Private Streets..."; and

further reveals a Quit Claim Deed from Moultrie Trails Development, a Joint Venture, to Moultrie Trails Homeowners Association, Inc., filed June 10, 1981, in Official Records Book 496, page 386, of said public records, conveying "All common areas...on the Plat of Moultrie Trails Subdivision...".

It would appear that it was the intent to convey the roads on said Plat to the Moultrie Trails Homeowners Association, Inc.; and the title to the easements appearing on said Plat would appear to be still vested in the Platmaker, Moultrie Trails Development, pursuant to Surveyor's Note on the recorded Plat, which recites: "A 10 foot utility and drainage easement is hereby reserved across the front (street side) lot lines of all lots."

As to the 15-foot Utility Easement and emergency vehicle easement along the West lot line of Lot 41, title appears of record in William T. Hoever and Patricia E. Hoever, his wife, by virtue of deed filed July 3, 1984, in Official Records Book 649, page 1719, of the public records of St. Johns County, Florida, subject to the interest of Moultrie Trails Development by virtue of Plat in Map Book 13, pages 87, 88 and 89; and

As to the 5-foot Utility Easement and emergency vehicle easement along the West lot line of Lot 42, title appears of record in Joseph Bisogno, a single man, and Tara M. Rouge, a single woman, by virtue of deed filed August 6, 1984, in Official Records Book 652, page 1621, of the public records of St. Johns County, Florida, subject to the interest of Moultrie Trails Development by virtue of Plat in Map Book 13, pages 87, 88 and 89.

It is our understanding you propose to accept title to all underground water metering devices and water transmission and distribution lines situated in said subdivision; therefore, we recommend you obtain and place of record the following:

1. Easement from Moultrie Trails Homeowners Association, Inc., to St. Johns County for a right to construct, maintain, repair and replace all water transmission and distribution lines under all common areas as shown on Plat of Moultrie Trails Subdivision as recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records.

2. Assignment of Easements described as follows:

- A) Easement reserved in Moultrie Trails Development dated July 3, 1979, and recorded in Official Records Book 418, Page 796, St. Johns County Records;

- B) A 10-foot utility and drainage easement across front (street side) lot lines of all lots as delineated on plat of Moultrie Trails Subdivision as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records; and

- C) A 15-foot utility easement and emergency vehicle easement along the West lot line of Lot 41, Moultrie Trails Subdivision, as per map recorded in Map Book 13, pages 87, 88 and 89, St. Johns County Records.

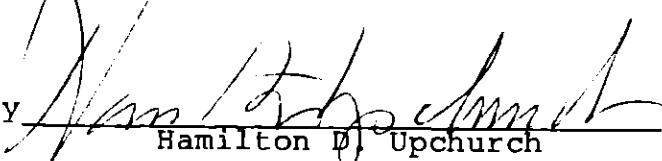
It is our opinion that title to all common areas of

St. Johns County  
June 10, 1986

-2-

Moultrie Trails Subdivision is in the Moultrie Trails Homeowners Association, Inc., and that Moultrie Trails Development, a Joint Venture composed of Gerald E. Upson and Pierre D. Thompson, is the owner and holder of the easements described as A, B and C above, all subject to St. Johns County real and personal property taxes.

UPCHURCH, BAILEY AND UPCHURCH, P.A.

By   
Hamilton D. Upchurch

HDU:vsh

MOULTRIE TRAILS WATER PLANT

List of Customers as of Dec. 31/85

Moultrie Trails Subdivision:

<u>Lot#</u>	<u>Name</u>
1	Mrs. Rita Lambert
3	Mrs. Mary C. Pierce
4	Mr. Richard N. Sanger
5	Mr. Jack Stansel
6	Mr. W. Liggett
7	Mr. Durward Brandon
8	Mr. John E. Davis
10	Mr. Jack Hunter
11	Mr. Michael Haley
12	Mr. P. B. Sohikian
13	Dr. Lewis J. Ledden
14	Mr. Floyd Preziosi
15	Mr. Albert Styring
16	Mr. B. Boik
21	Mr. F. Herbert
22	Mr. Walter W. Wolf
23	Sacks-Martin Construction (4)
24	Mr. Terry Nevins
25	Col. Delbert Shouse
27	Mr. John B. Stratford
28	Mrs. Ruth Peterson
29	Mr. Henry Sams
31	Mrs. Susan Tice
33	Mr. Russell Cheshire
34	Mr. Ray Clark
35	Mrs. J. McNerney
37	Mr. Robert Mortell
39	Mr. Louis B. Oaks
40	Mrs. M. Abrams
41	Mr. William Hoever
44	Mr. William Dixon
45	Mr. Terry Frei
53	Mr. Raymond Wycoff
54	Mr. Stewart Lawrence
55	Mr. Don Wilson
56	Dr. Lawrence Matthews
58	Mrs. A. H. Tebault
60	Mr. Ed. McNally
62	Dr. William Proctor
64	Mr. T. Hayden Taylor
65	Mr. John Bartlett
67	Mr. Charles Tice
68	Mr. Darnell Pollard

