

RESTRICTIVE COVENANTS
FOR
THE OAKS SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the said SPANISH BLUFF DEVELOPERS, INC., a corporation organized and existing under the laws of the State of Florida, is the owner of the hereinafter described property, and

WHEREAS, the said SPANISH BLUFF DEVELOPERS, INC., hereinafter called the owner, is desirous of placing certain restrictive covenants on the use of said property, said property being located in Putnam County, Florida, and more particularly described as follows:

All of the Hanin (or Petty) Grant, Section 46, Township 9 South, Range 27 East, and a part of the John Huertas Grant, Section 48, Township 9 South, Range 27 East, Putnam County, Florida, more particularly described as follows: Begin at the Southwest corner of said Section 46; thence North 86° 0' East along the South line of Section 46, 132 feet to the Southeast corner of said Section 46; thence South 4° 03' 30" East along a Southerly prolongation of the Easterly line of said Section 46, 544.93 feet to the Northwesterly R/W line of State Road #207A; thence North 32° 59' 30" East along said Northwesterly R/W line 697.84 feet to the point of curve of a curve concave Southerly having a radius of 1186.28 feet; thence Northeasterly along and around said curve a chord bearing and distance of North 41° 12' 50" East, 343.33 feet to an intersection with the centerline of the old Palatka and Federal Point Road; thence North 36° 31' 20" East along said centerline 232.45 feet; thence North 66° 19' East along said centerline 309.95 feet; thence South 83° 50' 20" East along said centerline 100.93 feet to the Westerly line of lands described in Deed Book 176, page 38; thence North 15° 09' 30" West along said Easterly line 816 feet more or less to the Southerly edge of the waters of the St. Johns River; thence Westerly along said Southerly edge of said waters 1212 feet more or less to an intersection with the Westerly line of said Section 46; thence South 4° 03' 30" East along said Westerly line 1258 feet more or less to the point of beginning.

NOW, THEREFORE, THESE PRESENTS WITNESSETH: That the owner for and in consideration of the covenants herein contained, and for good and valuable considerations, does herein and hereby covenant and agree, for its successors, assigns and legal representatives, the following covenants and restrictions are hereby placed upon the said property as above described:

THIS INSTRUMENT WAS PREPARED BY
RONALD L. CLARK, ATTORNEY
625 S. JOHNS AVENUE
PALATKA, FLORIDA

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 2001, at which time said covenants shall be automatically extended for successive periods of ten (10) years unless by vote of majority of the then owners of the lots it is agreed to change said covenants in whole or in part.

If the parties, hereby, or any of them, or their heirs, or assignees shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing to recover damages or other dues for such violations.

SPANISH BLUFF DEVELOPERS, INC., may re-subdivide or re-plat any lot or lots shown on said plat in any way it sees fit, provided that no residence shall be erected upon or allowed to occupy any such re-platted or re-subdivided lot or lots or fractional part or parts thereof unless such re-platted or re-subdivided lot or lots or fractional part or parts thereof have an area of not less than 7,500 square feet, and the restrictions herein contained, in case of such re-platting or re-subdividing shall apply to each lot as so re-platted or re-subdivided.

Invalidation of any one of these covenants by judgment or court order shall in no wise effect any of the other provisions shall remain in full force and effect.

1. All lots in the tract shall be known and described as residential lots. No structure shall be erected, altered, placed or

permitted to remain on any residential building plot other than one detached duplex or single-family dwelling, not to exceed two and one-half stories, in height and a private garage for not more than two cars.

2. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

3. No trailer, mobile home, modular home, basement, tent shack, garage, barn or other out-building erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

4. No dwelling shall be permitted on any lot where the living area is less than 1,400 square feet excluding garages, patios and porches.

5. An easement is reserved for utility installation and maintenance as indicated on the recorded plat. The use of this easement for electrical and gas service shall be restricted against high voltage or high pressure lines not customarily installed in residential areas.

6. These restrictive covenants shall run with the land and any conveyance of said lots shall make said restrictive covenants a part of such conveyance by apt words or reference.

