

CT 1111

Printed for Lawyers' Title Guaranty Fund, Orlando, Florida

REF. 804 PAGE 605

This instrument was prepared by:

JOHN X. FOLSOM
of the Law Office of
FOLSOM and STEINMEYER, P.A.
122 South Calhoun Street
TALLAHASSEE, FLORIDA 32301

Guaranty Bond

(STATUTORY FORM-SECTION 689.02 F.S.)

This instrument, Made this 27th day of August, 1976, Between

NEW CONSTRUCT, INC., a Florida corporation,
of the County of LEON, State of FLORIDA, grantor*, and

DEVFON INVESTMENTS, a Florida general partnership comprised of
ROALD J. LIPPON and ROGER D. DYER,
whose post office address is 205 South Adams Street, Tallahassee,
of the County of LEON, State of FLORIDA, grantee*.

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

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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 grantee's heirs and assigns forever, the following described land, situate, lying and being in LEON County, Florida, to-wit:

See Attached Exhibit A for a description of the property hereby conveyed;

GRANTING ALSO to the Grantee a non-exclusive easement for ingress and egress over and across the tracts described in attached Exhibit B, for and RESERVING to the Grantor an easement for ingress, egress and for drainage over and across said tracts of land, which also includes the right to construct and pave roads over said easements, construct drainage ditches, and to convey easements to others over said property, provided that only the easement described as Tract 1 in Exhibit B may be paved; SUBJECT to Restrictive Covenants contained in attached Exhibit C, which are hereby imposed on the property hereby conveyed and which shall be run with the land and be binding on the Grantee, its successors and assigns;

SUBJECT ALSO to taxes for the year 1976 and thereafter;

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.

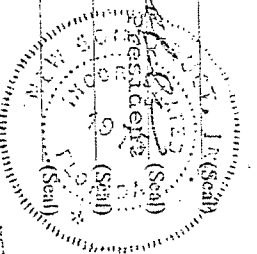
*"Grantor" and "grantee" are used for singular or plural, as context requires.

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:

John K. Johnson
Maria J. Smith

RECORDED IN THE PUBLIC RECORDS OF LEON CO. FLA. NEW CONSTRUCT, INC.
BY: *Charles S. Coble* CHARLES S. COBLE, President (Seal)
AUG 30 2 52 PM 1976

ALTHEA L. HARTSFIELD NOTED
PAUL E. HARTSFIELD
CLERK OF CIRCUIT COURT

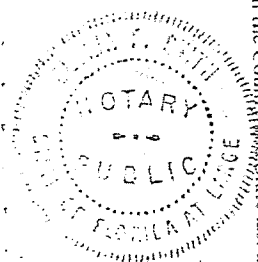


STATE OF FLORIDA
COUNTY OF LEON
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared CHARLES S. COBLE, as President of NEW CONSTRUCT, INC., a Florida corporation, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.
WITNESS my hand and official seal in the County and State last aforesaid this 27th day of August, 1976.

Maria J. Smith
Notary Public

My commission expires: 11-4-79

Nelley Public, State of Florida at Largo.
My Commission Expires Nov. 4, 1979.



