

RECORDED IN OFFICIAL RECORDS
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INSTRUMENT # 1999106893 3 PGS
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1999 AUG 05 09:27 AM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#127224

**ASSIGNMENT OF DEVELOPER'S RIGHTS
UNDER DEED RESTRICTIONS**

THIS AGREEMENT is made this 28th day of July, 1999 by and between Gertrude E. Smith, as the sole surviving trustee of S & T Land Company, a dissolved Florida Corporation ("Assignor"), the original developer of the project referenced herein, and Gulf Gate Community Association, Inc. ("Assignee"), as follows:

WHEREAS, Assignee is a not for profit corporation first incorporated in 1963 and whose members consist of lot owners in the subdivision listed below; and

WHEREAS, Assignee was originally created prior to or contemporaneously with the recording of the deed restrictions in the subdivision listed below for the purpose of enforcing the deed restrictions identified below and to maintain community harmony; and

WHEREAS, the members of Assignee and other lot owners within the subdivision listed below have granted to Assignee the authority to enforce the deed restrictions identified below; and

WHEREAS, S & T Land Company was dissolved in 1973, and was the original developer of the following project and was named as developer in the deed restrictions listed below for the project; and

WHEREAS, Gertrude E. Smith is the sole surviving director of S & T Land Company and constitutes at least a majority of the surviving trustees of that corporation; and

WHEREAS, Assignor wishes to convey such developer rights under the deed restriction to Assignee, and Assignee agrees to accept same.

NOW THEREFORE, for good and valuable consideration in hand paid, Assignor hereby assigns all the developer rights and interests in the deed restrictions identified below to Assignee, specifically including but not limited to, all of developer's rights to enforce the deed restrictions. This assignment shall be retroactive to the date of the last conveyance of property in the subdivision by Assignor, or the first enforcement of the deed restrictions by Assignee, whichever is earlier, it being the intent of the parties that all enforcement actions of Assignee are hereby ratified and confirmed by Assignor. All of the recording references set forth below refer to the Public Records of Sarasota County, Florida.

Subdivision Name

Recorded at

Colonial Terrace, Unit 2

O.R. Book 811, Page 353

IN WITNESS WHEREOF, Gertrude E. Smith, as the sole surviving trustee of S & T Land Company, a dissolved Florida Corporation (executed pursuant to Section 608.30(2)(c), Florida Statutes (1973)) and Gulf Gate Community Association, Inc., have executed this Agreement of



Developer's Rights under Deed Restrictions as of the day and year first above written and effective as set forth herein.

Signed in the presence of:

Marcia M. Pohlman
Print Name MARCIA M. POHLMAN

Patricia Armstrong
Print Name PATRICIA ARMSTRONG

Assignor:

By: Gertrude E. Smith
Gertrude E. Smith, as Sole Surviving
Trustee of S & T Land Company

CORPORATE SEAL:

Assignee:

GULF GATE COMMUNITY
ASSOCIATION, INC.

By: Guido X. Salas
Guido X. Salas, President

CORPORATE SEAL:

Denise Salas
Print Name Denise SALAS

L.K. Treshus
Print Name L.K. TRESHUS

STATE OF FLORIDA
COUNTY SARASOTA

The foregoing instrument was acknowledged before me this 28th day of July, 1999, by Gertrude E. Smith as sole surviving trustee of S & T LAND COMPANY, a dissolved Florida Corporation, who is personally known to me or who has provided FL. D.R. LIC. as identification.

