

RESOLUTION NO. 2006-51

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH Durbin Creek National, LLC**

**WHEREAS**, Durbin Creek National, LLC is the Developer and Owner of certain lands in St. Johns County, Florida, more particularly described on "Exhibit A," which is attached hereto and incorporated herein by reference ("Cummer Lands"); and

**WHEREAS**, Section 13 of the St. Johns County Ordinance No. 87-57, as amended, the St. Johns County Road Impact Fee Ordinance (the "Road Impact Fee Ordinance") allows for impact fee credits to be granted by the Board of County Commissioners for the property dedicated to St. Johns County and/or improvements made as identified within the Impact Fee Agreement, which is attached hereto and incorporated herein by reference; and

**WHEREAS**, in accordance with the County Road Impact Fee Ordinance, Durbin Creek National, LLC is entitled to certain impact fee credits for certain dedications.

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

Section 1. The County Administrator is hereby authorized to approve and execute an Impact Fee Credit Agreement with Durbin Creek National, LLC substantially in the form of that which is attached hereto and incorporated herein by reference for those dedications identified within the Road Impact Fee Ordinance, which are eligible for impact fee credits.

Section 2. Upon acceptance by the County Administrator, the Clerk is instructed to record this agreement in the official records of St. Johns County Florida.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida this 21st day of February, 2006.

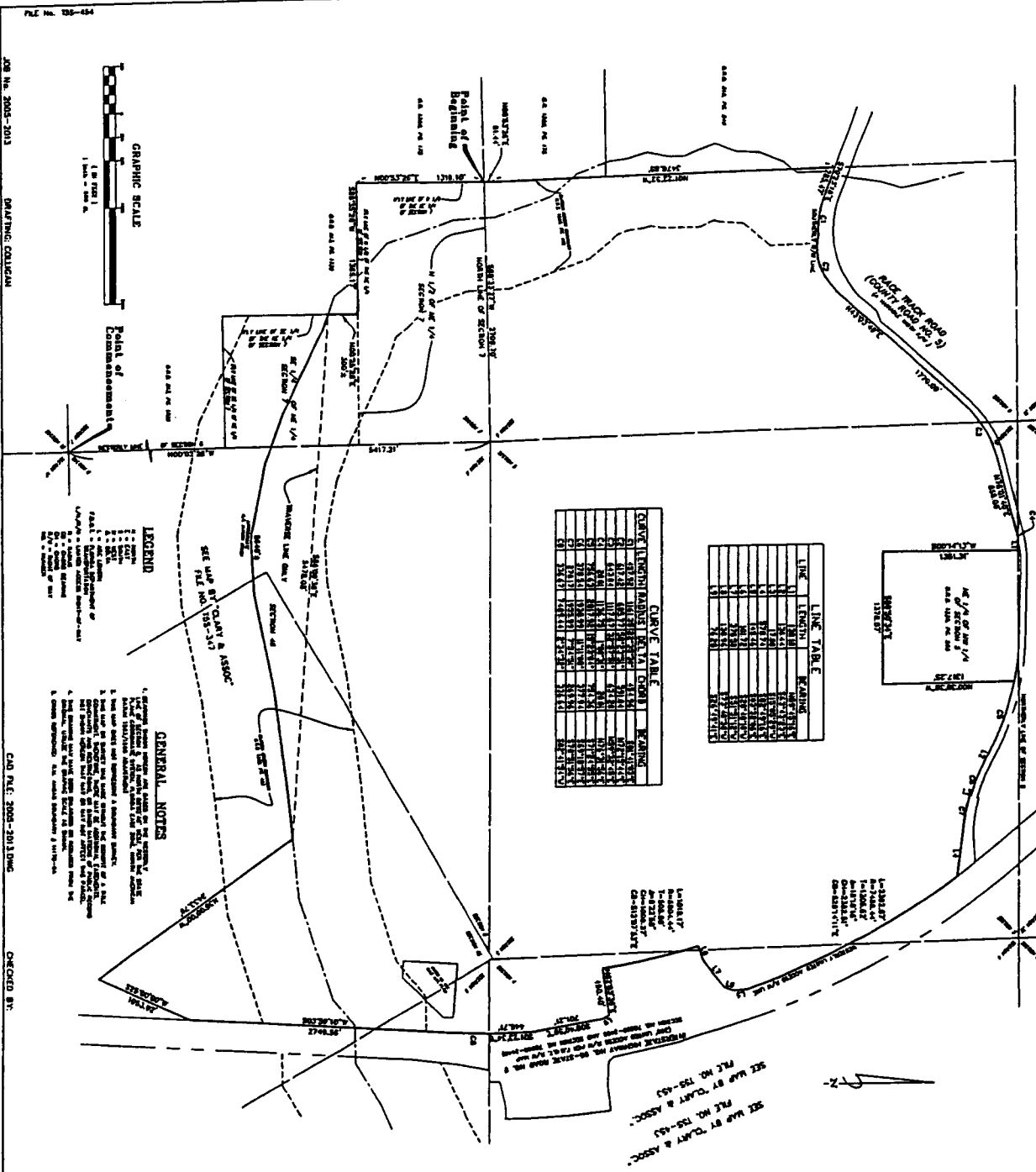
**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

Jasmin E. Bryant  
\_\_\_\_\_  
**Its Chairman**  
RENDITION DATE 2/23/2006

**ATTEST:  
CHERYL STRICKLAND, CLERK**

By: Rolinda L. Black  
**Deputy**

# Map Showing



**CURVE TABLE**

LINE NO.	LENGTH	BEARING
1	100.00	N 00° 00' 00" E
2	100.00	N 00° 00' 00" E
3	100.00	N 00° 00' 00" E
4	100.00	N 00° 00' 00" E
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33	100.00	N 00° 00' 00" E
34	100.00	N 00° 00' 00" E
35	100.00	N 00° 00' 00" E
36	100.00	N 00° 00' 00" E

**LINE TABLE**

LINE NO.	LENGTH	BEARING
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36	100.00	N 00° 00' 00" E

**LEGEND**

- 1. BOUNDARY
- 2. EASEMENT
- 3. EASEMENT
- 4. EASEMENT
- 5. EASEMENT
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- 35. EASEMENT
- 36. EASEMENT

**GENERAL NOTES**

1. THIS MAP WAS MADE BY THE SURVEYOR FROM THE ORIGINAL PLAT OF THE LAND AND THE ORIGINAL RECORDS OF THE COUNTY CLERK.
2. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES IN THE BOUNDARIES OF THE LAND SINCE THE ORIGINAL PLAT WAS MADE.
3. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES IN THE RECORDS OF THE COUNTY CLERK SINCE THE ORIGINAL PLAT WAS MADE.
4. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES IN THE BOUNDARIES OF THE LAND SINCE THE ORIGINAL PLAT WAS MADE.
5. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES IN THE RECORDS OF THE COUNTY CLERK SINCE THE ORIGINAL PLAT WAS MADE.

