

ST. JOHNS COUNTY  
RESOLUTION NUMBER 2006- 52

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE BARTRAM PARK DRI DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON SEPTEMBER 19, 2000, UNDER RESOLUTION 2000-139 AND PREVIOUSLY MODIFIED BY RESOLUTION 2001-93, APPROVED MAY 8, 2001; RESOLUTION 2005-146, APPROVED JUNE 1, 2005; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Bartram Park, LTD, Bartram Investments, LLC, and Winslow Farms, Ltd., have submitted a Notice of Proposed Change (NOPC) to the Bartram Park Development of Regional Impact (DRI) dated June 2, 2005, requesting modification to the Development Order Special Condition (24), Master Plan Map H and Chart, and Special Condition (13) of the Development Order (the "Notice of Proposed Change"); and

**WHEREAS**, the Developer submits that the changes proposed in the NOPC do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes and the Developer has provided evidence that such changes do not constitute a substantial deviation under any provision of Section 380.06 (19) of the Florida Statutes; and

**WHEREAS**, the Board of County Commissioners has reviewed the NOPC and considered the evidence presented and whether the proposed modification constitutes a substantial deviation to the DRI requiring further DRI review at a public hearing held ~~January~~ February ~~21<sup>st</sup>~~ 2006, after required notice.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:**

1. The following facts and conclusions of law are established by clear and convincing evidence to support this Resolution:
  - a. The requested changes to not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because there is no change in either the development rights or increase in impacts from those approved Bartram Park DRI Development Order.
  - b. The changes requested in the NOPC area consistent with the Land Development Code of St. Johns County, as amended.
  - c. The changes requested in the NOPC are consistent with and further the objectives of the St. Johns County Comprehensive Plan 2015.
2. The Bartram Park DRI Development Order, Special Condition (24) is hereby modified by approval of the following specified changes:
  - A) Special Condition (24) Racetrack Road is hereby amended to read as follows:

**24. Racetrack Road.**

- (1) Add as last sentence of this paragraph:

St. Johns County agrees to acquire at its cost lands in St. Johns County needed to obtain sufficient right of way in excess the 133 feet of right of way plus 6.83 acres for stormwater ponds to be contributed by Applicant ("Required Right of Way") in order to widen Racetrack Road from the East Spine Road of Bartram Park to Russell Sampson Road and construct stormwater ponds.

- (2) Delete existing language and replace with the following:

Construction for the final segment of Bartram Park Blvd. from its existing terminus to Racetrack Road shall be commenced on or before June 2006 and completed no later than June 2007. On or before February 2008, or as soon as sufficient land for right of way and stormwater ponds has been acquired by the County, whichever is later, Developer shall commence construction of the four-laning of Racetrack Road from Russell Sampson Road to the East Spine Road including the I-95 bridge/flyover. Construction shall be completed within twenty months of commencement.

- (3) Delete existing language and replace with the following:

The developer shall receive a credit against the proportionate share of \$11,161,335, consisting of \$8,161,335 for construction of both improvements to Racetrack Road and \$3,000,000 for right of way contribution. If the substantiated total is less than \$13,538,645 (\$11,161,335 plus \$2,377,310 which is the cost of widening Racetrack Road from the East Spine Road to U.S.1), Developer will pay the difference in cash in year 2000 dollars to either the City of Jacksonville or St. Johns County as fulfillment of this condition. Provided, however, if at the time of payment for this improvement, the cost including the value of the right of way is greater than \$13,538,645, Developer shall have the right in subsequent changes to the Development Order to request credit for the difference in the estimated cost and actual cost against the Additional Transportation Contribution. The improvements to Racetrack Road and The donation of Racetrack Road right of way shall be deemed to satisfy all DRI transportation mitigation requirement of ST. Johns County.

B) **Phasing: General Condition 3**

**3. Phasing, Buildout and Expiration of DRI.** The phasing schedule of this portion of the DRI is revised as follows:

<b>Land Use</b>	<b>Phase 1 (2000-2010)</b>	<b>Phase II (2011-2015)</b>
Office		44,830 square feet
Retail/Commercial		374,084 square feet

C) **Master Development Plan and Chart**

The Master Plan, Map H and Chart as depicted in Exhibit D in the Development Order are replaced by Master Plan, Map H, dated 5-02-05 and Chart dated March 4, 2005.

All other language in this section remains unchanged.

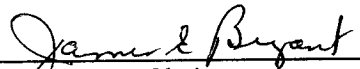
- D) **Special Condition 13** is hereby amended to read as follows:

"The Sale of the Preserve Property as described above pursuant to the conditions of the Agreement of Purchase and Sale between Applicant and the St. Johns River Water Management District shall serve as mitigation for impacts to sixteen (16) acres of wetlands within the DRI, either in Duval or St. Johns County. Any further wetlands impacts shall not exceed 200 acres total for the entire DRI (including 16 acres which have already been mitigated); provided, however, that up to 7.67 acres of additional impacts (above 200) may be located within Bartram Parcel 45. The limit of wetland impacts shall apply only to the improvements within the Bartram Park DRI boundary and shall not include wetland impacts, if any, associated with the widening of Racetrack Road or construction of the canoe launch site. Wetland impacts will be mitigated through the regulatory permitting process. Wetland impacts in St. Johns County shall not exceed ten (10) acres including wetland impacts associated with the widening of Racetrack Road or construction of the canoe launch site."

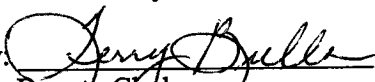
3. Except as modified by this Resolution, the existing Bartram Park DRI Development Order shall remain in full force and effect.
4. A certified copy of this resolution, complete with all exhibits, shall be rendered by St. Johns County within ten (10) days of its adoption by certified mail, return receipt requested to the Developer, the Florida Department of Community Affairs, and the Northeast Florida regional Council.
5. This Resolution shall take effect upon its adoption.

**PASSED AND APPROVD BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 21<sup>st</sup> DAY OF ~~JANUARY~~ February, 2006.**

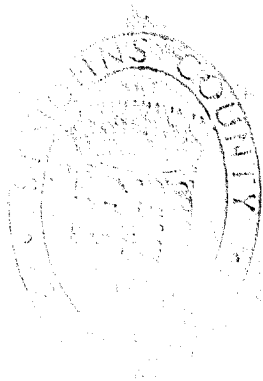
BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

  
James Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By:   
Deputy Clerk

RENDITION DATE 2-23-06



**BLACKLINE**

**September 11, 2000**

**ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS  
RESOLUTION NO. 139  
A DEVELOPMENT ORDER FOR  
BARTRAM PARK  
A DEVELOPMENT OF REGIONAL IMPACT**

**LET IT BE KNOWN** that, pursuant to Section 380.06 of the Florida Statutes, the St. Johns County Board of County Commissioners has heard at a public hearing convened on September 19, 2000 the Application for Development Approval for Bartram Park, Ltd. (hereinafter referred to as Applicant and/or Developer), which consists of 2,644.95 acres described in **Exhibit A** attached hereto, 128.32 acres of which are in St. Johns County described on **Exhibit B** attached hereto, the balance of which consisting of 2516.63 acres are in Duval County as described on **Exhibit C** attached hereto, to be developed in the manner described in the Application dated July 19, 1999, Supplemental Information dated August 16, 1999 and First and Second Responses for Additional Information dated December 7, 1999 and February 17, 2000 (hereinafter "Bartram Park" or the "Development"); and

**WHEREAS**, the Board of County Commissioners of St. Johns County has considered the report and recommendations of the Northeast Florida Regional Planning Council, the St. Johns County staff, the documents and comments upon the record made before the St. Johns County Board of County Commissioners; and

**WIEREAS**, the Bartram Park Development of Regional Impact (DRI) is a proposed mixed use development located at 1-95 and Racetrack Road on approximately 2,644.95 acres, 128.32 acres of which are in St. Johns County, Florida; and

**WHEREAS**, the Applicant filed an Application for Development Approval dated July 19, 1999 (ADA), pursuant to Section 380.06, Florida Statutes (F.S.) , for the Bartram Park DRI

on certain real property more specifically described in the attached Exhibit A, (the "DRI Property"); and

**WHEREAS**, Warren A. Weiss, Trustee of the Marital Trust u/w/o Joseph Applebaum and Gran Central Corporation are the owners of the DRI Property and have duly authorized the Applicant to file the ADA and obtain a Development Order for the DRI Property; and

**WHEREAS**, the authorized agent for the Applicant is J. Thomas Dodson, Jr., 13361 Atlantic Boulevard, Jacksonville, Florida 32225, and

**WHEREAS**, the Applicant has duly provided complete copies of the ADA and all information for a sufficiency response to the Florida Department of Community Affairs, Northeast Florida Regional Planning Council, and St. Johns County; and

**WHEREAS**, the proposed DRI does require an amendment to the County's Comprehensive Plan; and

**WHEREAS**, an amendment to the County's Comprehensive Plan is being approved simultaneously with the adoption of this Resolution;

**WHEREAS**, the ADA was reviewed by the Northeast Florida Regional Planning Council as required by Section 380.06, F.S. (1999), and the Council recommended that the Application be approved, with conditions as set forth in the Assessment Report for Bartram Park DRI dated July 6, 2000; and

**WHEREAS**, the St. Johns County Board of County Commissioners has duly noticed and on September 19, 2000 held a public hearing on the application as required by section 380.06, F.S., and afforded the public and all affected parties an opportunity to be heard and to present evidence; and

**WHEREAS**, implementation of the Master Plan for Bartram Park as depicted on Exhibit D attached hereto as a mixed use development which will offer a variety of residential options with the ability to live, work, shop, and recreate in a distinct residential neighborhood or village/town center configuration utilizing employment opportunities within the DRI while maximizing access linkages throughout the development to limit as much as possible the necessity to travel outside the DRI; and

**WHEREAS**, the proposed development will be compatible with and sensitive to the Julington Durbin preserve adjacent to the DRI;

**WHEREAS**, the Developer is seeking to provide a high quality of life for families, employees and consumers within the DRI while protecting the beauty and benefit of the natural characteristics of the property and the adjacent preserve for future generations;

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The proposed DRI is not in an area designated as an Area of Critical State Concern pursuant to the provisions of Section 380.05, F.S.

The proposed DRI is located in Duval and St. Johns Counties and is subject to a separate comprehensive plan amendment, DRI Development Order and PUD rezoning, all of which are to be approved at or about the same time for both counties and each of which will be administered by the respective county for that portion of the DPI located in that county.

The proposed DRI is consistent with the State Comprehensive Plan.

The proposed DRI is consistent with the Strategic Regional Policy Plan adopted by the Northeast Florida Regional Planning Council.

The proposed DRI is consistent with the St. Johns County Comprehensive Plan 1990-2005 and St. Johns County land development regulations.

The proposed DRI is consistent with the Assessment Report and Recommendations of the Northeast Florida Regional Planning Council issued pursuant to Section 380.06, F.S.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of St. Johns County, Florida, in public hearing duly constituted and assembled on \_\_\_\_\_, 2000 that the Application for Development Approval for that portion of the Bartram Park DRI located in St. Johns County is hereby approved, subject to the following terms and conditions:

**GENERAL CONDITIONS**

1. **Application For Development Approval.** The DRI shall be developed in accordance with the information, plans and commitments contained in (1) the Bartram Park DRI ADA dated July 19, 1999, (2) the First and Second Sufficiency Responses dated December 7, 1999 and February 17, 2000, submitted by the Applicant as part of the DRI review prior to adoption of this Development Order, all of which are incorporated by reference except to the extent of any conflict with the express terms of the conditions of the Bartram Park DRI Development Order ("Development Order"). In the event of any conflict, the terms and conditions of the Development Order shall govern.

2. **Land Use Totals.** The DRI may be developed with the following improvements: 67.26 acres and 374,084 square feet of retail, 4.82 acres and 44,830 square feet of office use, 3.02 acres of Community Facilities including a fire station and other county uses, 4.77 acres of Infrastructure not including Racetrack Rd. right of way and 48.45 acres of Open Space. The Developer may increase retail square footages and simultaneously decrease office square footage without filing a Notice of Proposed Change provided that such changes are consistent with the Land Use Exchange Table attached as **Exhibit E**. Additional development which is located in

Duval County is being approved by separate Development Order by the City Council of the City of Jacksonville, Florida.

(1) At the time of election of a land use trade-off a under the Land Use Exchange Table, the Applicant shall notify the Department of Community Affairs (DCA) and the Northeast Florida Regional Planning Council (NEFRPC) of the election and shall provide DCA, the County and NEFRPC with cumulative land use totals and remaining allowable quantities. Written notice of the trade-off election shall be given to the DCA and NEFRPC at least 30 days before the local government hearing or meeting for approval of the proposed trade-off.

(2) The Developer agrees to apply the conversion factor in such a manner that the result after application of the conversion factor will be no less than the minimum square footage and no more than the maximum square footage set forth below for each land use:

<u>LAND USE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Commercial	100,000 square feet	400,000 square feet
Office	30,000 square feet	600,000 square feet

(3) So long as the trade-off is consistent with the criteria contained herein and no change is made to the Master Plan, Map H, no additional DRI approvals shall be required for the trade-off. Trade-off elections shall be reported annually as provided below.

3. **Phasing, Buildout and Expiration of DRI.** The DRI in St. Johns County shall be developed as follows:

<u>Land Use</u>	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>
	(2000-2005)	(2006-2010)	(2011-2015)
Retail(Commercial)			374,084 s.f.
Office			44,830 s.f.

<u>Land Use</u>	<u>Phase I</u> <u>(2000-2010)</u>	<u>Phase II</u> <u>(2011-2015)</u>
<u>Office</u>		<u>44,830 square feet</u>
<u>Retail/Commercial</u>		<u>374,084 square feet</u>

Notwithstanding the foregoing, no vertical development will occur in St. Johns County prior to January 1, 2005. Physical development of the DRI shall commence within three (3) years of the effective date of this Development Order; however, this time period shall be tolled during the period of any appeal pursuant to Section 380.07, P.S., or during the pendency of administrative or judicial proceedings relating to development permits. Commencement of physical development in Duval County shall be deemed to be commencement of physical development in St. Johns County. The projected buildout date for all development is December 31, 2015. The DRI termination and DRI Development Order expiration dates are established as December 31, 2020.

~~2. The Master Plan, Map H, as depicted in Exhibit D in the Development Order is revised as depicted at Exhibit A attached dated April 21, 2000.~~

~~2. The Master Plan, Map H, as depicted in Exhibit D in the Development Order is revised as depicted at Exhibit A attached dated April 21, 2000.~~

Physical development of the DRI shall commence within three (3) years of the effective date of this Development Order; however, this time period shall be tolled during the period of any appeal pursuant to Section 380.07, F.S., or during the pendency of administrative or judicial proceedings relating to development permits. Commencement of physical development in Duval County shall be deemed to be commencement of physical development in St. Johns County. The

projected buildout date for all development is December 31, 2015. The DRI termination and DRI Development Order expiration dates are established as December 31, 2020.

4. **Effective Date.** The Development Order shall take effect upon transmittal to the Department of Community Affairs, the Northeast Florida Regional Planning Council and the Developer in accordance with Rule 9J-2.025(5) F.A.C. and Subsection 380.07(2), Florida Statutes.

5. **Monitoring Official.** The Director of Planning of St. Johns County, Florida, shall be the local official responsible for interpretation of the DRI as relates to any portion located in St. Johns County. Interpretation of the DRI as relates to any portion located Duval County shall be the Director of Planning and Development, City of Jacksonville, Florida.

6. **Downzoning Protection.** The Bartram Park DPI as approved in this Development Order shall not be subject to downzoning or reduction of approved land uses before December 31, 2020, unless the Applicant consents to such change or St. Johns County demonstrates that substantial changes in the conditions underlying the approval of this Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly established by St. Johns County to be essential to the public health, safety and welfare.