7. When any of such lots shall be for sale, only one "For Sale" sign will be permitted for each lot and this sign shall be no larger than five (5) square feet in size.

8. All residential structures to be placed on any building plot shall conform in design and exterior appearance to the general character of the neighborhood. A plat approval committee is hereby established as ROBERT W. BROWNING, GUERARD BOND and W. M. PAGE, JR. After January 1, 1978, three members may be selected to constitute the plan approval committee by a majority of the then owners of the lots in said subdivision to serve for succeeding five-year terms.

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Should such committee be elected, notice of those so serving shall be recorded in the Office of the Clerk of the Circuit Court of Putnam County, Florida. Plans for any new residential structure shall be submitted to the plan approval committee for its approval. Within ten (10) days of the submission of these plans, the committee shall grant its approval or shall refuse to grant such approval stating the reason therefore.

9. No cattle, swine, horses, goats or poultry, or dogs which by barking, howling or otherwise, disturb the quiet of the neighborhood, shall be kept on any of said lots. No trash, garbage, ashes or other refuse shall be thrown or dumped on any street or vacant lots in said subdivision or adjacent thereto. All garbage cans, pumps, fuel oil tanks, gas tanks or other storage tanks shall be hidden from sight behind suitable planters or shall be placed in any underground receptacle.

10. There shall be no chain link fences allowed on the said property and only fences permitted will be those structures acceptable for "dog runs".

11. The easements reserved for utility installation and maintenance as indicated on the recorded plat are to SPANISH BLUFF DEVELOPERS, INC., and shall not pass from SPANISH BLUFF DEVELOPERS, INC., by its deed conveying any of said lots, but shall exist and continue only in SPANISH BLUFF DEVELOPERS, INC., its successors and assigns, reserves for its use, or any assignees, the right to furnish utility service to the lot owners and a perpetual easement and right in and to, over and under any and all drives, roads, streets, lanes and easements as shown on said plat for the installation, maintenance and operation, exclusively by said owner, its successors, and assigns, of water and sewerage and reserves the right to grant to public utilities the right to use said drives, roads, streets, lanes and easements for such public utilities as will not interfere with the private rights therein.

12. No trees measuring 12 inches or more in diameter at a point two (2) feet above ground level may be removed without the written approval of the Company, unless located within ten (10) feet of the main dwelling or accessory building or within ten (10) feet of the approved site for such building.

13. Until January 1, 1978, SPANISH BLUFF DEVELOPERS, INC., reserves unto itself the right to release at any time of the property in the above named subdivision from any minor violations of the foregoing restrictions. Thereafter, minor violations of the foregoing restrictions may only be released by the plan approval committee referred to in Paragraph 8 hereof. A minor violation is one which does not exceed Ten (10%) per-cent of the stated amounts in Paragraph 4 above.

14. It shall be the responsibility of each lot owner to prevent the development of any unclean, unsightly or unkept conditions of building or grounds on such lot which shall tend to substantially decrease the beauty of the neighborhood as a whole or the specific area.

15. Each lot owner shall provide receptacle for garbage in a screened area not generally visible from the road, or provide underground garbage receptacles or similar facility in accordance with reasonable standards established by the Company.

16. No lot shall be subdivided, or its boundary lines changed, except with the written consent of the Company. However, the Company hereby expressly reserves to itself, its successors, or assigns, the right to replat any lot or lots shown on the plat of any said subdivision in order to create a modified building lot or lots; and to take such other steps as are reasonably necessary to make such replatted lot suitable and fit as a building site to include, but not be limited to, the relocation of easements, walkways, rights of way, roads, bridges, parking, and other amenities to conform to the new boundaries of said replatted

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lots, provided that no lot originally shown on a recorded plat is reduced to a size more than ten (10) percent smaller than the smallest lot shown on the first plat of the subdivision section recorded in the public records.

17. That each owner shall become a member of the "Home Owners Association" of its designated name in order to set down the guidelines for perpetual care of the dock, nature trails, walkways, and overall beauty for the health, safety and welfare of the residents.

