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INSTR # 200418673
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RECORDED 05/28/2004 12:11:53 PM
J. M. OXLEY JR
CLERK OF CIRCUIT COURT
NASSAU COUNTY, FLORIDA
RECORDING FEES 33.00

Prepared By and Return To:

Leonardo J. Maiman, Esquire
AKERMAN SENTERFITT, ATTORNEYS AT LAW
Suite 2500, Bank of America Center
50 North Laura Street
Jacksonville, FL 32202

Rev 33.00

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT ("Declaration") is made and entered into this 7th day of May, 2004, by **NASSAU HIDEAWAY, LLC, a Florida limited liability company** having a mailing address of 1325 Atlantic Avenue, Fernandina Beach, FL 32034 ("Hideaway") in favor of **HIDEAWAY DEVELOPMENT, LLC, a Florida limited liability company** ("HDLLC") having a mailing address of 5472 First Coast Highway, Suite 6, Amelia Island, FL 32034

WITNESSETH:

WHEREAS, Hideaway is the owner of the parcel of land more particularly described on **Exhibit A** attached hereto and made a part hereof ("Restricted Parcel"); and

WHEREAS, HDLLC is the owner of the parcel of land more particularly described on **Exhibit B** attached hereto and made a part hereof ("HDLLC Parcel"); and

WHEREAS, HDLLC desires Hideaway to restrict the uses permitted upon Restricted Parcel and Hideaway agrees to so restrict the uses permitted upon Restricted Parcel;

WHEREAS, the parties hereto desire to set forth their understanding in this Agreement.

NOW, THEREFORE, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the covenants herein contained Hideaway, intending to be legally bound, hereby agrees as follows:

1. **USE RESTRICTION.** No portion of the Restricted Parcel shall be occupied or used, in whole or in part, directly or indirectly for the purpose of operating any of the following: a pool hall, a commercial dance hall, a dance club, a liquor store or liquor package store selling any alcoholic beverages for on-site or drive-in sales or for sales of alcoholic beverages for off site consumption, any display or sale of adult magazines, adult entertainment or novelty items, adult entertainment performances or the sale of pornographic materials or other similar uses.

2. **DEFAULT.** In the event of any breach of this Agreement by Hideaway, HDLLC shall be entitled to all legal remedies including, without limitation, injunctive relief. In the event any litigation is instituted to enforce the restrictions herein contained, the prevailing party shall be entitled to all costs and reasonable attorney fees through all trial and appellate levels.

3. **NOTICES.** Any notices required or permitted under this Declaration shall be in writing and shall be deemed delivered when mailed, postage prepaid, by registered or certified mail, return receipt requested, or when deposited with a nationally recognized overnight delivery

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33.00
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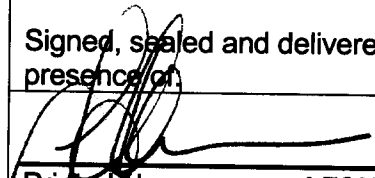
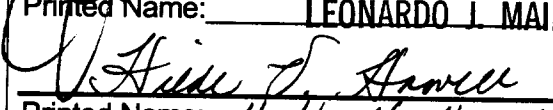
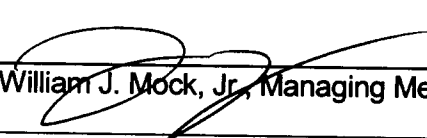
NE04-100560

service, e.g.: Federal Express, Purolator, Express Mail, etc., addressed to the respective parties at the respective addresses set forth in this Declaration.

4. **BINDING EFFECT.** The restriction herein imposed upon Restricted Parcel is appurtenant to and shall run with the land such that the terms and provisions hereof shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. In the event of a transfer of the fee simple title to Restricted Parcel, the Hideaway thereof shall be bound by this Declaration and HDLLC, as the case may be, shall be released from all further obligation hereunder.

5. **AMENDMENT.** The provisions of this Declaration may not be amended, supplemented, waived or changed orally, but only by a writing signed by all parties having a vested interest in the Restricted Parcel which interest is evidenced by a document recorded among the Public Records in the county where the Restricted Parcel is located.

IN WITNESS WHEREOF, the parties hereto have executed this Declaration as of the day and year first above written.

Signed, sealed and delivered in the presence of:		
 Printed Name: <u>LEONARDO J. MAIMAN</u>  Printed Name: <u>Hilde V. Howell</u>		NASSAU HIDEAWAY, LLC, a Florida limited liability company By:  William J. Mock, Jr., Managing Member

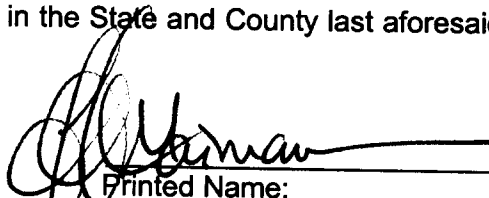
STATE OF FLORIDA
 COUNTY OF DUVAL

I HEREBY CERTIFY that on this day before me, a Notary Public authorized in the State and County named above to take acknowledgments personally appeared WILLIAM J. MOCK, JR., as Managing Member of NASSAU HIDEAWAY, LLC, a Florida liability company, on behalf of the Company, who is personally known to me or who produced _____ as identification and who signed the foregoing instrument as such person, and acknowledged the execution thereof to be his free act and deed as such person for the uses and purposes therein mentioned.

