

This instrument prepared by and should)
be returned to:)
)
Robyn M. Severs, Esquire)
Becker)
100 Whetstone Place, Suite 302)
St. Augustine, FL 32086)
(904) 423-5372)

**NOTICE OF PRESERVATION OF DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR 4999 PARKWAY SUBDIVISION**

THIS NOTICE is being recorded pursuant to Sections 712.05 and 712.06, Florida Statutes, in order to preserve the easements, restrictions, covenants, conditions and all other provisions of the following documents:

1. Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 0565, Page 0680 on March 16, 1989;
2. Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 0688, Page 0853 on September 16, 1993;
3. Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 1467, Page 368 on December 22, 2006;
4. Certificate of Amendment to the Bylaws and Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Community Subdivision, recorded at Official Records Book 1815, Page 1397, on September 26, 2012; and
5. Any additional amendments or supplements to the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, not identified herein

all of the Public Records of Nassau County, Florida (hereinafter collectively referred to as the "Declaration").

The property affected by this Notice and encumbered by the Declaration is described as:

1. All real property reflected on the plat of 4999 Parkway, according to the plat thereof, as recorded in Plat Book 5, Pages 228 and 229, which is also described on **Composite Exhibit "A"** attached hereto;

2. All real property reflected on the Amendment to Recorded Plat, recorded at Official Records Book 0666, Page 0205 on September 3, 1992, which is also described on **Composite Exhibit "A"** attached hereto

all of the Public Records of Nassau County, Florida.

The name and address of the homeowners' association filing this Notice on behalf of the Members is 4999 Parkway Community Association, Inc., a not for profit corporation c/o Galphin Real Estate Services, Inc., Attn: Trista Johnson, Manager, 1880 S. 14th St., Suite 103, Fernandina Beach, FL 32034.

Attached hereto as **Exhibit "B"** is an Affidavit executed by the President of the Association affirming that the meeting's date, time, place and the Statement of Marketable Title Action required by Section 712.06(1)(b), Florida Statutes, was mailed to the Members at least seven (7) days prior to the Special Board of Directors Meeting, and the Directors were notified at least (10) days prior to the Special Board of Directors Meeting, where the Board of Directors approved the preservation of the Declaration.

By their signatures below, the President and Secretary of the Association hereby certify that preservation of the Declaration was duly approved by at least two-thirds (2/3) of the members of the Board of Directors at a Special Board of Directors Meeting held on July 16, 2018.

EXECUTED at Fernandina Beach (city), Nassau County, Florida, on this 30 day of July, 2018.

WITNESSES:

4999 PARKWAY COMMUNITY ASSOCIATION, INC.

Trista Johnson
Print Name: TRISTA JOHNSON
Beverly Chancelades
Print Name: BEVERLY CHANCELADES
Ruby Ann Castro
Print Name: RUBY ANN CASTRO
Trista Johnson
Print Name: TRISTA JOHNSON

By: [Signature]
Print Name: Robert Danbeck
President
Address: 1789 HAMMOCK CRT
FERNANDINA BEACH, FL
32034
Attest: [Signature]
Print Name: James Layman
Secretary
Address: 1779 Hammock Dr
Amelia Island FL 32034

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF NASSAU

THE FOREGOING INSTRUMENT was acknowledged before me this 30 day of July, 2018, by Robert Danbeck and James Layman, as the President and Secretary, respectively, of **4999 PARKWAY COMMUNITY ASSOCIATION, INC.**, a Florida not-for-profit corporation, who (check one) are personally known to me or produced _____ (type of identification) as identification. They acknowledged executing this document in the presence of two subscribing witnesses, freely and voluntarily, under authority duly vested in them by said corporation.

WITNESS my hand and official seal in the County and State last aforesaid on this 30 day of July, 2018.

Trista Johnson
Notary Public - State of Florida

Commission No.: FF 987098
Print Name: TRISTA JOHNSON
My Commission Expires: 4-27-20



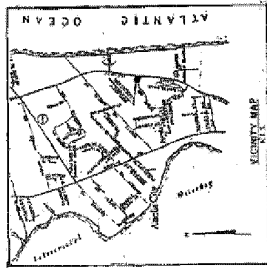
ACTIVE: 10861029_1

4999 PARKWAY

A REPLAY OF A PORTION OF SIMMER WOODS SUBDIVISION, AS RECORDED IN PLATBOOK 4, PAGES 33, 34 OF THE PUBLIC RECORDS OF MASSAU COUNTY, FLORIDA.

CAPTION:

THIS CERTAIN PLOT, PART OF THE LANDS LOTS IN AND NEAR THE EAST END OF SIMMER WOODS SUBDIVISION, MASSAU COUNTY, FLORIDA, IS HEREBY REPLAYED AS SHOWN ON THE REPLAY MAP ATTACHED TO THIS DEED.



