

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

RESOLUTION NO. 88-118

WHEREAS, Fruit Cove, LTD,

as Owner, has applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat known as Cunningham Creek Unit, III and,

WHEREAS, the Owner and Mortgagee have dedicated certain roads, streets, easements, rights-of-way or other areas as shown on the subdivision plat 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 subdivision plat is conditionally approved by the Board of County Commissioners of St. Johns County, Florida, subject to Section #6.

Section 2. The dedicated roads, streets, easements, rights-of-way and other areas shown on the plat are conditionally accepted by the Board of County Commissioners of St. Johns County. This acceptance shall not be deemed an acceptance requiring construction or maintenance of the roads, streets, easements, rights-of-way or other areas by the County. This acceptance is subject to Section #6.

Section 3. The Construction Bond is set in the amount of \$ 245,428⁴⁰ and shall be submitted to the Clerk of Courts for his approval prior to recording the plat.

Section 4. The Warranty Bond is set in the amount of \$ 18,221.69 and the record title owner has agreed that it will, upon request, provide such Bond.

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

Section 6. The approval described in Section #1 and the Acceptance described in Section #2 shall not take effect until the plat has been signed by each of the following departments, persons or offices; i .

- a) Chairman or Vice-Chairman of the Board of County Commissioners of St. Johns County, Florida
- b) County Attorney
- c) County Planning Department or Office
- d) County Zoning Department or Office
- e) Clerk of Courts

The Clerk shall not sign or accept the plat for recording until it has been signed by each of the above persons or entities described in a) through d) above and the construction bond, unless waived, has been delivered to the Clerk and approved by him. If the plat is not signed and accepted by the Clerk for recording within 14 days from the date hereof, then the above-described conditional approval and acceptance shall automatically terminate. If the plat is signed by the Clerk on or before such time, the conditions described herein shall be deemed to have occurred.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 26th day of April, 1988.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Watter
Its

ATTEST: Carl "Bud" Markel, Clerk

Debra M. McDonald
Deputy Clerk

TURNER, FORD & BUCKINGHAM, P. A.
ATTORNEYS AT LAW

AS C. TURNER
R. A. FORD
WALD T. BUCKINGHAM
STEPHEN M. DONELAN
SIDNEY F. ANSBACHER

1904 GULF LIFE TOWER
JACKSONVILLE, FLORIDA 32207
(904) 398-8838

April 19, 1988

10192-1 SAN JOSE BOULEVARD
JACKSONVILLE, FLORIDA 32217
(904) 268-7227

REPLY TO: GULF LIFE TOWER

Board of County Commissioners
St. Johns County
St. Augustine, Florida 32084

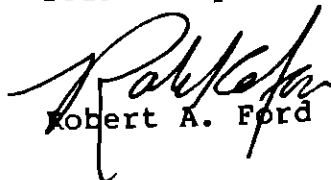
RE: Cunningham Creek Unit III

Gentlemen:

I am a practicing attorney in the State of Florida and in that capacity render this title opinion. Fee simple title to the property described on Exhibit "A" attached hereto is in Fruit Cove, Ltd., a Florida limited partnership, subject to the following matters:

1. Taxes for the year 1988 and subsequent years which are not yet due and payable.
2. Deed Restrictions as recorded in Official Records Book 492, page 31, and Official Records Book 402, page 35, as amended in Official Records Book 493, page 70, and Amendment and Restatement as recorded in Official Records Book 587, page 708.
3. Covenants and Restrictions as contained in instrument recorded in Official Records Book 774, page 1312.
4. Mortgage from Fruit Cove, Ltd., a Florida limited partnership, to Florida National Bank, in the amount of \$1,190,000.00, dated February 23, 1988 and recorded March 1, 1988 at 9:23 A.M. in Official Records Book 774, page 1279, public records of St. Johns County, Florida.
4. Conditional Assignment of Rents, Leases and Revenues from Fruit Cove, Ltd., a Florida limited partnership, to Florida National Bank, a national banking association recorded March 1, 1988, at 9:25 A.M., in Official Records Book 774, page 1302.
5. Financing Statement from Fruit Cove, Ltd., a Florida limited partnership, to Florida National Bank recorded March 1, 1988, in Official Records Book 774, page 1309.