WITNESS my hand and official seal in the State and County last aforesaid this 7th day of May, 2004.



Leonardo J. Maiman
 MY COMMISSION # CC922284 EXPIRES
 July 16, 2004
 BONDED THRU TROY FAIN INSURANCE, INC.

 (SEAL)
 Printed Name: _____
 Notary Public State of Florida at Large
 My Commission Expires: _____
 My Commission No. Is: _____

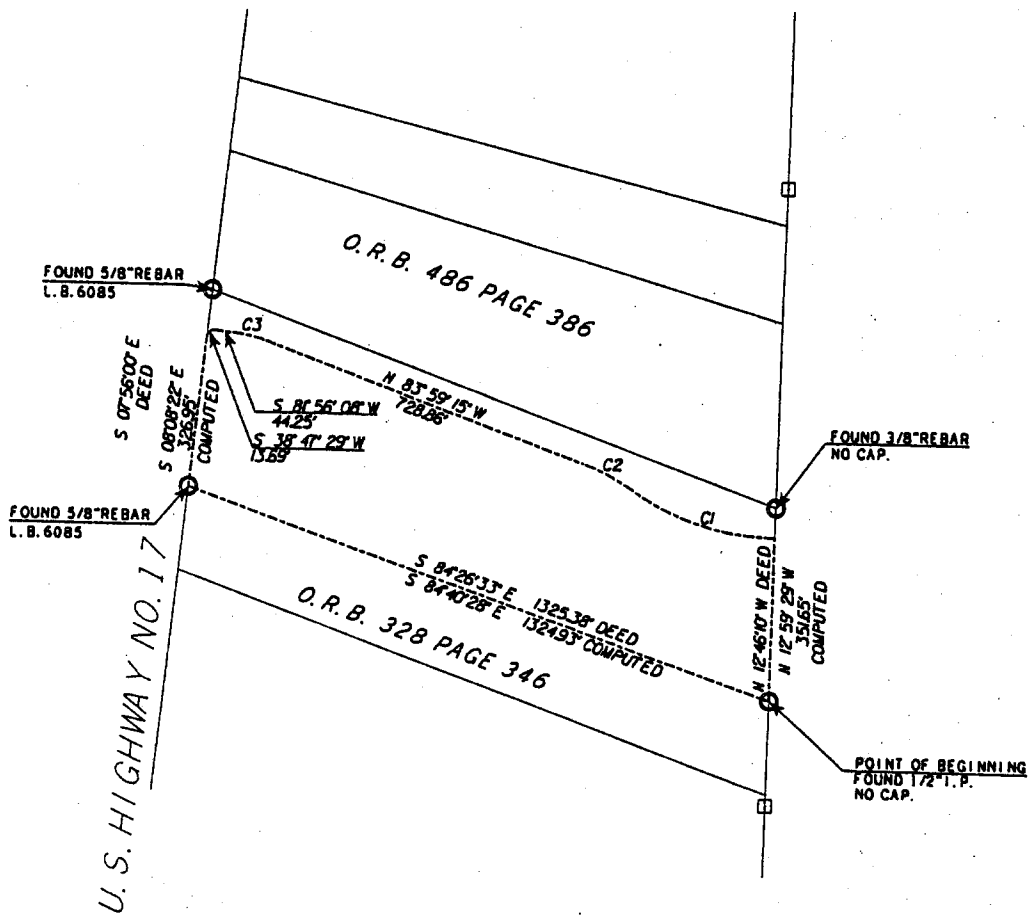
{JA173551;1}

EXHIBIT A

COMMERCIAL PARCEL

A PART OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 10, UNIT 4, YULEE FARMS AS RECORDED IN PLAT BOOK 3, PAGE 32, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 06 DEGREES 03 MINUTES 00 SECONDS EAST, 800.00 FEET; THENCE SOUTH 83 DEGREES 45 MINUTES 20 SECONDS EAST, 1335.65 FEET; THENCE NORTH 12 DEGREES 46 MINUTES 10 SECONDS WEST, 817.32 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 328, PAGE 346, OF THE PUBLIC RECORDS OF SAID COUNTY, AND THE POINT OF BEGINNING; THENCE CONTINUE North 12° 59' 29" West a distance of 351.65 feet to a point on a circular curve concave to the Northeast and having a radius of 530.00 feet and a chord bearing of North 86° 48' 08" West; thence run along the arc of said circular curve through a central angle of 35° 08' 30" for a distance of 325.07 feet to a point on a circular curve concave to the Southwest and having a radius of 470.00 feet and a chord bearing of North 76° 36' 34" West; thence run along the arc of said circular curve through a central angle of 14° 45' 22" for a distance of 121.05 feet; thence North 83° 59' 15" West a distance of 728.86 feet to a point on a circular curve concave to the Southeast and having a radius of 295.00 feet and a chord bearing of South 88° 58' 26" West; thence run along the arc of said circular curve through a central angle of 14° 04' 38" for a distance of 72.48 feet; thence South 81° 56' 08" West a distance of 44.25 feet; thence South 38° 47' 29" West a distance of 13.69 feet TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 (A 75.00 FOOT RIGHT OF WAY); thence South 8° 08' 22" East, ALONG SAID EASTERLY RIGHT OF WAY LINE, a distance of 326.95 feet, to the Northwest corner of lands described in Official Record Book 328, Page 346, of the Public Records of Said County; thence South 84° 40' 28" East along the Northern Boundary of said Official Records Book 328, Page 346, a distance of 1,324.95 feet to the Point of Beginning



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McCranie & Associates, Inc.
88002 CHRISTIAN WAY, SUITE 101, YULEE, FL 32097

THE HIDEAWAY
COMMERCIAL PARCEL
LEGAL DESCRIPTION

FIGURE _

EXHIBIT B

PARCEL 2