JOB No. 3005-2013  
 DRAWING COLLUM  
 CAD FILE: 3005-2013.DWG  
 CHECKED BY:

SEE MAP BY CLARY & ASSOC.  
 FILE NO. 156-453  
 SEE MAP BY CLARY & ASSOC.  
 FILE NO. 156-453

**CLARY**

**Clary & Associates, Inc.**  
 PROFESSIONAL LAND SURVEYORS  
 1000 N. 10th Street, Suite 100  
 Fargo, ND 58102  
 701.785.1111  
 www.clarysurvey.com

DATE: 11/15/13  
 SHEET: 1 OF 1  
 FILE NO. 156-453

A portion of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



PARCEL 1

A PORTION OF SECTIONS 3, 4, 5, AND 9, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 89°12'49" WEST, ALONG THE SOUTHERLY LINE OF SAID SECTION 9, A DISTANCE OF 2692.99 FEET; THENCE SOUTH 89°55'22" WEST, CONTINUING ALONG SAID SOUTHERLY LINE OF SECTION 9, A DISTANCE OF 1349.80 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF GOVERNMENT LOT 7 OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 01°18'02" WEST, ALONG LAST SAID LINE, 12.69 FEET TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 721, PAGE 1181, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89°00'03" WEST, ALONG LAST SAID LINE, 589.15 FEET TO THE NORTHWESTERLY CORNER OF LAST SAID LANDS AND THE EASTERLY LIMITED ACCESS RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95 (STATE ROAD NO. 9), (A 300 FOOT LIMITED ACCESS RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 78080-2408 AND SECTION NO. 78080-2440), SAID POINT ALSO LYING ON THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, NORTHEASTERLY, EASTERLY, WESTERLY AND NORTHWESTERLY ALONG LAST SAID LINE, RUN THE FOLLOWING SIXTEEN (16) COURSES AND DISTANCES; COURSE NO. 1: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 11309.16 FEET, AN ARC DISTANCE OF 401.88, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 02°58'05" EAST, 401.86 TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 2: NORTH 03°59'10" EAST, 3621.67 FEET TO THE POINT OF BEGINNING; COURSE NO. 3: NORTH 03°59'10" EAST, 587.00 FEET; COURSE NO. 4: NORTH 06°46'05" EAST, 485.62 FEET; COURSE NO. 5: NORTH 11°51'09" EAST, 339.23 FEET; COURSE NO. 6: NORTH 89°04'35" EAST, 121.41 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 7: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 7989.44 FEET, AN ARC DISTANCE OF 102.16 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 00°53'39" EAST, 102.16 FEET; COURSE NO. 8: NORTH 77°16'39" EAST, 283.75 FEET; COURSE NO. 9: SOUTH 89°55'22" EAST, 108.55 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 10: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 8374.44 FEET, AN ARC DISTANCE OF 1058.76 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°32'41" WEST, 1058.06 FEET; COURSE NO. 11: SOUTH 82°50'00" WEST, 268.31 FEET; COURSE NO. 12: NORTH 88°18'50" WEST, 234.77 FEET; COURSE NO. 13:

NORTH 46°41'58" WEST, 73.71 FEET; COURSE NO. 14: NORTH 12°16'34" WEST, 687.77 FEET; COURSE NO. 15: NORTH 17°38'03" WEST, 225.57 FEET TO THE ARC OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 16: NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 7789.44 FEET, AN ARC DISTANCE OF 2862.49 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 25°04'08" WEST, 2846.42 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD (COUNTY ROAD NO. 5), A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED; THENCE EASTERLY AND NORTHERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING FOUR (4) COURSES AND DISTANCES; COURSE NO. 1: NORTH 86°14'09" EAST, 513.78 FEET; COURSE NO. 2: SOUTH 88°18'46" EAST, 270.00 FEET; COURSE NO. 3: NORTH 01°41'14" EAST, 17.00 FEET; COURSE NO. 4: SOUTH 88°18'46" EAST, 2143.94 FEET TO THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 134, PAGE 504 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 01°28'34" EAST, ALONG LAST SAID LINE AND ALONG THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 59, PAGE 527 OF SAID PUBLIC RECORDS, 632.26 FEET TO A POINT COMMON WITH AND LYING ON THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 720, PAGE 126 OF SAID PUBLIC RECORDS; THENCE SOUTH 01°44'01" EAST, ALONG LAST SAID LINE, 1352.98 FEET TO THE NORTHERLY LINE OF LAST SAID LANDS; THENCE NORTH 88°06'37" EAST, ALONG LAST SAID LINE, 1309.05 FEET TO THE SOUTHEASTERLY CORNER OF SAID LANDS; THENCE NORTH 89°14'38" EAST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 60, PAGE 689 OF SAID PUBLIC RECORDS, 1339.97 FEET TO THE EASTERLY LINE OF SAID SECTION 4; THENCE SOUTH 00°20'20" EAST, ALONG LAST SAID LINE AND ALONG THE A WESTERLY LINE OF LAST SAID LANDS, 1371.34 FEET TO A SOUTHERLY LINE OF LAST SAID LANDS; THENCE NORTH 89°30'48" EAST, ALONG LAST SAID LINE, 851.21 FEET TO THE APPROXIMATE CENTERLINE OF DURBIN CREEK; THENCE SOUTHWESTERLY AND NORTHWESTERLY, ALONG LAST SAID LINE, 5880 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO ANY SUBMERGED SOVEREIGN LANDS OF THE STATE OF FLORIDA ASSOCIATED WITH DURBIN CREEK.

