

RESOLUTION NO. 2004- 222

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DONATION A PARK SITE BETWEEN ABERDEEN AND DURBIN CROSSING DRI PER THE ABERDEEN DRI DEVELOPMENT ORDER.

RECITALS

WHEREAS, Aberdeen Development LLC has agreed to the terms and conditions in the Deed, attached hereto as Exhibit A, incorporated by reference and made a part hereof, to donate a County Park tract in compliance with the Aberdeen DRI Development Order Resolution 2003-62; and

WHEREAS, the conceptual plan indicates the site will provide for 8 baseball fields, 4 soccer/football fields and 625 parking spaces; and

WHEREAS, these lands will enhance the recreational opportunities for St. Johns County residents and it is in the best interest of the public to accept this donation.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

Section 1. The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

Section 2. The donation of property, as described in the Warranty Deed is hereby accepted, conveying the property free and clear of any encumbrances.

Section 3. The Clerk is instructed to record the original Warranty Deed and Quit Claim Deed releasing timber, oil and gas reservations in the Official Records of St. Johns County, Florida and a certified copy of this Resolution shall be forwarded forthwith to Pappas Metcalf Jenks & Miller, 245 Riverside Avenue, Suite 400, Jacksonville, FL 32202-4926.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 25th day of August, 2004.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 

Karen R. Stern, Chair

ATTEST: Cheryl Strickland, Clerk

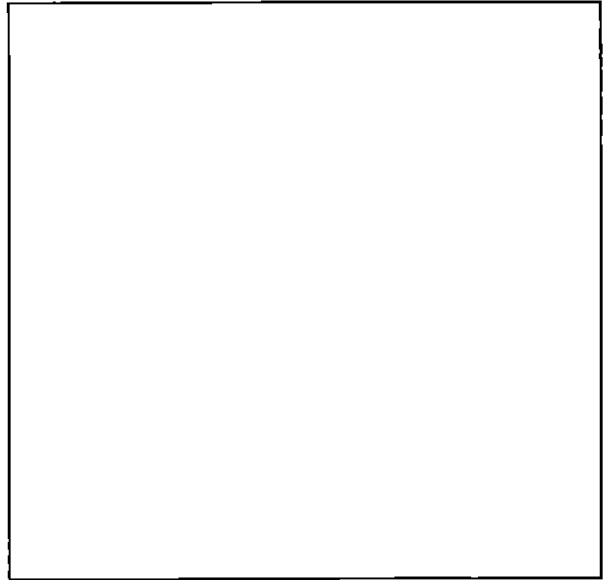
By: 
Deputy Clerk

RENDITION DATE 8-27-04

PREPARED BY:

**TRACY K. ARTHUR, ESQ.
P.O. BOX 723
FERNANDINA BEACH, FL 32034**

RETURN TO:



SPECIAL WARRANTY DEED
(PARK DONATION)

THIS SPECIAL WARRANTY DEED, made this ___ day of AUGUST 2004, from **RAYLAND, LLC**, a Delaware limited liability company, an address of which is 1901 Island Walkway, Fernandina Beach, Florida 32034 (the "Grantor"), to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084 (the "Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the future enjoyment of the General Public At Large, together with other good and valuable consideration, the receipt of which is hereby acknowledged, hereby donates, grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that land and improvements thereon located in St. Johns County, Florida, and more particularly described as follows (the "Property"):

SEE EXHIBIT "A", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THE CONVEYANCE AND WARRANTY OF TITLE hereunder are expressly subject to property taxes accruing subsequent to December 31, 2003; cemeteries, encroachments, easements, servitudes, covenants, restrictions, zoning ordinances, rights-of-way, outstanding mineral interests, riparian rights, the rights of the public or any governmental entity in and to any portion of the land lying below the ordinary mean high water line of any body of water, and all matters apparent from inspection of the property, survey or the public records. Grantor makes no warranty as to the exact acreage of the Property described herein.

GRANTOR DOES HEREBY RESERVE unto itself and its successors and assigns a non-exclusive and perpetual thirty foot wide (30') easement lying fifteen (15') feet at right angles on both sides of the centerline description (**Easement Premises**), as described upon **EXHIBIT "B"**, over, upon and across the Property, as described upon Exhibit A, for purposes of providing ingress, egress, and regress thereto, including the installation, maintenance and repair of utilities and other services (such as electrical, water, sewer, cable and other communication lines). Neither Grantor nor Grantee shall be required to construct or maintain a road on the Easement Premises. Grantee may relocate the Easement provided, however, that such relocation allows for reasonable access and does not result in any additional cost or expense to Grantor. Grantor reserves and Grantee grants to Grantor, its successors, assigns, agents and contractors the right to enter upon the land with men, machinery and equipment, together with the rights of ingress and egress thereto if necessary or convenient to Grantor, for purposes of managing its adjoining timberlands, including but not limited to timber harvesting operations. Grantor shall maintain the Easement Premises in passable condition during its harvesting operations. Grantor and Grantee both agree to join in together without further compensation, should either party donate to a public entity and/or be accepted by a public entity as a designated public access road.