7. **Election Regarding Environmental Rules.** Pursuant to Section 380.06(5)(c), F.S. (1999), the Developer has elected to be bound by the rules adopted pursuant to Chapters 373 and 403 in effect as of the date of this Development Order, including, but not limited to, the provisions of Section 373.414(13), F.S. (1999). Such rules shall be applicable to all application for permits pursuant to those chapters which are necessary for and consistent with the

development authorized in this Development Order, except that a later adopted rule shall be applicable to an application if:

- (1) the later adopted rule is determined by the rule adopting agency to be essential to the public health, safety, or welfare; or
- (2) the later adopted rule is adopted pursuant to §.403.061(27), F.S.; or
- (3) the later adopted rule is being adopted pursuant to a subsequent enacted statutorily mandated program; or
- (4) the later adopted rule is mandated in order for the state to maintain delegation of a federal program; or
- (5) the later adopted rule is required by state or federal law.

Further, to qualify for the benefits of this provision, the application must be filed within five (5) years from the issuance of this Development Order and the permit shall not be effective for more than eight (8) years from the issuance of this Development Order. Nothing in this paragraph shall be construed to alter or change any permitting agency's authority to approve permits or to determine applicable criteria for longer periods of time.

8. **Level of Service Standards.** The Applicant shall be required to meet the adopted level of service standards in the St. Johns County Comprehensive Plan and the requirements of the County's concurrency management system unless such requirements conflict with the ability to offset traffic impacts by paying the proportionate share as permitted by Florida Statutes 163.3180 (12) (1999) if authorized in a comprehensive plan amendment by St. Johns County. If the provisions of F. S. 163.3180 (12) are authorized by the Board of County Commissioners in a comprehensive plan amendment, the provisions of F. S. 163.3180 (12) shall be deemed to meet the provisions of the

county's concurrency management system (Land Development Code Article 11). This DRI is deemed to be a Multi Use DRI meeting the statutory provisions of F. S. 163.3180 (12).

9. **Annual Reporting.** The Applicant or its successors or assigns, shall submit an annual report on each anniversary date of the adoption of this Development Order, beginning June 1, 2001, until the completion of the DRI. The report shall be submitted to St. Johns County, Duval County, the Northeast Florida Regional Planning Council, Florida Department of Community Affairs, the Northeast District of the Florida Department of Environmental Protection, St. Johns River Water Management District, Florida Game and Fresh Water Fish Commission, and any other affected permit agencies. Form RPM-BSP-ANNUAL REPORT-1 of the Florida Department of Community Affairs, as amended from time to time, may be used for the format of this report. In accordance with Section 380.06(18), F.S. (1999), failure to file an annual report in a timely manner may result in the temporary suspension of this Development Order. The annual report shall address the following:

(1) A description of any changes made in the plan of development, phasing, or in representations contained in the ADA since the date of adoption of this Development Order, any use of the Land Use Exchange Table and any actions taken by the local government to address these changes. Copies of any approvals taken to address changes including copies of any revised master plans not previously submitted will be attached to the Monitoring Report.

(2) A summary comparison of development activity proposed or conducted since the previous monitoring report and activity projected for that period until submittal of the next regular monitoring report. The summary will include: a description of site improvements, gross floor area constructed by land use type, location, and phase, with appropriate maps. A

tabulation of the amount of acreage developed in the reporting period shall be provided by land use categories listed in Chapter 28-24, F.A.C.

(3) An identification of the name of the purchaser of any undeveloped tracts of land in the Bartram Park DRI, including the location and size of the tracts purchased, and the amount of development rights allocated to the purchaser, with map(s) which show the parcel(s) or subparcel(s) acquired.

(4) A cumulative summary of all development that has taken place within the Bartram Park DRI by the land use categories listed in Chapter 28-24, F.A.C. including gross floor areas constructed by land use type and location, together with a cumulative summary of location, size (acreage), development rights purchased (land use type and square footage), and the name of the purchaser of all parcels purchased within the Bartram Park DRI.

(5) To the extent known to Applicant, a description of any lands purchased or optioned within one mile of the boundaries of the Bartram Park DRI by a person who has acquired a fee simple or lesser interest in the Bartram Park DRI subsequent to issuance of the Development Order (but excluding persons who have only acquired a leasehold interest in lands or improvements within the Bartram Park DRI), identifying such land, its size, and its intended use on a site plan and map.

(6) A listing of any substantial local, state, and federal permits, which were obtained, applied for, or denied, during this reporting period, specifying the agency, type of permit, parcel, location(s), and activity for each permit.

(7) A description of any moratorium imposed by a regulatory agency on development within the Bartram Park DRI, specifying the type of moratorium, duration, cause, and remedy.

(8) Provide an analysis demonstrating there will be sufficient capacity of potable water, wastewater, and solid waste facilities serving the Bartram Park DRI for the anticipated development for the ensuing report period.

(9) Provide an assessment of Applicant's, Applicant's successor, if any, and local government's compliance with conditions and commitments contained in the Development Order.

(10) A description of any change to the previously reported stormwater plans, design criteria, or planting and maintenance programs.

(11) A description of any known incremental DRI applications for development approval or requests for a substantial deviation that were filed in the reporting year and to be filed during the next reporting year.

(12) A description of any change in local government jurisdiction for any portion of the development since the Development Order was issued.

(13) Copies of monitoring reports completed during the previous year on the created wetlands and stormwater/wetland systems as required by permitting agencies.

(14) Traffic reports, which shall be submitted to the Florida Department of Transportation ("FDOT") District Urban Office in Jacksonville, as well as to the Jacksonville Planning and Development Department, Jacksonville Metropolitan Planning Organization ("MPO"), St. Johns County Planning Department, NEFRPC, and DCA. The first traffic report shall be due concurrently with the first regular Monitoring Report and then annually thereafter until project buildout, unless otherwise specified by the NEFRPC. The following information shall be included:

- (1) A description of current development by land use, type, location, and amount of square footage, along with the proposed construction schedule for the ensuing 12 month period, and appropriate maps.
- (2) Traffic counts, turning movements, and levels of service actual for the past 12 months and projected for the ensuing 12 months, including traffic estimates for the following roads, including intersections. Applicant shall distinguish between project-related traffic and total traffic volumes:

- St. Augustine Road:
  - west of the project entrance
  - project entrance to 1-95
  - 1-95 to U.S. 1
- Racetrack Road:
  - Russell Sampson Road to Bartram Parkway
  - Bartram Parkway to U.S. 1
- U. S. 1:
  - south of Racetrack Road
  - Racetrack Road to St. Augustine Road
  - north of St. Augustine Road
- 1-95: north of St. Augustine Road

Note: Actual FDOT, City of Jacksonville, or St. Johns County traffic counts shall be used where possible. If actual FDOT, City or County

counts are not available for a particular road or intersection, Applicant shall retain, at his expense, a traffic engineering firm to collect the necessary counts. FDOT seasonal adjustment factors shall be used when adjusting traffic counts.

(15) A description of any new and/or improved roadways, traffic control devices or other transportation facility improvements to be constructed or provided by Applicant or governmental entity to accommodate the total existing and anticipated traffic demands.

(16) The monitoring reports will determine if air quality monitoring is warranted pursuant to the FDEP Guidelines for Indirect Sources.

(17) A statement certifying that the NEFRPC, DCA, the City of Jacksonville, and St. Johns County and all affected agencies have been sent copies of the Monitoring Report in conformance with Subsections 380.06(15) and (18), F.S. Applicant shall ensure that all appropriate agencies receive a copy of the Annual Monitoring Reports.

(18) The Director of Planning of the St. Johns County Growth Management Services Department shall be the local official responsible for monitoring the development in St. Johns County for compliance by the Applicant with the Development Order.

10. **Notice of Adoption.** Notice of the adoption of this Development Order or any subsequent amendment to it shall be recorded by the Applicant in accordance with Sections 28.222 and 380.06(15)(f), F.S. (1999), with the Clerk of the Circuit Court of St. Johns County, Florida. Recordation of this notice shall not constitute or provide actual or constructive notice of a lien, cloud or encumbrance of the DRI Property. The conditions of this Development Order shall run with the land and bind the successors and assigns of the Applicant on the DRI Property.

11. **Application For Proposed Changes.** The Applicant shall submit simultaneously to St. Johns County, the Northeast Florida Regional Planning Council and Florida Department of Community Affairs any applications for proposed changes to the DRI and shall comply with the requirements of Section 380.06(19), F.S. (1999), concerning substantial deviations.

Applications filed which propose changes only to the Development Order conditions within St. Johns County and which only (a) change the location and/or density of land uses; (b) affect the required mitigation for impacts other than transportation impacts; and/or (c) qualify as a nonsubstantial deviation under section 380.06(19)(e)2; are not required to be reviewed by the City of Jacksonville ("City"). Similarly, applications filed which propose changes only to the Development Order conditions within the City and which only (a) change the location and/or density of land uses; (b) affect the required mitigation for impacts other than transportation impacts; and/or (c) qualify as a nonsubstantial deviation under section 380.06(19)(e)2; are not required to be reviewed by the County. Any other proposed changes shall be reviewed by the City and the County. Further, any proposed changes determined by the reviewing local government or deemed by the Developer to constitute a substantial deviation from this Development order shall be reviewed by the City and the County. The City and the County shall provide to one another fifteen (15) days prior written notice of any final action to be taken by them with respect to requested modification to this Development Order. All resolutions adopted by the County and the City amending this Development Order shall be forwarded to the other local governments' Planning Departments coincident with transmittal to the DCA, the NEFRPC, and the Developer. Notwithstanding anything contained herein to the contrary, the failure of any local government to meet the time frames set forth herein for transmittal of information to another local government shall not constitute a breach or default by the Owner or

Developer as to the terms and conditions of this Development Order nor impact the validity of any modification approved by the reviewing local government. Nothing contained herein shall modify the right of review of the DCA as to any modifications of this Development Order pursuant to section 380.06(19).

12. **Limitation of Approval.** The approval granted by this Development shall not be construed to obviate the duty of the Applicant to comply with all other applicable local or state permitting procedures.

### **SPECIAL CONDITIONS**

#### **Wetlands Impacts and Wetland/Upland Buffers.**

13. **Wetland Impacts.** The Sale of the Preserve Property as described above pursuant to the conditions of the Agreement of Purchase and Sale between Applicant and the St. Johns River Water Management District shall serve as mitigation for impacts to sixteen (16) acres of wetlands within the DRI, either in Duval or St. Johns County. Any further wetlands impacts shall not exceed ~~100~~ 200 acres total for the entire ~~DRI~~, DRI; (including the 16 acres which have already been mitigated); provided, however, that up to 7.67 acres of additional impact (above 200) may be located within Bartram Parcel 45. The limit of wetland impacts shall apply only to the improvements within the Bartram Park DRI boundary and shall not include wetland impacts, if any, associated with the widening of Racetrack Road or construction of the canoe launch site. Wetland impacts will be mitigated through the regulatory permitting process. Wetland impacts in St. Johns County shall not exceed ten (10) acres not including any wetland impacts associated with the widening of Racetrack Road or construction of the canoe launch site. Any wetland impact in St. Johns County shall comply with the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code. The wetland impacts may or may not be contiguous

~~to one another. Any mitigation required for the additional wetland impacts of up to 84 acres shall be negotiated with the applicable agencies as a part of the permitting process. No development activities, as defined in Section 380.04, F.S., except for activities permitted by the appropriate environmental permitting agencies, shall be allowed in any of the wetland areas within the DRI. Wetland impacts will be mitigated through the regulatory permitting process.~~

14. Wetland Buffers

(1) A minimum undisturbed 25-foot upland buffer measured landward from the SJRWMD jurisdictional line will be maintained around all wetlands with the exception of road crossings and other impacted areas as approved by the SJRWMD. All land development code requirements of St. Johns County will be followed.

(2) A fifty (50) foot natural vegetative buffer will be provided along all wetlands adjacent to the Durbin Creek floodplain measured landward from the SJRWMD jurisdictional line.

(3) Wetland Crossing--An elevated bridge or some other crossing, as permitted by the St. Johns River Water Management District, shall be used to accommodate wildlife movement at Corkland Branch, a tributary of Durbin Creek.

**Floodplain.**

It is intended that no development will occur within the 100-year floodplain as determined on the FEMA floodplain maps, other than road crossings and very small amounts of development. Any road crossings or development within the 100 year floodplain will be elevated or flood-proofed to a height that is at a minimum two (2) feet above the base flood elevation of the 100 year floodplain NGVD- 1929.

Water and Sewer Supply.

15. Development within the Project shall occur concurrent with the provision of adequate central potable water and sewer supply meeting the adopted level of service in the St. Johns County Comprehensive Plan. Central water and sewer supply shall be provided by the City of Jacksonville, Jacksonville Electric Authority ("City"). Pursuant to the terms of the Agreement of Purchase and Sale, the City shall at its expense, construct the infrastructure necessary to bring potable water, sanitary sewer, and electric utilities along Racetrack Road to Bartram Parkway (the southern end of the north-south connector road west of I-95) within twelve (12) months from the effective date of this Resolution. No septic tanks shall be constructed on the site. Temporary surface tanks may be used to provide sewer service to construction and marketing trailers until central sewer lines are installed.

16. Landscaped areas and other non-residential areas will be irrigated first with available stormwater until reclaimed wastewater is available on site, then such reclaimed water shall be used immediately upon availability at the site. Surficial water wells may only be used as an emergency back-up to these sources, as such use is permitted by the SJRWMD. Residential irrigation will first use reclaimed water, if found economically feasible, when available to the site, with stormwater as the backup source and groundwater used only as an emergency backup. The applicant shall Conduct a feasibility study to determine the economic feasibility of reuse for residential irrigation. If determined to be economically feasible by JEA and based upon review comments by the SJRWMD, as an interim measure and until reclaimed water is available, the applicant will construct a residential and non-residential irrigation system. This system shall be constructed to reuse standards to allow for initial use of appropriate groundwater sources and for later conversion to allow for use of reclaimed wastewater, when available.

17. Water conservation strategies, including xeriscape landscaping techniques and low-flow plumbing fixtures shall be incorporated into the construction, operation, and maintenance phases of the development, and shall be included in the covenants and deed restrictions. These conservation strategies will include the following:

(1) Drought-tolerant and xeriscape vegetation principles issued by SJRWMD shall be applied in all landscaped areas. The applicant shall strive for 50% such vegetation as economically and practically feasible. Landscaped areas include turf, planted vegetation, and mulch, however they do not include hardscaped areas.

(2) The Applicant shall provide xeriscape/drought-tolerant literature to all future developers and residents.

(3) Utilization of only slow-release granular or organic fertilizers within common areas. All builders and property buyers will be encouraged to use xeriscape landscaping within Bartram Park and will be provided with a suggested plant list, design recommendations, maintenance and description of the xeriscape principles. The architectural review board will review all landscape plans and builder/buyer landscape options for all residential and commercial uses for utilization of such principles.

(4) The use of private irrigation wells in areas where reuse will be available is prohibited.

(5) Rain-sensors will be required for all outside irrigation.

18. Prior to site clearing or construction, the Applicant shall review SJRWVID and the County's records for all recorded water wells on the DRI property and shall survey the property for existing water wells. The Applicant shall immediately report the location, depth, and diameter for each of the existing ground water wells on the property to SJRWMD and the

County for their records. All other existing ground water wells and all wells discovered during the development process shall be reported immediately to the SJRWMD and the County. Floridian Aquifer wells that do not fall within the SJRWMD's specific consumptive use permitting (CUP) requirements for nonpotable water use throughout the development are prohibited. This prohibition will be included in deed restrictions of future individual property owners. Any abandoned wells discovered prior to or during development shall be properly plugged and abandoned in accordance with SJRWMD regulations. To the extent available, the following information should be included for each well:

- (1) Owner or tenant using the well
- (2) Location of the well
- (3) Well contractor who constructed the well
- (4) Date of well construction
- (5) Use of the well
- (6) Status of the well (is it currently in use?)
- (7) Well casing diameter(s), depths and total depth of the well
- (8) Does the well free-flow or does it require pumping to remove the water

from the ground

19. A Surface Water Quality Monitoring Plan reflected as **Exhibit F** shall be followed for the proposed development. The Surface Water Quality Monitoring Program ("SWQMP") must be approved by the Northeast District office of the DEP and shall include sites on all waterways that are connected to Florida waters. The SWQMP will be implemented on site prior to initiating construction activities to ensure adequate data collection for establishment of background conditions. All background data will be submitted to FDEP prior

to initiation of any construction activities. Monitoring data prepared in accordance with the monitoring program shall be summarized in the DRI monitoring report. If the monitoring program indicates violations of the State of Florida Water Quality Standards, in the receiving waters of the State caused by activities in the development, the applicant shall take actions to meet State standards within a reasonable time frame. The actions required addressing the identified exceedence and the time frame for implementation of the action shall be agreed upon by the NEFRPC, FDEP, and SJRWMD. Failure to implement the agreed upon action in the time frame identified will be a violation of this condition.