Yours very truly,


Robert A. Ford

RAF/lc
encl.

TURNER, FORD & BUCKINGHAM, P. A.
ATTORNEYS AT LAW

THOMAS C. TURNER
ROBERT A. FORD
RONALD T. BUCKINGHAM
STEPHEN M. DONELAN
SIDNEY F. ANSBACHER

1904 GULF LIFE TOWER
JACKSONVILLE, FLORIDA 32207
(904) 398-8838

March 28, 1988

10192-1 SAN JOSE BOULEVARD
JACKSONVILLE, FLORIDA 32217
(904) 268-7227

REPLY TO: GULF LIFE TOWER

Board of County Commissioners
St. Johns County
St. Augustine, Florida 32084

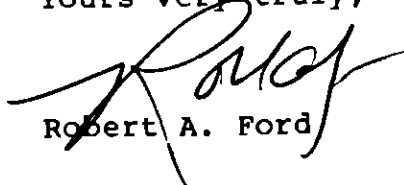
RE: Cunningham Creek Unit III

Gentlemen:

I am a practicing attorney in the State of Florida and in that capacity render this title opinion. Fee simple title to the property described on Exhibit "A" attached hereto is in Fruit Cove, Ltd., a Florida limited partnership, subject to the following matters:

1. Taxes for the year 1988 and subsequent years which are not yet due and payable.
2. Deed Restrictions as recorded in Official Records Book 492, page 31, and Official Records Book 402, page 35, as amended in Official Records Book 493, page 70, and Amendment and Restatement as recorded in Official Records Book 587, page 708.
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Yours very truly,


Robert A. Ford

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CUNNINGHAM

A PORTION OF SECTION 5,
TOWNSHIP 5 SOUTH, RANGE

CAPTION

A portion of Section 5, Section 32, and Section 42, all lying in Township 5 South, Range 27 East, St. Johns County, Florida, being more particularly described as follows: BEGIN at the Northeast corner of Fruit Cove Woods, as recorded in Map Book 13, Page 96, of the Public Records of said County, lying on the Easterly right-of-way line of Big Lige Avenue (a 60 foot right-of-way as now established); thence South 05°41'33" West along last said line, 532.09 feet, to a point here and after referred to as Reference Point "A"; thence return to the POINT OF BEGINNING; thence North 84°17'00" West along the Northerly line of said Fruit Cove Woods, 369.76 feet to the Easterly line of Fruit Cove Woods Unit Two as recorded in Map Book 15, Pages 87, 88 and 89 of the Public Records of said County; thence North 08°40'00" West, along last said line, 971.65 feet to the Southerly line of Cunningham Creek Two, as recorded in Map Book 17, Pages 63 and 64, of the Public Records of said County; thence North 81°21'24" East, along last said line, 878.84 feet to the Easterly line of said Cunningham Creek Two; thence North 03°51'44" East, along last said line, 1464 feet more or less to the centerline of Cunningham Creek; thence Easterly along the meanderings of said Cunningham Creek, 1037 feet more or less to its intersection with Big Lige Branch; thence Southerly and Southwesterly along the meanderings of said Big Lige Branch, 4033 feet more or less to its intersection with a line bearing North 88°55'28" East from said Reference Point "A"; thence South 88°55'28" West, along last said line, 255 feet more or less to said Reference Point "A" and to close.

CERTIFICATE OF COUNTY ATTORNEY

This is to certify that this plat has been examined and approved by the County Attorney for St. Johns County, Florida, this _____ day of _____ A. D., 1988.

County Attorney

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING DEPARTMENT

The St. Johns County Planning and Zoning Department hereby approves the final plat for Cunningham Creek Unit III.