TOGETHER WITH all tenements, hereditaments and appurtenances, thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever as a recreational park, including therein the right to construct, maintain, and operate park and recreational facilities;

AND THE GRANTOR hereby covenants with Grantee that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property; that the Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through and under the Grantor for claims arising during the period of time of Grantor's ownership of the Property, but against none other.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on the day and year first above written.

Signed and sealed in the presence of:

RAYLAND, LLC

By: _____

Print Name: _____

W.D. Ericksen

Its: Vice President

Print Name: _____

Attest: _____

Tracy K. Arthur

As its: Assistant Secretary

**STATE OF FLORIDA
COUNTY OF NASSAU**

THE FOREGOING INSTRUMENT was acknowledged before me this ___ day of August 2004, by W. D. Ericksen and Tracy K. Arthur, the Vice President and Assistant Secretary, respectively, of **RAYLAND, LLC** a Delaware limited liability company, on behalf of the limited liability company, and who are personally known to me.

(Print)

Notary Public, State of Florida

My Commission Expires:

Commission No.:

Order No: 51189623LA

Reference No: 37425.011100

Exhibit "A"

A portion of Sections 2 and 3, Township 5 South, Range 27 East, St. Johns County, Florida, being more particularly described as follows:

For a point of reference, commence at the Northwest corner of said Section 2; thence North 89 degrees 12 minutes 15 seconds East, along the Northerly line of said Section 2, a distance of 2642.28 feet to the Northeast corner of the East one-half of the Northwest one-quarter of said Section 2; thence South 02 degrees 22 minutes 37 seconds East, departing said Northerly line and along the Easterly line of the East one-half of the Northwest one-quarter of said Section 2 and its Southerly prolongation, 3022.01 feet to the Point of Beginning.

From said Point of Beginning, continue South 02 degrees 22 minutes 37 seconds East, along said Southerly prolongation line, 528.08 feet; thence South 33 degrees 32 minutes 19 seconds West, departing said Southerly prolongation line, 21.40 feet to the point of curvature of a curve concave Southeasterly, having a radius of 2940.00 feet; thence Southwesterly, along the arc of said curve, through a central angle of 21 degrees 28 minutes 58 seconds, an arc length of 1102.34 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 22 degrees 47 minutes 50 seconds West, 1095.89 feet; thence North 78 degrees 18 minutes 04 seconds West, 202.27 feet; thence North 29 degrees 44 minutes 51 seconds West, 318.75 feet; thence South 73 degrees 26 minutes 52 seconds West, 385.59 feet; thence South 04 degrees 35 minutes 59 seconds East, 182.11 feet; thence North 87 degrees 59 minutes 28 seconds East, 112.65 feet; thence South 06 degrees 57 minutes 54 seconds West, 141.23 feet; thence South 60 degrees 13 minutes 55 seconds West, 382.87 feet; thence South 14 degrees 54 minutes 45 seconds East, 212.71 feet; thence South 52 degrees 36 minutes 34 seconds West, 239.36 feet; thence South 58 degrees 22 minutes 41 seconds West, 284.64 feet; thence North 75 degrees 18 minutes 10 seconds West, 169.39 feet; thence North 07 degrees 38 minutes 08 seconds East, 98.34 feet; thence North 72 degrees 49 minutes 45 seconds West, 568.34 feet; thence South 43 degrees 09 minutes 41 seconds West, 138.92 feet; thence North 75 degrees 18 minutes 10 seconds West, 216.13 feet; thence North 07 degrees 37 minutes 30 seconds East, 203.65 feet; thence North 41 degrees 37 minutes 04 seconds East, 253.37 feet; thence North 89 degrees 20 minutes 55 seconds East, 89.29 feet; thence North 63 degrees 54 minutes 27 seconds East, 389.82 feet; thence North 08 degrees 37 minutes 47 seconds East, 233.12 feet; thence North 47 degrees 51 minutes 15 seconds East, 117.00 feet; thence North 59 degrees 02 minutes 17 seconds East, 448.26 feet; thence North 45 degrees 52 minutes 46 seconds East, 566.78 feet; thence North 17 degrees 44 minutes 36 seconds West, 42.57 feet; thence North 72 degrees 09 minutes 36 seconds East, 235.42 feet; thence North 86 degrees 48 minutes 25 seconds East, 362.25 feet; thence South 04 degrees 23 minutes 27 seconds East, 468.85 feet; thence South 61 degrees 26 minutes 06 seconds East, 64.93 feet; thence North 20 degrees 07 minutes 41 seconds East, 711.65 feet; thence North 16 degrees 51 minutes 20 seconds East, 298.46 feet; thence North 87 degrees 37 minutes 23 seconds East, 193.71 feet to the Point of Beginning.