CONTAINING 386.517 ACRES, MORE OR LESS

PARCEL 2

A PORTION OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°48'41" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 10, A DISTANCE OF 5376.38 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 3 TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°20'20" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 3, A DISTANCE OF 1373.02 FEET TO A SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 60, PAGE 689 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 89°30'48" EAST, ALONG LAST SAID LINE, 1356.92 FEET TO AN EASTERLY LINE OF LAST SAID LANDS; THENCE NORTH 00°18'06" WEST, ALONG LAST SAID LINE, 238.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°18'06" WEST, ALONG LAST SAID LINE, 1133.84 FEET TO A SOUTHERLY LINE OF LAST SAID LANDS; THENCE NORTH 89°29'16" EAST, ALONG LAST SAID LINE, 1859.18 FEET TO THE APPROXIMATE CENTERLINE OF DURBIN CREEK; THENCE SOUTHWESTERLY, ALONG LAST SAID LINE, 2180 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO ANY SUBMERGED SOVEREIGN LANDS OF THE STATE OF FLORIDA ASSOCIATED WITH DURBIN CREEK.

CONTAINING 24.26 ACRES, MORE OR LESS.

A PORTION OF SECTIONS 4, 5, 6, 7, 8, 9 AND SECTION 46, THE JOSEPH PEAVETT GRANT, ALL LYING IN TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 7, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°02'28" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 7 AND ALONG THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 813, PAGE 1729, OF THE PUBLIC RECORDS OF SAID COUNTY, 5417.21 FEET TO NORTHERLY LINE OF SAID SECTION 7; THENCE SOUTH 88°33'27" WEST, ALONG LAST SAID LINE, 2709.70 FEET TO THE WESTERLY LINE OF THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7 AND THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1288, PAGE 175, SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING; THENCE NORTH 00°53'26" EAST, ALONG LAST SAID LINE, 81.44 FEET TO AN ANGLE POINT IN LAST SAID LINE; THENCE NORTH 01°22'52" WEST, CONTINUING ALONG SAID EASTERLY LINE AND ALONG THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 819, PAGE 549 OF SAID PUBLIC RECORDS, 3478.85 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD (COUNTY ROAD NO. 5), A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED; THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY, RUN THE FOLLOWING SEVEN (7) COURSES AND DISTANCES; COURSE NO. 1: SOUTH 70°23'18" EAST, 285.47 FEET TO THE ARC OF A CURVE LEADING EASTERLY; COURSE NO. 2: EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1161.35 FEET, AN ARC DISTANCE OF 457.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 81°41'03" EAST, 454.96 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; COURSE NO. 3: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 605.77 FEET, AN ARC DISTANCE OF 617.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 72°15'44" EAST, 591.04 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 4: NORTH 43°03'49" EAST, 1770.05 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; COURSE NO. 5: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1117.67 FEET, AN ARC DISTANCE OF 643.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 59°32'45" EAST, 634.20 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 6: NORTH 76°01'40" EAST, 855.08 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; COURSE NO. 7: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A

RADIUS OF 1136.75 FEET, AN ARC DISTANCE OF 20.01 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 76°31'56" WEST, 20.01 FEET TO THE NORTHERLY LINE OF SAID SECTION 5; THENCE NORTH 89°45'16" EAST, ALONG LAST SAID LINE, 138.10 FEET TO THE WESTERLY LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 5, ALSO BEING THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1225, PAGE 555 OF SAID PUBLIC RECORDS; THENCE SOUTH 00°14'13" WEST, ALONG LAST SAID LINE, 1351.31 FEET TO THE SOUTHERLY LINE OF LAST LANDS; THENCE SOUTH 89°50'34" EAST, ALONG LAST SAID LINE, 1378.07 FEET TO THE EASTERLY LINE OF LAST SAID LANDS; THENCE NORTH 00°38'38" WEST, ALONG LAST SAID LINE, 1317.25 FEET TO THE AFORESAID SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD AND THE ARC OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, SOUTHERLY AND EASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING SIX (6) COURSES AND DISTANCES; COURSE NO. 1: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2817.92 FEET, AN ARC DISTANCE OF 756.63 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 71°24'55" EAST, 754.36 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 2: SOUTH 63°43'23" EAST, 130.44 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; COURSE NO. 3: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1938.99 FEET, AN ARC DISTANCE OF 378.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 69°18'57" EAST, 377.94 FEET; COURSE NO. 4: SOUTH 15°05'29" WEST, 17.00 FEET TO THE ARC OF A CURVE LEADING EASTERLY; COURSE NO. 5: EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1955.99 FEET, AN ARC DISTANCE OF 270.17 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 78°51'56" EAST, 269.96 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 6: SOUTH 82°49'16" EAST, 578.74 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95 (STATE ROAD NO. 9), (A 300 FOOT LIMITED ACCESS RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 78080-2408 AND SECTION NO. 78080-2440), AND THE ARC OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, SOUTHERLY, SOUTHWESTERLY AND EASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING TWELVE (12) COURSES AND DISTANCES; COURSE NO. 1: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 7489.44 FEET, AN ARC DISTANCE OF 2392.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°14'11" EAST, 2382.51 FEET; COURSE NO. 2: SOUTH 03°32'06" EAST, 145.46 FEET; COURSE NO. 3: SOUTH 20°40'10" WEST, 101.72 FEET; COURSE NO. 4: SOUTH 51°51'12" WEST, 370.50 FEET;

COURSE NO. 5: SOUTH 73°40'38" WEST, 138.96 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; COURSE NO. 6: SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 6904.44 FEET, AN ARC DISTANCE OF 1010.17 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 12°07'53" EAST, 1009.27 FEET; COURSE NO. 7: NORTH 82°03'36" EAST, 490.40 FEET; COURSE NO. 8: SOUTH 26°49'41" EAST, 76.28 FEET; COURSE NO. 9: SOUTH 09°40'59" EAST, 701.21 FEET; COURSE NO. 10: SOUTH 01°23'34" EAST, 446.71 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; COURSE NO. 11: SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 7489.44 FEET, AN ARC DISTANCE OF 336.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 02°41'54" WEST, 336.64 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 12: SOUTH 03°59'10" WEST, 2749.56 FEET; THENCE SOUTH 25°00'00" WEST, 1053.92 FEET; THENCE NORTH 35°00'00" WEST, 2433.79 FEET TO THE APPROXIMATE CENTERLINE OF DURBIN CREEK; THENCE SOUTHWESTERLY AND NORTHWESTERLY, ALONG LAST SAID LINE, 5645 FEET, MORE OR LESS TO THE WESTERLY LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7, THENCE NORTH 00°25'28" EAST, ALONG LAST SAID LINE, 300 FEET, MORE OR LESS TO THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 813, PAGE 1729, OF SAID PUBLIC RECORDS AND THE SOUTHERLY LINE OF THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7; THENCE SOUTH 89°35'20" WEST, ALONG LAST SAID LINE, 1365.17 FEET TO THE WESTERLY LINE OF SAID NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 7 AND THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1288, PAGE 175 OF SAID PUBLIC RECORDS; THENCE NORTH 00°53'26" EAST, ALONG LAST SAID LINE, 1319.10 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1699, PAGE 720 OF SAID PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO ANY SUBMERGED SOVEREIGN LANDS OF THE STATE OF FLORIDA ASSOCIATED WITH DURBIN CREEK.

