

RESOLUTION NO. 96- 58
RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
APPROVING A SUBDIVISION PLAT FOR
JULINGTON CREEK PLANTATION PARCEL 35 PHASE VI

WHEREAS, Atlantic Gulf Communities Corporation, formerly known as General Development Corporation, a Delaware Corporation and Five-Star Homes, Inc., a Florida Corporation, as Owner, has applied to the Board of County Commissioners of St. Johns County, Florida, for approval to record a subdivision plat know as Julington Creek Plantation Parcel 35, Phase VI.

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

Section 1. The above-described subdivision plat and its dedicated areas depicted thereon are conditionally approved and accepted by the Board of County Commissioners of St. Johns County, Florida subject to Sections 2, 4, and 5.

Section 2. Pursuant to a Settlement Agreement dated April 14, 1992 by and between the Board of County Commissioners of St. Johns County, Florida and Atlantic Gulf Communities Corporation as thereafter amended, the construction of the subdivision improvement shall be assured by the deposit of funds in an escrow account with First Union National Bank of Florida, pursuant to the Escrow Agreement by and among Atlantic Gulf Communities Corporation, First Union National Bank of Florida and the Board of County Commissioners of St. Johns County, Florida, which shall be approved contemporaneously herewith.

Section 3. Pursuant to the Settlement Agreement referenced in Section 2 above, a maintenance fund shall serve as a guarantee against workmanship, construction and materials with respect to the designated subdivision improvements.

Section 4. The approval and acceptance described in Section 1 shall not take effect until the Clerk has received a title opinion, certificate, or policy pertaining to the real property that is the

subject of the aforementioned subdivision plat which opinion, certificate or policy is in a form acceptable to the County Attorney or Assistant County Attorney.

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

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

- a) Chairman or Vice-Chairman of the Board of County Commissioners of St. Johns County, Florida;
- b) Office of the County Attorney;
- c) County Planning and Zoning Department; and
- d) 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 c) above. If the plat is not signed and accepted by the Clerk for recording within 14 days from the date hereof, then the above-described conditional approval shall automatically terminate. If the plat is signed by the Clerk on or before such time, the conditions described herein shall be deemed to have been met.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this
9th day of April, 1996.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: _____

Donald Jordan
Its Chair - Donald Jordan

ATTEST: Carl "Bud" Markel

Juanne Carter

Deputy Clerk