A PART OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 10, UNIT 1, YULEE FARMS AS RECORDED IN PLAT BOOK 3, PAGE 32, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 06 DEGREES 03 MINUTES 00 SECONDS EAST, 800.00 FEET; THENCE SOUTH 83 DEGREES 45 MINUTES 20 SECONDS EAST, 1335.65 FEET; THENCE NORTH 12 DEGREES 46 MINUTES 10 SECONDS WEST, 817.32 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 328, PAGE 346, OF THE PUBLIC RECORDS OF SAID COUNTY; AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 12 DEGREES 46 MINUTES 10 SECONDS WEST, 414.88 FEET TO THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 486, PAGES 386, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 83 DEGREES 45 MINUTES 20 SECONDS WEST, ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 486, PAGE 386, OF THE PUBLIC RECORDS OF SAID COUNTY, 1293.31 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 (A 75.00 FOOT RIGHT OF WAY); THENCE SOUTH 07 DEGREES 58 MINUTES 00 SECONDS EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE 420.98 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 328, PAGE 346, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 84 DEGREES 26 MINUTES 33 SECONDS EAST ALONG THE NORTHERLY BOUNDARY OF SAID OFFICIAL RECORDS BOOK 328, PAGE 346, OF THE PUBLIC RECORDS OF SAID COUNTY, 1323.38 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION OF PARCEL DESCRIBED AS FOLLOWS:

COMMERCIAL PARCEL

A PART OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 10, UNIT 1, YULEE FARMS AS RECORDED IN PLAT BOOK 3, PAGE 32, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 06 DEGREES 03 MINUTES 00 SECONDS EAST, 800.00 FEET; THENCE SOUTH 83 DEGREES 45 MINUTES 20 SECONDS EAST, 1335.65 FEET; THENCE NORTH 12 DEGREES 46 MINUTES 10 SECONDS WEST, 817.32 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 328, PAGE 346, OF THE PUBLIC RECORDS OF SAID COUNTY; AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 12° 59' 29" West a distance of 351.65 feet to a point on a circular curve concave to the Northeast and having a radius of 530.00 feet and a chord bearing of North 86° 48' 08" West; thence run along the arc of said circular curve through a central angle of 35° 08' 30" for a distance of 725.07 feet to a point on a circular curve concave to the Southwest and having a radius of 420.00 feet and a chord bearing of North 76° 30' 34" West; thence run along the arc of said circular curve through a central angle of 14° 45' 22" for a distance of 121.05 feet; thence North 83° 59' 15" West a distance of 728.83 feet to a point on a circular curve concave to the Southeast and having a radius of 295.00 feet and a chord bearing of South 82° 58' 26" West; thence run along the arc of said circular curve through a central angle of 14° 04' 38" for a distance of 72.48 feet; thence South 81° 56' 08" West a distance of 44.35 feet; thence South 38° 47' 29" West a distance of 13.59 feet TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 (A 75.00 FOOT RIGHT OF WAY); thence South 8° 08' 22" East, ALONG SAID EASTERLY RIGHT OF WAY LINE, a distance of 325.95 feet to the Northwest corner of lands described in Official Record Book 328, Page 346, of the Public Records of Said County; thence South 24° 40' 28" East along the Northern Boundary of said Official Records Book 328, Page 346, a distance of 1,124.95 feet to the Point of Beginning.