EXECUTED at Palatka, Putnam County, Florida, this 10th day of April, A.D. 1974.

SPANISH BLUFF DEVELOPERS, INC.

By *[Signature]*
Its President

Attest: *[Signature]*
Secretary

In our presence as witnesses:
Alice B. Radcliff
[Signature]

STATE OF FLORIDA
COUNTY OF PUTNAM

I HEREBY CERTIFY, that on this 10th day of April, 1974,
before me personally appeared, ROBERT W. BROWNING, President, and
W. M. Page, Jr., Secretary respectively of SPANISH BLUFF
DEVELOPERS, INC., a corporation under the laws of the State of Florida,
to me known to be the persons described in and who executed the fore-
going Restrictive Covenants 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.

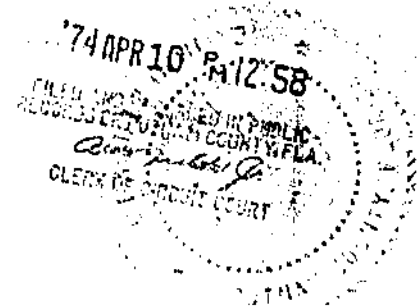
WITNESS my signature and official seal at Palatka, Florida,
in the County of Putnam and State of Florida, the day and year last
aforesaid.



W. M. Page, Jr.
Notary Public

My commission expires:
4-25-76

B 53180



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RWO/SIO/TWO 68-7-120

ER No. _____

Pole No. _____

FILED AND RECORDED IN PUBLIC
Section 46, 48 ST. JOHNS COUNTY, FLA.
Township 9 South
Range 27 East 1ST CIRCUIT COURT

127 1974

FLORIDA POWER & LIGHT COMPANY
Miami, Florida

Gentlemen:

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 licensees, agents, successors, and assigns, an easement 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 size of and remove such facilities or any of them, on the property described as follows: A sub-division known as "The Oaks", being a part of Section 46 and 48, Township 9 South, Range 27 East and more particularly described as follows:

Begin at the Southwest corner of said Section 46, thence North 86° 04' East along the South line of Section 46, 132 feet to the Southeast corner of said Section 46; thence South 4° 03' 30" East along a Southerly prolongation of the Easterly line of said Section 46, 644.93 feet to the Northwesterly R/W line of State Road #207A; thence North 32° 53' 30" East along said Northwesterly R/W line 697.84 feet to the point of curve of a curve concave Southerly having a radius of 1186.28 feet; thence Northeasterly along and around said curve a chord bearing and distance of North 41° 12' 50" East, 343.40 feet to an intersection with the centerline of the old Palatka and Federal Point Road; thence North 38° 43' 30" East along said centerline (cont'd over) and, to the fullest extent the undersigned has the power to grant, if at all, over, along and under the roads, streets or highways adjoining or through said property.

The following rights are also granted to allow any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the right of way and to operate the same for communications purposes; to 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.

IN WITNESS WHEREOF, the undersigned have signed and sealed this agreement on June 27, 1974, 19 74.

Signed, sealed and delivered in the presence of:

Elizabeth A. Craig

(Corporate Seal)

SPANISH CLIFF DEVELOPERS, INC.

By: *Robert Brown*

PRESIDENT

Attest: _____
SECRETARY

STATE OF FLORIDA AND COUNTY OF Duval

I HEREBY CERTIFY that before me, personally appeared Robert W. Browning, respectively, _____ President and _____ Secretary of _____

a Corporation, organized under the Laws of the State of Florida, to me known to be the persons described in and who executed the foregoing instrument, 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 that said instrument is the act and deed of said corporation.

WITNESS my hand and official seal in said County and State this 27th day of June, 1974.