20. To protect the water quality of the wetlands associated with Durbin Creek, a Natural Resource of Regional Significance, the development will be limited to one boardwalk that crosses over wetlands within the project for the purpose of non-motorized boat access. The design of this boardwalk shall comply with FDEP guidelines that allow for construction with only temporary impacts. The boardwalk must be reviewed and approved by St. Johns County, and either the Northeast District FDEP or SJRWMD, and the designated agency responsible for managing the Julington/Durbin Creek Peninsula preservation area.

**Stormwater Management.**

Development within the Project shall proceed concurrent with a contiguous, functioning, permitted management and storage of surface waters system. The Project shall meet the adopted drainage level of service standard in the County's Comprehensive Plan. All stormwater discharge to Julington or Durbin Creek or their tributaries shall be treated prior to discharge.

**Solid Waste.**

21. The Project shall meet the level of service standard established in the St. Johns County Comprehensive Plan 2000-2015

22. The Project shall participate in the St. Johns County recycling program.

**Transportation.**

Mitigation costs for mass transit and roads for the development which is approved by this Development have been deemed to be those as specifically set forth in the attached in the Transportation Mitigation Summary at Exhibit G. The Developer shall mitigate for such impacts in the following manner:

23. I-95/9B Interchange Contribution.

No later than six (6) months from the effective date of this Development Order or sixty (60) days after the developer takes title to the property whichever comes first, Developer shall donate to the FDOT 204 acres at the intersection of I-95 and the proposed 9B interchange as further depicted on the Master Plan at Exhibit D. Such land shall have a restriction in the deed that it shall be used for an interchange or other road project of FDOT. At the same time as the donation of the 204 acres, Developer shall donate an amount not to exceed twenty-five (25) acres on the DRI site at a location mutually agreed upon by Applicant and FDOT for the purpose of storm water retention for the interchange.

24. Racetrack Road.

~~(1) No later than thirty months from the effective date of the Development Order, Developer shall commence construction, or cause for construction to commence, or pay to St. Johns County the full cost as agreed to by the County, of the four laning of Racetrack Road from U.S. 1 (including all necessary at grade intersection improvements at the U.S. 1/Racetrack Road intersection), to the East Spine Road entrance into the single family development between parcels 41 and 42 as depicted on the Master Plan. The Applicant shall reserve sufficient right of way along the entirety of the project along Racetrack Road to expand the present 66 feet of right~~

~~of way to 133 feet (contributing 67 feet or one half of the right of way needed to total 200 feet), and within 90 days of such a request by St. Johns County, the Developer shall convey to St. Johns County such right of way to accommodate improvements adjacent to the entire southern boundary of the project." Such right of way is estimated to be 20 acres. Developer agrees to convey up to an additional one acre if roadway right of way measurements require such acreage for the road improvement. Provided, however, if the county has not acquired the additional one half of the right of way needed to match the Bartram conveyance at the time as the right of way is needed to complete the widening of the Racetrack Road segments required by this DRI, then Developer shall donate such additional right of way up to 67 feet as is necessary to construct the widening projects set forth in this DRI. In the event that Developer donates such additional right of way for Racetrack Road, the value of the additional donated right of way shall be credited against the \$7,961,998 required for the construction of Phase III of this development, such value to be established by filing a Notice of Proposed Change to the DRI. In addition, the Developer shall receive a credit against county transportation impact fees for the value of the additional donated right of way pursuant to the impact fee ordinance.~~

(1) No later than thirty months from the effective date of the Development Order, Developer shall commence construction, or cause construction to commence, or pay to St. Johns County the full cost as agreed to by the County, of the four-laning of Racetrack Road from U.S. 1 (including all necessary at-grade intersection improvements at the U.S. 1/Racetrack Road intersection), to the East Spine Road entrance into the single family development between parcels 41 and 42 as depicted on the Master Plan. The Applicant shall reserve sufficient right of way along the entirety of the project along Racetrack Road, as further depicted on Exhibit H, to expand the present 66 feet of right of way to 133 feet (contributing 67 feet or one half of the right of way needed to total 200 feet), and within 90 days of such a request

by St. Johns County, the Developer shall convey to St. Johns County such right of way to accommodate improvements adjacent to the entire southern boundary of the project. Such right of way is estimated to be 20 acres. Developer agrees to convey up to an additional one acre if roadway right of way measurements require such acreage for the road improvement. Provided, however, if the county has not acquired the additional one half of the right of way needed to match the Bartram conveyance at the time as the right of way is needed to complete the widening of the Racetrack Road segments required by this DRI, then Developer shall donate such additional right of way up to 67 feet as is necessary to construct the widening projects set forth in this DRI. In the event that Developer donates such additional right of way for Racetrack Road, the value of the additional donated right of way shall be credited against, the \$7,961,998 required for the construction of Phase II of this development, such value to be established by filing a Notice of Proposed Change to the DRI. In addition, the Developer shall receive a credit against county transportation impact fees for the value of the additional donated right of way pursuant to the impact fee ordinance. St. Johns County agrees to acquire at its cost lands in St. Johns County needed to obtain sufficient right of way in excess of lands to be contributed by Applicant ("Required Right of Way") in order to widen Racetrack Road from the East Spine Road of Bartram Park to Russell Sampson Road and construct stormwater ponds.

~~(2) — No later than the date of connection of Bartram Park Blvd. to Racetrack Rd., Developer shall four lane Racetrack Road including the Durbin Creek bridge and the bridge over I-95 from Russell Sampson Road to the East Spine Road. Bartram Park Blvd. shall not be open and operational until the Applicant has constructed, caused to be constructed or paid the full cost, as determined by St. Johns County, for the four laning of this segment of Racetrack Road.~~

(2) Construction for the final segment of Bartram Park Blvd. from its existing terminus to Racetrack Road shall be commenced on or before June 2006 and completed no later than June 2007. On or before February 2008, or as soon as sufficient land for right of way and stormwater ponds has been acquired by St. Johns County and Duval County, whichever is later, Developer shall commence construction of the four-laning of Racetrack Road from Russell Sampson Road to the East Spine Road including the I-95 bridge/flyover. Construction shall be completed within twenty months of commencement.

~~(3) Impact fee credit shall be allowed for the cost of the improvements to Racetrack Road and the donation of right of way in accordance with the applicable County impact fee ordinance. The improvements to Racetrack Road and the donation of Racetrack Road right of way shall be deemed to satisfy all DRI transportation mitigation requirements of St. Johns County.~~

(3) The developer shall receive a credit against the proportionate share of \$11,161,335, consisting of \$8,161,335 for construction of both improvements to Racetrack Road and \$3,000,000 for right of way contribution. If the substantial total is less than \$13,538,645 (\$11,161,335 plus \$2,377,310 which is the cost of widening Racetrack Road from the east Spine Road to U. S. 1), Developer will pay the difference in cash in year 2000 dollars to the City of Jacksonville and St. Johns County in proportion to the costs of the Racetrack Road improvements allocated to each County as fulfillment of this condition. The Developer acknowledges that any Impact Fee Credit Agreement with St. Johns County shall only permit credits for improvements in St. Johns County or sums paid to St. Johns County and not for any sums paid to Duval County. Provided, however, if at the time of payment for this improvement, the cost including the value of the right of way is greater than \$13,538,645, Developer shall have

the right in subsequent changes to the Development Order to request credit for the difference in the estimated cost and actual cost against the Additional Transportation Contribution. The improvements to Racetrack Road and the donation of Racetrack Road right of way shall be deemed to satisfy all DRI transportation mitigation requirements of St. Johns County.

25. Duval County-St. Augustine Road.

Within thirty (30) days of the date that the City issues a Notice of Commencement for the six-laning (from 4 to 6 lanes) of St. Augustine Road adjacent to the northern boundary of the project but no later than the commencement of any development within Phase II,

(1) Developer shall pay to the City the amount of \$1,000,000 to be used for the six-laning (from 4 to 6 lanes) of St. Augustine Road from the westernmost entrance of Bartram Park onto St. Augustine Rd. to 1-95 provided, however, no such payment shall be due any earlier than twelve months from the effective date of the Development Order;

(2) Developer shall convey right of way consisting of 4.8 acres adjacent to the northern boundary of Bartram Park for the six-laning of St. Augustine Road.

**Additional Transportation Contribution**

~~Prior to the commencement of Phase III, in addition to Racetrack Road obligations described above, Developer shall contribute \$7,961,998 (in year 2000 dollars to be adjusted by U.S. Government issued annual Consumer Price Index inflation factors until the commitment is discharged) to the appropriate entity for improvements to be made to significant roadways impacted by the development. Such improvements will be identified in a Notice of Proposed Change to be approved by both the City and County prior to the commencement of Phase III.~~

Prior to the commencement of Phase II, Developer shall contribute \$7,961,998 (in year 2000 dollars to be adjusted by U.S. Government issued annual inflation factors until the

commitment is discharged and as may be adjusted due to additional right of way contributed as described in Paragraph 24 (1)) to the appropriate entity for improvements to be made to significant roadways impacted by the development. Such improvements will be identified in a Notice of Proposed Change to be filed and approved prior to the commencement of Phase II. Once the transportation mitigation requirements consisting of the four-laning of Racetrack Road from U.S. 1 to the East Spine Road and the PD&E Study described in this paragraph 25 have been completed, or the payment made to St. Johns County for the full costs of such improvements, as agreed to by the County, then Parcels 41, 42, 43 & 44 as depicted on Map H may be developed to completion. The access points on Map H are for illustrative purposes only. The access points will be subject to the St. Johns County Access Management Standards applicable to Race Track Road at the time of construction plan submittal.

### **Project Development Environmental Study**

No later than six months from the effective date of the Development Order, Applicant shall initiate at his cost a Project Development Environmental Study ("PD&E") for a new interchange to be located at the southward extension of S.R. 9B from 1-95 and the East West Parkway as proposed by the FDOT. The westward extension of this interchange will be a realigned segment of Racetrack Road. This study will be conducted in accordance with FDOT's most current PD&E manual, and it will result in an approved environmental document. The applicant shall coordinate this study and the conceptual design of the new interchange with FDOT, the City of Jacksonville, St. Johns County, MPO, and any other directly affected developers/property owners. In the event that the cost of the study exceeds \$500,000, as agreed

upon by FDOT, the amount of excess costs shall be applied as a credit to reduce the applicant's proportionate share payment to be paid prior to Phase III.

**Additional Transportation Provisions.**

26. Costs of mitigation shall be a credit against impact fees, fair share, or proportionate share contributions required by St. Johns County in accordance with the applicable St. Johns County ordinance(s).

27. Developer, its successors and assigns shall have the right to expand and drain into storm water retention ponds located within the boundaries of the DRI which are presently used by the FDOT, as approved by FDOT.

28. Developer shall design the project to accommodate public transit and shall work with the Jacksonville Transit Authority as necessary to coordinate this development with any plans to extend transit to the project and to St. Johns County. In addition, the developer shall coordinate with the MPO in promoting ridesharing, van pooling, and other transportation demand management strategies. Any effort shall be coordinated with other major developments in this area of the region, and shall be consistent with any recommendations included in the St. Johns County Northwest Sector Plan addressing transit and transportation demand management strategies. Any efforts to promote transit and transportation demand management shall be included in the Bartram Park Monitoring Report.

29. Applicant shall be responsible for the full costs of all intersection improvements, including but not limited to, signalization, turn lanes, deceleration and acceleration lanes, etc., necessary to provide access to the Bartram Park DRI as determined by the appropriate review agency. The design of the access improvements shall be approved by the appropriate review agency.

30. Applicant shall diligently work with Florida East Coast Railroad ("FEC") in an effort to establish a crossing across the FEC railroad to U.S. 1 to provide access to development west of the railroad. All efforts made in establishing the access onto U.S. 1 shall be documented in the Monitoring Reports.

31. Compliance with the requirements of this Transportation Section shall be deemed to meet all Applicant's transportation mitigation requirements for the development approved in the Development Order.

### **Air Quality**

The following fugitive dust control measures shall be undertaken during all construction activities throughout buildout of the project:

32. Contractors will moisten soil or use resinous adhesives on barren areas, which shall include, at a minimum, all roads, parking lots, and material stockpiles;

33. Contractors will use mulch, liquid resinous adhesives with hydro-seeding or sod on all landscape areas;

34. Contractors will remove soil and other dust-generating material deposited on paved streets by vehicular traffic, earth moving equipment, or soil erosion;

35. Contractors will utilize the best operating practices in conjunction with any burning resulting from land clearing, which may include the use of air curtain incinerators.

### **Community Services/Fire Protection**

~~36. The Developer shall donate to St. Johns County within twenty four (24) months from the effective date of this Development Order Parcel 46 (not to exceed 3.02 acres) as depicted on Map H Development Plan. The site is to be used at the county's discretion for community services of fire, police protection, emergency services, library, or county offices,~~

~~including drainage and stormwater retention. The deed of conveyance shall contain covenants, restrictions and easements insuring that the property will be used for its intended purpose. In the event that the property is not utilized by the county by ten (10) years after the effective date of the Development Order, the Developer, its successors and/or assigns shall have the right to repurchase the site for the value of the donation and to release the covenant.~~

36. Six (6) months after approval of construction drawings for the improvements to Racetrack Road or five years from the effective date of this Resolution whichever is earlier, the Developer shall donate to St. Johns County, Parcel 46 (not to exceed 3.02 acres) as depicted on approved Map H Development Plan. The site is to be used at the county's discretion for community services of fire, police protection, emergency services, library, or county offices, including drainage and stormwater retention. The deed of conveyance shall contain covenants, restrictions and easements insuring that the property will be used for its intended purpose. In the event that the property is not utilized by the county within five years (5) years after the conveyance to the County, the Developer, its successors and/or assigns shall have the right to repurchase the site for the value of the donation and to release the covenant. The value of the donation will be determined by an appraisal to be performed at the time the Developer asserts its right to repurchase the site pursuant to the terms and conditions of this section.

37. All structures greater than 35 feet in height within Bartram Park shall be protected with an automatic sprinkling system designed and installed in accordance with all applicable fire and building codes.

38. Impact fee credits shall be allowed for the donation of the land for the community services site in accordance with the applicable County impact fee ordinance. The total value of the site shall be applied against required impact fees for fire, police, and emergency services.

### **Recreation and Open Space**

39. The Developer shall create a two acre canoe access park ~~on Parcel 29 as depicted on Map H – Development Plan~~ or on a site acceptable to the county. The park shall have a natural graded parking area with a cleared trail ~~bridging and elevated walkway~~ over the wetlands as necessary from the parking area to the canoe launch and take out area. ~~The canoe~~ Canoe access improvements will be completed and ready for use no later than ~~January 1, 2005~~ six months after approval of construction drawings for the improvements to Racetrack Road or five years from the effective date of this Resolution whichever is earlier.

40. Bartram Parkway is the north-south spine road bisecting the portion of the DRI located west of I-95. A linear park and trail will be constructed parallel to Bartram Parkway from Old St. Augustine Road to Racetrack Road. The Linear Park will be at least twenty (20) feet wide and will include a twelve (12) foot wide hard surface path for public pedestrian use, together with benches and other resting areas interspersed throughout. Such Linear Park will be constructed within the same time frame as the Bartram Parkway is constructed.