PARCEL 3

A PORTION OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF YULEE SOUTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 224, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 12 DEGREES 54 MINUTES 40 SECONDS EAST, ALONG THE EASTERLY BOUNDARY OF SAID PLAT BOOK 5, PAGE 224, 90.71 FEET TO THE POINT OF BEGINNING; THENCE NORTH 81 DEGREES 55 MINUTES 09 SECONDS EAST, 564.23 FEET; THENCE NORTH 49 DEGREES 31 MINUTES 01 SECONDS EAST, 62.95 FEET; THENCE NORTH 08 DEGREES 32 MINUTES 03 SECONDS WEST, 49.88 FEET; THENCE NORTH 52 DEGREES 07 MINUTES 12 SECONDS EAST, 43.86 FEET; THENCE NORTH 63 DEGREES 48 MINUTES 58 SECONDS EAST, 54.00 FEET; THENCE NORTH 75 DEGREES 34 MINUTES 50 SECONDS EAST, 57.04 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 16 SECONDS EAST, 56.25 FEET; THENCE SOUTH 81 DEGREES 13 MINUTES 56 SECONDS EAST, 39.06 FEET; THENCE NORTH 87 DEGREES 59 MINUTES 50 SECONDS EAST, 60.54 FEET; THENCE SOUTH 81 DEGREES 19 MINUTES 20 SECONDS EAST, 44.06 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES 09 SECONDS EAST, 38.23 FEET; THENCE SOUTH 53 DEGREES 05 MINUTES 24 SECONDS EAST, 95.12 FEET; THENCE SOUTH 81 DEGREES 51 MINUTES 35 SECONDS EAST, 7.53 FEET; THENCE NORTH 03 DEGREES 18 MINUTES 00 SECONDS WEST, 41.48 FEET; THENCE NORTH 54 DEGREES 53 MINUTES 43 SECONDS EAST, 34.31 FEET; THENCE NORTH 23 DEGREES 00 MINUTES 20 SECONDS WEST, 20.34 FEET; THENCE NORTH 13 DEGREES 37 MINUTES 00 SECONDS EAST, 22.01 FEET; THENCE NORTH 55 DEGREES 47 MINUTES 26 SECONDS EAST, 27.10 FEET; THENCE NORTH 64 DEGREES 43 MINUTES 47 SECONDS EAST, 32.83 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 31 SECONDS EAST, 25.00 FEET; THENCE NORTH 75 DEGREES 37 MINUTES 09 SECONDS EAST, 34.09 FEET; THENCE NORTH 85 DEGREES 19 MINUTES 33 SECONDS EAST, 27.17 FEET; THENCE NORTH 83 DEGREES 27 MINUTES 42 SECONDS EAST, 25.18 FEET; THENCE NORTH 49 DEGREES 55 MINUTES 51 SECONDS EAST, 10.30 FEET; THENCE NORTH 80 DEGREES 45 MINUTES 32 SECONDS EAST, 64.03 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 39 SECONDS EAST, 46.87 FEET; THENCE NORTH 78 DEGREES 59 MINUTES 08 SECONDS EAST, 51.00 FEET; THENCE SOUTH 87 DEGREES 00 MINUTES 53 SECONDS EAST, 57.14 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 04 SECONDS EAST, 24.33 FEET; THENCE SOUTH 84 DEGREES 44 MINUTES 03 SECONDS EAST, 57.14 FEET; THENCE SOUTH 75 DEGREES 51 MINUTES 20 SECONDS EAST, 47.17 FEET; THENCE NORTH 78 DEGREES 01 MINUTES 46 SECONDS EAST, 19.31 FEET; THENCE SOUTH 78 DEGREES 54 MINUTES 06 SECONDS EAST, 63.03 FEET; THENCE SOUTH 78 DEGREES 07 MINUTES 03 SECONDS EAST, 22.02 FEET; THENCE SOUTH 54 DEGREES 11 MINUTES 10 SECONDS EAST, 37.55 FEET; THENCE SOUTH 68 DEGREES 29 MINUTES 45 SECONDS EAST, 57.28 FEET; THENCE SOUTH 65 DEGREES 44 MINUTES 08 SECONDS EAST, 45.88 FEET; THENCE SOUTH 98 DEGREES 42 MINUTES 38 SECONDS EAST, 44.27 FEET; THENCE SOUTH 19 DEGREES 31 MINUTES 57 SECONDS EAST, 45.01 FEET; THENCE SOUTH 39 DEGREES 01 MINUTES 42 SECONDS WEST, 44.42 FEET; THENCE SOUTH 07 DEGREES 33 MINUTES 48 SECONDS WEST, 32.65 FEET; THENCE SOUTH 47 DEGREES 57 MINUTES 55 SECONDS EAST, 37.76 FEET; THENCE SOUTH 35 DEGREES 43 MINUTES 55 SECONDS EAST, 36.40 FEET; THENCE SOUTH 28 DEGREES 40 MINUTES 