

Prepared by/return to:
Hans C. Wahl, Esq.
Cobb & Gonzalez, P.A.
4655 Salisbury Rd., Suite 200
Jacksonville, FL 32256

**NOTICE OF PRESERVATION OF THE COVENANTS AND
RESTRICTIONS FOR HIBERNIA OAKS**

THIS NOTICE OF PRESERVATION OF THE COVENANTS AND RESTRICTIONS FOR HIBERNIA OAKS ("Notice"), which was duly approved by the Board of Directors of Hibernia Oaks Homeowner's Association, Inc. ("Association") on the 2nd day of August, 2023, is issued pursuant to Section 720.3032, Florida Statutes (2022) and Section 712.05(2)(b), Florida Statutes (2022), and serves to preserve and protect the covenants, conditions, restrictions, and easements described herein from potential extinguishment under the Marketable Record Title Act, Chapter 712, Florida Statutes:

Instructions to Recorder: Please index both the legal name of the Association and the names shown in item 3.

1. Name of the Association: HIBERNIA OAKS HOMEOWNER'S ASSOCIATION, INC.
2. Mailing and Physical Addresses of the Association: P.O. Box 8523, Fleming Island, FL. 32006; 595 Hawkes Island Dr., Fleming Island, FL. 32003.
3. Names of the Affected Subdivision Plats:
 - a. All lots shown on the Plat of HIBERNIA OAKS UNIT ONE, according to the Plat thereof recorded in Plat Book 24, Pages 1 and 2, Public Records of Clay County, Florida.
 - b. All lots shown on the Plat of HIBERNIA OAKS UNIT TWO, according to Plat thereof recorded in Plat Book 24, pages 53 and 54, Public Records of Clay County, Florida.
4. Name, address, and telephone number for management company, if any: N/A
5. Intent of Association: This notice does constitute a notice to preserve and protect the covenants or restrictions from extinguishment under the Marketable Record Title Act.
6. The following covenants and restrictions affecting the community which the Association desires to be preserved from extinguishment: Covenants and Restrictions for Hibernia Oaks recorded in Official Records of Clay County, Florida, Book 1313, Pg. 551 *et seq.*, and all other exhibits, amendments, and supplemental declarations thereto, and as may have been amended from time to time, all of the Official Records of Clay County, Florida. And also the First Amendment to Covenants and Restrictions for Hibernia Oaks recorded in Official Records of Clay County, Florida, Book 1540, Pg. 200 *et set.*

7. The legal description of the community affected by the listed covenants and restrictions is:

A portion of Lot 13, according to the map of the Estate of L.I. Fleming, recorded in Plat Book 1, Page 2 of the Public Records of Clay County, Florida and being more particularly described as follows: BEGIN at the Southwest corner of said Lot 13; thence North $03^{\circ}54'31''$ East, along the West line of said Lot 13, a distance of 667.84 feet to the Southwest corner of those certain lands described in Official Records Book 508, Page 572 of said Public Records; thence South $86^{\circ}51'14''$ East, along the South line of last mentioned lands and along the South boundary of Majestic Oaks, as recorded in Plat Book 21, Pages 24 and 25 of said Public Records, a distance of 1499.73 feet to the Southeast corner of said Majestic Oaks; said point being situate in the Westerly right of way line of Pine Avenue and/or State Road No. S-15-A (a 100 foot right of way as now established); thence South $04^{\circ}44'46''$ West, along last said line, a distance of 668.79 feet; thence North $86^{\circ}49'29''$ West, along the South line of said Lot 13, a distance of 1489.95 feet to the POINT OF BEGINNING.

Containing 22.9289 acres, more or less.

Hibernia Oaks Unit One:

CAPTION

A portion of Lot 13, according to the map of the Estate of L.I. Fleming, recorded in Plat Book 1, Page 2 of the Public Records of Clay County, Florida, being more particularly described as follows: BEGIN at the Southeast corner of Majestic Oaks, as recorded in Plat Book 21, Pages 24 and 25 of the Public Records of said County; said point being situate in the Westerly right of way line of Pine Avenue and/or State Road No. S-15-A (a 100 foot right of way as now established); thence South $04^{\circ}44'46''$ West, along said Westerly right of way line, a distance of 668.79 feet; thence North $86^{\circ}49'29''$ West, along the South line of said Lot 13, a distance of 1090.00 feet; thence North $03^{\circ}10'31''$ East, a distance of 240.00 feet; thence North $41^{\circ}44'27''$ East, a distance of 128.60 feet; thence North $72^{\circ}15'19''$ East, a distance of 91.87 feet; thence South $83^{\circ}44'45''$ East, a distance of 257.03 feet; thence South $84^{\circ}42'44''$ East, a distance of 172.27 feet; thence North $03^{\circ}10'31''$ East, a distance of 126.73 feet; thence North $10^{\circ}37'35''$ West, a distance of 52.18 feet; thence North $03^{\circ}08'46''$ East, a distance of 137.67 feet to a point situate in the South boundary of said Majestic Oaks; thence South $86^{\circ}51'14''$ East, along last said line and along the North line of said Lot 13, a distance of 526.05 feet to the POINT OF BEGINNING.