England-Thims & Miller, Inc.

ENGINEERS • PLANNERS • SURVEYORS • GIS • LANDSCAPE ARCHITECTS

Principals

Douglas C. Miller, P.E., CEO
N. Hugh Mathews, P.E., President
Joseph A. Tarver, Exec., V.P.
Juanitta Bader Clem, P.E., V.P.
Scott A. Wild, P.E., PSM, V.P.
Samuel R. Crissinger, CFD, V.P.
Robert A. Mizell, Jr., P.E., V.P.
Thomas N. Fallin, P.E., V.P.

Emeritus

James E. England, P.E.
Robert E. Thims

August 12, 2004

ETM No. 02-192-07
Aberdeen Park

Exhibit "B" Relocatable 30' Access Easement

A 30 foot wide strip of land lying in a portion of Sections 2 and 3, Township 5 South, Range 27 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the Northwest corner of said Section 2; thence North 89° 12' 15" East, along the Northerly line of said Section 2, a distance of 2642.28 feet to the Northeast corner of the East one-half of the Northwest one-quarter of said Section 2, thence South 02° 22' 37" East, departing said Northerly line and along the Easterly line of the East one-half of the Northwest one-quarter of said Section 2 and its Southerly prolongation, 3550.09 feet; thence South 33° 32' 19" West, departing said Southerly prolongation line, 21.40 feet to the point of curvature of a curve concave Southeasterly, having a radius of 2940.00 feet; thence Southwesterly, along the arc of said curve, through a central angle of 11° 41' 58", an arc length of 600.33 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 27° 41' 20" West, 599.29 feet to the Point of Beginning.

Thence along the following described centerline of said 30 foot wide strip of land, the sidelines of which lie 15 feet to each side of, by perpendicular measure to or concentrically to said centerline, and being lengthened or shortened as necessary to begin and end at the park site boundary lines; thence from said Point of Beginning run the following four courses and distances; (1) North 83° 35' 15" West, 236.08 feet; (2) South 88° 06' 54" West, 139.17 feet; (3) North 81° 09' 34" West, 167.59 feet; (4) North 88° 56' 12" West, 141.50 feet to the point of curvature of a curve concave Southeasterly, having a radius of 235.00 feet; thence Southwesterly, along the arc of said curve, through a central angle of 58° 31' 03", an arc length of 240.01 feet to the point of tangency, said arc being subtended by a chord bearing and distance of South 61° 48' 17" West, 229.71 feet; thence run the following three courses and distances; (1) South 32° 32' 45" West, 89.26 feet; (2) South 47° 36' 37" West, 58.02 feet; (3) South 61° 43' 22" West, 118.40 feet to the point of curvature of a curve concave Southeasterly, having a radius of 330.00 feet; thence Southwesterly, along the arc of said curve, through a central angle of 19° 18' 13", an arc length of 111.18 feet to the point of tangency, said arc being subtended by a chord bearing and distance of South 52° 04' 15" West, 110.66 feet; thence run the following four courses and distances; (1) South 42° 25' 09" West, 33.99 feet; (2) South 48° 35' 26" West, 32.04 feet; (3) North 02° 25' 52" West, 422.53 feet; (4) North 24° 31' 26" West, 77.72 feet to the Point of Terminus of said centerline.