My commission expires: Sept. 20, 1975

Donald Wilson

Notary Public, State of Florida at Large

This Instrument Prepared By
WYLIE E. MITCHELL
FLORIDA POWER & LIGHT COMPANY
P. O. Box 859, Palatka, Fla. 32077

030
0055
1-1-0
MAY 1974

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Easement Continued

232.45 feet; thence North 66° 19' East along said centerline
309.95 feet; thence South 83° 50' 20" East along said centerline 101.87 feet
to the Westerly line of lands described in Deed Book 176 page 38; thence North 15°
09' 30" West along said Westerly line 817 feet more or less to the Southerly edge
of the waters of the St. Johns River, thence Westerly along said Southerly edge of
said waters 1212 feet more or less to an intersection with the Westerly line of
said Section 46, thence South 4° 03' 30" East along said Westerly line 1248 feet
more or less to the point of beginning; Containing 34 acres more or less.
All lands lying and being in Putnam County, Florida.

The easement herein granted is specifically shown and described on Florida
Power and Light Company Drawing No. 1, dated 2-22-74, marked Exhibit "A"
attached hereto and made a part hereof.

B 57272

Florida Power & Light

14-00 .30 .55

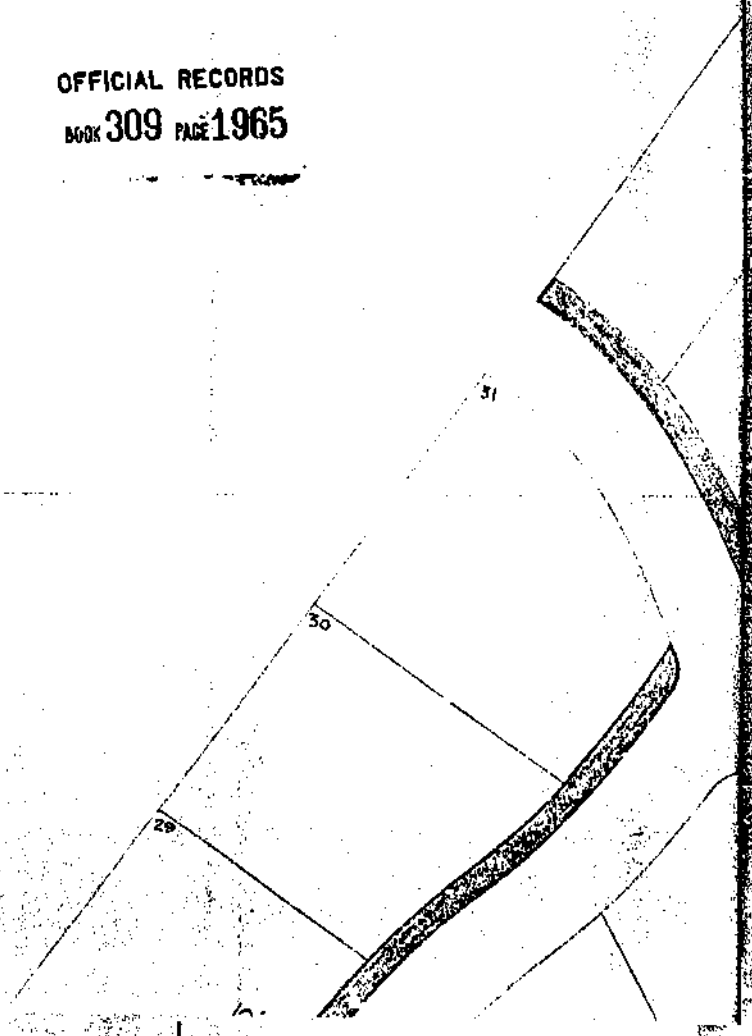
STATE OF FLORIDA

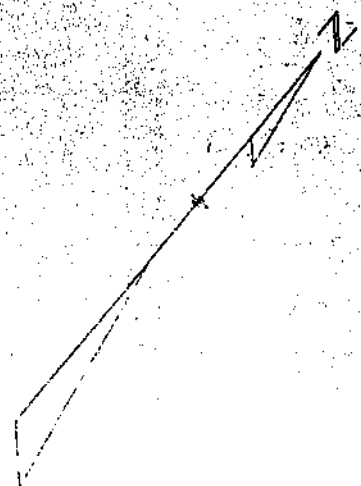
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FILED AND RECORDED IN PUBLIC
RECORDS OF PUTNAM COUNTY, FLA.