OFF: 804 PAE605

Edward S. Butler & Associates

PROFESSIONAL LAND SURVEYORS

1109 W. THARPE STREET
TALLAHASSEE, FLORIDA 32303
(904) 395-5013

P. O. BOX 1011
QUINCY, FLORIDA 32351
(904) 627-9754

June 23, 1976

LAKE JAMIE TRACT

Commence at the Southeast Corner of Section 23 Township 2 North Range 1 East Leon County, Florida, and run thence West 1244.57 feet to the Northeast Corner of Killlearn Acres Unit No. 7, a subdivision as per map or plat thereof recorded in Plat Book 6, page 6 of the Public Records of Leon County, Florida; thence West 1255.50 feet; thence North 89 degrees 09 minutes 57 seconds West 950.29 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue North 89 degrees 09 minutes 57 seconds West 941.00 feet; thence South 87 degrees 00 minutes 49 seconds West 20.00; thence North 02 degrees 59 minutes 11 seconds West 193.01 feet to a point of curve to the left; thence Northwesterly along said curve with a radius of 214.49 feet through a central angle of 85 degrees 59 minutes 49 seconds for an arc distance of 321.93 feet. Thence North 88 degrees 59 minutes 00 seconds West 680.37 feet to the Easterly right-of-way boundary of an 80.00 foot county road known as Velda Dairy Road; thence North 01 degrees 01 minutes 00 seconds East along said Easterly right-of-way boundary 465.30 feet; thence leaving said Right-of-way boundary run South 88 degrees 59 minutes 00 seconds East 390.00 feet; thence North 05 degrees 18 minutes 37 seconds East 467.44 feet; thence South 88 degrees 59 minutes 00 seconds East 239.55 feet to a point of curve to the right; thence Southeasterly along said curve with a radius of 1203.83 feet through a central angle of 89 degrees 49 minutes 03 seconds for an arc distance of 1887.14 feet to the end of said curve; thence South 00 degrees 50 minutes 03 seconds West 119.10 feet to the POINT OF BEGINNING.

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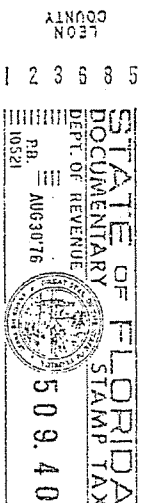
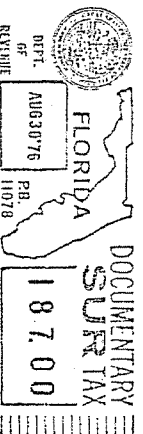


EXHIBIT A

TRACT #1:

Commence at the Southeast Corner of Section 23 Township 2 North Range 1 East Leon County, Florida and run thence West 1244.57 feet to the Northeast Corner of Killlearn Acres Unit No. 7, a subdivision as per map or plat thereof recorded in Plat Book 6, page 6 of the Public Records of Leon County, Florida, thence West 1255.50 feet; thence North 89 degrees 09 minutes 57seconds West 1891.29 feet; thence South 87 degrees 00 minutes 49 seconds West 20.00 feet; thence North 02 degrees 59 minutes 11 seconds West 120.88 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 43 degrees 06 minutes 49 seconds East 224.82 feet to a point in Lake Jamie, thence North 46 degrees 53 minutes 11 seconds West 20.00 feet; thence South 43 degrees 06 minutes 49 seconds West 205.57 feet; thence South 02 degrees 59 minutes 11 seconds West 27.76 feet to the POINT OF BEGINNING.

TRACT #2:

Commence at the Southeast Corner of Section 23 Township 2 North Range 1 East Leon County, Florida, and run thence West 1244.57 feet to the Northeast Corner of Killlearn Acres Unit No.7, a subdivision as per map or plat thereof recorded in Plat Book 6, page 6 of the Public Records of Leon County, Florida; thence West 1255.50 feet; thence North 89 degrees 09 minutes 59 seconds West 1891.29 feet; thence South 87 degrees 00 minutes 49 seconds West 20.00 feet; thence North 02 degrees 59 minutes 11 seconds West 120.88 feet to a point of curve to the left; thence Northwesterly along said curve with a radius of 214.49 feet through a central angle of 85 degrees 59 minutes 49 seconds for an arc distance of 321.93 feet; thence North 89 degrees 59 minutes 00 seconds West 680.37 feet to the Easterly right-of-way boundary of an 80.00 foot county road known as Velda Dairy Road; thence North 01 degrees 01 minutes 00 seconds East along said Easterly right-of-way boundary 465.30 feet; thence leaving said right-of-way boundary run South 88 degrees 59 minutes 00 seconds East 390.00 feet; thence North 05 degrees 18 minutes 37 seconds East 467.44 feet; thence South 88 degrees 59 minutes 00 seconds East 239.55 feet to a point of curve to the right; thence Southeasterly along said curve with a radius of 1203.83 feet through a central angle of 12 degrees 30 minutes 36 seconds for an arc distance of 262.85 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue along said curve with a radius of 1203.83 feet through a central angle of 00 degrees 57 minutes 08 seconds for an arc distance of 20.01 feet; thence South 13 degrees 07 minutes 23 seconds West 361.43 feet to a point in Lake Jamie, thence North 66 degrees 52 minutes 37 seconds West 20.00 feet; thence North 13 degrees 07 minutes 23 seconds East 361.75 feet to the POINT OF BEGINNING.