02-192-07-ADMIN-FORMS-LEGAL-DESCRIPTION.DOC

Prepared by:
Tracy K. Arthur, Esq.
P.O. Box 723
Fernandina Beach, Fl. 32035

Return to:

**QUIT-CLAIM DEED
(RELEASING TIMBER AND OIL AND GAS RESERVATIONS)**

THIS QUIT CLAIM DEED made as of this ___ day of _____ 2004, between **RAYONIER INC.**, a North Carolina corporation (formerly known as ITT Rayonier, Incorporated, a Delaware corporation), **RAYLAND, LLC**, a Delaware limited liability company (formerly known as Rayland Company, Inc., a Delaware corporation), and **RAYONIER FOREST RESOURCES, L.P.**, a Delaware limited partnership (f/k/a Rayonier Timberlands Operating Company, L.P., Limited Partnership, a Delaware limited partnership, all who are authorized for and doing business within the State of Florida and having an address at 1901 Island Walkway, Fernandina Beach, Florida 32034 (hereinafter collectively and severally referred to as Grantor), and St. Johns County, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084 (hereinafter referred to as Grantee).

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, does hereby release, remise and quitclaim unto Grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the Grantor has in and to the following:

ALL RESERVATION OF SUBSURFACE INTEREST IN SUBSURFACE OIL, NATURAL GAS AND FUGITIVE HYDROCARBONS, and all and whatsoever right, title, interest, claim and demand in, to and upon the TIMBER and TIMBER RIGHTS (together with all rights to sever, tap, harvest or use same, and the concomitant rights of access thereto and therefrom), as may be reserved by instruments recorded in the public records of St. Johns County, Florida, including but not limited to those certain instruments recorded at Official Records Book 776, page 311 and Official Records Book 2110, page 1486, as such reservations may burden or encumber that specific tract of land, situate, lying and being in the State of Florida County of St. Johns and more particularly described on EXHIBIT "A" attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD the said described premises to Grantee, its successors and assigns forever, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed upon the date above written.

RAYONIER INC.
(P.O. Box 728, Fernandina Beach, Fl.32035)

Witnesses:

(Sign)

(Print)

(Sign)

(Print)

By: _____ (Sign)

W. D. Ericksen
As Its: Vice President

ATTEST: _____ (Sign)

Tracy K. Arthur
As Its: Assistant Secretary

STATE OF FLORIDA
COUNTY OF NASSAU

BEFORE ME the undersigned authority personally appeared W. D. Ericksen and Tracy K. Arthur, as Vice President and Assistant Secretary, respectively, of **RAYONIER INC.**, a North Carolina corporation, who acknowledged before me the execution of this instrument by authority and on behalf of said corporation. Both are personally known to me.

IN WITNESS WHEREOF I have set my hand and seal upon this ___ day of _____, 2004.

NOTARY PUBLIC, State of _____
Commission No. _____
My Commission Expires: _____

(Sign)

(Print)
(SEAL)

RAYLAND, LLC

Witnesses:

(Sign)

(Print)

(Sign)

(Print)

By: _____ (Sign)

W. D. Ericksen

As Its: Vice President

ATTEST: _____ (Sign)

Tracy K. Arthur

As Its: Assistant Secretary

STATE OF FLORIDA
COUNTY OF NASSAU

BEFORE ME the undersigned authority personally appeared W. D. Ericksen and Tracy K. Arthur, as Vice President and Assistant Secretary, respectively, of **RAYLAND, LLC.**, a Delaware limited liability company, who acknowledged before me the execution of this instrument by authority and on behalf of said limited liability company. Both are personally known to me.

IN WITNESS WHEREOF I have set my hand and seal upon this ___ day of _____, 2004.

NOTARY PUBLIC, State of _____
Commission No. _____
My Commission Expires: _____

(Sign)

(Print)

RAYONIER FOREST RESOURCES, L.P.
By its Managing General Partner: **RAYONIER**
TIMBERLANDS MANAGEMENT, LLC

Witnesses:

(Sign)

(Print)

(Sign)

(Print)

By: _____ (Sign)

W. D. Ericksen
As Its: Vice President

ATTEST: _____ (Sign)

Tracy K. Arthur
As Its: Assistant Secretary

STATE OF FLORIDA
COUNTY OF NASSAU

BEFORE ME the undersigned authority personally appeared W. D. Ericksen and Tracy K. Arthur, as Vice President and Assistant Secretary, respectively, of **RAYONIER TIMBERLANDS MANAGEMENT, LLC.**, a Delaware limited liability company, as Managing General Partner, by authority and on behalf of **RAYONIER FOREST RESOURCES, L.P.**, a Delaware limited partnership, who acknowledged before me the execution of this instrument by authority and on behalf of said limited partnership. Both are personally known to me.

IN WITNESS WHEREOF I have set my hand and seal upon this ____ day of _____, 2004.

