

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A NON-EXCLUSIVE ASSIGNMENT OF EASEMENT FOR DRAINAGE IN MURABELLA SUBDIVISION UNITS ONE AND TWO AND ACCEPTING A BILL OF SALE CONVEYING THE ROADWAY AND DRAINAGE IMPROVEMENTS.

WHEREAS, Turnbull Creek Community Development District, a local unit of special purpose government established pursuant to Chapter 190 of the Florida Statutes, has executed and presented to the County a Non-Exclusive Assignment of Easement for drainage in Murabella Subdivision Units One and Two, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, Turnbull Creek Community Development District has also executed and presented to the County a Bill of Sale conveying the roadway and drainage improvements, attached hereto as Exhibit "B", incorporated by reference and made a part hereof, and;

WHEREAS, the drainage easement is needed as part of a development review requirement for Murabella Subdivision; and

WHEREAS, it is in the best interest of the County to accept the Easement to ensure proper drainage for the health, safety and welfare of the citizens in that area.

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 above described Non-Exclusive Assignment of Easement attached and incorporated hereto, is hereby accepted by the Board of County Commissioners.

Section 3. The Clerk of the Circuit Court is instructed to record the original Non-Exclusive Assignment of Easement and file the Bill of Sale in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 7th day of February, 2006.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk
By: Patricia A. Grande
Deputy Clerk

RENDITION DATE 2-8-06

Exhibit "A" to Resolution

THIS DOCUMENT PREPARED
BY AND RETURN TO:

JOSEPH J. VAN ROOY, ESQUIRE
PAPPAS METCALF JENKS & MILLER, P.A.
245 RIVERSIDE AVENUE, SUITE 400
JACKSONVILLE, FL 32202

NON-EXCLUSIVE ASSIGNMENT OF EASEMENT
(Third Acquisition)

THIS ASSIGNMENT OF EASEMENT is given as of the 7th day of December 2005, by **TURNBULL CREEK COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government established pursuant to Chapter 190 of the Florida Statutes, whose mailing address is 210 North University Drive, Suite 800, Coral Springs, Florida 33071, ("Assignor") to **ST. JOHNS COUNTY**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084 ("Assignee").

WITNESSETH:

That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Assignee, the receipt and sufficiency of which are acknowledged, Assignor hereby transfers and assigns to Assignee the Easements described on Exhibit "A" attached hereto.

The easement rights assigned herein are not exclusive to Assignee, and Assignor shall be permitted to continue its use of said easements, so long as such use does not unduly interfere with Assignee's use of said easements.

EXHIBIT "A"

That certain thirty foot (30') drainage easement located on Lots 556 and 557, that certain twenty-five foot (25') drainage easement located on Lots 317 and 318, that certain twenty-five foot (25') drainage easement located on Lots 284 and 285, that certain twenty foot (20') drainage easement located on Lots 276 and 277, that certain twenty-five foot (25') drainage easement located on Lots 335 and 336, that certain twenty foot (20') drainage easement located on Lots 343 and 344, that certain twenty-five foot (25') drainage easement located on Lots 263 and 264, that certain twenty-five foot (25') drainage easement located on Lots 293 and 294 all as shown on the plat of Murabella Unit One as recorded in Map Book 52, pages 16 through 42 and/or Murabella Unit Two as recorded in Map Book 54, pages 59 through 69 of the Public Records of St. Johns County, Florida.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that the **Turnbull Creek Community Development District**, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes ("Seller"), and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, to it paid by the **St. Johns County, Florida**, a political subdivision of the State of Florida, whose address is c/o Clerk of the Courts, Post Office Drawer 349, St. Augustine, Florida 32805 ("County"), the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer, and deliver unto the County, its successors and assigns, the following described property, assets and rights, to-wit:

Roadway and drainage improvements including paving, curb and gutter, sidewalks, storm drainage structures, manholes, inlets, pipes, and mitered end sections, all located on portions of the real property known as MURABELLA UNIT ONE, as recorded in Map Book 52, Pages 16 through 42, and/or MURABELLA UNIT TWO, as recorded in Map Book 54, pages 56 through 69 Public Records of St. Johns County, Florida, being more particularly described in **Exhibit A** attached hereto.

TO HAVE AND TO HOLD all of the foregoing unto the County, its successors and assigns, for its own use forever, free and clear and discharged of and from any and all obligations, claims or liens.

AND the Seller does hereby covenant to and with the County, its successors and assigns, that they are the lawful owners of the above-described personal property and assets; that said personal property and assets are free from all liens and encumbrances; that Seller has good right to sell said personal property and assets; that all contractors, subcontractors and material men furnishing labor or materials relative to the construction of the personal property and assets have been paid in full; and that Seller will warrant and defend the sale of its said personal property and assets hereby made, unto the County, its successors and assigns, against the lawful claims and demands of all persons whosoever.

IN WITNESS WHEREOF, the Seller has caused this instrument to be executed in its name the day and year first above written.

Signed, Sealed and

**Turnbull Creek
Community Development District**

Ann Tabor

Ann Tabor

(printed)

Susan Wood

Susan Wood
Chairperson, Board of Supervisors

Dolores C. McNeal

Dolores C McNeal

(printed)

STATE OF FLORIDA
COUNTY OF Clay

The foregoing instrument was acknowledged before me this 7th day of December, 2005, by Susan Wood, the Chairperson of the Turnbull Creek Community Development District, on behalf of the district. She is personally known to me or produced _____ as identification and ~~did~~ (did not) take an oath.