TRACT #3:

Commence at the Southeast Corner of Section 23 Township 2 North Range 1 East Leon County, Florida, and run thence West 1244.57 feet to the Northeast Corner of Killlearn Acres Unit No. 7, a subdivision as per map or plat thereof recorded in Plat Book 6, page 6 of the Public Records of Leon County, Florida; thence West 1255.50 feet; thence North 89 degrees 09 minutes 59 seconds West 1891.29 feet; thence South 87 degrees 00 minutes 49 seconds West 20.00 feet; thence North 02 degrees 59 minutes 11 seconds West 193.01 feet to a point of curve to the left thence North-westerly along said curve with a radius of 214.49 feet through a central angle of 85 degrees 59 minutes 49 seconds for an arc distance of 321.93 feet; thence North 89 degrees 59 minutes 00 seconds West 680.37 feet to the Easterly right-of-way boundary of an 80.00 foot county road known as Velda Dairy Road; thence North 01 degrees 01 minutes 00 seconds East along said Easterly right-of-way boundary 465.30 feet; thence leaving said right-of-way boundary run South 88 degrees 59 minutes 00 seconds East 390.00 feet; thence North 05 degrees 18 minutes 37 seconds East 467.44 feet; thence South 88 degrees 59 minutes 00 seconds East 239.55 feet to a point of curve to the right; thence Southeasterly along said curve with a radius of 1203.83 feet through a central angle of 25 degrees 00 minutes 24 seconds for an arc distance of 525.42 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue along said curve with a radius of 1203.83 feet through a central angle of 01 degrees 02 minutes 09 seconds for an arc distance of 21.45 feet; thence South 49 degrees 45 minutes 09 seconds West 389.84 feet to a point in Lake Jamie; thence North 30 degrees 14 minutes 51 seconds West 20.00 feet; thence North 49 degrees 45 minutes 09 seconds East 38127 feet to the POINT OF BEGINNING.

Containing in the aggregate 37.35 acres more or less. Less and except 3.33 acres more or less in Lake Jamie. Net acreage being 34.02 acres more or less.

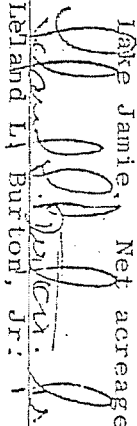

Ireland L. Burton, Jr.
Registered Land Surveyor
Florida Certificate #2400

EXHIBIT B
continued

REC-804 PAGE 609

Richard S. Burton & Associates

PROFESSIONAL LAND SURVEYORS

P. O. BOX 1011
QUINCY, FLORIDA 32351
(904) 627-9754

August 11, 1976

Roadway Easement
Lake Jamie Tract

1109 W. THARPE STREET
TALLAHASSEE, FLORIDA 32303
(904) 385-8013

A 40.00 foot wide easement lying 20.00 feet each side of the following described centerline;

Commence at the Southeast Corner of Section 23 Township 2

North Range 1 East Leon County, Florida, and run;

Thence West 1244.57 feet to the Northeast Corner of Killbarrn

Acres Unit No. 7, a subdivision as per map or plat thereof recorded in Plat Book 6, page 6 of the Public Records of Leon County, Florida;

Thence West 1255.50 feet;

Thence North 89 degrees 09 minutes 57 seconds West 1891.29 feet;

Thence South 87 degrees 00 minutes 49 seconds West 20.00 feet

to the POINT OF BEGINNING;

From said POINT OF BEGINNING run thence North 02 degrees 59

minutes 11 seconds West 193.01 feet to a point of curve to the left;

Thence Northwesterly along said curve with a radius of 214.49 feet

through a central angle of 85 degrees 59 minutes 49 seconds for an

arc distance of 321.93 feet;

Thence North 89 degrees 59 minutes 00 seconds West 680.37 feet

to the termination of said centerline at the Easterly Right-of-Way

boundary of an 80.00 foot county road known as Velda Dairy Road.