Moultrie Trails Subdivision (continued):

<u>Lot#</u>	<u>Name</u>
69	Mr. Stanley Kallman
70	Mr. Richard Tyson (tenant)
72	Mr. Ken Stein
76	Mr. John Redmon
26	Mrs. Catherine Hinterlach
30	Mr. S. J. Smith
61	Dr. Gonzales
77	Mr. Charles R. Baker
78	Mr. Donald Dewey
80	Mr. Dwight Bell
81	Mrs. Karen Burrows
84	Mr. J. Robert Lavigne
86	Maj. Gen. K. C. Bullard (ret)
87	Mr. Edward Wisniewski
88	Mr. Dail Taylor
89	Mr. Martin Dandridge
90	Mr. Allan Reichert
93	Mrs. Jane Williams
94	Mr. R. Pennington
95	Mr. Wayne K. Givens
98	Mr. B. LaMendola
100	Mrs. Clarence Martindale
83	Sacks Martin Construction
91	Sacks Martin Construction
92	Sacks Martin Construction

MOULTRIE TRAILS SUBDIVISION TOTAL: 68

Moultrie Oaks Mobile Home Park:

<u>Lot#</u>	<u>Name</u>
2	Mr. Donald Secor
6	Mr. John Thomas
8	Mr. Alfred Gumbs
1	Mr. Wm. Glazer
9	Mrs. Mary Jane Brumback
11	Ms. Sue Dimmick
12	Ms. Essie Hundley
13	Mr. Wilbert Brown
14	Mr. Robert Hinchley
15	Mr. Ray Thomas
16	Mr. Jim Beattie
17	Mr. Paul McMurray
22	Mr. Charles Thorpe

Moultrie Oaks Mobile Home Park (continued):

<u>Lot #</u>	<u>Name</u>
24	Mr. Carl McPeek
27	Mr. R. S. Mowery Jr.
28	Mrs. Virginia Christenson
31	Mrs. Marjore Rebéiro
33	Mrs. Emery Valliancourt
35	Mr. Jack Sheridan
38	Mr. Milton McDonald
40	Mr. P. J. Paolini
55	Moultrie Oaks Mobile Home Office
39	Mr. Robert Sawyer
22	Rennwanz
26	Jack Zimmerman
30	Jack Guarnera

MOULTRIE OAKS MOBILE HOME PARK TOTAL: 26

Wildwood Plaza:

<u>Unit #</u>	<u>Name</u>
0	Huntley Jitty Stores
1	Dr. Waldo Scales
2	Allen- Ceramic Shop
3	Century 21, Seacrest Realty
4	Thompson-Bailey-Baker
5	Vacant Office

WILDWOOD PLAZA TOTAL : 6

135 Riverside Avenue  
Suite 205  
Jacksonville, Florida 32202  
(904) 354-2693

**APPRAISAL OF WATER SYSTEM  
MOULTRIE TRAILS UTILITIES, INC.**

PROLOGUE

The potable water storage and distribution system owned by Moultrie Trails Utilities, Inc. was constructed by said corporation during the year 1979 - 1980 time-frame, and the utility in question was placed in substantial service during the month of April, 1980. The system consists of a water well field and pumps, a treatment plant, a water storage tank, transmission main and water distribution system. The utility provides residential water service to occupants of the Moultrie Creek subdivision located on U. S. 1 South, St. Johns County and is presently serving approximately 115 houses. The system has been engineered, designed and installed so that water service may eventually be provided for approximately 400 residences. Since the utility in question was completed, St. Johns County, Florida, has constructed a "main land water system" in the nearby vicinity, and it is believed to be in the best interest of both parties (i.e., St. Johns County, Florida, and Moultrie Trails Utilities, Inc.) to combine the water system belonging to Moultrie Trails Utilities, Inc. into the overall St. Johns County water system. Negotiation between representatives of Moultrie Creek Utilities, Inc. and the County have determined that Moultrie Creek Utilities, Inc. would donate a substantial part of the tangible personal property and real estate that comprises its water system at no cost to St. Johns County, Florida, and without restrictions of any kind on its use and operation.