02 SECONDS EAST, 32.19 FEET; THENCE NORTH 84 DEGREES 50 MINUTES 03 SECONDS EAST, 23.77 FEET; THENCE SOUTH 43 DEGREES 53 MINUTES 20 SECONDS EAST, 41.63 FEET; THENCE SOUTH 06 DEGREES 09 MINUTES 35 SECONDS EAST, 33.96 FEET; THENCE SOUTH 17 DEGREES 59 MINUTES 48 SECONDS EAST, 32.02 FEET; THENCE SOUTH 38 DEGREES 59 MINUTES 42 SECONDS WEST, 38.59 FEET; THENCE SOUTH 57 DEGREES 50 MINUTES 01 SECONDS EAST, 29.21 FEET; THENCE SOUTH 03 DEGREES 14 MINUTES 30 SECONDS WEST, 52.71 FEET; THENCE SOUTH 09 DEGREES 46 MINUTES 17 SECONDS WEST, 38.83 FEET; THENCE SOUTH 83 DEGREES 29 MINUTES 14 SECONDS WEST, 49.04 FEET; THENCE SOUTH 60 DEGREES 03 MINUTES 39 SECONDS WEST, 47.80 FEET; THENCE SOUTH 08 DEGREES 28 MINUTES 02 SECONDS WEST, 88.41 FEET; THENCE NORTH 86 DEGREES 02 MINUTES 40 SECONDS WEST, 75.30 FEET; THENCE SOUTH 18 DEGREES 18 SECONDS EAST, 73.98 FEET; THENCE NORTH 80 DEGREES 45 MINUTES 01 SECONDS WEST, 89.25 FEET; THENCE SOUTH 19 DEGREES 13 MINUTES 36 SECONDS EAST, 81.49 FEET; THENCE SOUTH 04 DEGREES 28 MINUTES 32 SECONDS WEST, 24.33 FEET; THENCE SOUTH 38 DEGREES 42 MINUTES 36 SECONDS EAST, 64.90 FEET; THENCE SOUTH 04 DEGREES 45 MINUTES 54 SECONDS EAST, 73.80 FEET; THENCE SOUTH 04 DEGREES 18 MINUTES 06 SECONDS WEST, 49.04 FEET; THENCE SOUTH 01 DEGREES 40 MINUTES 17 SECONDS WEST, 45.33 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 21 SECONDS WEST, 67.89 FEET; THENCE SOUTH 11 DEGREES 34 MINUTES 34 SECONDS WEST, 23.69 FEET; THENCE SOUTH 38 DEGREES 35 MINUTES 24 SECONDS WEST, 49.77 FEET; THENCE SOUTH 38 DEGREES 09 MINUTES 21 SECONDS WEST, 25.72 FEET; THENCE NORTH 49 DEGREES 10 MINUTES 30 SECONDS WEST, 50.08 FEET; THENCE SOUTH 32 DEGREES 05 MINUTES 34 SECONDS WEST, 97.13 FEET; THENCE NORTH 38 DEGREES 03 MINUTES 27 SECONDS WEST, 50.64 FEET; THENCE NORTH 83 DEGREES 01 MINUTES 30 SECONDS WEST, 49.41 FEET; THENCE SOUTH 42 DEGREES 53 MINUTES 33 SECONDS WEST, 98.00 FEET; THENCE SOUTH 25 DEGREES 40 MINUTES 58 SECONDS EAST, 51.24 FEET; THENCE NORTH 79 DEGREES 11 MINUTES 15 SECONDS EAST, 26.50 FEET; THENCE SOUTH 01 DEGREES 53 MINUTES 18 SECONDS EAST, 29.07 FEET; THENCE SOUTH 64 DEGREES 15 MINUTES 46 SECONDS WEST, 30.84 FEET; THENCE SOUTH 12 DEGREES 54 MINUTES 59 SECONDS WEST, 23.02 FEET; THENCE NORTH 81 DEGREES 15 MINUTES 21 SECONDS EAST, 59.08 FEET; THENCE NORTH 61 DEGREES 52 MINUTES 15 SECONDS EAST, 51.66 FEET; THENCE SOUTH 54 DEGREES 28 MINUTES 18 SECONDS EAST, 24.32 FEET; THENCE SOUTH 68 DEGREES 20 MINUTES 40 SECONDS EAST, 55.46 FEET; THENCE SOUTH 11 DEGREES 16 MINUTES 09 SECONDS WEST, 54.41 FEET; THENCE SOUTH 00 DEGREES 26 MINUTES 57 SECONDS WEST, 87.73 FEET; THENCE NORTH 83 DEGREES 08 MINUTES 04 SECONDS EAST, 44.91 FEET; THENCE SOUTH 09 DEGREES 28 MINUTES 18 SECONDS EAST, 69.34 FEET; THENCE SOUTH 78 DEGREES 51 MINUTES 41 SECONDS EAST, 84.40 FEET; THENCE SOUTH 16 DEGREES 24 MINUTES 08 SECONDS EAST, 97.05 FEET; THENCE SOUTH 83 DEGREES 57 MINUTES 14 SECONDS EAST, 38.63 FEET; THENCE NORTH 63 DEGREES 41 MINUTES 10 SECONDS EAST, 53.16 FEET; THENCE SOUTH 37 DEGREES 17 MINUTES 29 SECONDS EAST, 95.43 FEET; THENCE SOUTH 22 DEGREES 50 MINUTES 53 SECONDS EAST, 38.28 FEET; THENCE SOUTH 19 DEGREES 00 MINUTES 35 SECONDS WEST, 14.28 FEET; THENCE NORTH