ADoption & DEDICATION:

THE CERTAIN PLOT OF LAND, HEREIN REPLAYED, IS A PORTION OF THE LANDS LOTS IN AND NEAR THE EAST END OF SIMMER WOODS SUBDIVISION, MASSAU COUNTY, FLORIDA, AS RECORDED IN PLATBOOK 4, PAGES 33, 34 OF THE PUBLIC RECORDS OF MASSAU COUNTY, FLORIDA.

IN WITNESS WHEREOF, I, the undersigned, Clerk of the County of Nassau, Florida, have hereunto set my hand and the seal of said County at Tallahassee, Florida, this 15th day of December, 1964.

W. H. HARRIS, Clerk of the County of Nassau, Florida.

WITNESSES:

W. H. HARRIS, Clerk of the County of Nassau, Florida.

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W. H. HARRIS, Clerk of the County of Nassau, Florida.

W. H. HARRIS, Clerk of the County of Nassau, Florida.

W. H. HARRIS, Clerk of the County of Nassau, Florida.

CLERK'S CERTIFICATE:

I, W. H. HARRIS, Clerk of the County of Nassau, Florida, do hereby certify that the foregoing instrument, as recorded herein, is a true and correct copy of the original instrument as recorded in the Public Records of Nassau County, Florida, on this 15th day of December, 1964.

SURVEYOR'S CERTIFICATE:

I, the undersigned, Surveyor, do hereby certify that the foregoing instrument, as recorded herein, is a true and correct copy of the original instrument as recorded in the Public Records of Nassau County, Florida, on this 15th day of December, 1964.

ZONING CERTIFICATE:

I, the undersigned, Zoning Administrator, do hereby certify that the foregoing instrument, as recorded herein, is a true and correct copy of the original instrument as recorded in the Public Records of Nassau County, Florida, on this 15th day of December, 1964.

COUNTY HEALTH CERTIFICATE:

I, the undersigned, Health Officer, do hereby certify that the foregoing instrument, as recorded herein, is a true and correct copy of the original instrument as recorded in the Public Records of Nassau County, Florida, on this 15th day of December, 1964.

COMMISSION APPROVAL:

I, the undersigned, Commissioner, do hereby certify that the foregoing instrument, as recorded herein, is a true and correct copy of the original instrument as recorded in the Public Records of Nassau County, Florida, on this 15th day of December, 1964.

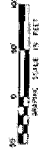
This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



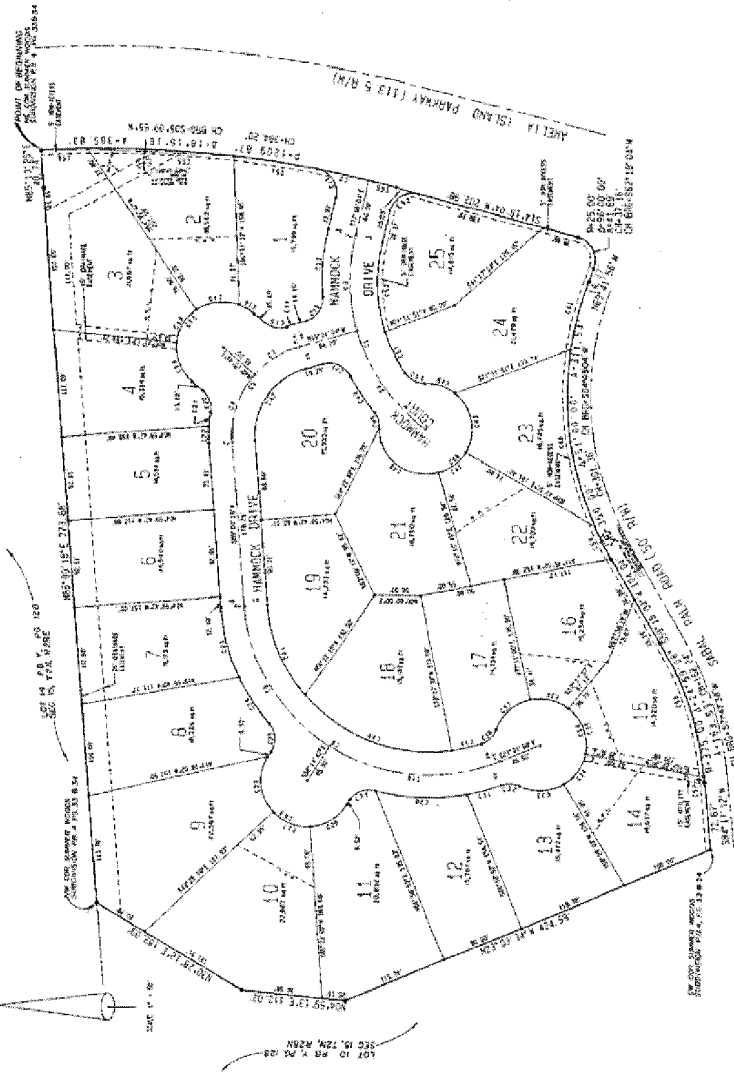
COURSON & ASSOCIATES INC.
TALLAHASSEE, FLORIDA 32301
(904) 842-0225