CONTAINING 1298.42 ACRES, MORE OR LESS.

**IMPACT FEE CREDIT AGREEMENT  
("AGREEMENT")**

**Road Impact Fees**

**THIS AGREEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by and among the **BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA** ("County") and **DURBIN CREEK NATIONAL, LLC** ("Durbin")

**RECITALS:**

- A. Durbin is the Developer, Owner, and projected Impact Feepayer of certain lands contained in St. Johns County, Florida, more particularly described on "Exhibit A," which is attached hereto and incorporated herein by reference ("Cummer Lands").
- B. Pursuant to St. Johns County Ordinance No. 87-57, as amended, ("Road Impact Fee Ordinance"), the County requires any person who seeks to develop land within St Johns County, as evidenced by such person's application for a building permit or certificate of occupancy ("Feepayer"), to pay a Road impact fee ("Road Impact Fee"), so as to assure that such new development bears a proportional share of the cost of capital expenses necessary to provide roads within St. Johns County.
- C. Section 13 of the Road Impact Fee Ordinance allows impact fee credits to be granted for certain dedications ("Road Impact Fee Credits").
- D. Pursuant to the County requirements of the Land Development Code, Durbin is dedicating approximately 8.6 acres to the Race Track Road Right-of-Way, more particularly described on "Exhibit B," which is attached hereto and incorporated herein by reference, and recognized as meeting the requirements for Road Impact Fee Credits.
- E. Pursuant to the terms of the Road Impact Fee Ordinance, County and Durbin desire to set forth their agreement and a procedure for the applicant and treatment of such Road Impact Fee Credits.

**NOW THEREFORE**, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

- 1. The above stated Recitals are incorporated herein as Findings of Facts.
- 2. The total Road Impact Fee Credits will be \$1,778,000.00 (\$1,240,000.00 for the 5.78 acre site and \$538,000.00 for the 2.69 acre site).

3. From and after the date thereof, all Feepayers applying for building permits or certificates of occupancy in connection with any construction in the Cummer Lands shall pay the amount due under the Road Impact Fee Ordinance directly to Durbin. Then, for so long as the total Road Impact Fee Credits for which Durbin has issued vouchers under this Agreement is less than the total Road Impact Fee Credits authorized by this Agreement, Durbin shall issue to such Feepayer a voucher evidencing full payment of Road Impact Fees in connection with such Feepayer's application for a building permit or certificate of occupancy. The voucher issued by Durbin shall contain a statement setting forth the amount of Road Impact Fee paid. Upon presentation of such voucher by the Feepayer, the County shall issue a receipt to the Feepayer.

4. In the event Durbin determines to sell all or part of the Cummer Lands, Durbin may sell, transfer, assign or convey any of its interest in part of the Road Impact Fee Credits to such purchaser, transferee, assignee or grantee for use within the Cummer Lands for such consideration as Durbin in its sole discretion, determines. In such event, Durbin shall execute and deliver to the County a copy of the instrument selling, transferring, assigning, or granting the Road Impact Fee Credits so sold, transferred, assigned, or granted and the remaining amount of Road Impact Fee Credits, if any, shall remain vested in Durbin.

5. The parties acknowledge that Durbin is in the process of filing an Application for Development Approval for a Development of Regional Impact (DRI) on Cummer Lands and Durbin's agreement to donate right-of-way along Race Track Road prior to the approval of a Development Order approving the DRI is an accommodation to the County and to Bartram Investments, LLC and Winslow Farms, Ltd. to expedite the widening of Race Track Road. The parties agree and acknowledge that the approval of this Agreement shall not constitute any commitment or obligation, express or implied, of St. Johns County to approve a Development Order for Durbin or any other form of zoning or development approval. The County also agrees that the amount of impact fee credit approved in this agreement will also be credited against transportation mitigation requirements for the four (4) to six (6) lane widening of Racetrack Road and will be reflected in the Development Order for the Durbin DRI if the DRI is approved by the County ("Mitigation Credits") In addition, in the event that Durbin advances funds to expand the scope of construction of the Racetrack Road four (4) lane widening required by the developer of the Bartram Park DRI in order to permit future widening to six (6) lanes, the amount of the advance documented to the satisfaction of the County shall be included in the Mitigation Credits. Such additional Impact Fee and Mitigation Credits will be evidenced by an amendment to this Agreement. In the event Durbin sells all or part of the Cummer Lands, Durbin may sell, transfer, assign or convey any of its interest in the Mitigation Credits to such purchaser, transferee, assignee or grantee for use within the Cummer Lands for purposes of mitigation credit for a DRI if the DRI is approved by the County or as a Fair Share Credit in a Fair Share Agreement with the County.

6. On or before January 31 of each year, so long as any Road Impact Fee Credits remain, Durbin shall prepare and deliver to the County Planning Department an annual report setting forth the amount of Road Impact fee payments made by the Feepayers applying for building permits or certificates of occupancy within the Cummer Lands and the remaining balance of Road Impact Fee Credits.

7. At such time as the Road Impact Fee Credits provided for hereunder have been exhausted, Durbin or the Feepayer seeking building permits or certificates of occupancy within the Cummer Lands shall pay the County the Road Impact Fees as are then due and payable under the Road Impact Fee Ordinance in effect at that time. Until such time, any Feepayer within the Cummer Lands shall be instructed by the County to pay its Road Impact Fees directly to Durbin.

8. This Agreement shall be constructed and governed in accordance with the laws of the State of Florida. All parties to this Agreement have participated fully in the negotiation and preparation hereof and accordingly, this Agreement shall not be more strictly construed against any of the parties hereto. All parties agree particularly that this Agreement is bound by the terms of the County's Road Impact Fee Ordinance and other applicable ordinances. Any and all applicable terms of those Ordinances are to be considered incorporated herein by reference. If there is any inconsistency found between this Agreement and such Ordinances or applicable law, those Ordinances or law shall prevail and be applicable.