PARCEL 3 Cont'd)

63 DEGREES 13 MINUTES 42 SECONDS WEST, 64.40 FEET; THENCE SOUTH 65 DEGREES 36 MINUTES 52 SECONDS WEST, 65.31 FEET; THENCE SOUTH 55 DEGREES 43 MINUTES 14 SECONDS WEST, 75.34 FEET; THENCE NORTH 64 DEGREES 16 MINUTES 33 SECONDS WEST, 75.66 FEET; THENCE NORTH 69 DEGREES 37 MINUTES 39 SECONDS WEST, 89.27 FEET; THENCE SOUTH 07 DEGREES 37 MINUTES 39 SECONDS EAST, 90.03 FEET; THENCE SOUTH 42 DEGREES 17 MINUTES 29 SECONDS WEST, 57.71 FEET; THENCE SOUTH 14 DEGREES 19 MINUTES 33 SECONDS EAST, 85.61 FEET; THENCE SOUTH 38 DEGREES 04 MINUTES 54 SECONDS EAST, 53.16 FEET; THENCE SOUTH 19 DEGREES 34 MINUTES 16 SECONDS EAST, 27.02 FEET; THENCE SOUTH 59 DEGREES 29 MINUTES 10 SECONDS EAST, 62.01 FEET; THENCE SOUTH 80 DEGREES 12 MINUTES 55 SECONDS EAST, 57.45 FEET; THENCE SOUTH 02 DEGREES 04 MINUTES 30 SECONDS WEST, 119.10 FEET; THENCE SOUTH 43 DEGREES 45 MINUTES 36 SECONDS EAST, 79.85 FEET; THENCE SOUTH 19 DEGREES 07 MINUTES 23 SECONDS EAST, 105.85 FEET; THENCE SOUTH 18 DEGREES 23 MINUTES 58 SECONDS WEST, 94.83 FEET; THENCE SOUTH 07 DEGREES 41 MINUTES 53 SECONDS EAST, 114.54 FEET; THENCE SOUTH 23 DEGREES 46 MINUTES 15 SECONDS WEST, 96.46 FEET; THENCE SOUTH 14 DEGREES 23 MINUTES 25 SECONDS EAST, 100.36 FEET; THENCE SOUTH 09 DEGREES 05 MINUTES 23 SECONDS EAST, 84.38 FEET; THENCE SOUTH 25 DEGREES 02 MINUTES 17 SECONDS EAST, 82.08 FEET; THENCE SOUTH 06 DEGREES 29 MINUTES 14 SECONDS WEST, 73.98 FEET; THENCE SOUTH 36 DEGREES 57 MINUTES 28 SECONDS WEST, 62.48 FEET; THENCE SOUTH 02 DEGREES 50 MINUTES 52 SECONDS EAST, 80.00 FEET; THENCE SOUTH 09 DEGREES 55 MINUTES 55 SECONDS EAST, 159.13 FEET; THENCE SOUTH 21 DEGREES 47 MINUTES 17 SECONDS EAST, 95.51 FEET; THENCE SOUTH 17 DEGREES 47 MINUTES 11 SECONDS EAST, 77.33 FEET; THENCE SOUTH 06 DEGREES 07 MINUTES 05 SECONDS WEST, 122.72 FEET; THENCE SOUTH 23 DEGREES 31 MINUTES 44 SECONDS EAST, 102.18 FEET; THENCE SOUTH 36 DEGREES 13 MINUTES 20 SECONDS EAST, 81.89 FEET; THENCE SOUTH 13 DEGREES 15 MINUTES 37 SECONDS EAST, 107.91 FEET; THENCE SOUTH 08 DEGREES 12 MINUTES 36 SECONDS EAST, 127.07 FEET; THENCE SOUTH 33 DEGREES 01 MINUTES 09 SECONDS EAST, 75.93 FEET; THENCE SOUTH 42 DEGREES 30 MINUTES 32 SECONDS EAST, 49.34 FEET; THENCE SOUTH 17 DEGREES 41 MINUTES 09 SECONDS WEST, 62.63 FEET; THENCE SOUTH 32 DEGREES 34 MINUTES 17 SECONDS WEST, 73.60 FEET; THENCE SOUTH 28 DEGREES 43 MINUTES 26 SECONDS WEST, 130.68 FEET; THENCE SOUTH 05 DEGREES 56 MINUTES 27 SECONDS WEST, 82.66 FEET; THENCE SOUTH 32 DEGREES 00 MINUTES 44 SECONDS