4999 PARKWAY

A REPLAY OF A PORTION OF SUMNER WOODS SUBDIVISION, AS RECORDED IN PLATBOOK 4, PAGES 33, 34 OF THE PUBLIC RECORDS OF HANSARD COUNTY, FLORIDA.



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100
FOOT



CURVE DATA	
STATION	CHORD BEARING
10+00.00	S 20° 45' 00" W 28.66 FT
10+18.00	S 20° 45' 00" W 28.66 FT
10+36.00	S 20° 45' 00" W 28.66 FT
10+54.00	S 20° 45' 00" W 28.66 FT
10+72.00	S 20° 45' 00" W 28.66 FT
10+90.00	S 20° 45' 00" W 28.66 FT
11+08.00	S 20° 45' 00" W 28.66 FT
11+26.00	S 20° 45' 00" W 28.66 FT
11+44.00	S 20° 45' 00" W 28.66 FT
11+62.00	S 20° 45' 00" W 28.66 FT
11+80.00	S 20° 45' 00" W 28.66 FT
11+98.00	S 20° 45' 00" W 28.66 FT
12+16.00	S 20° 45' 00" W 28.66 FT
12+34.00	S 20° 45' 00" W 28.66 FT
12+52.00	S 20° 45' 00" W 28.66 FT
12+70.00	S 20° 45' 00" W 28.66 FT
12+88.00	S 20° 45' 00" W 28.66 FT
13+06.00	S 20° 45' 00" W 28.66 FT
13+24.00	S 20° 45' 00" W 28.66 FT
13+42.00	S 20° 45' 00" W 28.66 FT
13+60.00	S 20° 45' 00" W 28.66 FT
13+78.00	S 20° 45' 00" W 28.66 FT
13+96.00	S 20° 45' 00" W 28.66 FT
14+14.00	S 20° 45' 00" W 28.66 FT
14+32.00	S 20° 45' 00" W 28.66 FT
14+50.00	S 20° 45' 00" W 28.66 FT
14+68.00	S 20° 45' 00" W 28.66 FT
14+86.00	S 20° 45' 00" W 28.66 FT
15+04.00	S 20° 45' 00" W 28.66 FT
15+22.00	S 20° 45' 00" W 28.66 FT
15+40.00	S 20° 45' 00" W 28.66 FT
15+58.00	S 20° 45' 00" W 28.66 FT
15+76.00	S 20° 45' 00" W 28.66 FT
15+94.00	S 20° 45' 00" W 28.66 FT
16+12.00	S 20° 45' 00" W 28.66 FT
16+30.00	S 20° 45' 00" W 28.66 FT
16+48.00	S 20° 45' 00" W 28.66 FT
16+66.00	S 20° 45' 00" W 28.66 FT
16+84.00	S 20° 45' 00" W 28.66 FT
17+02.00	S 20° 45' 00" W 28.66 FT
17+20.00	S 20° 45' 00" W 28.66 FT
17+38.00	S 20° 45' 00" W 28.66 FT
17+56.00	S 20° 45' 00" W 28.66 FT
17+74.00	S 20° 45' 00" W 28.66 FT
17+92.00	S 20° 45' 00" W 28.66 FT
18+10.00	S 20° 45' 00" W 28.66 FT
18+28.00	S 20° 45' 00" W 28.66 FT
18+46.00	S 20° 45' 00" W 28.66 FT
18+64.00	S 20° 45' 00" W 28.66 FT
18+82.00	S 20° 45' 00" W 28.66 FT
19+00.00	S 20° 45' 00" W 28.66 FT
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25+84.00	S 20° 45' 00" W 28.66 FT
26+02.00	S 20° 45' 00" W 28.66 FT

GENERAL NOTES:
 1. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 2. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 3. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 4. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 5. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 6. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 7. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 8. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 9. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.
 10. ALL CURVE POINTS ARE TO BE SET BY MANUAL MEANS.

COURSON & ASSOCIATES INC.
 SURVEYORS
 MIAMI, FLORIDA 33157
 (305) 358-3333

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

6-00 Ac 6

SEP 2 9 1992

BK0666PG0205
OFFICIAL RECORDS

AMENDMENT TO RECORDED PLAT

Whereas the undersigned, as owner, caused the plat of the subdivision known as "4999 Parkway" to be recorded on December 18, 1988, in Plat Book 5, pages 228 and 229 of the public records of Nassau County, Florida. (Plat).