QUALIFIED APPRAISAL

The Appraisal included herein is made in the format and conformance with Section 1.170A-13T, Paragraph (C)(3)(ii), Items (A) through (L) of the temporary income tax regulations.

(A) Description of donated property:

1. 150,000 gallon elevated steel water storage tank.
2. Transmission main - 1,200 lineal feet of 6" diameter PVC water lines.
3. Distribution system:
  - a. 9,500 lineal feet of 6" diameter PVC water line.
  - b. 1,400 lineal feet of 4" diameter PVC water line.
  - c. 10,000 lineal feet of 2" diameter PVC water line.
4. Donated property for site of elevated tank - 1.05 acres.

- (B) The physical condition of the donated tangible property is nearly new and in excellent condition.
- (C) The expected date of contribution to the donee is June 15, 1986.
- (D) The donor has given the unrestricted use and operation of the property in question to St. Johns County, Florida.
- (E) The qualified appraiser is Robert L. Bates, Jr., P.E., President of the engineering firm of Robert Bates & Associates, Inc., 135 Riverside Avenue, Suite 205, Jacksonville, Florida 32202 (telephone (904) 354-2693).
- (F) The qualifications of the qualified appraiser are shown in the attached resume.
- (G) The appraisal was made for income tax purposes.
- (H) The property was valued between the dates of March 15, 1986 and April 30, 1986.
- (I) The appraised fair market value of the property on April 15, 1986, is based on the actual construction cost - less - depreciation approach. Service life of tank, transmission main and distribution system (reference Paragraph (A)(1)(2)(3) above) is conservatively considered to be 25 years, with 6 years of that time already consumed. Thus, actual construction costs were reduced by a factor of 0.76 (25-6)/25 to achieve the appraised value of these items.


<u>Item</u>	<u>Initial Cost (Estimated)</u>	<u>Appraised Value</u>
<b>CONSTRUCTION COSTS</b>		
1. Elevated Tank One (1) each @ 150,000 gallons	\$ 89,000	
2. Transmission Main 1,200 L.F. - 6" @ \$5.50/L.F.	\$ 6,600	
3. Distribution Main		
a. 9,500 L.F. - 6" @ \$5.50/L.F.	\$ 52,250	
b. 1,400 L.F. - 4" @ \$4.00/L.F.	5,600	
c. 10,000 L.F. - 2" @ \$3.00/L.F.	30,000	
Sub-total Construction	<u>\$ 183,450</u>	
4. Related Capital Cost: Design/Construction Engineering	\$ 5,000	
Total Depreciable Assets (25-year useful life)	\$ 188,450	(.76)(188,450) = \$ 143,222

<u>Item</u>	<u>Initial Cost (Estimated)</u>	<u>Appraised Value</u>
CONSTRUCTION COSTS (continued)		
5. Non-depreciable Property: Elevated Tank Site (1.05 Ac.) Sub-total	\$ 10,631	10,631 <u>153,853</u>
General and Administrative Expense Allowance @ 10% of Sub-total		\$ 15,385 <u>169,238</u>
<b>TOTAL APPRAISED VALUE</b>		<b>\$ 169,238</b>

- (J) Appraisal based on actual construction and other costs, less accrued depreciation approach.
- (K) Cost of piping per lineal foot based on a 1981 HUG-CDBG Contract for identical sizes for the Town of Hilliard, Florida. Tank cost was actual proposal cost from Contractor which was only document that could be located from Utility. Engineering costs for system were obtained from files of engineering firm of Briley-Wild Associates who performed design of installation of piping combined with road design for \$15,000. The cost for water system engineering was estimated to a third of this amount.
- (L) Hourly rate; standard professional services rates.

Respectively submitted to the Board of Directors of Moultrie Trail Utilities, Inc., 31 Cordova Street, St. Augustine, Florida 32084.

**ROBERT BATES & ASSOCIATES, INC.**  
Consulting Engineers

By:   
Robert L. Bates, Jr., P.E.,  
President

ROBERT L. BATES, JR., P.E.  
PRESIDENT

**PERSONAL INFORMATION:**

Born in Waycross, Georgia, 1937  
Married and father of three  
Health: Excellent

**EDUCATION:**

Graduate of Waycross High School, Waycross, Georgia, 1954  
Graduate of Georgia Institute of Technology, Atlanta, Georgia: Bachelor of Civil Engineering, 1959; Master of Science in Sanitary Engineering, 1967

**PROFESSIONAL REGISTRATIONS:**

Registered Professional Engineer, Georgia No. 5541  
Registered Professional Engineer, Florida No. 13599  
Registered Professional Engineer, Alabama No. 11814

**EXPERIENCE:**

March 1980 to Present: President and Principal in the firm of Robert Bates Associates, Inc.. Principal in responsible charge of environmental and municipal engineering projects for clients including municipal and county governments, industries and private developers in Georgia and Florida. Responsible for predesign studies of engineering concept, feasibility and environmental impacts; Federal grant and loan applications and administration; design and construction management.