9. The Parties agree that Section 13 of the Road Impact Fee Ordinance limits the total amount of impact fee credits given to an amount not greater than the total amount of impact fees due for the Cummer Lands.

10. In construing the Agreement, the singular shall be held to include the plural, and the plural shall include the singular, the use of any gender shall include every other and all gender and captions and paragraph headings shall be disregarded.

11. All of the exhibits attached to this Agreement are incorporated in, and made a part of this Agreement.

12. The Agreement, and any Exhibits and/or addendum made a part hereof constitute the entire Agreement and understanding of the parties and shall not be modified or amended except by written agreement duly executed by the parties hereto.

13. This Agreement is made for the sole benefit and protection of the parties and no other persons shall have any right of action hereunder. This Agreement shall be binding upon the parties and their respective successors and permitted assigns.

14. All covenants, agreements, representation and warranties made herein shall be deemed to have material and relied on by each party to this Agreement.

15. This agreement is recognized as being subject to the laws of Florida and the Ordinances of St. Johns County, Florida and therefore all applicable provisions thereof are incorporated herein and if any provision hereof is inconsistent with such provisions, such provision shall apply.

16. Durbin must be a feepayer as referenced in the applicable impact fee ordinance to receive impact fee credits under this ordinance.

17. Nothing in this Agreement shall act to allow an entity to receive impact fee credits for contributions provided by a government entity including, but not limited to, a Community Development District.

18. This Agreement may be executed in several counterparts, each constituting a duplicate original, but all such counterparts constituting one and the same Agreement.

19. This Agreement shall become effective on the date ("Effective Date") the last party to this Agreement signs.

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives, have executed this Agreement on the day(s) and year set forth below.

Witness:

DURBIN CREEK NATIONAL, LLC

\_\_\_\_\_  
Name: \_\_\_\_\_

By: \_\_\_\_\_

Name: Kenneth P. Wilson

Its: Manager/ Member

\_\_\_\_\_  
Name: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument is hereby acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2006, by Kenneth P. Wilson, Manager/ Member of Durbin Creek National, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced \_\_\_\_\_ as identification and who has taken an oath.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida

Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

My Commission Number is: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives, have executed this Agreement on the day(s) and year set forth below.

Witness:

ST. JOHNS COUNTY, FLORIDA

\_\_\_\_\_  
Name:

By: \_\_\_\_\_

Name: Ben W. Adams, Jr.  
County Administrator

\_\_\_\_\_  
Name:

Date: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument is hereby acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2006, by Ben W. Adams, the County Administrator for St. Johns County, Florida, on behalf of St. Johns County Florida, who is personally known to me or who has produced \_\_\_\_\_ as identification and who has taken an oath.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida

Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

My Commission Number is: \_\_\_\_\_

St. Johns County Impact Fee Voucher  
Name of Development/ Developer

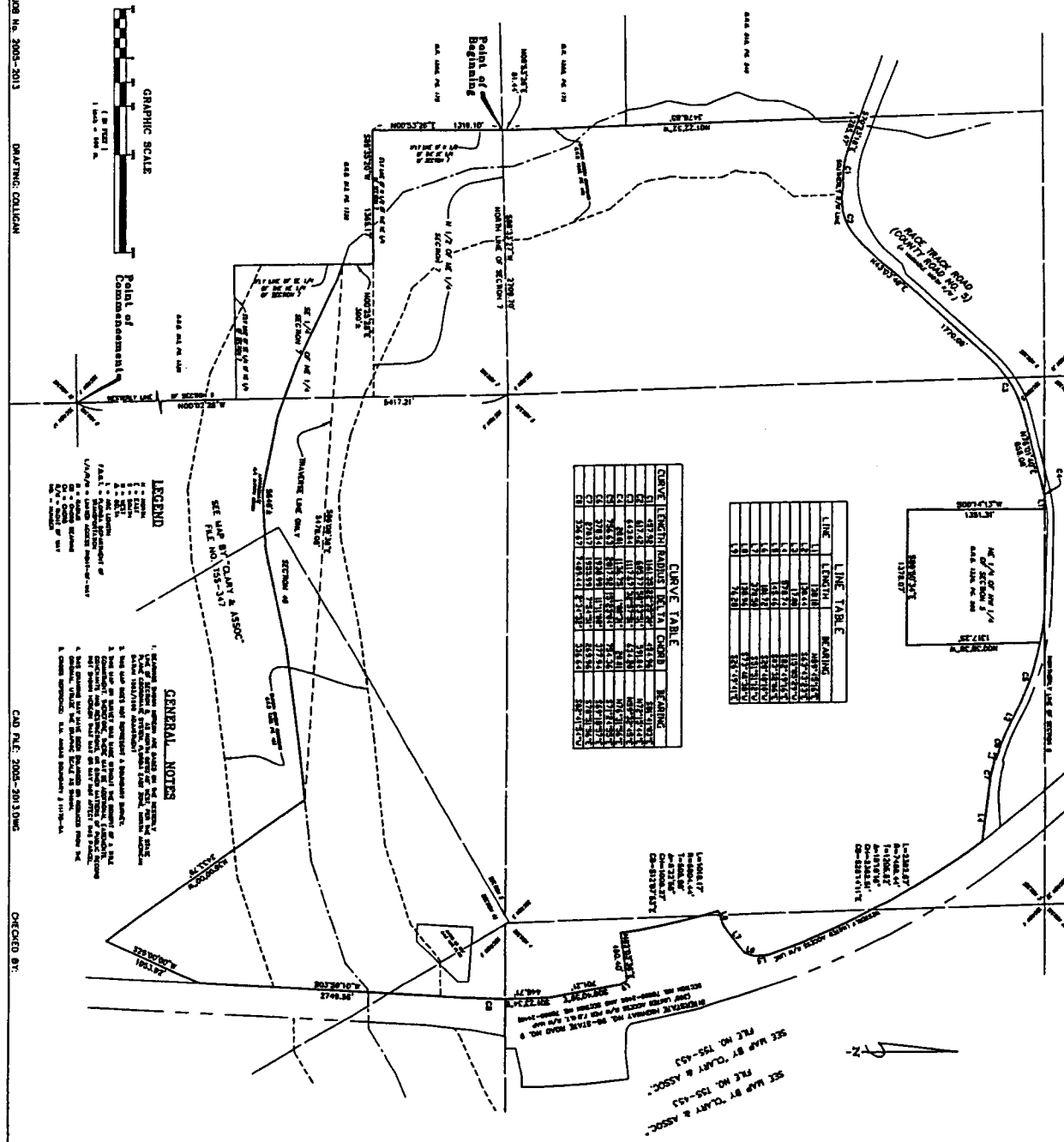
1. Name and address of Developer/ Grantor: Durbin Creek National, LLC
2. Name and address of Grantee: St. Johns County
3. Legal description of subject property: See Exhibit "B"
4. Subdivision or Master Development Plan name: \_\_\_\_\_