Containing 12.5910 acres, more or less.

Hibernia Oaks Unit Two:

CAPTION

A portion of Lot 13, according to the map of the Estate of L.I. Fleming, recorded in Plat Book 1, Page 2 of the Public Records of Clay County, Florida and being more particularly described as follows: BEGIN at the Northwest corner of Lot 6, Hibernia Oaks Unit One, as recorded in Plat Book 24, Pages 1 and 2 of said Public Records; thence Southerly and Westerly along the Westerly boundary of said Hibernia Oaks Unit One, run the following eight (8) courses and distances: Course 1 - South 03°08'46" West, 137.67 feet; Course 2 - South 10°37'35" East, 52.18 feet; Course 3 - South 03°10'31" West, 126.73 feet; Course 4 - North 84°42'44" West, 172.27 feet; Course 5 - North 83°44'45" West, 257.03 feet; Course 6 - South 72°15'19" West, 91.87 feet; Course 7 - South 41°44'27" West, 128.60 feet; Course 8 - South 03°10'31" West, 240.00 feet to a point situate in the South line of said Lot 13; thence North 86°49'29" West, along last said line, 399.95 feet to the Southwest corner of said Lot 13; thence North 03°54'31" East, along the West line of said Lot 13, a distance of 667.84 feet to the Southwest corner of those certain lands described in Official Records Book 508, Page 572 of said Public Records; thence South 86°51'14" East, along the South line of last mentioned lands and along the South boundary of Magestic Oaks, as recorded in Plat Book 21, Pages 24 and 25 of said Public Records, 973.68 feet to the POINT OF BEGINNING.

Containing 10.3379 acres, more or less.

Which is all land more particularly described as follows:

- a. All lots shown on the Plat of HIBERNIA OAKS UNIT ONE, according to the Plat thereof recorded in Plat Book 24, Pages 1 and 2, Public Records of Clay County, Florida.
- b. All lots shown on the Plat of HIBERNIA OAKS UNIT TWO, according to Plat thereof recorded in Plat Book 24, pages 53 and 54, Public Records of Clay County, Florida.

This Notice is filed on behalf of Hibernia Oaks Homeowner's Association, Inc. as of the 7th day of August, 2023.

IN WITNESS WHEREOF, the Association has executed this Notice in the manner and form sufficient to bind it as of the date set forth above.

Signed, sealed and delivered

HIBERNIA OAKS HOMEOWNER'S ASSOCIATION, INC., a Florida non-profit corporation

Witness: Taylor Dyes

By: Robert Brinley
Robert Brinley, President

Print name: Taylor Dyes

Witness: Jennifer L. Sullivan

By: Matthew S. Enyedi
Matthew Enyedi, Treasurer


Print name: Jennifer L. Sullivan

STATE OF FLORIDA
COUNTY OF CLAY

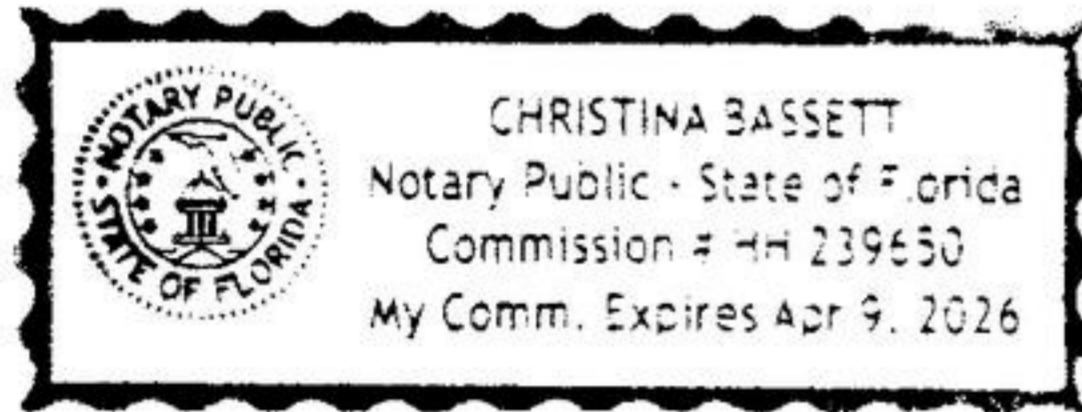
The foregoing instrument was acknowledged before me this 7th day of August, 2023, by Robert Brinley, as President, and Matthew Enyedi, as Treasurer, of Hibernia Oaks Homeowner's Association, Inc., a Florida non-profit corporation, on behalf of the corporation. Such persons did take an oath and: *(Notary must check applicable box).*