ALSO:

A 10.00 foot easement lying 20.00 feet each side of the following described centerline:

Commence at the Southeast Corner of Section 23 Township 2

North Range 1 East Leon County, Florida, and run;

Thence West 1244.57 feet to the Northeast Corner of Killbarrn

Acres Unit No. 7, a subdivision as per map or plat thereof recorded in Plat Book 6, page 6 of the Public Records of Leon County, Florida;

Thence West 1255.50 feet;

Thence North 89 degrees 09 minutes 57 seconds West 950.29 feet

to the POINT OF BEGINNING;

From said POINT OF BEGINNING run thence North 00 degrees 50 minutes

03 seconds East 119.10 feet to a point of curve to the left;

Thence along said curve with a radius of 1203.83 feet through

a central angle of 89 degrees 49 minutes 03 seconds for an arc

distance of 1887.14 feet;

Thence North 88 degrees 59 minutes 00 seconds West 664.55 feet

to the termination of said centerline at the Easterly Right-of-Way

boundary of an 80.00 foot county road known as Velda Dairy Road.

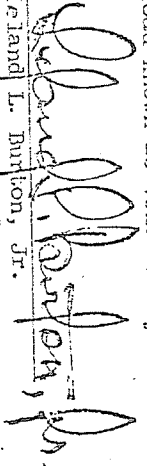

Richard S. Burton, Jr.
Professional Land Surveyor
Florida Certificate No. 2400

EXHIBIT B
continued

RESTRICTIONS

1. No building, fence, wall or other structure shall be commenced, erected, or maintained upon said real estate, nor shall any exterior addition to or change or alteration thereon be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structure and topography by an Architectural Control Committee composed of Leo Crutchfield or such person or persons designated by him. The Architectural Control Committee shall have the absolute and exclusive right to refuse to approve any such building plans and specifications and lot grading and landscaping plans which are not suitable or desirable in its opinion for any reason, including purely aesthetic reasons and reasons connected with future development plans of the developer of said land or contiguous lands. Such building plans and specifications shall consist of not less than the following: foundation plans, floor plans of all floors, section details, elevation drawings of all exterior walls, roof plan and plot plan showing location and orientation of all buildings and other structures and improvements proposed to be constructed on the building plot, with all building restriction lines shown. In addition, there shall be submitted to the Architectural Control Committee for approval such samples of building materials proposed to be used as the Architectural Control Committee shall specify and require.
2. No noxious or offensive 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 structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used at any time as a residence, either temporarily or permanently.
4. Said property shall be used for residential purposes only.
5. The Grantee and/or his successor in title agrees to pay the pro rata costs of maintaining the road adjacent to and contiguous to the above property. Said pro rata share shall be ascertained by the number of feet of said property fronting on such road. Should the Grantee or his successor in title fail to pay such paving or maintenance costs, the Grantor shall have a lien on the above property for the amount of such costs, which lien may be enforced by foreclosure by the Architectural Control Committee or by an action at law, and the Architectural Control Committee, in any such legal proceeding, shall be entitled to costs incurred, including a reasonable attorney's fee.
6. Grantee covenants for himself and his successor in title that if and when a homeowners' association is formed relating to contiguous property in Section 23, Township 2 North, Range 1 East, he will join such homeowners' association.
7. No outboard motor shall be used on any lake or pond on which said property abuts or which is contiguous to said property.
8. Said land shall not be subdivided into lots of less than one acre.

EXHIBIT C

FOI.SOM
E. STEINMEYER, P.A.
ATTORNEYS AT LAW
122 S. CALHOUN ST.
TALLAHASSEE, FLA.