41. Other recreational components of the project will be located in the Duval County portion of the development to serve the residential development located in Duval County and are further described in the Duval County Development Order.

### **Impact Fees**

Impact fee credits towards any present or future impact fees that may be adopted by St. Johns County shall be allowed for any contribution of land, money (including, but not limited to,

“fair share contributions”) or improvements made by the Developer or the Community Development District, as the case may be, for public facilities pursuant to the guidelines stipulated in Section 380.06(16), Florida Statutes, and St. Johns County Impact Fee ordinances 87-57, 87-58, 8759 and 87-60, as they may be amended. The Developer proposes and the County agrees that, in the event that any contributions of land, money (including proportionate share or fair share payments), or improvements funded or constructed with funds from a community development district are required by then current law to give rise to impact fee credits to the community development district, then such impact fee credit shall be established in the name of the community development district.

**Community Development District .**

The Developer has indicated that it may form one or more Community Development Districts within the DRI pursuant to Chapter 190, F.S. (1999). Nothing in this section shall be construed as approval or consent by the County to the establishment of the Community Development District by the Developer pursuant to Chapter 190, F.S., and the County expressly maintains all rights available to it pursuant to Chapter 190, F.S., related to the proposed establishment of a Community Development District by the Developer. Any Community Development District for Bartram Park approved pursuant to Chapter 190, F.S. (1999) may finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain projects, systems and facilities for the purposes described in Section 190.012 F S including, but not limited to, any of the indicated transportation improvements set forth in this Development Order and any other project required or authorized by this Development Order. Construction or funding by any such Community Development District of all such projects within or without the boundaries of the Community Development District required by this

Development Order or necessary to serve the development approved by this Development Order is expressly approved. If the Developer is required by this Development Order to provide, pay for or otherwise cause to be provided, infrastructure, projects, systems or facilities set forth in Chapter 190, F.S., including, without limitation, those in §190.012(1) and (2) F.S. (1999), then the Community Development District independently may satisfy such obligations. To the extent any such obligation under this Development Order is met or performed by the Community Development District, then the Developer shall no longer be subject to the obligation. The Developer proposes and the County agrees that, in the event that any contributions of land, money (including "fair share payments"), or improvements funded or constructed with funds from a Community Development District are required by then current law to give rise to impact fee credits to the Community Development District, then such impact fee credits shall be established in the name of the Community Development District.

### **Hurricane Evacuation**

Access to the southeast quadrant onto Racetrack Road shall be adequately designed to St. facilitate emergency evacuation. The applicant will design the main access as a four-lane entranceway, and shall explore the potential for an entrance onto U.S. 1.

### **Silviculture**

St. Johns County hereby acknowledges that the property which is the subject of this Development Order is presently being utilized in an on-going silviculture operation. Nothing in this Development Order shall be deemed to prohibit such silviculture practices. The silviculture operation shall continue until such time as the Developer commences development of that portion of the property. However, silviculture shall be prohibited in that portion of property

which consists of wetland areas to be preserved and those areas immediately adjacent to wetlands which will be used as buffers to the wetland areas

**Historical and Archeological Sites**

Should any regionally significant historical and archaeological resources be discovered in the course of development, the developer shall immediately notify the Division of Historical Resources. No disruption of the findings shall be permitted until the investigation is complete and the Division of Historical Resources has rendered a recommendation which will be binding to the Applicant.

**Notices**

Any and all notices required or allowed to be given to the Developer shall be mailed or delivered to the Authorized Agent or his successors in office as follows:

J. Thomas Dodson, Jr.

13361 Atlantic Blvd.

Jacksonville, Florida 32225

Phone (904) 221-2605

Susan C. McDonald, Esquire

Rogers Towers, P.A.

1301 Riverplace Boulevard, Suite 1500

Jacksonville, Florida 32207-9020

Phone (904) 346-5587

**Validity of Development Order**

In the event that a portion of this development order is determined to be invalid by a court of competent jurisdiction as applied to any persons or circumstances, such portions or

sections shall remain in full force and effect as to all other persons or circumstances, and the remaining portions or sections of this development order not affected by such judicial determination shall remain in full force and effect as to all persons and circumstances.

**RENDITION**

Within 10 days of the adoption of this Development Order, St. Johns County shall render a copy of this Development Order with all attachments, certified as complete and accurate, by certified mail, return receipt requested, to the Florida Department of Community Affairs, Bureau of Local Planning, Northeast Florida Regional Planning Council, and the Applicant.

**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS \_\_\_\_, DAY OF \_\_\_\_\_, 2000.**

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

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

ATTEST: Cheryl Strickland

By: \_\_\_\_\_  
Deputy Clerk

Adopted Regular meeting \_\_\_\_\_, 2000  
Effective: \_\_\_\_\_, 2000

**Exhibit List**

- Exhibit A. Legal Description of total DRI Property
- Exhibit B. Legal Description of City of Jacksonville portion of DRI Property
- Exhibit C. Legal Description of St. Johns County portion of DRI Property
- Exhibit D. Master Plan Map H
- Exhibit E. Land Use Exchange Table
- Exhibit F. Surface Water Quality Monitoring Plan
- Exhibit G. Transportation Mitigation Schedule
- Exhibit H. Right-of-Way Map

ATTACHMENT - LEGAL DESCRIPTION

Parcel 1

A portion of Sections 21, 22, 23, 24, 25, 26, 27, and 28, Township 4 South, Range 28 East, Duval County, Florida, being more particularly described as follows: BEGIN at the Southwest corner of Section 19, said Township 4 South, Range 28 East, Duval County, Florida; thence North 00°43'10" West, along the West line of Section 19, also being the East line of said Section 24, a distance 2283.20 feet to the Southwesterly right-of-way line of that particular service road of St. Augustine Road (also known as Loretto Road and County Road No. 1 as shown on the right-of-way map of Interstate Highway 95 as per Florida State Road Department Right-of-Way Map Section 72280-2403, dated 4-1-64), thence run the following seven (7) courses and distances along said Southwesterly right-of-way line: COURSE NO. 1: North 40°25'29" West, a distance of 308.50 feet to the point of curvature of a curve leading Northwesterly; COURSE NO. 2: Northwesterly along and around the arc of said curve concave Northeasterly and having a radius of 11675.16 feet, an arc distance of 470.56 feet, said arc being subtended by a chord bearing and distance of North 39°18'56" West, 470.53 feet to the point of reverse curvature of a curve leading Westerly; COURSE NO. 3: Westerly along and around the arc of said curve concave Southwesterly and having a radius of 67.00 feet, an arc distance of 52.98 feet, said arc being subtended by a chord bearing and distance of North 60°46'23" West, 51.61 feet to the point of tangency of said curve; COURSE NO. 4: North 83°25'56" West, 937.42 feet to the point of curvature of a curve leading Westerly; COURSE NO. 5: Westerly along and around the arc of said curve concave Northerly and having a radius of 2990.79 feet, an arc distance of 165.51 feet, said arc being subtended by a chord bearing and distance of North 81°50'49" West, 165.49 feet to the point of compound curvature of a curve leading Northwesterly; COURSE NO. 6: Northwesterly along and around the arc of said curve concave Northeasterly and having a radius of 83.00 feet, an arc distance of 93.77 feet, said arc being subtended by a chord bearing and distance of North 47°38'25" West, 88.87 feet; COURSE NO. 7: North 87°15'14" West, a distance of 171.09 feet to the Southerly right-of-way line of said St. Augustine Road (a 100 foot right-of-way as now established); thence North 78°34'10" West, along last said line 2670.79 feet to the point of curvature of a curve leading Northwesterly; thence Northwesterly along and around the arc of said curve and continuing along said right-of-way line of St. Augustine Road being concave Northeasterly and having a radius of 5779.58 feet, an arc distance of 483.35 feet, said arc being subtended by a chord bearing and distance of North 76°10'25" West, 483.21 feet, to the point of tangency of said curve, said point of tangency hereinafter referred to as Reference Point A; thence return to the Point of Beginning; thence South 01°04'30" East along the East line of said Section 25, also being the West line of Section 30, 4840 feet more or less, to the Northerly edge of the waters/mean high water line of Durbin Creek; thence Westerly along the Northerly edge of waters/mean high water line of Durbin Creek, 21,800 feet, more or less, to an intersection with the Southerly edge of the waters/mean high water line of the North fork of Julington Creek; thence Easterly along the Southerly edge of the waters/mean high water line of the North Fork of Julington Creek, 17,300 feet, more or less, to an intersection with the aforementioned Southerly right-of-way line of St. Augustine Road, said right-of-way line bearing North 73°48'40" West, from aforesaid Reference Point A; thence South 73°48'40" East along last said line, 146 feet more or less to said Reference Point A and to close.

LESS AND EXCEPT that portion of the Northeast 1/4 of Section 23, Township 4 South, Range 27 East, Duval County, Florida lying Southeasterly of the Southerly waters edge/Mean High Water Line of the North Fork or Julington Creek. All of Tract "A" as shown on plat of Julington Country Club Estates Replat, as recorded in Plat Book 28, Pages 41 through 41B inclusive of the Current Public Records of Duval County, Florida, also being that portion of the West 1/2 of the Southeast 1/4 of said Section 23, Township 4 South, Range 27 East, said Duval County, Lying Southeasterly of the Southerly waters edge/Mean High Water Line of the North Fork of Julington Creek. That portion of Sections 35 and 36, Township 4 South, Range 27 East,

## ATTACHMENT "C" - LEGAL DESCRIPTION

### Parcel 1

A portion of Sections 21, 22, 23, 24, 25, 26, 27, and 28, Township 4 South, Range 28 East, Duval County, Florida, being more particularly described as follows: BEGIN at the Southwest corner of Section 19, said Township 4 South, Range 28 East, Duval County, Florida; thence North  $00^{\circ}43'10''$  West, along the West line of Section 19, also being the East line of said Section 24, a distance 2283.20 feet to the Southwesterly right-of-way line of that particular service road of St. Augustine Road (also known as Loretto Road and County Road No. 1 as shown on the right-of-way map of Interstate Highway 95 as per Florida State Road Department Right-of-Way Map Section 72280-2403, dated 4-1-64), thence run the following seven (7) courses and distances along said Southwesterly right-of-way line: COURSE NO. 1: North  $40^{\circ}25'29''$  West, a distance of 308.50 feet to the point of curvature of a curve leading Northwesterly; COURSE NO. 2: Northwesterly along and around the arc of said curve concave Northeasterly and having a radius of 11675.16 feet, an arc distance of 470.56 feet, said arc being subtended by a chord bearing and distance of North  $39^{\circ}18'56''$  West, 470.53 feet to the point of reverse curvature of a curve leading Westerly; COURSE NO. 3: Westerly along and around the arc of said curve concave Southwesterly and having a radius of 67.00 feet, an arc distance of 52.98 feet, said arc being subtended by a chord bearing and distance of North  $60^{\circ}46'23''$  West, 51.61 feet to the point of tangency of said curve; COURSE NO. 4: North  $83^{\circ}25'56''$  West, 937.42 feet to the point of curvature of a curve leading Westerly; COURSE NO. 5: Westerly along and around the arc of said curve concave Northerly and having a radius of 2990.79 feet, an arc distance of 165.51 feet, said arc being subtended by a chord bearing and distance of North  $81^{\circ}50'49''$  West, 165.49 feet to the point of compound curvature of a curve leading Northwesterly; COURSE NO. 6: Northwesterly along and around the arc of said curve concave Northeasterly and having a radius of 83.00 feet, an arc distance of 93.77 feet, said arc being subtended by a chord bearing and distance of North  $47^{\circ}38'25''$  West, 88.87 feet; COURSE NO. 7: North  $87^{\circ}15'14''$  West, a distance of 171.09 feet to the Southerly right-of-way line of said St. Augustine Road (a 100 foot right-of-way as now established); thence North  $78^{\circ}34'10''$  West, along last said line 2670.79 feet to the point of curvature of a curve leading Northwesterly; thence Northwesterly along and around the arc of said curve and continuing along said right-of-way line of St. Augustine Road being concave Northeasterly and having a radius of 5779.58 feet, an arc distance of 483.35 feet, said arc being subtended by a chord bearing and distance of North  $76^{\circ}10'25''$  West, 483.21 feet, to the point of tangency of said curve, said point of tangency hereinafter referred to as Reference Point A; thence return to the Point of Beginning; thence South  $01^{\circ}04'30''$  East along the East line of said Section 25, also being the West line of Section 30, 4840 feet more or less, to the Northerly edge of the waters/mean high water line of Durbin Creek; thence Westerly along the Northerly edge of waters/mean high water line of Durbin Creek, 21,800 feet, more or less, to an intersection with the Southerly edge of the waters/mean high water line of the North fork of Julington Creek; thence Easterly along the Southerly edge of the waters/mean high water line of the North Fork of Julington Creek, 17,300 feet, more or less, to an intersection with the aforementioned Southerly right-of-way line of St. Augustine Road, said right-of-way line bearing North  $73^{\circ}48'40''$  West, from aforesaid Reference Point A; thence South  $73^{\circ}48'40''$  East along last said line, 146 feet more or less to said Reference Point A and to close.

LESS AND EXCEPT that portion of the Northeast 1/4 of Section 23, Township 4 South, Range 27 East, Duval County, Florida lying Southeasterly of the Southerly waters edge/Mean High Water Line of the North Fork or Julington Creek. All of Tract "A" as shown on plat of Julington Country Club Estates Replat, as recorded in Plat Book 28, Pages 41 through 41B inclusive of the Current Public Records of Duval County, Florida, also being that portion of the West 1/2 of the Southeast 1/4 of said Section 23, Township 4 South, Range 27 East, said Duval County, Lying Southeasterly of the Southerly waters edge/Mean High Water Line of the North Fork of Julington Creek. That portion of Sections 35 and 36, Township 4 South, Range 27 East,

Duval County, Florida, lying Northerly of the Northerly waters edge/Mean High Water Line of Durbin Creek. That portion of the Northwest 1/4 of Section 26, Township 4 South, Range 27 East, Duval County, Florida, lying Southerly of the Southerly waters edge/Mean High Water Line of the North fork of Julington Creek.

Parcel 2

A portion of Sections 19 and 30, Township 4 South, Range 28 East, Duval County, Florida, being more particularly described as follows: BEGIN at the Southwest corner of said Section 19; thence North 00°43'10" West along the West line of said Section 19, a distance of 2386.51 feet, to the Southwesterly right-of-way line of Interstate Highway 95 (a 300 foot right-of-way as now established per SRD Right-of-Way Map Section 72280-2403, dated 4-1-64); thence South 40°25'29" East, along said Southwesterly right-of-way line, 6810.39 feet to the Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289 of the Current Public Records of said Duval County, Florida; thence North 88°12'39" West, along last said line, 4338.36 feet to the West line of aforesaid Section 30; thence North 01°04'30" West, along the West line of said Section 30, a distance of 2663.17 feet to the POINT OF BEGINNING.

Being subject to those certain Borrow Pit Easements Number Three and Number Seven, as described and recorded in Official Records Volume 2336, Page 592. Being subject to a 150 foot Jacksonville Electric Authority Right-of-Way, being described and recorded in Official Records Volume 2207, Page 109, all being of the Current Public Records of Duval County, Florida. Being subject to a 60 foot drainage easement as described and recorded in Official Records Volume 1150, Page 291.