The undersigned Developer/ Grantor confirms that it has received from Durbin Creek National, LLC on \_\_\_\_\_, \_\_\_\_\_ funds sufficient for the following impact fees required under the applicable St. Johns County Impact Fee Ordinance, as amended, as indicated below. Durbin Creek National, LLC gives notice to St. Johns County, Florida that the following sums should be deducted from the applicable Impact Fee Credit account of Durbin Creek National, LLC.

  X   Roads

Ordinance # 87-57 in the amount of \$ \_\_\_\_\_

# Map Showing



CURVE	LENGTH	ADIUS	DELTA	CHORD	BEARING
C1	49.78	100.00	36.87	34.14	S 89° 12' 00" E
C2	11.14	100.00	7.34	6.71	S 89° 12' 00" E
C3	11.14	100.00	7.34	6.71	S 89° 12' 00" E
C4	11.14	100.00	7.34	6.71	S 89° 12' 00" E
C5	11.14	100.00	7.34	6.71	S 89° 12' 00" E
C6	11.14	100.00	7.34	6.71	S 89° 12' 00" E
C7	11.14	100.00	7.34	6.71	S 89° 12' 00" E
C8	11.14	100.00	7.34	6.71	S 89° 12' 00" E
C9	11.14	100.00	7.34	6.71	S 89° 12' 00" E
C10	11.14	100.00	7.34	6.71	S 89° 12' 00" E

LINE	LENGTH	BEARING
L1	100.00	S 89° 12' 00" E
L2	100.00	S 89° 12' 00" E
L3	100.00	S 89° 12' 00" E
L4	100.00	S 89° 12' 00" E
L5	100.00	S 89° 12' 00" E
L6	100.00	S 89° 12' 00" E
L7	100.00	S 89° 12' 00" E
L8	100.00	S 89° 12' 00" E
L9	100.00	S 89° 12' 00" E
L10	100.00	S 89° 12' 00" E

A portion of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



PARCEL 1

A PORTION OF SECTIONS 3, 4, 5, AND 9, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 89°12'49" WEST, ALONG THE SOUTHERLY LINE OF SAID SECTION 9, A DISTANCE OF 2692.99 FEET; THENCE SOUTH 89°55'22" WEST, CONTINUING ALONG SAID SOUTHERLY LINE OF SECTION 9, A DISTANCE OF 1349.80 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF GOVERNMENT LOT 7 OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 01°18'02" WEST, ALONG LAST SAID LINE, 12.69 FEET TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 721, PAGE 1181, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89°00'03" WEST, ALONG LAST SAID LINE, 589.15 FEET TO THE NORTHWESTERLY CORNER OF LAST SAID LANDS AND THE EASTERLY LIMITED ACCESS RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95 (STATE ROAD NO. 9), (A 300 FOOT LIMITED ACCESS RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 78080-2408 AND SECTION NO. 78080-2440), SAID POINT ALSO LYING ON THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, NORTHEASTERLY, EASTERLY, WESTERLY AND NORTHWESTERLY ALONG LAST SAID LINE, RUN THE FOLLOWING SIXTEEN (16) COURSES AND DISTANCES; COURSE NO. 1: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 11309.16 FEET, AN ARC DISTANCE OF 401.88, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 02°58'05" EAST, 401.86 TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 2: NORTH 03°59'10" EAST, 3621.67 FEET TO THE POINT OF BEGINNING; COURSE NO. 3: NORTH 03°59'10" EAST, 587.00 FEET; COURSE NO. 4: NORTH 06°46'05" EAST, 485.62 FEET; COURSE NO. 5: NORTH 11°51'09" EAST, 339.23 FEET; COURSE NO. 6: NORTH 89°04'35" EAST, 121.41 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 7: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 7989.44 FEET, AN ARC DISTANCE OF 102.16 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 00°53'39" EAST, 102.16 FEET; COURSE NO. 8: NORTH 77°16'39" EAST, 283.75 FEET; COURSE NO. 9: SOUTH 89°55'22" EAST, 108.55 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 10: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 8374.44 FEET, AN ARC DISTANCE OF 1058.76 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°32'41" WEST, 1058.06 FEET; COURSE NO. 11: SOUTH 82°50'00" WEST, 268.31 FEET; COURSE NO. 12: NORTH 88°18'50" WEST, 234.77 FEET; COURSE NO. 13:

NORTH 46°41'58" WEST, 73.71 FEET; COURSE NO. 14: NORTH 12°16'34" WEST, 687.77 FEET; COURSE NO. 15: NORTH 17°38'03" WEST, 225.57 FEET TO THE ARC OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 16: NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 7789.44 FEET, AN ARC DISTANCE OF 2862.49 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 25°04'08" WEST, 2846.42 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD (COUNTY ROAD NO. 5), A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED; THENCE EASTERLY AND NORTHERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING FOUR (4) COURSES AND DISTANCES; COURSE NO. 1: NORTH 86°14'09" EAST, 513.78 FEET; COURSE NO. 2: SOUTH 88°18'46" EAST, 270.00 FEET; COURSE NO. 3: NORTH 01°41'14" EAST, 17.00 FEET; COURSE NO. 4: SOUTH 88°18'46" EAST, 2143.94 FEET TO THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 134, PAGE 504 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 01°28'34" EAST, ALONG LAST SAID LINE AND ALONG THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 59, PAGE 527 OF SAID PUBLIC RECORDS, 632.26 FEET TO A POINT COMMON WITH AND LYING ON THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 720, PAGE 126 OF SAID PUBLIC RECORDS; THENCE SOUTH 01°44'01" EAST, ALONG LAST SAID LINE, 1352.98 FEET TO THE NORTHERLY LINE OF LAST SAID LANDS; THENCE NORTH 88°06'37" EAST, ALONG LAST SAID LINE, 1309.05 FEET TO THE SOUTHEASTERLY CORNER OF SAID LANDS; THENCE NORTH 89°14'38" EAST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 60, PAGE 689 OF SAID PUBLIC RECORDS, 1339.97 FEET TO THE EASTERLY LINE OF SAID SECTION 4; THENCE SOUTH 00°20'20" EAST, ALONG LAST SAID LINE AND ALONG THE A WESTERLY LINE OF LAST SAID LANDS, 1371.34 FEET TO A SOUTHERLY LINE OF LAST SAID LANDS; THENCE NORTH 89°30'48" EAST, ALONG LAST SAID LINE, 851.21 FEET TO THE APPROXIMATE CENTERLINE OF DURBIN CREEK; THENCE SOUTHWESTERLY AND NORTHWESTERLY, ALONG LAST SAID LINE, 5880 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO ANY SUBMERGED SOVEREIGN LANDS OF THE STATE OF FLORIDA ASSOCIATED WITH DURBIN CREEK.