WEST, 51.07 FEET; THENCE SOUTH 22 DEGREES 40 MINUTES 30 SECONDS WEST, 72.45 FEET; THENCE SOUTH 48 DEGREES 34 MINUTES 24 SECONDS WEST, 88.46 FEET; THENCE SOUTH 44 DEGREES 55 MINUTES 16 SECONDS WEST, 107.54 FEET; THENCE NORTH 75 DEGREES 21 MINUTES 44 SECONDS WEST, 76.70 FEET; THENCE SOUTH 80 DEGREES 49 MINUTES 04 SECONDS WEST, 85.80 FEET; THENCE SOUTH 29 DEGREES 21 MINUTES 24 SECONDS WEST, 90.97 FEET; THENCE SOUTH 25 DEGREES 31 MINUTES 06 SECONDS WEST, 30.34 FEET; THENCE SOUTH 47 DEGREES 08 MINUTES 41 SECONDS WEST, 203.94 FEET; THENCE SOUTH 07 DEGREES 11 MINUTES 42 SECONDS WEST, 111.83 FEET; THENCE SOUTH 65 DEGREES 12 MINUTES 44 SECONDS WEST, 31.38 FEET; THENCE NORTH 87 DEGREES 15 MINUTES 01 SECONDS WEST, 87.79 FEET; THENCE SOUTH 26 DEGREES 51 MINUTES 26 SECONDS EAST, 68.82 FEET; THENCE SOUTH 21 DEGREES 16 MINUTES 23 SECONDS WEST, 84.86 FEET; THENCE SOUTH 13 DEGREES 11 MINUTES 05 SECONDS EAST, 64.30 FEET; THENCE SOUTH 43 DEGREES 07 MINUTES 54 SECONDS EAST, 50.42 FEET; THENCE SOUTH 38 DEGREES 08 MINUTES 08 SECONDS EAST, 78.53 FEET; THENCE SOUTH 00 DEGREES 38 MINUTES 47 SECONDS EAST, 114.13 FEET; THENCE SOUTH 08 DEGREES 19 MINUTES 28 SECONDS WEST, 54.57 FEET; THENCE SOUTH 10 DEGREES 28 MINUTES 49 SECONDS EAST, 80.75 FEET; THENCE SOUTH 15 DEGREES 20 MINUTES 56 SECONDS EAST, 107.04 FEET; THENCE SOUTH 46 DEGREES 04 MINUTES 41 SECONDS WEST, 82.73 FEET; THENCE SOUTH 49 DEGREES 37 MINUTES 24 SECONDS EAST, 52.86 FEET; THENCE SOUTH 54 DEGREES 04 MINUTES 26 SECONDS EAST, 72.40 FEET; THENCE SOUTH 34 DEGREES 23 MINUTES 15 SECONDS WEST, 32.34 FEET; THENCE SOUTH 27 DEGREES 49 MINUTES 39 SECONDS EAST, 91.49 FEET; THENCE SOUTH 12 DEGREES 09 MINUTES 33 SECONDS WEST, 50.19 FEET; THENCE SOUTH 14 DEGREES 47 MINUTES 21 SECONDS WEST, 128.47 FEET; THENCE SOUTH 13 DEGREES 23 MINUTES 53 SECONDS WEST, 122.16 FEET; THENCE SOUTH 14 DEGREES 01 MINUTES 01 SECONDS WEST, 178.35 FEET TO THE EASTERLY BOUNDARY OF ABANDONED TELEPHONE AND TELEGRAPH RIGHT OF WAY; THENCE NORTH 12 DEGREES 59 MINUTES 02 SECONDS WEST, ALONG SAID EASTERLY BOUNDARY, 2486.87 FEET; THENCE NORTH 12 DEGREES 59 MINUTES 29 SECONDS WEST, CONTINUING ALONG SAID EASTERLY BOUNDARY OF ABANDONED TELEPHONE AND TELEGRAPH RIGHT OF WAY, 2639.40 FEET TO A POINT ON THE EASTERLY BOUNDARY OF YULEE SOUTH AS RECORDED IN PLAT BOOK 5, PAGE 224, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 12 DEGREES 54 MINUTES 49 SECONDS WEST, ALONG SAID EASTERLY BOUNDARY OF YULEE SOUTH, 894.84 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