Parcel 3

A portion of Sections 29, 30, 31 and 32, Township 4 South, also a portion of Sections 5 and 6, Township 5 South, all lying in Range 28 East, Duval County, and St. Johns County, Florida and being more particularly described as follows: COMMENCE at the Northwest corner of said Section 30; thence South 01°04'30" East, along the West line of said Section 30, also being the West line of a 150 foot J.E.A. right-of-way as per City Map Drawing No. T98-89, also being the East line of Section 25, Township 4 South, Range 27 East, a distance of 2663.17 feet to the Southwest corner of Government Lot 2, said Section 30, also being the Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289 of the Current Public Records of Duval County, Florida and the POINT OF BEGINNING; thence South 01°04'30" East, continuing along the West line of said Section 30, also being the West line of Government Lots 3 and 4, said Section 30, and the East line of said Section 25, a distance of 2617.26 feet to the Southwest corner of Government Lot 4, said Section 30, also being the South line of said Section 30; thence South 87°32'13" East, along the last said line, 1189.99 feet to the northwest corner of the West 1/2 of the Northwest 1/4 of said Section 31 and a point hereinafter referred to as Reference Point "A"; thence continue along the North line of said West 1/2 of the Northwest 1/4, South 87°32'13" East, a distance of 1337.32 feet to the Northeast corner of said West 1/2 of the Northwest 1/4; thence South 00°19'49" East along the Easterly line of said West 1/2 of the Northwest 1/4, a distance of 2681.19 feet to a point hereinafter referred to as Reference Point "B"; thence return to the POINT OF BEGINNING; thence from the POINT OF BEGINNING; South 88°12'39" East along said Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289 of said Current Public Records; a distance of 4339.40 feet to the Southwesterly right-of-way line of Interstate Highway 95 (a 300 foot right-of-way as per Florida SRD Right-of-Way Map Section 72280-2403, dated 4-1-64); thence run the following two (2) courses and distances along said Southwesterly right-of-way line; COURSE NO. 1: South 40°25'29" East, 10,236.24 feet to the point of curvature of a curve leading Southeasterly; COURSE NO. 2: Southeasterly along and around the arc of said curve concave Southwesterly, having a radius of 7489.44 feet, an arc distance of 441.46 feet, said arc being subtended by a chord bearing and distance of South 40°09'49" East, 441.40 feet to the revised right-of-way line of Racetrack Road as

shown on the SRD Right-of-Way Map for Interstate 95, State Road No. 9, Section 78080-2403 Sheet 7 of 8; thence run the following three (3) courses and distance along the last said line; COURSE NO. 1: South 86°17'29" West, 332.90 feet to the point of curvature of a curve leading Northwesterly; COURSE NO. 2: Northwesterly along and around the arc of said curve concave Northeasterly, having a radius of 1859.86 feet, an arc distance of 340.77 feet, said arc being subtended by a chord bearing and distance of North 80°09'59" West, 340.29 feet; COURSE NO. 3: South 15 01'57" West, 17.00 feet to the Northerly right-of-way line of Racetrack Road (a 66 foot right-of-way as per monumentation and local recognition); thence run the following five (5) courses and distances along the last said right-of-way line COURSE NO. 1: Northwesterly along and around the arc of a curve concave Northeasterly, having a radius of 1876.86 feet, an arc distance of 405.48 feet, said arc being subtended by a chord bearing and distance of North 68°45'14" West, 404.69 feet to the point of tangency of said curve; COURSE NO. 2: North 63°58'45" West, 64.69 feet to the point of curvature of a curve leading Northwesterly; COURSE NO. 3: Northwesterly along and around the arc of said curve concave Southwesterly, having a radius of 2897.63 feet, an arc distance of 1289.62 feet, said arc being subtended by a chord bearing and distance of North 76°01'01" West, 1279.00 feet to the point of tangency of said curve; COURSE NO. 4: North 88°46'01" West, 720.95 feet to the point of curvature of a curve leading Southwesterly; COURSE NO. 5: Southwesterly along an around the arc of a said curve concave Southeasterly, having a radius of 1179.09 feet, an arc distance of 163.68 feet, said arc being subtended by a chord bearing and distance of South 88°22'35" West, 163.55 feet to the Easterly line of those lands described in Official Records Volume 5528, Page 680 of said Current Public Records of Duval County; thence Northwesterly, Southwesterly and Southeasterly along the Easterly, Northerly and Westerly lines of said lands described and recorded in said Official Records Volume 5528, Page 680, run the following three courses and distances; COURSE NO. 1: North 01°18'30" West, 1093.91 feet; COURSE NO. 2: South 87°49'09" West, 336.90 feet; COURSE NO. 3: South 01°16'44" East, 709.13 feet to the Northerly line of those lands recorded in Official Records Volume 6335, Page 934 of said Current Public Records; thence South 88°12'20" West, along the last said line, 1017.24 feet to the West, line of said lands described and recorded in Official Records Volume 6335, Page 934; thence South 01°04'01" East, along the last said line, 434.35 feet; to the Northeast corner of aforesaid Section 6; thence South 01°51'26" East, along the East line of Section 6, a distance of 287.56 feet to aforesaid Northerly right-of-way line of Racetrack Road; (a 66 foot right-of-way as per monumentation and local recognition); thence run the following four (4) courses and distances along the last said right-of-way line; COURSE NO. 1: Southwesterly along and around the arc of a curve Southeasterly, having a radius of 1178.80 feet, an arc distance of 307.81 feet, said arc being subtended by a chord bearing and distance of South 50°28'42" West, 306.94 feet to the point of tangency of said curve; COURSE NO. 2: South 43°04'24" West, 1765.07 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 539.77 feet, an arc distance of 632.14 feet, said arc being subtended by a chord bearing and distance of South 76°04'46" West, 596.63 feet to the point of tangency of said curve; COURSE NO. 4: North 70°22'22" West, 674.96 feet to the Westerly line of the Northeast 1/4 of said Section 6; thence North 02°15'28" West, along the last said line, 1654.20 feet to the Northerly line of said Section 6; thence North 89°14'24" East, along said Northerly line of Section 6, 196 feet more or less to the centerline or run of Durbin Creek; thence Northwesterly along said centerline or run, 2600 feet more or less to the South line of East 1/2 of the Northwest 1/4 of said Section 31, said line bearing South 87°32'06" East, from aforesaid Reference Point "B"; thence North 87°32'06" West, along the last said line and along the Westerly boundary of those lands described and recorded in official Records Volume 4717, Page 8 of the current Public Records of said Duval County, 1010 feet more or less to said Reference Point "B"; thence North 00°19'49" West, along the West line of the East 1/2 of the Northwest 1/4 of said Section 31, also being the Easterly boundary of said lands described and recorded in Official Records Volume 4717, Page 8 of said Current Public Records of Duval County, 2260 feet more or less to the Northerly edge of water/Mean High Water Line of said Durbin Creek; thence Northwesterly along the Northerly waters edge/Mean High Water Line of said Durbin Creek, 1999 feet more or less to the South line of said Section 30, said line bearing

South 87°32'13" East from aforesaid Reference Point "A"; thence North 87°32'13" West, along the last said line, 460 feet more or less to said Reference Point "A"; thence North 00°03'02" West along the West line of the West 1/4 of the Southwest 1/4 of said Section 30, a distance of 360 feet more or less to the Northerly edge of water/Mean High Water Line of said Durbin Creek; thence Westerly along said waters edge/Mean High Water Line of said Durbin Creek; thence Westerly along said waters edge/Mean High Water Line of said Durbin Creek, 1200 feet more or less to the West line of Section 30; thence North 01°04'30" West, along the last said line, 2180 feet more or less to the POINT OF BEGINNING.

SUBJECT TO

Those particular borrow pit easements No. 1 and No. 2 as described and recorded in Official Records Volume 2346, Page 137 of the Current Public Records of Duval County, Florida. A 60 foot drainage easement as described and recorded in Official Records Volume 1150, Page 291 of the Current Public Records of Duval County, Florida.

(CEMETERY)

LESS AND EXCEPT

A portion of Section 6, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the Northwest corner of said Section 6; thence South 01°51'26" East, along the Easterly line of said Section 6, 287.56 feet; thence run the following two (2) courses and distances along the Northerly right-of-way line of Race Track Road (a 66 foot right-of-way as per monumentation and local recognition); COURSE NO. 1: Southwesterly along and around the arc of a curve concave Southeasterly, having a radius of 1178.80 feet, an arc distance of 307.81 feet, said arc being subtended by a chord bearing and distance of South 50°28'42" West, 306.94 feet to the point of tangency of said curve; COURSE NO. 2: South 43°04'24" West, 1065.28 feet; thence North 07°56'21" West, a distance of 560.47 feet to the POINT OF BEGINNING; thence North 08°16'29" West, a distance of 211.13 feet; thence North 83°01'48" East, a distance of 211.73 feet; thence South 08°15'53" East, a distance of 212.06 feet; thence South 83°16'55" West, a distance of 211.72 feet to the POINT OF BEGINNING.

Parcel 4

A portion of Sections 28, 29, 30, 32, 33, 34 and a portion of the Christopher Minchen Grant, Section 48 and a portion of Sections 4, 5, and 47, all being in Township 5 South, Range 28 East, all of the above lands being in Duval and St. Johns County, Florida, and being more particularly described as follows: BEGIN at the intersection of the South line of the Northwest one-quarter of aforesaid Section 28, Township 4 South, Range 28 East, also being the Southerly line of those lands described and recorded in Official Records Volume 5805, Page 1072 of the Current Public Records of Duval County, Florida, with the Southwesterly right-of-way line of the Florida East Coast Railway (a 100 foot right-of-way as now established and shown on the FEC Right-of-Way Map dated December 31, 1927); thence South 41° 00'03" East, along said Southwesterly right-of-way line, 1203.27 feet to the Westerly line of the East one-quarter of the Northwest 1/4 of the Southwest 1/4 of said Section 28, Township 4 South, Range 28 East; thence South 00° 58' 20" East, along last said line, 425.24 feet to the Southerly line of the Northwest 1/4 of the Southwest 1/4 of Said Section 28; thence North 88°54'55" East, along last said line 356.59 feet to the Southwesterly right-of-way line of said Florida East Coast Railroad Right-of-Way; thence South 41°00'03" East along said Southwesterly right-of-way line, 8140.06 feet to the Southerly line of aforesaid Christopher Minchen Grant Section 48, Township 4 South, Range 28 East; thence South 70°27'06" West, along last said line, 518 feet to the Northerly right-of-way line of Race Track Road (a 66 foot right-of-way as per monumentation and local recognition); thence South 88°44'58" West, along said Northerly right-of-way line, 137.78 feet to the point of curvature of a curve to the left; thence continuing along said Northerly right-of-way line of Race Track Road and along the arc of a curve concave Southeasterly, and having a radius of 1465.87 feet, an arc distance of 554.44 feet, said arc being subtended by a chord bearing and distance of South 78°37'46" West, 551.54 feet to an

intersection with the Westerly line of aforesaid Section 47, Township 5 South, Range 28 East; thence North 20°49'35" West along Westerly line of said Section 47 and along the Westerly line of aforementioned Christopher Minchen Grant, Section 48, 187.52 feet to an intersection of said Westerly line of Section 48 with the Easterly line of aforesaid Section 33, Township 4 South, Range 28 East; thence South 00°47'10" West, along the easterly line of said Section 33 and along the Easterly line of aforesaid Section 4, Township 5 South, Range 28 East, 205.70 feet Southwesterly and Westerly along the Northerly right-of-way line of said Race Track Road run the following four courses and distances: COURSE NO. 1: Southwesterly along and around the arc of a curve concave Southeasterly and having a radius of 1465.87 feet, an arc distance of 334.17 feet, said arc being subtended by a chord bearing and distance of South 58°22'53" West, 333.45 feet to the point of tangency of said curve; COURSE NO. 2: South 51°47'52" West, 189.87 feet to the point of curvature to the right; COURSE NO. 3: Southwesterly along and around the arc of a curve concave Northwesterly and having a radius of 1399.26 feet, an arc distance of 980.29 feet, said arc being subtended by a chord bearing and distance of South 71°51'57" West, 960.37 feet to the point of tangency of said curve; COURSE NO. 4: North 88°19'05" West, 3452.94 feet to an angle point in said right-of-way line; thence Northerly and Northwesterly along the revised right-of-way line of said Race Track Road as shown on the SRD Right-of-Way Map for Interstate 95, State Road No. 9, Section 78080-2403 Sheet 7 of 8 run the following four courses and distances: COURSE NO. 1: North 01°46'15" East, 17.00 feet; COURSE NO. 2: North 88°18'14" West 269.94 feet; COURSE NO. 3: North 82°59'57" West, 251.15 feet; COURSE NO. 4: North 83°25'41" West, 431.22 feet to the Northeasterly right-of-way line of Interstate Highway 95 (a 300 foot right-of-way as per Florida SRD Right-of-Way Map Section 72280-2403, dated 4-1-64); thence Northwesterly along said Northeasterly right-of-way line of Interstate Highway 95 and along the arc of a curve concave Southwesterly and having a radius of 7789.44, an arc distance of 667.99 feet, said arc being subtended by a chord bearing and distance of North 39°20'55" West 667.99 feet to the point of tangency of said curve; thence North 40°25'29" West, 9964.01 feet continuing along the Northeasterly right-of-way line of said Interstate Highway 95, to the Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289 of the Public Records of said Duval County, Florida; thence South 88°12'39" East, along last said line, 1790.91 feet to the Westerly line of aforesaid Section 29; thence North 88°42'27" East, continuing along said Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289, a distance of 5348.66 feet to the Southwest corner of the Northwest 1/4 of said Section 28; thence North 88°02'52" East, along the South line of the Northwest 1/4 of said Section 28, also being the Southerly line of those lands described and recorded in Official Records Volume 5855, Page 1072 of the Current Public Records of said Duval County, Florida, 233.86 feet to the POINT OF BEGINNING.

Parcel 5

That certain piece, parcel, or tract of land described as follows: Part of the CHRISTOPHER MINCHEN GRANT in Section 48, Township 4 South, Range 28 East, more particularly described as follows: Beginning at a point on the easterly right-of-way line of U.S. Highway No. 1 at its intersection with the Northerly line of the said Grant and run thence North 69 degrees, 07 minutes 50 seconds East 702.94 feet to an iron; thence South 41 degrees, 00 minutes East 1056.87 feet to an iron; thence South 41 degrees, 20 minutes East 894.72 feet to an iron; thence South 49 degrees, 00 minutes West 660.01 feet to an iron in the easterly right-of-way line of U.S. Highway No. 1; thence North 41 degrees, 20 minutes West along the easterly line of said U.S. Highway No. 1 a distance of 892.80 feet to an iron; thence North 41 degrees, 00 minutes West continuing along the easterly right-of-way of said U.S. Highway No. 1 a distance of 1300.71 feet to the point of beginning.