NOTARY PUBLIC, State of _____
Commission No. _____
My Commission Expires: _____

(Sign)

(Print)
(S E A L)

Order No: 51189623LA

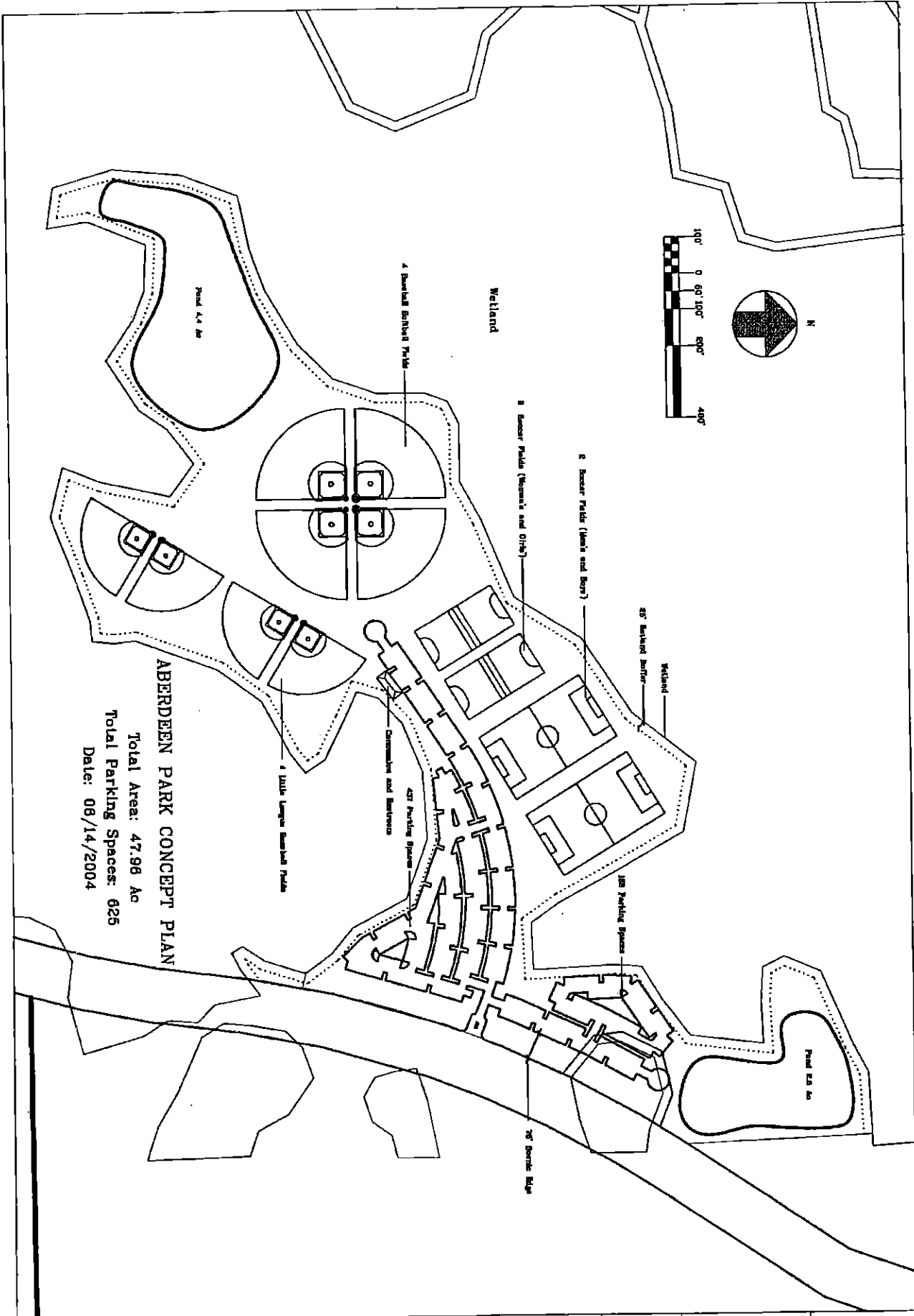
Reference No: 37425.011100

Exhibit "A"

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England, Thimly & Miller, Inc.
 ARCHITECTS - PLANNERS - ENGINEERS - LANDSCAPE ARCHITECTS
 1470 DE LAVERGNE ROAD, WASHINGTON, DISTRICT OF COLUMBIA 20004
 PHONE: (202) 462-8800 FAX: (202) 462-8800

CONCEPT-PLAN
 Aberdeen Park

DATE	06/14/2004
BY	06/14/2004
PROJECT	ABERDEEN PARK
DATE	06/14/2004
BY	06/14/2004