VEA EXCEPTION

A PORTION OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF YULEE SOUTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 224, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 12 DEGREES 54 MINUTES 40 SECONDS EAST, ALONG THE EASTERLY BOUNDARY OF SAID PLAT BOOK 5, PAGE 224, 189.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 12 DEGREES 54 MINUTES 40 SECONDS EAST, ALONG SAID EASTERLY BOUNDARY, 378.55 FEET; THENCE NORTH 50 DEGREES 50 MINUTES 57 SECONDS EAST, 15.88 FEET; THENCE NORTH 11 DEGREES 42 MINUTES 28 SECONDS EAST, 33.13 FEET; THENCE NORTH 48 DEGREES 43 MINUTES 58 SECONDS EAST, 21.02 FEET; THENCE NORTH 09 DEGREES 07 MINUTES 08 SECONDS EAST, 29.14 FEET; THENCE NORTH 52 DEGREES 04 MINUTES 43 SECONDS EAST, 98.78 FEET; THENCE NORTH 80 DEGREES 58 MINUTES 38 SECONDS EAST, 64.06 FEET; THENCE NORTH 47 DEGREES 50 MINUTES 44 SECONDS EAST, 45.95 FEET; THENCE NORTH 33 DEGREES 41 MINUTES 09 SECONDS EAST, 58.31 FEET; THENCE NORTH 29 DEGREES 11 MINUTES 49 SECONDS EAST, 66.19 FEET; THENCE NORTH 14 DEGREES 48 MINUTES 51 SECONDS EAST, 45.02 FEET; THENCE NORTH 10 DEGREES 07 MINUTES 46 SECONDS WEST, 88.20 FEET; THENCE NORTH 37 DEGREES 33 MINUTES 59 SECONDS EAST, 79.33 FEET; THENCE NORTH 11 DEGREES 40 MINUTES 19 SECONDS EAST, 18.06 FEET; THENCE NORTH 10 DEGREES 43 MINUTES 30 SECONDS EAST, 28.14 FEET; THENCE SOUTH 22 DEGREES 59 MINUTES 52 SECONDS EAST, 18.50 FEET; THENCE NORTH 67 DEGREES 40 MINUTES 47 SECONDS EAST, 35.40 FEET; THENCE NORTH 61 DEGREES 39 MINUTES 33 SECONDS EAST, 42.04 FEET; THENCE NORTH 49 DEGREES 37 MINUTES 01 SECONDS EAST, 48.21 FEET; THENCE SOUTH 81 DEGREES 55 MINUTES 09 SECONDS WEST, 389.24 FEET; THENCE SOUTH 17 DEGREES 43 MINUTES 50 SECONDS WEST, 26.67 FEET; THENCE SOUTH 41 DEGREES 34 MINUTES 52 SECONDS EAST, 35.10 FEET; THENCE SOUTH 79 DEGREES 30 MINUTES 10 SECONDS WEST, 40.87 FEET; THENCE SOUTH 28 DEGREES 40 MINUTES 14 SECONDS EAST, 35.81 FEET; THENCE NORTH 85 DEGREES 04 MINUTES 14 SECONDS WEST, 34.87 FEET; THENCE SOUTH 79 DEGREES 19 MINUTES 04 SECONDS WEST, 77.62 FEET; THENCE SOUTH 67 DEGREES 22 MINUTES 14 SECONDS WEST, 56.50 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND

SUBJECT TO:

PARCEL 4

EASEMENT FOR INGRESS, EGRESS AND UTILITIES

OVER THE SOUTH 62.08 FEET OF TRACT 1, YULEE SOUTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 224, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA AND A PARCEL CONTIGUOUS THERETO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PORTION OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA.

COMMENCE AT THE NORTHEAST CORNER OF YULEE SOUTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 224, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 12 DEGREES 54 MINUTES 40 SECONDS EAST, ALONG THE EASTERLY BOUNDARY OF SAID PLAT BOOK 5, PAGE 224, 90.71 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 12 DEGREES 54 MINUTES 40 SECONDS EAST, ALONG SAID EASTERLY BOUNDARY, 98.73 FEET; THENCE NORTH 57 DEGREES 22 MINUTES 18 SECONDS EAST, 56.50 FEET; THENCE NORTH 79 DEGREES 19 MINUTES 04 SECONDS EAST, 77.62 FEET; THENCE SOUTH 85 DEGREES 04 MINUTES 14 SECONDS WEST, 34.87 FEET; THENCE NORTH 28 DEGREES 40 MINUTES 14 SECONDS EAST, 40.87 FEET; THENCE NORTH 41 DEGREES 34 MINUTES 52 SECONDS WEST, 35.10 FEET; THENCE NORTH 17 DEGREES 43 MINUTES 50 SECONDS EAST, 26.67 FEET; THENCE SOUTH 81 DEGREES 55 MINUTES 09 SECONDS WEST, 194.99 FEET TO THE POINT OF BEGINNING, as

described in Special Warranty Deed in Official Records Book 1064, Page 385, public records of Nassau County, Florida.