## BARTRAM PARK

LESS AND EXCEPT  
(PENINSULA)

A PORTION OF SECTIONS 21, 22, 23, 24, 25, 26, 27, AND 28, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTIONS 30 AND 31, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, SAID TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA; THENCE NORTH  $00^{\circ}43'10''$  WEST, ALONG THE WEST LINE OF SECTION 19, ALSO BEING THE EAST LINE OF SAID SECTION 24, A DISTANCE OR 2283.20 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THAT PARTICULAR SERVICE ROAD OF ST. AUGUSTINE ROAD (ALSO KNOWN AS LORETTO ROAD AND COUNTY ROAD NO. 1 AS SHOWN ON THE RIGHT-OF-WAY MAP OF INTERSTATE HIGHWAY NUMBER 95 AS PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION 72280-2403, DATED 4-1-64), THENCE RUN THE FOLLOWING SEVEN (7) COURSES AND DISTANCES ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE: COURSE NO. 1: NORTH  $40^{\circ}25'29''$  WEST, A DISTANCE OF 308.50 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 2: NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 11675.16 FEET, AN ARC DISTANCE OF 470.56 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $39^{\circ}18'56''$  WEST, 470.53 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 3: WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 67.00 FEET, AN ARC DISTANCE OF 52.98 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $50^{\circ}46'23''$  WEST, 51.61 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 4: NORTH  $83^{\circ}25'56''$  WEST 937.42 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 5: WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 2990.79 FEET, AN ARC DISTANCE OF 165.51 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $81^{\circ}50'49''$  WEST, 165.49 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 6: NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 83.00 FEET, AN ARC DISTANCE OF 93.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $47^{\circ}38'25''$  WEST, 88.87 FEET; COURSE NO. 7: NORTH  $87^{\circ}15'14''$  WEST, A DISTANCE OF 171.09 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID ST. AUGUSTINE ROAD (A 100 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH  $78^{\circ}34'10''$  WEST, ALONG LAST SAID LINE 2670.79 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING

NORTHWESTERLY; THENCE NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE AND CONTINUING ALONG SAID RIGHT-OF-WAY LINE OF ST. AUGUSTINE ROAD BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 5779.58 FEET, AN ARC DISTANCE OF 238.97 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 77°23'06" WEST 238.96 FEET, TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG LAST SAID LINE, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 5779.58 FEET, AN ARC DISTANCE OF 244.38 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 74°59'21" WEST, 244.36 FEET, TO THE POINT OF TANGENCY OF SAID CURVE, SAID POINT OF TANGENCY HEREINAFTER REFERRED TO AS REFERENCE POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING; THENCE SOUTH 04°35'21" EAST, 526.70 FEET; THENCE SOUTH 24°09'15" EAST, 391.81 FEET; THENCE SOUTH 55°33'00" EAST, 680.15 FEET; THENCE SOUTH 02°39'02" EAST, 545.72 FEET; THENCE SOUTH 21°39'40" EAST, 1115.83 FEET; THENCE SOUTH 11°13'02" WEST, 850.82 FEET; THENCE SOUTH 24°19'41" EAST, 438.02 FEET; THENCE NORTH 43°09'50" EAST, 659.54 FEET; THENCE NORTH 55°30'57" EAST, 606.46 FEET; THENCE NORTH 63°19'23" EAST, 652.14 FEET; THENCE SOUTH 28°40'00" EAST, 341.39 FEET; THENCE SOUTH 29°31'17" WEST, 264.61 FEET; THENCE SOUTH 86°40'03" WEST, 376.26 FEET; THENCE SOUTH 31°47'14" WEST, 409.71 FEET; THENCE SOUTH 25°58'04" EAST, 270.25 FEET; THENCE SOUTH 11°58'57" EAST, 385.08 FEET; THENCE NORTH 85°06'49" EAST, 741.77 FEET; THENCE NORTH 56°10'46" EAST, 513.67 FEET; THENCE SOUTH 42°47'18" EAST, 468.23 FEET; THENCE SOUTH 42°43'22" WEST 277.70 FEET; THENCE SOUTH 58°36'37" WEST, 410.89 FEET; THENCE SOUTH 19°10'13" EAST, 602.77 FEET; THENCE SOUTH 58°20'42" EAST, 423.83 FEET; THENCE NORTH 88°56'00" EAST, 1024.19 FEET; THENCE SOUTH 61°33'20" EAST, 598.40 FEET; THENCE SOUTH 10°26'54" EAST, 566.44 FEET; THENCE NORTH 88°38'12" EAST, 522.25 FEET; THENCE NORTH 15°47'12" EAST, 343.32 FEET; THENCE NORTH 86°38'06" EAST, 357.57 FEET; THENCE SOUTH 38°10'06" EAST, 111.39 FEET; THENCE SOUTH 30°04'43" WEST, 230.04 FEET; THENCE SOUTH 37°53'10" EAST, 167.31 FEET; THENCE NORTH 87°32'17" EAST, 505.85 FEET; THENCE SOUTH 12°05'58" EAST, 235.98 FEET; THENCE SOUTH 67°16'42" WEST, 299.32 FEET; THENCE SOUTH 19°35'13" WEST, 239.12 FEET; THENCE SOUTH 52°46'01" EAST, 646.75 FEET; THENCE NORTH 31°37'38" EAST, 568.76 FEET; THENCE SOUTH 52°06'40" EAST, 563.37 FEET; THENCE SOUTH 06°29'26" WEST, 600.55 FEET; THENCE SOUTH 33°13'02" EAST, 293.04 FEET; THENCE SOUTH 75°47'35" EAST, 1117.83 FEET; THENCE SOUTH 69°12'15" EAST, 974.70 FEET; THENCE SOUTH 08°54'09" WEST, 238.66 FEET; THENCE NORTH 64°27'45" WEST, 690.83 FEET; THENCE NORTH 73°44'45" WEST, 553.49 FEET;

THENCE SOUTH 40°25'15" WEST, 358.53 FEET; THENCE SOUTH  
 50°18'05" EAST, 282.96 FEET; THENCE SOUTH 38°46'36" EAST,  
 312.27 FEET; THENCE SOUTH 28°13'20" EAST, 975.39 FEET;  
 THENCE SOUTH 86°07'23" EAST, 322.34 FEET; THENCE SOUTH  
 14°37'35" WEST, 484.49 FEET; THENCE SOUTH 18°57'22" EAST,  
 1170.02 FEET; THENCE SOUTH 00°29'54" WEST, 424.20 FEET;  
 THENCE SOUTH 21°30'33" EAST, 523.34 FEET; THENCE SOUTH  
 20°58'13" WEST, 608.33 FEET; THENCE SOUTH 00°00'00" EAST,  
 542.22 FEET; THENCE SOUTH 43°36'51" EAST, 320.97 FEET;  
 THENCE NORTH 70°36'04" EAST, 344.27 FEET; THENCE SOUTH  
 60°08'02" EAST, 199.99 FEET; THENCE SOUTH 09°58'22" EAST,  
 196.05 FEET; THENCE SOUTH 75°15'21" WEST, 676.14 FEET;  
 THENCE SOUTH 54°04'57" WEST, 314.39 FEET; THENCE SOUTH  
 23°00'39" WEST, 424.79 FEET; THENCE SOUTH 00°59'48" EAST,  
 424.25 FEET; THENCE SOUTH 29°38'38" EAST, 426.37 FEET, TO  
 THE NORTHERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD; (A 66  
 FOOT RIGHT-OF-WAY AS PER MONUMENTATION AND LOCAL  
 RECOGNITION), AND THE ARC OF A CURVE TO THE SOUTH WEST;  
 THENCE SOUTHWESTERLY AND NORTHWESTERLY, ALONG LAST SAID  
 LINE, RUN THE FOLLOWING 2 COURSES AND DISTANCES: COURSE NO.  
1: SOUTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE  
CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 539.77 FEET, AN  
ARC DISTANCE OF 632.14 FEET, SAID ARC BEING SUBTENDED BY A  
CHORD BEARING AND DISTANCE OF SOUTH 76°04'46" WEST, 596.63  
FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 2:  
NORTH 70°22'22" WEST, 674.96 FEET TO THE WESTERLY LINE OF  
THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE NORTH 02°15'28"  
WEST, ALONG THE LAST SAID LINE, 1654.20 FEET TO THE  
NORTHERLY LINE OF SAID SECTION 6; THENCE NORTH 89°14'24"  
EAST, ALONG SAID NORTHERLY LINE OF SECTION 6, 196 FEET MORE  
OR LESS TO THE CENTERLINE OF RUN OF DURBIN CREEK; THENCE  
NORTHWESTERLY ALONG SAID CENTERLINE OR RUN, 2600 FEET MORE  
OR LESS TO THE SOUTH LINE OF EAST 1/2 OF THE NORTHWEST 1/4  
OF SAID SECTION 31; THENCE NORTH 87°32'06" WEST, ALONG THE  
LAST SAID LINE AND ALONG THE EASTERLY BOUNDARY OF THOSE  
LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME  
4717, PAGE 8 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL  
COUNTY, 1010 FEET MORE OR LESS, TO THE WESTERLY LINE OF THE  
EAST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE  
NORTH 00°19'49" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF  
THE NORTHWEST 1/4 OF SAID SECTION 31, ALSO BEING THE  
EASTERLY BOUNDARY OF SAID LANDS DESCRIBED AND RECORDED IN  
OFFICIAL RECORDS VOLUME 4717, PAGE 8 OF SAID CURRENT PUBLIC  
RECORDS OF DUVAL COUNTY, 2260 FEET MORE OR LESS TO THE  
NORTHERLY EDGE OF WATER/MEAN HIGH WATER LINE OF SAID DURBIN  
CREEK; THENCE NORTHWESTERLY ALONG THE NORTHERLY WATERS  
EDGE/MEAN HIGH WATER LINE OF SAID DURBIN CREEK, 1000 FEET  
MORE OR LESS, TO THE SOUTH LINE OF SAID SECTION 30; THENCE  
NORTH 87°32'13" WEST, ALONG THE LAST SAID LINE, 460 FEET

MORE OR LESS, TO THE WESTERLY LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 30; THENCE NORTH 00°03'02" WEST, ALONG LAST SAID LINE, 360 FEET MORE OR LESS TO THE NORTHERLY EDGE OF WATER/MEAN HIGH WATER LINE OF SAID DURBIN CREEK; THENCE WESTERLY ALONG SAID WATERS EDGE/MEAN HIGH WATER LINE OF SAID DURBIN CREEK, 23,000 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE SOUTHERLY EDGE OF THE WATERS/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK; THENCE EASTERLY ALONG THE SOUTHERLY EDGE OF THE WATERS/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CRTEEK, 17,3000 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF ST. AUGUSTINE ROAD, SAID RIGHT-OF-WAY LINE BEARING NORTH 73°48'40" WEST, FROM AFORESAID REFERENCE POINT "A"; THENCE SOUTH 73°48'40" EAST ALONG LAST SAID LINE, 146 FEET MORE OR LESS TO SAID REFERENCE POINT "A" AND TO CLOSE.

SUBJECT TO:

A 60 FOOT DRAINAGE EASEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME 1150, PAGE 291 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA LYING SOUTHEASTERLY OF THE SOUTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK.

LESS AND EXCEPT ALL OF TRACT "A" AS SHOWN ON PLAT OF JULINGTON COUNTRY CLUB ESTATES REPLAT, AS RECORDED IN PLAT BOOK 28, PAGES 41 THROUGH 41B INCLUSIVE OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, ALSO BEING THAT PORTION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 23, TOWNSHIP 4 SOUTH, RANGE 27 EAST, SAID DUVAL COUNTY, LYING SOUTHEASTERLY OF THE SOUTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK.

LESS AND EXCEPT THAT PORTION OF SECTIONS 35 AND 36, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, LYING NORTHERLY OF THE NORTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF DURBIN CREEK.

LESS AND EXCEPT THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, LYING SOUTHERLY OF THE SOUTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK.

projects ps/curbin/park.08-13-99.dcc  
jrs

## ATTACHMENT "C" - LEGAL DESCRIPTION

### Parcel 1

A portion of Sections 21, 22, 23, 24, 25, 26, 27, and 28, Township 4 South, Range 28 East, Duval County, Florida, being more particularly described as follows: BEGIN at the Southwest corner of Section 19, said Township 4 South, Range 28 East, Duval County, Florida; thence North  $00^{\circ}43'10''$  West, along the West line of Section 19, also being the East line of said Section 24, a distance 2283.20 feet to the Southwesterly right-of-way line of that particular service road of St. Augustine Road (also known as Loretto Road and County Road No. 1 as shown on the right-of-way map of Interstate Highway 95 as per Florida State Road Department Right-of-Way Map Section 72280-2403, dated 4-1-64), thence run the following seven (7) courses and distances along said Southwesterly right-of-way line: COURSE NO. 1: North  $40^{\circ}25'29''$  West, a distance of 308.50 feet to the point of curvature of a curve leading Northwesterly; COURSE NO. 2: Northwesterly along and around the arc of said curve concave Northeasterly and having a radius of 11675.16 feet, an arc distance of 470.56 feet, said arc being subtended by a chord bearing and distance of North  $39^{\circ}18'56''$  West, 470.53 feet to the point of reverse curvature of a curve leading Westerly; COURSE NO. 3: Westerly along and around the arc of said curve concave Southwesterly and having a radius of 67.00 feet, an arc distance of 52.98 feet, said arc being subtended by a chord bearing and distance of North  $60^{\circ}46'23''$  West, 51.61 feet to the point of tangency of said curve; COURSE NO. 4: North  $83^{\circ}25'56''$  West, 937.42 feet to the point of curvature of a curve leading Westerly; COURSE NO. 5: Westerly along and around the arc of said curve concave Northerly and having a radius of 2990.79 feet, an arc distance of 165.51 feet, said arc being subtended by a chord bearing and distance of North  $81^{\circ}50'49''$  West, 165.49 feet to the point of compound curvature of a curve leading Northwesterly; COURSE NO. 6: Northwesterly along and around the arc of said curve concave Northeasterly and having a radius of 83.00 feet, an arc distance of 93.77 feet, said arc being subtended by a chord bearing and distance of North  $47^{\circ}38'25''$  West, 88.87 feet; COURSE NO. 7: North  $87^{\circ}15'14''$  West, a distance of 171.09 feet to the Southerly right-of-way line of said St. Augustine Road (a 100 foot right-of-way as now established); thence North  $78^{\circ}34'10''$  West, along last said line 2670.79 feet to the point of curvature of a curve leading Northwesterly; thence Northwesterly along and around the arc of said curve and continuing along said right-of-way line of St. Augustine Road being concave Northeasterly and having a radius of 5779.58 feet, an arc distance of 483.35 feet, said arc being subtended by a chord bearing and distance of North  $76^{\circ}10'25''$  West, 483.21 feet, to the point of tangency of said curve, said point of tangency hereinafter referred to as Reference Point A; thence return to the Point of Beginning; thence South  $01^{\circ}04'30''$  East along the East line of said Section 25, also being the West line of Section 30, 4840 feet more or less, to the Northerly edge of the waters/mean high water line of Durbin Creek; thence Westerly along the Northerly edge of waters/mean high water line of Durbin Creek, 21,800 feet, more or less, to an intersection with the Southerly edge of the waters/mean high water line of the North fork of Julington Creek; thence Easterly along the Southerly edge of the waters/mean high water line of the North Fork of Julington Creek, 17,300 feet, more or less, to an intersection with the aforementioned Southerly right-of-way line of St. Augustine Road, said right-of-way line bearing North  $73^{\circ}48'40''$  West, from aforesaid Reference Point A; thence South  $73^{\circ}48'40''$  East along last said line, 146 feet more or less to said Reference Point A and to close.

LESS AND EXCEPT that portion of the Northeast 1/4 of Section 23, Township 4 South, Range 27 East, Duval County, Florida lying Southeasterly of the Southerly waters edge/Mean High Water Line of the North Fork or Julington Creek. All of Tract "A" as shown on plat of Julington Country Club Estates Replat, as recorded in Plat Book 28, Pages 41 through 41B inclusive of the Current Public Records of Duval County, Florida, also being that portion of the West 1/2 of the Southeast 1/4 of said Section 23, Township 4 South, Range 27 East, said Duval County, Lying Southeasterly of the Southerly waters edge/Mean High Water Line of the North Fork of Julington Creek. That portion of Sections 35 and 36, Township 4 South, Range 27 East,

Duval County, Florida, lying Northerly of the Northerly waters edge/Mean High Water Line of Durbin Creek. That portion of the Northwest 1/4 of Section 26, Township 4 South, Range 27 East, Duval County, Florida, lying Southerly of the Southerly waters edge/Mean High Water Line of the North fork of Julington Creek.

Parcel 2

A portion of Sections 19 and 30, Township 4 South, Range 28 East, Duval County, Florida, being more particularly described as follows: BEGIN at the Southwest corner of said Section 19; thence North 00°43'10" West along the West line of said Section 19, a distance of 2386.51 feet, to the Southwesterly right-of-way line of Interstate Highway 95 (a 300 foot right-of-way as now established per SRD Right-of-Way Map Section 72280-2403, dated 4-1-64); thence South 40°25'29" East, along said Southwesterly right-of-way line, 6810.39 feet to the Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289 of the Current Public Records of said Duval County, Florida; thence North 88°12'39" West, along last said line, 4338.36 feet to the West line of aforesaid Section 30; thence North 01°04'30" West, along the West line of said Section 30, a distance of 2663.17 feet to the POINT OF BEGINNING.