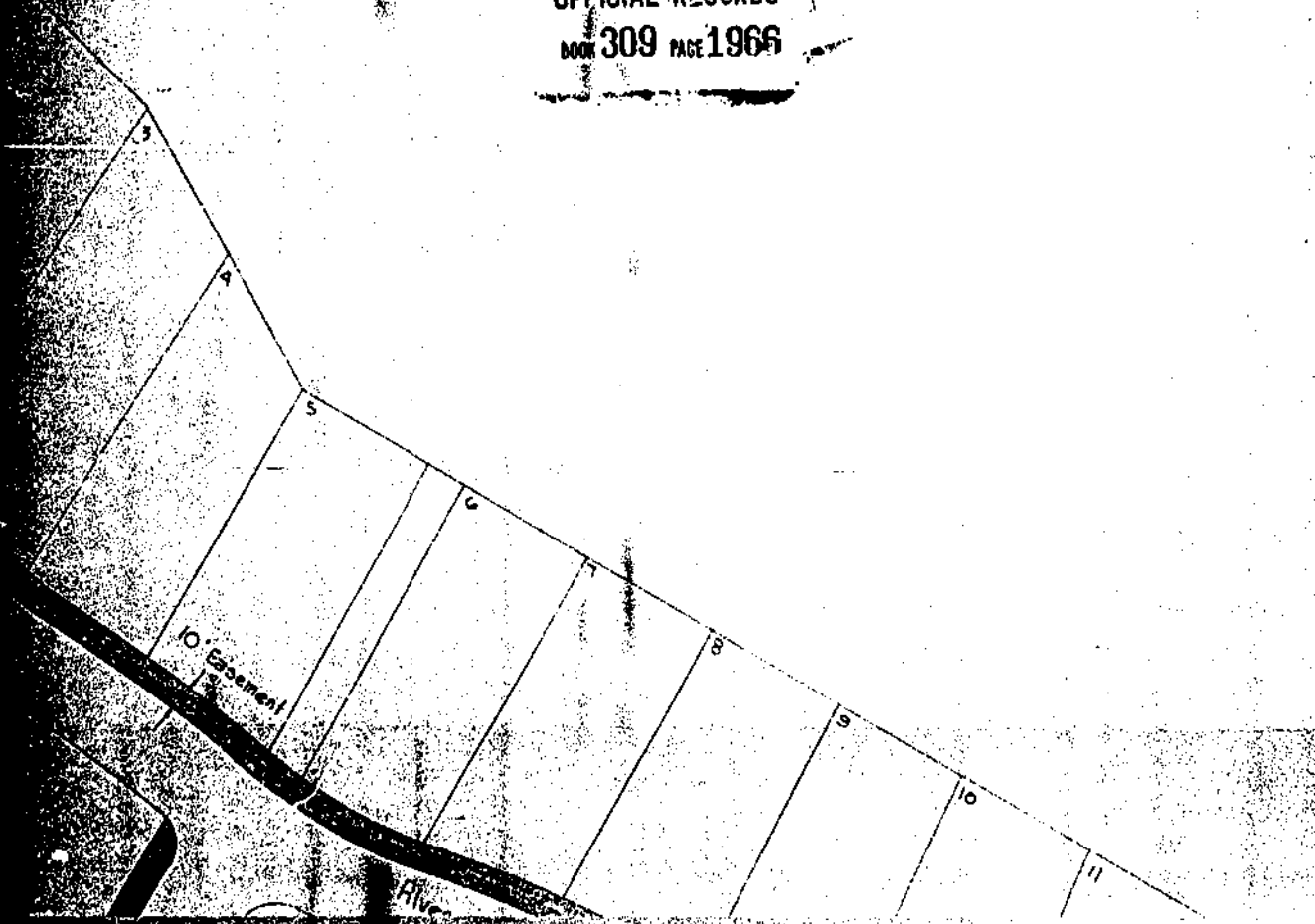
Over
CLERK OF CIRCUIT COURT

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