Whereas in item 6 of the General Notes shown on page 229 of said Plat Book 5, the rear minimum building restriction line was inadvertently shown as 25 feet rather than 15 feet as originally intended.

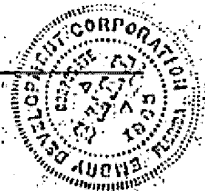
Whereas in item (c) (ii) of Section 1, Article VIII of the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, as recorded in Official Records Book 565, pages 680 through 694, of the public records of Nassau County, Florida, (Declaration), the rear building restriction line is shown as 15 feet.

Therefore, in order to conform with the original intent of the plat and the Declaration, the rear minimum building restriction line as shown on the plat is hereby amended to read: 15 feet.

Executed this 31st day of August, 1992.

EMBRY DEVELOPMENT CORPORATION, a Florida Corporation, Successor to Embry-Burney, Inc.

By: [Signature]
JOEL E. EMBRY
PRESIDENT



STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this 31st day of August, 1992 by JOEL E. EMBRY, PRESIDENT of EMBRY DEVELOPMENT CORPORATION, A FLORIDA CORPORATION, successor to Embry-Burney, Inc., on behalf of the corporation. He is personally known to me and did take an oath.

NOTARY PUBLIC
STATE OF FLORIDA

[Signature]
Notary Signature

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: OCT. 25, 1993.
BORNED THRU NOTARY PUBLIC UNDERWRITERS.

DOUGLAS S. HARDEN
Notary Printed Signature



9213611

92 SEP -3 PM 12:56
[Signature]
CLERK OF COURTS
NASSAU COUNTY, FLORIDA

MTS-15107

EXHIBIT "B"

AFFIDAVIT OF ROBERT DANBECK

STATE OF FLORIDA
COUNTY OF Nassau

BEFORE ME, the undersigned authority personally appeared **ROBERT DANBECK**, who, after first being duly sworn, deposes and says:

1. I am the President of 4999 Parkway Community Association, Inc. (the "Association"), and I have personal knowledge of the matters contained herein and know them to be true and correct.

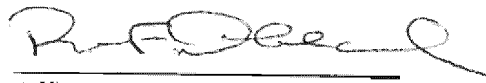
2. That a Special Board of Directors Meeting was scheduled for **July 16, 2018 at 7:00 p.m.** That the Board of Directors of the Association caused a notice setting forth the date, time, place and the Statement of Marketable Title Action, which is set forth below, to be mailed to the Members of the Association not less than seven (7) days prior to the Special Board of Directors Meeting and the Directors were provided with ten (10) days' notice of the Special Board of Directors Meeting. The Board of Directors voted to preserve the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 0565, Page 0680 on March 16, 1989; Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 0688, Page 0853 on September 16, 1993; Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 1467, Page 368 on December 22, 2006; Certificate of Amendment to the Bylaws and Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Community Subdivision, recorded at Official Records Book 1815, Page 1397, on September 26, 2012; and any additional amendments or supplements to the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, not identified herein all of the Public Records of Nassau County, Florida (hereinafter collectively referred to as the "Declaration") currently burdening the property of the Members of the Association pursuant to Chapter 712, Florida Statutes.

STATEMENT OF MARKETABLE TITLE ACTION

4999 Parkway Community Association, Inc. (the "Association") has taken action to ensure that the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 0565, Page 0680 on March 16, 1989; Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 0688, Page 0853 on September 16, 1993; Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, recorded at Official Records Book 1467, Page 368 on December 22, 2006; Certificate of Amendment to the Bylaws and Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Community Subdivision, recorded at Official Records Book 1815, Page 1397, on September 26, 2012; and any additional amendments or supplements to the

Declaration of Covenants, Conditions, Restrictions and Easements for 4999 Parkway Subdivision, not identified herein all of the Public Records of Nassau County, Florida (hereinafter collectively referred to as the "Declaration") and as may be amended from time to time, currently burdening the property of each and every member of the Association, retains its status as the source of marketable title with regard to the transfer of a member's residence. To this end, the Association shall cause the notice required by Chapter 712, Florida Statutes, to be recorded in the Public Records of Nassau County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

FURTHER AFFIANT SAYETH NAUGHT.



Affiant, Robert Danbeck

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was sworn and subscribed before me this 16 day of July, 2018, by ROBERT DANBECK, as the President of 4999 Parkway Community Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He [] is personally known to me or [] has produced _____ as identification.

(NOTARY SEAL)

Trista Johnson
NOTARY PUBLIC - STATE OF FLORIDA



Print Name: TRISTA JOHNSON

Commission No.: FF987098

Commission Expires: 4-27-20

ACTIVE: 10855831_1