Being subject to those certain Borrow Pit Easements Number Three and Number Seven, as described and recorded in Official Records Volume 2336, Page 592. Being subject to a 150 foot Jacksonville Electric Authority Right-of-Way, being described and recorded in Official Records Volume 2207, Page 109, all being of the Current Public Records of Duval County, Florida. Being subject to a 60 foot drainage easement as described and recorded in Official Records Volume 1150, Page 291.

Parcel 3

A portion of Sections 29, 30, 31 and 32, Township 4 South, also a portion of Sections 5 and 6, Township 5 South, all lying in Range 28 East, Duval County, and St. Johns County, Florida and being more particularly described as follows: COMMENCE at the Northwest corner of said Section 30; thence South 01°04'30" East, along the West line of said Section 30, also being the West line of a 150 foot J.E.A. right-of-way as per City Map Drawing No. T98-89, also being the East line of Section 25, Township 4 South, Range 27 East, a distance of 2663.17 feet to the Southwest corner of Government Lot 2, said Section 30, also being the Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289 of the Current Public Records of Duval County, Florida and the POINT OF BEGINNING; thence South 01°04'30" East, continuing along the West line of said Section 30; also being the West line of Government Lots 3 and 4, said Section 30, and the East line of said Section 25, a distance of 2617.26 feet to the Southwest corner of Government Lot 4, said Section 30, also being the South line of said Section 30; thence South 87°32'13" East, along the last said line, 1189.99 feet to the northwest corner of the West 1/2 of the Northwest 1/4 of said Section 31 and a point hereinafter referred to as Reference Point "A"; thence continue along the North line of said West 1/2 of the Northwest 1/4, South 87°32'13" East, a distance of 1337.32 feet to the Northeast corner of said West 1/2 of the Northwest 1/4; thence South 00°19'49" East along the Easterly line of said West 1/2 of the Northwest 1/4, a distance of 2681.19 feet to a point hereinafter referred to as Reference Point "B"; thence return to the POINT OF BEGINNING; thence from the POINT OF BEGINNING; South 88°12'39" East along said Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289 of said Current Public Records, a distance of 4339.40 feet to the Southwesterly right-of-way line of Interstate Highway 95 (a 300 foot right-of-way as per Florida SRD Right-of-Way Map Section 72280-2403, dated 4-1-64); thence run the following two (2) courses and distances along said Southwesterly right-of-way line; COURSE NO. 1: South 40°25'29" East, 10,236.24 feet to the point of curvature of a curve leading Southeasterly; COURSE NO. 2: Southeasterly along and around the arc of said curve concave Southwesterly, having a radius of 7489.44 feet, an arc distance of 441.46 feet, said arc being subtended by a chord bearing and distance of South 40°09'49" East, 441.40 feet to the revised right-of-way line of Racetrack Road as

shown on the SRD Right-of-Way Map for Interstate 95, State Road No. 9, Section 78080-2403 Sheet 7 of 8; thence run the following three (3) courses and distance along the last said line; COURSE NO. 1: South 86°17'29" West, 332.90 feet to the point of curvature of a curve leading Northwesterly; COURSE NO. 2: Northwesterly along and around the arc of said curve concave Northeasterly, having a radius of 1859.86 feet, an arc distance of 340.77 feet, said arc being subtended by a chord bearing and distance of North 80°09'59" West, 340.29 feet; COURSE NO. 3: South 15°01'57" West, 17.00 feet to the Northerly right-of-way line of Racetrack Road (a 66 foot right-of-way as per monumentation and local recognition); thence run the following five (5) courses and distances along the last said right-of-way line COURSE NO. 1: Northwesterly along and around the arc of a curve concave Northeasterly, having a radius of 1876.86 feet, an arc distance of 405.48 feet, said arc being subtended by a chord bearing and distance of North 68°45'14" West, 404.69 feet to the point of tangency of said curve; COURSE NO. 2: North 63°58'45" West, 64.69 feet to the point of curvature of a curve leading Northwesterly; COURSE NO. 3: Northwesterly along and around the arc of said curve concave Southwesterly, having a radius of 2897.63 feet, an arc distance of 1289.62 feet, said arc being subtended by a chord bearing and distance of North 76°01'01" West, 1279.00 feet to the point of tangency of said curve; COURSE NO. 4: North 88°46'01" West, 720.95 feet to the point of curvature of a curve leading Southwesterly; COURSE NO. 5: Southwesterly along and around the arc of a said curve concave Southeasterly, having a radius of 1179.09 feet, an arc distance of 163.68 feet, said arc being subtended by a chord bearing and distance of South 88°22'35" West, 163.55 feet to the Easterly line of those lands described in Official Records Volume 5528, Page 680 of said Current Public Records of Duval County; thence Northwesterly, Southwesterly and Southeasterly along the Easterly, Northerly and Westerly lines of said lands described and recorded in said Official Records Volume 5528, Page 680, run the following three courses and distances; COURSE NO. 1: North 01°18'30" West, 1093.91 feet; COURSE NO. 2: South 87°49'09" West, 336.90 feet; COURSE NO. 3: South 01°16'44" East, 709.13 feet to the Northerly line of those lands recorded in Official Records Volume 6335, Page 934 of said Current Public Records; thence South 88°12'20" West, along the last said line, 1017.24 feet to the West, line of said lands described and recorded in Official Records Volume 6335, Page 934; thence South 01°04'01" East, along the last said line, 434.35 feet; to the Northeast corner of aforesaid Section 6; thence South 01°51'26" East, along the East line of Section 6, a distance of 287.56 feet to aforesaid Northerly right-of-way line of Racetrack Road; (a 66 foot right-of-way as per monumentation and local recognition); thence run the following four (4) courses and distances along the last said right-of-way line; COURSE NO. 1: Southwesterly along and around the arc of a curve Southeasterly, having a radius of 1178.80 feet, an arc distance of 307.81 feet, said arc being subtended by a chord bearing and distance of South 50°28'42" West, 306.94 feet to the point of tangency of said curve; COURSE NO. 2: South 43°04'24" West, 1765.07 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 539.77 feet, an arc distance of 632.14 feet, said arc being subtended by a chord bearing and distance of South 76°04'46" West, 596.63 feet to the point of tangency of said curve; COURSE NO. 4: North 70°22'22" West, 674.96 feet to the Westerly line of the Northeast 1/4 of said Section 6; thence North 02°15'28" West, along the last said line, 1654.20 feet to the Northerly line of said Section 6; thence North 89°14'24" East, along said Northerly line of Section 6, 196 feet more or less to the centerline or run of Durbin Creek; thence Northwesterly along said centerline or run, 2600 feet more or less to the South line of East 1/2 of the Northwest 1/4 of said Section 31, said line bearing South 87°32'06" East, from aforesaid Reference Point "B"; thence North 87°32'06" West, along the last said line and along the Westerly boundary of those lands described and recorded in official Records Volume 4717, Page 8 of the current Public Records of said Duval County, 1010 feet more or less to said Reference Point "B"; thence North 00°19'49" West, along the West line of the East 1/2 of the Northwest 1/4 of said Section 31, also being the Easterly boundary of said lands described and recorded in Official Records Volume 4717, Page 8 of said Current Public Records of Duval County, 2260 feet more or less to the Northerly edge of water/Mean High Water Line of said Durbin Creek; thence Northwesterly along the Northerly waters edge/Mean High Water Line of said Durbin Creek, 1999 feet more or less to the South line of said Section 30, said line bearing

South 87°32'13" East from aforesaid Reference Point "A"; thence North 87°32'13" West, along the last said line, 460 feet more or less to said Reference Point "A"; thence North 00°03'02" West along the West line of the West 1/4 of the Southwest 1/4 of said Section 30, a distance of 360 feet more or less to the Northerly edge of water/Mean High Water Line of said Durbin Creek; thence Westerly along said waters edge/Mean High Water Line of said Durbin Creek; thence Westerly along said waters edge/Mean High Water Line of said Durbin Creek, 1200 feet more or less to the West line of Section 30; thence North 01°04'30" West, along the last said line, 2180 feet more or less to the POINT OF BEGINNING.

SUBJECT TO

Those particular borrow pit easements No. 1 and No. 2 as described and recorded in Official Records Volume 2346, Page 137 of the Current Public Records of Duval County, Florida. A 60 foot drainage easement as described and recorded in Official Records Volume 1150, Page 291 of the Current Public Records of Duval County, Florida.

(CEMETERY)

LESS AND EXCEPT

A portion of Section 6, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the Northwest corner of said Section 6; thence South 01°51'26" East, along the Easterly line of said Section 6, 287.56 feet; thence run the following two (2) courses and distances along the Northerly right-of-way line of Racetrack Road (a 66 foot right-of-way as per monumentation and local recognition); COURSE NO. 1: Southwesterly along and around the arc of a curve concave Southeasterly, having a radius of 1178.80 feet, an arc distance of 307.81 feet, said arc being subtended by a chord bearing and distance of South 50°28'42" West, 306.94 feet to the point of tangency of said curve; COURSE NO. 2: South 45°04'24" West, 1065.28 feet; thence North 07°56'21" West, a distance of 560.47 feet to the POINT OF BEGINNING; thence North 08°16'29" West, a distance of 211.13 feet; thence North 83°01'48" East, a distance of 211.73 feet; thence South 08°15'53" East, a distance of 212.06 feet; thence South 83°16'55" West, a distance of 211.72 feet to the POINT OF BEGINNING.

Parcel 4

A portion of Sections 28, 29, 30, 32, 33, 34 and a portion of the Christopher Minchen Grant, Section 48 and a portion of Sections 4, 5, and 47, all being in Township 5 South, Range 28 East, all of the above lands being in Duval and St. Johns County, Florida, and being more particularly described as follows: BEGIN at the intersection of the South line of the Northwest one-quarter of aforesaid Section 28, Township 4 South, Range 28 East; also being the Southerly line of those lands described and recorded in Official Records Volume 5805, Page 1072 of the Current Public Records of Duval County, Florida, with the Southwesterly right-of-way line of the Florida East Coast Railway (a 100 foot right-of-way as now established and shown on the FEC Right-of-Way Map dated December 31, 1927); thence South 41° 00'03" East, along said Southwesterly right-of-way line, 1203.27 feet to the Westerly line of the East one-quarter of the Northwest 1/4 of the Southwest 1/4 of said Section 28, Township 4 South, Range 28 East; thence South 00° 58' 20" East, along last said line, 425.24 feet to the Southerly line of the Northwest 1/4 of the Southwest 1/4 of Said Section 28; thence North 88°54'55" East, along last said line 356.59 feet to the Southwesterly right-of-way line of said Florida East Coast Railroad Right-of-Way; thence South 41°00'03" East along said Southwesterly right-of-way line, 8140.06 feet to the Southerly line of aforesaid Christopher Minchen Grant Section 48, Township 4 South, Range 28 East; thence South 70°27'06" West, along last said line, 518 feet to the Northerly right-of-way line of Race Track Road (a 66 foot right-of-way as per monumentation and local recognition); thence South 88°44'58" West, along said Northerly right-of-way line, 137.78 feet to the point of curvature of a curve to the left; thence continuing along said Northerly right-of-way line of Race Track Road and along the arc of a curve concave Southeasterly, and having a radius of 1465.87 feet, an arc distance of 554.44 feet, said arc being subtended by a chord bearing and distance of South 78°37'46" West, 551.54 feet to an

intersection with the Westerly line of aforesaid Section 47, Township 5 South, Range 28 East; thence North 20°49'35" West along Westerly line of said Section 47 and along the Westerly line of aforementioned Christopher Minchen Grant, Section 48, 187.52 feet to an intersection of said Westerly line of Section 48 with the Easterly line of aforesaid Section 33, Township 4 South, Range 28 East; thence South 00°47'10" West, along the easterly line of said Section 33 and along the Easterly line of aforesaid Section 4, Township 5 South, Range 28 East, 205.70 feet Southwesterly and Westerly along the Northerly right-of-way line of said Race Track Road run the following four courses and distances: COURSE NO. 1: Southwesterly along and around the arc of a curve concave Southeasterly and having a radius of 1465.87 feet, an arc distance of 334.17 feet, said arc being subtended by a chord bearing and distance of South 58°22'53" West, 333.45 feet to the point of tangency of said curve; COURSE NO. 2: South 51°47'52" West, 189.87 feet to the point of curvature to the right; COURSE NO. 3: Southwesterly along and around the arc of a curve concave Northwesterly and having a radius of 1399.26 feet, an arc distance of 980.29 feet, said arc being subtended by a chord bearing and distance of South 71°51'57" West, 960.37 feet to the point of tangency of said curve; COURSE NO. 4: North 88°19'05" West, 3452.94 feet to an angle point in said right-of-way line; thence Northerly and Northwesterly along the revised right-of-way line of said Race Track Road as shown on the SRD Right-of-Way Map for Interstate 95, State Road No. 9, Section 78080-2403 Sheet 7 of 8 run the following four courses and distances: COURSE NO. 1: North 01°46'15" East, 17.00 feet; COURSE NO. 2: North 88°18'14" West 269.94 feet; COURSE NO. 3: North 82°59'57" West, 251.15 feet; COURSE NO. 4: North 83°25'41" West, 431.22 feet to the Northeasterly right-of-way line of Interstate Highway 95 (a 300 foot right-of-way as per Florida SRD Right-of-Way Map Section 72280-2403, dated 4-1-64); thence Northwesterly along said Northeasterly right-of-way line of Interstate Highway 95 and along the arc of a curve concave Southwesterly and having a radius of 7789.44, an arc distance of 667.99 feet, said arc being subtended by a chord bearing and distance of North 39°20'55" West 667.99 feet to the point of tangency of said curve; thence North 40°25'29" West, 9964.01 feet continuing along the Northeasterly right-of-way line of said Interstate Highway 95, to the Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289 of the Public Records of said Duval County, Florida; thence South 88°12'39" East, along last said line, 1790.91 feet to the Westerly line of aforesaid Section 29; thence North 88°42'27" East, continuing along said Southerly line of those lands described and recorded in Official Records Volume 1150, Page 289, a distance of 5348.66 feet to the Southwest corner of the Northwest 1/4 of said Section 28; thence North 88°02'52" East, along the South line of the Northwest 1/4 of said Section 28, also being the Southerly line of those lands described and recorded in Official Records Volume 5855, Page 1072 of the Current Public Records of said Duval County, Florida, 233.86 feet to the POINT OF BEGINNING.

Parcel 5

That certain piece, parcel, or tract of land described as follows: Part of the CHRISTOPHER MINCHEN GRANT in Section 48, Township 4 South, Range 28 East, more particularly described as follows: Beginning at a point on the easterly right-of-way line of U.S. Highway No. 1 at its intersection with the Northerly line of the said Grant and run thence North 69 degrees, 07 minutes 50 seconds East 702.94 feet to an iron; thence South 41 degrees, 00 minutes East 1056.87 feet to an iron; thence South 41 degrees, 20 minutes East 894.72 feet to an iron; thence South 49 degrees, 00 minutes West 660.01 feet to an iron in the easterly right-of-way line of U.S. Highway No. 1; thence North 41 degrees, 20 minutes West along the easterly line of said U.S. Highway No. 1 a distance of 892.30 feet to an iron; thence North 41 degrees, 00 minutes West continuing along the easterly right-of-way of said U.S. Highway No. 1 a distance of 1300.71 feet to the point of beginning.

ALL Less & Except any lands in Duval County, Florida.