January 1978 to March 1980: Executive Vice President and Principal in the firm of Hubbard, Bates & Associates, Inc., Consulting Engineers, Jacksonville, Florida. Principal in responsible charge of water and wastewater design and predesign, and preparation of engineering, environmental and economic studies for municipal water and wastewater system improvements. Clients included cities, counties, consulting engineers and industries in Florida and Georgia.

October 1968 to December 1977: Employed by Flood & Associates, Inc., Consulting Engineers, Jacksonville, Florida, Senior Vice President. In responsible charge of water and wastewater design and predesign projects, and preparation of engineering, environmental and economic studies and reports for major municipal water and wastewater utilities systems in Florida and Georgia.

From the date of Congressional enactment of the 1972 Amendment to the Federal Water Pollution Control Act, Public Law 92-500, work efforts were predominantly in the area of EPA 201 Facilities Planning. Completed and approved 201 Plans include one for the Pensacola, Florida Urban Area (approved in March 1974), with EPA Steps 2 and 3 grants totalling some \$50 million having been offered the City of Pensacola based thereon. A 201 Plan for the City of Valdosta, Georgia, addressing all of Lowndes County was approved by EPA in 1977. Steps 2 and 3 grants have been offered for City projects with aggregate capital costs of nearly \$20 million. A 201 Plan for the City of Jacksonville,

EXPERIENCE (continued)

Florida included environmental assessment statements, a municipal wastewater sludge handling master plan, and regional interceptor system design reports which were prepared under Mr. Bates's responsible charge. State and EPA approvals of component plan volumes have led to Steps 2 and 3 grants for regional treatment plants and interceptor system elements in the City's North, Southwest and Arlington-East Districts and for centralized sludge treatment works and sidestream liquid phase treatment facilities. Other studies, reports and grant applications were instrumental in obtaining commitments of funding from DHUD (for Warner Robins, Georgia); from EDA (for Valdosta, Georgia); and from FmHA for Lowndes County, Georgia.

Financial studies and reports were prepared for use as the bases for sale of Utilities Revenue Bonds in the aggregate amount of \$28.750 million by the City of Pensacola, Florida and \$5.0 million by the City of Warner Robins, Georgia. Water and sewage utility rate studies and reports were used as fundamental inputs to financial and budgetary planning and for establishment of rate structures by the Cities of Pensacola, Valdosta and Warner Robins. Industrial waste and/or sewer use ordinances for Pensacola and Warner Robins and annual reports for operations and administration of Pensacola's water, wastewater and natural gas utility systems are examples of operationally oriented study reports.

September 1965 through October 1968: Employed by the Georgia Water Quality Control Board, Atlanta, Georgia. Initially employed as Senior WQC Engineer, promoted to Chief, Plans and Reports Section. Responsible for state pollution control agency review of plans, specifications and engineering reports for all municipal wastewater systems improvements and pollution control plants installed in the State.

January 1961 through August 1965: Employed as Civil Engineering Designer by Robert & Company Associates, Atlanta, Georgia. Prepared designs for gravity trunk sewer systems constructed by DeKalb County, Georgia; Clayton County Water Authority (Georgia); Columbus Water Works (Georgia); City of Gainesville, Georgia and other municipal clients. Prepared master plan study and report for City of Rome, Georgia, interceptor sewer system to terminate raw sewage discharges to Coosa, Etowah and Oostanaula Rivers and other local streams.

January 1955 through March 1958: Employed as rodman by State Highway Department of Georgia, Waycross, Georgia. Sub-professional duties as surveyor, draftsman and construction inspector during periodic employment (21-months total) while an undergraduate student enrolled in Georgia Tech's Cooperative Division.

ROBERT L. BATES, JR., P.E.  
RESUME  
PAGE THREE

**MEMBERSHIPS, AFFILIATIONS AND HONORS:**

Member, National Society of Professional Engineers  
Member, Professional Engineers in Private Practice  
Member, Florida Engineering Society  
Member, Water Pollution Control Federation  
Member, Georgia Water and Pollution Control Association  
Member, Sigma Xi  
Member, Chi Epsilon  
Member, Georgia Tech National Alumni Association  
Member, Holiday Hill Baptist Church, Jacksonville, Florida  
Member, Delta Tau Delta  
Listed in Who's Who in Engineering  
Listed in Who's Who in Technology Today  
Listed in Who's Who in the South and Southwest