Ann Tabor

(Print) Ann Tabor, Notary Public

My Commission expires: _____

Commission Number: _____

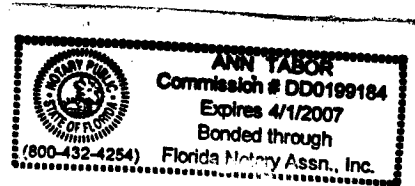
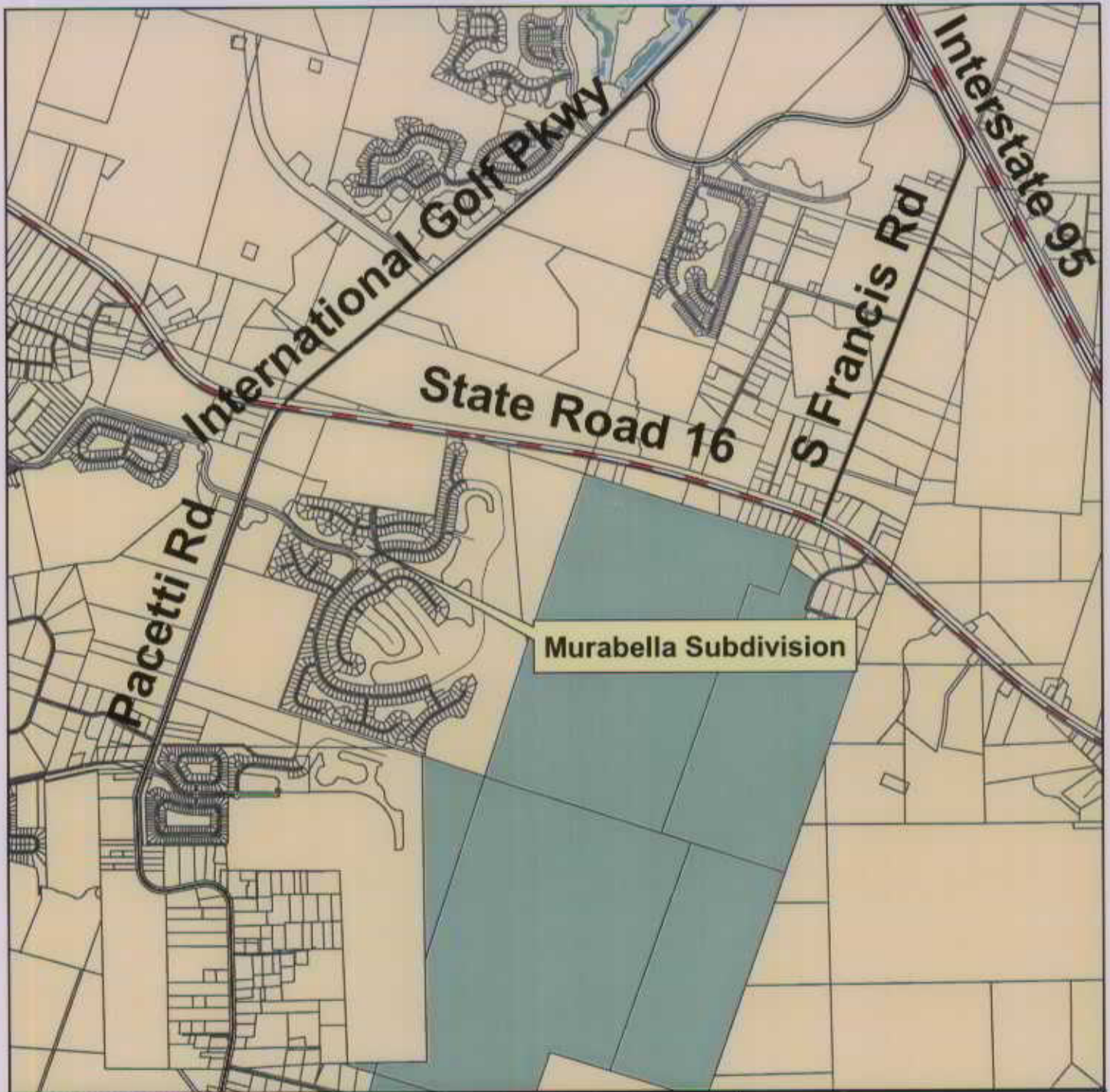


Exhibit A

A portion of Porta Rosa Circle extending from a line extending from the southeast corner of lot 564 to the northeast corner of lot 327 to a point located 25' east of the intersection of Porta Rosa Circle and Torino Way, 30' drainage easement located on Lots 556 and 557, 25' drainage easement located on Lots 317 and 318, 25' drainage easement located on Lots 284 and 285, 20' drainage easement located on Lots 276 and 277, 25' drainage easement located on Lots 335 and 336, 20' drainage easement located on Lots 343 and 344, 25' drainage easement located on Lots 263 and 264, and 25' drainage easement located on Lots 293 and 294 all located in the plat of **MURABELLA UNIT ONE**, as recorded in Map Book 52, Pages 16 through 42 and/or **MURABELLA UNIT TWO**, as recorded in Map Book 54, pages 56 through 69, Public Records of St. Johns County, Florida.



**GENERAL
LOCATION MAP**



Map Prepared: 1/20/2006
 *Depicts General Project Boundary

**Drainage Easement
for Murabella
Subdivision**

File: February 7, 2006



St. Johns County
 Land Mgmt. Systems
 Real Estate