

RESOLUTION NO. 88-80

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

WHEREAS, DARCY PARTNERSHIP, 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 \_\_\_\_\_ WELLINGTON OAKS - UNIT I and,

WHEREAS, the Owner and Mortgagee have dedicated certain roads, streets, easements, rights-of-way or other areas as shown on the subdivision plat for the uses and purposes thereon stated,

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

Section 1. The above-described subdivision plat is conditionally approved by the Board of County Commissioners of St. Johns County, Florida, subject to Section #6.

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

Section 3. The Construction Bond is set in the amount of \$ 285,000 and shall be submitted to the Clerk of Courts for his approval prior to recording the plat.

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

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

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

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

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

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 22nd day of March, 1988.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hatley  
Its

ATTEST: Lynn M. McDonald  
Deputy Clerk

UPCHURCH, BAILEY AND UPCHURCH, P. A.

ATTORNEYS AT LAW  
501 FIRST UNION BANK BUILDING  
POST OFFICE BOX 170

SAINT AUGUSTINE, FLORIDA 32085-0170

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

FRANK D. UPCHURCH  
(1894-1986)

KEITH R. FOUNTAIN

March 10, 1988

St. Johns County Board of Commissioners  
St. Johns County Administration Building  
State Road 16-A  
St. Augustine, Florida 32084

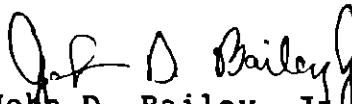
RE: Subdivision Plat of Wellington Oaks, Unit 1

Dear Sirs:

Please be advised that I have caused a search of the title to the real property described in the caption of the above subdivision plat to be made by North Florida Title Company. A copy of the legal description of the real property described in the plat is attached hereto as Exhibit "A". The title search reveals that fee simple title to the subject real property is vested in Darcy Partnership, Ltd., a Florida Limited Partnership subject only to the following:

1. Taxes for the year 1987 and subsequent years.
2. Rights of parties in possession other than the record owner.
3. Any unpaid and unrecorded mechanics or materialmen's liens for labor or materials furnished beginning within ninety (90) days prior to March 3, 1988.
4. Applicable zoning ordinances and regulations.
5. Any state of facts which an accurate survey might show.
6. Any lien or encumbrance placed on record after March 3, 1988 at 5:00 P.M..

Sincerely,

  
John D. Bailey, Jr.