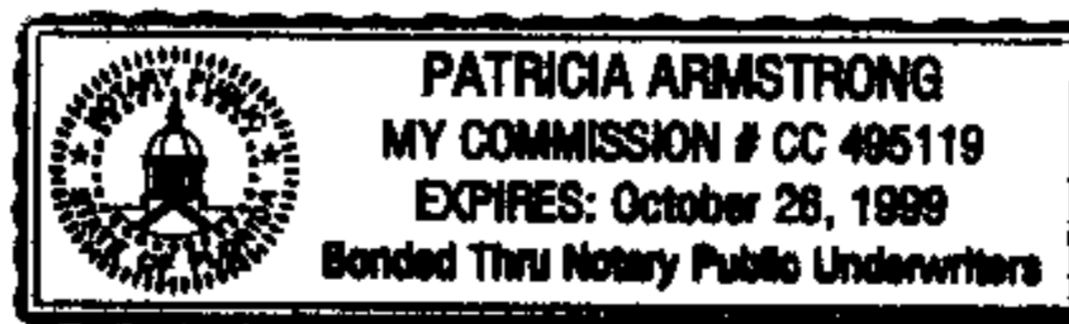
Patricia Armstrong
Notary Public
Print Name PATRICIA ARMSTRONG
My commission expires:



STATE OF FLORIDA
COUNTY SARASOTA

The foregoing instrument was acknowledged before me this 4th day of August, 1999, by GUIDO X. SALAS as President of GULF GATE COMMUNITY ASSOCIATION, INC., who is personally known to me or who has provided N/A as identification.

Patricia Armstrong
Notary Public
Print Name PATRICIA ARMSTRONG
My commission expires:



Prepared by & Return to:
Kevin T. Wells, Esquire
Lobeck & Hanson, P.A.
2033 Main Street, Suite 301
Sarasota, FL 34237

AFFIDAVIT OF SURVIVING TRUSTEE

STATE OF FLORIDA
COUNTY OF SARASOTA

BEFORE ME, the undersigned authority, authorized by law to administer oaths and take acknowledgments, personally appeared Gertrude E. Smith, who after being by me first duly sworn according to law, deposes and says:

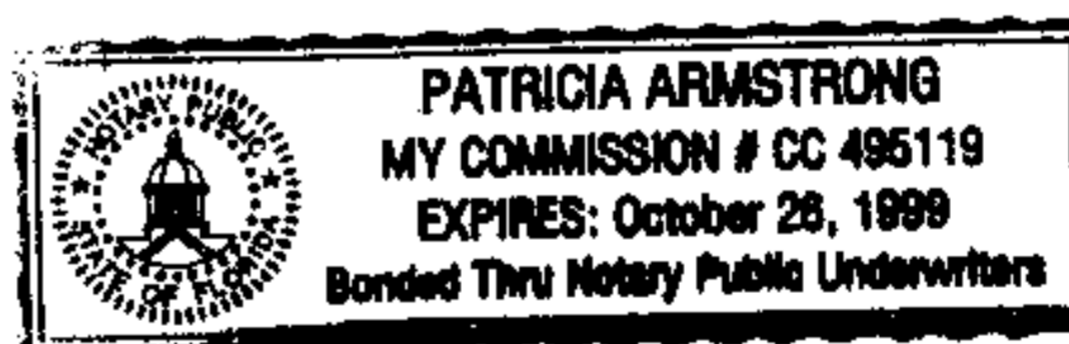
1. Affiant was a director of S & T Land Company when the company was dissolved in 1973 and is duly qualified to act as trustee.
2. Affiant is the sole surviving trustee of S & T Land Company, a dissolved Florida Corporation, and as such constitutes at least a majority of the surviving trustees.
3. Affiant has personal knowledge of the matters contained in this affidavit.

FURTHER AFFIANT SAITH NOT.

Gertrude E Smith
GERTRUDE E. SMITH

The foregoing instrument was sworn to and acknowledged before me by GERTRUDE E. SMITH, as sole surviving trustee of S & T Land Company, a dissolved Florida Corporation, who is personally known to me or who has provided FL DL Lic as identification this 28th day of July, 1999.

Patricia Armstrong
Notary Public (Seal)
PATRICIA ARMSTRONG
Printed Name of Notary
My Commission Expires on:



Return to:
Kevin T. Wells, Esquire
Lobeck & Hanson, P.A.
2033 Main Street, Suite 301
Sarasota, FL 34237