CONTAINING 386.517 ACRES, MORE OR LESS

PARCEL 2

A PORTION OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°48'41" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 10, A DISTANCE OF 5376.38 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 3 TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°20'20" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 3, A DISTANCE OF 1373.02 FEET TO A SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 60, PAGE 689 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 89°30'48" EAST, ALONG LAST SAID LINE, 1356.92 FEET TO AN EASTERLY LINE OF LAST SAID LANDS; THENCE NORTH 00°18'06" WEST, ALONG LAST SAID LINE, 238.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°18'06" WEST, ALONG LAST SAID LINE, 1133.84 FEET TO A SOUTHERLY LINE OF LAST SAID LANDS; THENCE NORTH 89°29'16" EAST, ALONG LAST SAID LINE, 1859.18 FEET TO THE APPROXIMATE CENTERLINE OF DURBIN CREEK; THENCE SOUTHWESTERLY, ALONG LAST SAID LINE, 2180 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO ANY SUBMERGED SOVEREIGN LANDS OF THE STATE OF FLORIDA ASSOCIATED WITH DURBIN CREEK.

CONTAINING 24.26 ACRES, MORE OR LESS.

A PORTION OF SECTIONS 4, 5, 6, 7, 8, 9 AND SECTION 46, THE JOSEPH PEAVETT GRANT, ALL LYING IN TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 7, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE NORTH  $00^{\circ}02'28''$  WEST, ALONG THE WESTERLY LINE OF SAID SECTION 7 AND ALONG THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 813, PAGE 1729, OF THE PUBLIC RECORDS OF SAID COUNTY, 5417.21 FEET TO NORTHERLY LINE OF SAID SECTION 7; THENCE SOUTH  $88^{\circ}33'27''$  WEST, ALONG LAST SAID LINE, 2709.70 FEET TO THE WESTERLY LINE OF THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7 AND THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1288, PAGE 175, SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING; THENCE NORTH  $00^{\circ}53'26''$  EAST, ALONG LAST SAID LINE, 81.44 FEET TO AN ANGLE POINT IN LAST SAID LINE; THENCE NORTH  $01^{\circ}22'52''$  WEST, CONTINUING ALONG SAID EASTERLY LINE AND ALONG THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 819, PAGE 549 OF SAID PUBLIC RECORDS, 3478.85 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD (COUNTY ROAD NO. 5), A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED; THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY, RUN THE FOLLOWING SEVEN (7) COURSES AND DISTANCES; COURSE NO. 1: SOUTH  $70^{\circ}23'18''$  EAST, 285.47 FEET TO THE ARC OF A CURVE LEADING EASTERLY; COURSE NO. 2: EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1161.35 FEET, AN ARC DISTANCE OF 457.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH  $81^{\circ}41'03''$  EAST, 454.96 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; COURSE NO. 3: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 605.77 FEET, AN ARC DISTANCE OF 617.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $72^{\circ}15'44''$  EAST, 591.04 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 4: NORTH  $43^{\circ}03'49''$  EAST, 1770.05 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; COURSE NO. 5: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1117.67 FEET, AN ARC DISTANCE OF 643.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $59^{\circ}32'45''$  EAST, 634.20 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 6: NORTH  $76^{\circ}01'40''$  EAST, 855.08 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; COURSE NO. 7: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A

RADIUS OF 1136.75 FEET, AN ARC DISTANCE OF 20.01 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 76°31'56" WEST, 20.01 FEET TO THE NORTHERLY LINE OF SAID SECTION 5; THENCE NORTH 89°45'16" EAST, ALONG LAST SAID LINE, 138.10 FEET TO THE WESTERLY LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 5, ALSO BEING THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1225, PAGE 555 OF SAID PUBLIC RECORDS; THENCE SOUTH 00°14'13" WEST, ALONG LAST SAID LINE, 1351.31 FEET TO THE SOUTHERLY LINE OF LAST LANDS; THENCE SOUTH 89°50'34" EAST, ALONG LAST SAID LINE, 1378.07 FEET TO THE EASTERLY LINE OF LAST SAID LANDS; THENCE NORTH 00°38'38" WEST, ALONG LAST SAID LINE, 1317.25 FEET TO THE AFORESAID SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD AND THE ARC OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, SOUTHERLY AND EASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING SIX (6) COURSES AND DISTANCES; COURSE NO. 1: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2817.92 FEET, AN ARC DISTANCE OF 756.63 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 71°24'55" EAST, 754.36 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 2: SOUTH 63°43'23" EAST, 130.44 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; COURSE NO. 3: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1938.99 FEET, AN ARC DISTANCE OF 378.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 69°18'57" EAST, 377.94 FEET; COURSE NO. 4: SOUTH 15°05'29" WEST, 17.00 FEET TO THE ARC OF A CURVE LEADING EASTERLY; COURSE NO. 5: EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1955.99 FEET, AN ARC DISTANCE OF 270.17 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 78°51'56" EAST, 269.96 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 6: SOUTH 82°49'16" EAST, 578.74 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95 (STATE ROAD NO. 9), (A 300 FOOT LIMITED ACCESS RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 78080-2408 AND SECTION NO. 78080-2440), AND THE ARC OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, SOUTHERLY, SOUTHWESTERLY AND EASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING TWELVE (12) COURSES AND DISTANCES; COURSE NO. 1: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 7489.44 FEET, AN ARC DISTANCE OF 2392.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°14'11" EAST, 2382.51 FEET; COURSE NO. 2: SOUTH 03°32'06" EAST, 145.46 FEET; COURSE NO. 3: SOUTH 20°40'10" WEST, 101.72 FEET; COURSE NO. 4: SOUTH 51°51'12" WEST, 370.50 FEET;