JDB, JR./ksg

## CAPTION

A PARCEL OF LAND LYING IN SECTION 1 AND 12, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING USE THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE NORTH  $2^{\circ}08'04''$  EAST ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1,248.50 FEET; THENCE NORTH  $89^{\circ}41'07''$  EAST ALONG THE SOUTH LINE OF LOTS 88 THROUGH 93 IN UNIT NUMBER 3, ST. AUGUSTINE HEIGHTS, SUBDIVISION, AS RECORDED IN MAP BOOK 10, PAGE 41, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 1,393.08 FEET; THENCE SOUTH  $2^{\circ}08'04''$  WEST A DISTANCE OF 185.09 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ROADWAY FOR INGRESS AND EGRESS; THENCE NORTH  $89^{\circ}46'20''$  EAST 168.76 FEET ALONG SAID NORTH LINE TO THE P.C. OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS, CHORD AND CHORD BEARING OF 820 FEET, 196.82 FEET AND SOUTH  $83^{\circ}20'06''$  EAST; THENCE AROUND THE ARC OF SAID CURVE 197.30 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS, CHORD AND CHORD BEARING OF 25 FEET, 39.43 FEET AND NORTH  $51^{\circ}30'21''$  EAST; THENCE AROUND THE ARC OF SAID CURVE 45.42 FEET TO THE P.T. OF SAID CURVE; THENCE NORTH  $0^{\circ}32'47''$  WEST, 184.73 FEET TO THE SOUTH LINE OF SAID UNIT NO. 3 OF ST. AUGUSTINE HEIGHTS SUBDIVISION; THENCE NORTH  $89^{\circ}41'07''$  EAST 30 FEET TO AN IRON PIPE SET BY LOREN JONES, REGISTERED SURVEYOR NO. 894 ON THE WEST RIGHT-OF-WAY LINE OF KINGS ROAD AS SHOWN ON THE ABOVE REFERENCED PLAT OF UNIT NO. 3 OF ST. AUGUSTINE HEIGHTS SUBDIVISION; THENCE NORTH  $89^{\circ}29'59''$  EAST ACROSS THE SOUTH END OF SAID KINGS ROAD, 60 FEET; THENCE CONTINUE NORTH  $89^{\circ}29'59''$  EAST ON THE SOUTH LINE OF LOT 1, BLOCK 1, KINGS WOODED ACRES AS RECORDED IN MAPBOOK 12, PAGE 42 AND 43, PUBLIC RECORDS OF SAID COUNTY, 30 FEET; THENCE SOUTH  $0^{\circ}32'47''$  EAST, 124.95 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A RADIUS, CHORD AND CHORD BEARING OF 850 FEET, 108.09 FEET, AND SOUTH  $3^{\circ}05'56''$  WEST; THENCE AROUND THE ARC OF SAID CURVE 108.16 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS, CHORD AND CHORD BEARING OF 25 FEET, 32.96 FEET AND SOUTH  $34^{\circ}29'20''$  EAST; THENCE AROUND THE ARC OF SAID CURVE 35.98 FEET TO THE P.T. OF SAID CURVE; THENCE SOUTH  $34^{\circ}19'57''$  WEST ACROSS SAID ROADWAY, 63.56 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS, CHORD AND CHORD BEARING OF 25 FEET, 35.93 FEET AND SOUTH  $59^{\circ}52'10''$  WEST; THENCE AROUND THE ARC OF SAID CURVE 40.08 FEET TO THE P.T. OF SAID CURVE; THENCE NORTH  $67^{\circ}53'59''$  WEST, 78.51 FEET ACROSS THE ROADWAY TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS, CHORD AND CHORD BEARING OF 25 FEET, 33.08 FEET AND NORTH  $33^{\circ}31'14''$  WEST; THENCE AROUND THE ARC OF SAID CURVE 36.15 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS, CHORD AND CHORD BEARING OF 760.0 FEET, 202.12 FEET AND NORTH  $88^{\circ}35'11''$  WEST; THENCE AROUND THE ARC OF SAID CURVE 202.72 FEET TO THE P.T. OF SAID CURVE; THENCE SOUTH  $89^{\circ}46'20''$  WEST, A DISTANCE OF 171.24 FEET; THENCE SOUTH  $14^{\circ}07'54''$  WEST A DISTANCE OF 146.55 FEET; THENCE SOUTH  $4^{\circ}05'08''$  WEST A DISTANCE OF 140.36 FEET; THENCE SOUTH  $12^{\circ}31'43''$  EAST A DISTANCE OF 138.29 FEET; THENCE SOUTH  $28^{\circ}34'27''$  WEST A DISTANCE OF 134.48 FEET TO A POINT ON THE NORTH LINE OF LOT 7, PRAIRIE CREEK III AS RECORDED IN MAPBOOK 14, PAGES 13-15, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH  $89^{\circ}45'01''$  WEST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 50.0 FEET; THENCE SOUTH  $6^{\circ}10'48''$  WEST ALONG THE WEST LINE OF SAID LOT 7 A DISTANCE OF 139.72 FEET; THENCE SOUTH  $59^{\circ}46'41''$  WEST ALONG THE WEST LINE OF SAID LOT 7 A DISTANCE OF 429.56 FEET; THENCE SOUTH  $77^{\circ}07'36''$  WEST ALONG THE NORTH LINE OF LOT 130, PRAIRIE CREEK III RECORDED IN MAPBOOK 13, PAGES 92-95 PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA AND ITS PROJECTION WESTERLY TO THE WEST RIGHT-OF-WAY LINE OF LONE WOLF TRAIL A DISTANCE OF 357.92 FEET; THENCE; SOUTH  $79^{\circ}03'07''$  WEST ALONG THE NORTH LINE OF LOT 88 OF SAID PRAIRIE CREEK III A DISTANCE OF 298.66 FEET; THENCE NORTH  $62^{\circ}47'21''$  WEST A DISTANCE OF 35.45 FEET TO THE NORTHEAST CORNER OF LOT 49, PRAIRIE CREEK II RECORDED IN MAPBOOK 12, PAGES 65-68 PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH  $89^{\circ}33'58''$  WEST ALONG THE NORTH LINE OF SAID LOT 49 A DISTANCE OF 240.0 FEET TO THE POINT OF BEGINNING.