- is/are personally known to me.
- produced a current driver's license as identification.
- produced military id as identification.

{Notary Seal must be affixed}


SIGNATURE OF NOTARY

Christina Bassett
Name of Notary *(Typed, Printed or Stamped)*



HIBERNIA OAKS HOMEOWNER'S ASSOCIATION, INC

BOARD MEETING NOTICE

PRESERVATION OF HIBERNIA OAKS HOMEOWNER'S ASSOCIATION, INC.'S GOVERNING DOCUMENTS

NOTICE IS HEREBY GIVEN that a meeting of the Board of Directors of HIBERNIA OAKS HOMEOWNER'S ASSOCIATION, INC., will be held at the date, hour, and location specified below:

DATE: 2 August, 2023
TIME: 1:30 pm Eastern Standard Time
LOCATION: Conference Call

The purpose of the meeting will be to consider and vote on the Notice of Preservation of the Covenants and Restrictions for Hibernia Oaks.

The agenda for the Board of Director meeting is as follows:

1. Call to order
2. Determination of a quorum
3. Proof of Notice of Meeting
4. New Business
 - a. Consideration of and Board of Director vote to approve the Notice of Preservation of the Covenants and Restrictions for Hibernia Oaks
5. Adjournment


STATEMENT OF MARKETABLE TITLE ACTION

The Hibernia Oaks Homeowner's Association, Inc. ("Association") has taken action to ensure that the Covenants and Restrictions for Hibernia Oaks, recorded in the Official Records of Clay County, Florida, Book 1313, Page 551, and all exhibits, amendments and supplemental declarations thereto, and as may be amended from time to time, currently burdening the property of each and every member of the Association, retains its status with regard to the affected real property. To this end, the Association shall cause the notice required by chapter 712, Florida Statutes, to be recorded in the public records of Clay 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.

This Board of Director meeting is open to all members who wish to attend.

Dated this 31st day of July, 2023

**Hibernia Oaks Homeowner's Association,
Inc.**



Robert Brinley, President

HIBERNIA OAKS HOMEOWNER'S ASSOCIATION, INC

PROOF OF NOTICE AFFIDAVIT

STATE OF FLORIDA
COUNTY OF CLAY

BEFORE ME, the undersigned authority, personally appeared Robert Brinley, the President of Hibernia Oaks Homeowner's Association, Inc. ("Association"), who, after being duly sworn, deposes and says that:

1. A notice of the meeting of the Association's Board of Directors held on the 2nd day of August, 2023 at 1:30 pm Eastern Standard Time, that included the Statement of Marketable Title Action as required by Section 712.06(1)(b), Florida Statutes (2022), was mailed or hand delivered to the members of the Association, at the address that appears on the books of the Association, prior to the date of the Board of Director meeting listed above and in accordance with the Association's governing documents; and
2. The purpose of the above-mentioned meeting of the Association's Board of Directors was to preserve the Covenants and Restrictions for Hibernia Oaks from extinguishment pursuant to the Marketable Record Title Act, Chapter 712, Florida Statutes:

Dated this 7th day of August, 2023.

HIBERNIA OAKS HOMEOWNER'S
ASSOCIATION, INC., a
Florida non-profit corporation

By: [Signature]
Robert Brinley, President

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was acknowledged before me this 7th day of August, 2023, by Robert Brinley, as President of Hibernia Oaks Homeowner's Association, Inc., a Florida non-profit corporation, on behalf of the corporation. Such person did take an oath and: *(Notary must check applicable box).*

- is/are personally known to me.
- produced a current driver's license as identification.
- produced military id as identification.

{Notary Seal must be affixed}

[Signature]
SIGNATURE OF NOTARY

Christina Bassett
Name of Notary *(Typed, Printed or Stamped)*