COURSE NO. 5: SOUTH 73°40'38" WEST, 138.96 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; COURSE NO. 6: SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 6904.44 FEET, AN ARC DISTANCE OF 1010.17 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 12°07'53" EAST, 1009.27 FEET; COURSE NO. 7: NORTH 82°03'36" EAST, 490.40 FEET; COURSE NO. 8: SOUTH 26°49'41" EAST, 76.28 FEET; COURSE NO. 9: SOUTH 09°40'59" EAST, 701.21 FEET; COURSE NO. 10: SOUTH 01°23'34" EAST, 446.71 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; COURSE NO. 11: SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 7489.44 FEET, AN ARC DISTANCE OF 336.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 02°41'54" WEST, 336.64 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 12: SOUTH 03°59'10" WEST, 2749.56 FEET; THENCE SOUTH 25°00'00" WEST, 1053.92 FEET; THENCE NORTH 35°00'00" WEST, 2433.79 FEET TO THE APPROXIMATE CENTERLINE OF DURBIN CREEK; THENCE SOUTHWESTERLY AND NORTHWESTERLY, ALONG LAST SAID LINE, 5645 FEET, MORE OR LESS TO THE WESTERLY LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7, THENCE NORTH 00°25'28" EAST, ALONG LAST SAID LINE, 300 FEET, MORE OR LESS TO THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 813, PAGE 1729, OF SAID PUBLIC RECORDS AND THE SOUTHERLY LINE OF THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7; THENCE SOUTH 89°35'20" WEST, ALONG LAST SAID LINE, 1365.17 FEET TO THE WESTERLY LINE OF SAID NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 7 AND THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1288, PAGE 175 OF SAID PUBLIC RECORDS; THENCE NORTH 00°53'26" EAST, ALONG LAST SAID LINE, 1319.10 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1699, PAGE 720 OF SAID PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

THE ABOVE DESCRIBED LANDS BEING SUBJECT TO ANY SUBMERGED SOVEREIGN LANDS OF THE STATE OF FLORIDA ASSOCIATED WITH DURBIN CREEK.

CONTAINING 1298.42 ACRES, MORE OR LESS.

A PORTION OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CORNER COMMON TO SECTIONS 31 AND 32, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND SECTIONS 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH  $01^{\circ}18'46''$  EAST, ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 367.61 FEET, TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD (A VARIABLE WIDTH RIGHT-OF-WAY PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION 7200-2528), AND THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY AND WESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING FOUR (4) COURSES AND DISTANCES: COURSE NO. 1: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1112.80 FEET, AN ARC DISTANCE OF 246.84 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH  $49^{\circ}25'08''$  WEST, 246.34 FEET, TO THE POINT OF TANGENCY; COURSE NO. 2: SOUTH  $43^{\circ}03'51''$  WEST, 1769.90 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHWESTERLY; COURSE NO. 3: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 605.77 FEET, AN ARC DISTANCE OF 617.40 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH  $72^{\circ}15'44''$  WEST, 591.03 FEET, TO AN INTERSECTION WITH THE ARC OF A CURVE LEADING WESTERLY; COURSE NO. 4: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1161.35 FEET, AN ARC DISTANCE OF 148.62 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $89^{\circ}18'51''$  WEST, 148.51 FEET, TO AN INTERSECTION WITH THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 981.00 FEET, AN ARC DISTANCE OF 1288.97 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $72^{\circ}16'04''$  EAST, 1198.23 FEET, TO THE POINT OF TANGENCY; THENCE NORTH  $34^{\circ}37'35''$  EAST, 1189.60 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1112.80 FEET, AN ARC DISTANCE OF 163.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $38^{\circ}50'43''$  EAST, 163.73 FEET, TO THE POINT OF BEGINNING.

CONTAINING 5.78 ACRES, MORE OR LESS.

RECEIVED

NOV 17 2005

ST. JOHNS COUNTY  
PLANNING DEPARTMENT

EXHIBIT

B

POND 1

A PORTION OF SECTIONS 4 AND 5, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTHEASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE NUMBER 95 (A 300 FOOT RIGHT-OF-WAY PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION 72280-2403, DATED APRIL 1, 1964), AND THE SOUTHERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF RACETRACK ROAD (A VARIABLE WIDTH RIGHT-OF-WAY PER SAID STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP); THENCE NORTH  $86^{\circ}13'51''$  EAST, ALONG SAID SOUTHERLY LIMITED ACCESS RIGHT-OF-WAY LINE, 513.88 FEET; THENCE SOUTH  $15^{\circ}28'49''$  WEST, 320.30 FEET; THENCE SOUTH  $73^{\circ}43'53''$  WEST, 209.77 FEET, TO THE AFORESAID NORTHEASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE NUMBER 95, AND THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG LAST SAID LINE, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 7789.44 FEET, AN ARC DISTANCE OF 402.99 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $34^{\circ}06'01''$  WEST, 402.94 FEET, TO THE POINT OF BEGINNING.

CONTAINING 2.69 ACRES, MORE OR LESS.

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ST. JOHNS COUNTY  
PLANNING DEPARTMENT

EXHIBIT

13

St. Johns County Impact Fee Voucher  
Name of Development/ Developer

1. Name and address of Developer/ Grantor: Durbin Creek National, LLC
2. Name and address of Grantee: St. Johns County
3. Legal description of subject property: See Exhibit "B"
4. Subdivision or Master Development Plan name: \_\_\_\_\_

The undersigned Developer/ Grantor confirms that it has received from Durbin Creek National, LLC on \_\_\_\_\_, \_\_\_\_\_ funds sufficient for the following impact fees required under the applicable St. Johns County Impact Fee Ordinance, as amended, as indicated below. Durbin Creek National, LLC gives notice to St. Johns County, Florida that the following sums should be deducted from the applicable Impact Fee Credit account of Durbin Creek National, LLC.

  X   Roads

Ordinance # 87-57 in the amount of \$ \_\_\_\_\_