## BARTRAM PARK

LESS AND EXCEPT  
(PENINSULA)

A PORTION OF SECTIONS 21, 22, 23, 24, 25, 26, 27, AND 28, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTIONS 30 AND 31, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, SAID TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA; THENCE NORTH  $00^{\circ}43'10''$  WEST, ALONG THE WEST LINE OF SECTION 19, ALSO BEING THE EAST LINE OF SAID SECTION 24, A DISTANCE OR 2283.20 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THAT PARTICULAR SERVICE ROAD OF ST. AUGUSTINE ROAD (ALSO KNOWN AS LORETTO ROAD AND COUNTY ROAD NO. 1 AS SHOWN ON THE RIGHT-OF-WAY MAP OF INTERSTATE HIGHWAY NUMBER 95 AS PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION 72280-2403, DATED 4-1-64), THENCE RUN THE FOLLOWING SEVEN (7) COURSES AND DISTANCES ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE: COURSE NO. 1: NORTH  $40^{\circ}25'29''$  WEST, A DISTANCE OF 308.50 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 2: NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 11675.16 FEET, AN ARC DISTANCE OF 470.56 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $39^{\circ}18'56''$  WEST, 470.53 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 3: WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 67.00 FEET, AN ARC DISTANCE OF 52.98 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $60^{\circ}46'23''$  WEST, 51.61 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 4: NORTH  $83^{\circ}25'56''$  WEST 937.42 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 5: WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 2990.79 FEET, AN ARC DISTANCE OF 165.51 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $81^{\circ}50'49''$  WEST, 165.49 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 6: NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 83.00 FEET, AN ARC DISTANCE OF 93.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $47^{\circ}38'25''$  WEST, 98.67 FEET; COURSE NO. 7: NORTH  $87^{\circ}13'14''$  WEST, A DISTANCE OF 171.09 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID ST. AUGUSTINE ROAD (A 100 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH  $79^{\circ}34'10''$  WEST, ALONG LAST SAID LINE 2670.79 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING

NORTHWESTERLY; THENCE NORTHWESTERLY ALONG AND AROUND THE ARC  
 OF SAID CURVE AND CONTINUING ALONG SAID RIGHT-OF-WAY LINE OF  
 ST. AUGUSTINE ROAD BEING CONCAVE NORTHEASTERLY AND HAVING A  
 RADIUS OF 5779.58 FEET, AN ARC DISTANCE OF 238.97 FEET, SAID  
 ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  
 77°23'06" WEST 238.96 FEET, TO A POINT ON SAID CURVE AND THE  
POINT OF BEGINNING; THENCE CONTINUE ALONG LAST SAID LINE,  
 AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE  
 NORTHEASTERLY, HAVING A RADIUS OF 5779.58 FEET, AN ARC  
 DISTANCE OF 244.38 FEET, SAID ARC BEING SUBTENDED BY A CHORD  
 BEARING AND DISTANCE OF NORTH 74°59'21" WEST, 244.36 FEET,  
 TO THE POINT OF TANGENCY OF SAID CURVE, SAID POINT OF  
 TANGENCY HEREINAFTER REFERRED TO AS REFERENCE POINT "A";  
 THENCE RETURN TO THE POINT OF BEGINNING; THENCE SOUTH  
 04°35'21" EAST, 526.70 FEET; THENCE SOUTH 24°09'15" EAST,  
 391.81 FEET; THENCE SOUTH 55°33'00" EAST, 680.15 FEET;  
 THENCE SOUTH 02°39'02" EAST, 545.72 FEET; THENCE SOUTH  
 21°39'40" EAST, 1115.83 FEET; THENCE SOUTH 11°13'02" WEST,  
 850.82 FEET; THENCE SOUTH 24°19'41" EAST, 438.02 FEET;  
 THENCE NORTH 43°09'50" EAST, 659.54 FEET; THENCE NORTH  
 55°30'57" EAST, 606.46 FEET; THENCE NORTH 63°19'23" EAST,  
 652.14 FEET; THENCE SOUTH 28°40'00" EAST, 341.39 FEET;  
 THENCE SOUTH 29°31'17" WEST, 264.61 FEET; THENCE SOUTH  
 86°40'03" WEST, 376.26 FEET; THENCE SOUTH 31°47'14" WEST,  
 409.71 FEET; THENCE SOUTH 25°58'04" EAST, 270.25 FEET;  
 THENCE SOUTH 05°59'14" WEST, 425.05 FEET; THENCE SOUTH  
 11°58'57" EAST, 385.08 FEET; THENCE NORTH 25°06'49" EAST,  
 741.77 FEET; THENCE NORTH 56°10'46" EAST, 513.67 FEET;  
 THENCE SOUTH 42°47'18" EAST, 462.23 FEET; THENCE SOUTH  
 42°43'22" WEST 277.70 FEET; THENCE SOUTH 56°36'37" WEST,  
 410.89 FEET; THENCE SOUTH 19°10'13" EAST, 602.77 FEET;  
 THENCE SOUTH 52°20'42" EAST, 423.83 FEET; THENCE NORTH  
 98°56'00" EAST, 1024.19 FEET; THENCE SOUTH 61°33'20" EAST,  
 598.40 FEET; THENCE SOUTH 10°26'54" EAST, 566.44 FEET;  
 THENCE NORTH 88°38'12" EAST, 522.25 FEET; THENCE NORTH  
 15°47'12" EAST, 343.32 FEET; THENCE NORTH 36°38'06" EAST,  
 357.57 FEET; THENCE SOUTH 36°10'06" EAST, 111.39 FEET;  
 THENCE SOUTH 30°04'43" WEST, 230.04 FEET; THENCE SOUTH  
 37°53'10" EAST, 167.31 FEET; THENCE NORTH 87°32'17" EAST,  
 505.85 FEET; THENCE SOUTH 12°05'52" EAST, 235.98 FEET;  
 THENCE SOUTH 67°16'42" WEST, 299.32 FEET; THENCE SOUTH  
 19°35'13" WEST, 239.12 FEET; THENCE SOUTH 52°46'01" EAST,  
 546.75 FEET; THENCE NORTH 31°37'38" EAST, 568.75 FEET;  
 THENCE SOUTH 52°06'40" EAST, 563.37 FEET; THENCE SOUTH  
 06°29'26" WEST, 600.55 FEET; THENCE SOUTH 33°13'02" EAST,  
 293.04 FEET; THENCE SOUTH 75°47'33" EAST, 1117.83 FEET;  
 THENCE SOUTH 69°12'15" EAST, 974.70 FEET; THENCE SOUTH  
 08°54'09" WEST, 238.56 FEET; THENCE NORTH 64°27'45" WEST,  
 690.83 FEET; THENCE NORTH 73°44'45" WEST, 553.49 FEET;

THENCE SOUTH 40°25'15" WEST, 358.53 FEET; THENCE SOUTH 50°18'05" EAST, 282.96 FEET; THENCE SOUTH 38°46'36" EAST, 312.27 FEET; THENCE SOUTH 29°13'20" EAST, 975.39 FEET; THENCE SOUTH 86°07'23" EAST, 322.34 FEET; THENCE SOUTH 14°37'35" WEST, 484.49 FEET; THENCE SOUTH 18°57'22" EAST, 1170.02 FEET; THENCE SOUTH 00°29'54" WEST, 424.20 FEET; THENCE SOUTH 21°30'33" EAST, 523.34 FEET; THENCE SOUTH 20°58'13" WEST, 608.33 FEET; THENCE SOUTH 00°00'00" EAST, 542.22 FEET; THENCE SOUTH 43°36'51" EAST, 320.97 FEET; THENCE NORTH 70°36'04" EAST, 344.27 FEET; THENCE SOUTH 50°08'02" EAST, 199.99 FEET; THENCE SOUTH 09°58'22" EAST, 196.05 FEET; THENCE SOUTH 75°15'21" WEST, 676.14 FEET; THENCE SOUTH 54°04'57" WEST, 314.39 FEET; THENCE SOUTH 23°00'39" WEST, 424.79 FEET; THENCE SOUTH 00°59'48" EAST, 424.25 FEET; THENCE SOUTH 29°38'38" EAST, 426.37 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD; (A 66 FOOT RIGHT-OF-WAY AS PER MONUMENTATION AND LOCAL RECOGNITION), AND THE ARC OF A CURVE TO THE SOUTH WEST; THENCE SOUTHWESTERLY AND NORTHWESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING 2 COURSES AND DISTANCES: COURSE NO. 1: SOUTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 539.77 FEET, AN ARC DISTANCE OF 632.14 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 76°04'46" WEST, 596.63 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 2: NORTH 70°22'22" WEST, 674.96 FEET TO THE WESTERLY LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE NORTH 02°15'28" WEST, ALONG THE LAST SAID LINE, 1654.20 FEET TO THE NORTHERLY LINE OF SAID SECTION 6; THENCE NORTH 89°14'24" EAST, ALONG SAID NORTHERLY LINE OF SECTION 6, 196 FEET MORE OR LESS TO THE CENTERLINE OF RUN OF DURBIN CREEK; THENCE NORTHWESTERLY ALONG SAID CENTERLINE OR RUN, 2600 FEET MORE OR LESS TO THE SOUTH LINE OF EAST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE NORTH 87°32'06" WEST, ALONG THE LAST SAID LINE AND ALONG THE EASTERLY BOUNDARY OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME 4717, PAGE 8 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, 1010 FEET MORE OR LESS, TO THE WESTERLY LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE NORTH 00°19'49" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, ALSO BEING THE EASTERLY BOUNDARY OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME 4717, PAGE 8 OF SAID CURRENT PUBLIC RECORDS OF DUVAL COUNTY, 2260 FEET MORE OR LESS TO THE NORTHERLY EDGE OF WATER/MEAN HIGH WATER LINE OF SAID DURBIN CREEK; THENCE NORTHWESTERLY ALONG THE NORTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF SAID DURBIN CREEK, 1000 FEET MORE OR LESS, TO THE SOUTH LINE OF SAID SECTION 30; THENCE NORTH 87°32'13" WEST, ALONG THE LAST SAID LINE, 460 FEET

MORE OR LESS, TO THE WESTERLY LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 30; THENCE NORTH 00°03'02" WEST, ALONG LAST SAID LINE, 360 FEET MORE OR LESS TO THE NORTHERLY EDGE OF WATER/MEAN HIGH WATER LINE OF SAID DURBIN CREEK; THENCE WESTERLY ALONG SAID WATERS EDGE/MEAN HIGH WATER LINE OF SAID DURBIN CREEK, 23,000 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE SOUTHERLY EDGE OF THE WATERS/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK; THENCE EASTERLY ALONG THE SOUTHERLY EDGE OF THE WATERS/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK, 17,300 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF ST. AUGUSTINE ROAD, SAID RIGHT-OF-WAY LINE BEARING NORTH 73°48'40" WEST, FROM AFORESAID REFERENCE POINT 'A'; THENCE SOUTH 73°48'40" EAST ALONG LAST SAID LINE, 146 FEET MORE OR LESS TO SAID REFERENCE POINT 'A' AND TO CLOSE.

SUBJECT TO:

A 60 FOOT DRAINAGE EASEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME 1150, PAGE 291 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA LYING SOUTHEASTERLY OF THE SOUTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK.

LESS AND EXCEPT ALL OF TRACT 'A' AS SHOWN ON PLAT OF JULINGTON COUNTRY CLUB ESTATES REPLAT, AS RECORDED IN PLAT BOOK 28, PAGES 41 THROUGH 41B INCLUSIVE OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, ALSO BEING THAT PORTION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 23, TOWNSHIP 4 SOUTH, RANGE 27 EAST, SAID DUVAL COUNTY, LYING SOUTHEASTERLY OF THE SOUTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK.

LESS AND EXCEPT THAT PORTION OF SECTIONS 35 AND 36, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, LYING NORTHERLY OF THE NORTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF DURBIN CREEK.

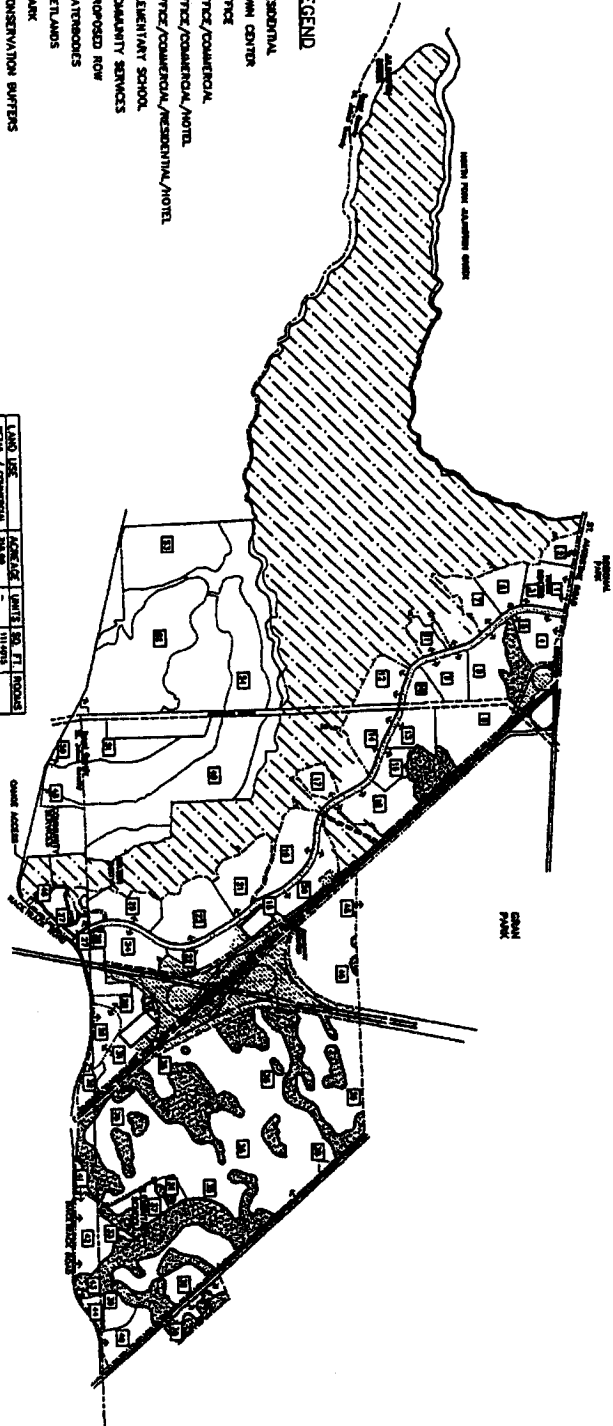
LESS AND EXCEPT THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, LYING SOUTHERLY OF THE SOUTHERLY WATERS EDGE/MEAN HIGH WATER LINE OF THE NORTH FORK OF JULINGTON CREEK.

# BARTRAM PARK

## MAP H2 - DEVELOPMENT PLAN

- LEGEND**
- RESIDENTIAL
  - TOWN CENTER
  - OFFICE
  - OFFICE/COMMERCIAL
  - OFFICE/COMMERCIAL/HOTEL
  - ELEMENTARY SCHOOL
  - COMMUNITY SERVICES
  - PROPOSED ROW
  - WATERBODIES
  - WETLANDS
  - PARK
  - CONSERVATION BARRIERS
  - CONSERVATION
  - WATER CHANGES (RESERVATION AS REQUESTED)
  - PUBLIC LANDS (RESERVATION ONLY, NOT INCLUDED IN DW)

LAND USE	ACRES	UNITS	NO. FT. BROAD
RESIDENTIAL	174.48	283,000	127
OFFICE	31.48	283,000	127
OFFICE/COMMERCIAL	31.48	283,000	127
OFFICE/COMMERCIAL/HOTEL	31.48	283,000	127
ELEMENTARY SCHOOL	31.48	283,000	127
COMMUNITY SERVICES	31.48	283,000	127
PROPOSED ROW	31.48	283,000	127
WATERBODIES	31.48	283,000	127
WETLANDS	31.48	283,000	127
PARK	31.48	283,000	127
CONSERVATION BARRIERS	31.48	283,000	127
CONSERVATION	31.48	283,000	127
WATER CHANGES (RESERVATION AS REQUESTED)	31.48	283,000	127
PUBLIC LANDS (RESERVATION ONLY, NOT INCLUDED IN DW)	31.48	283,000	127



REVISED: 8/22/05

BARTRAM PARK  
 MAP H CHART - EXHIBIT A  
 April 20, 2000  
 March 4, 2005

PARCEL ID	LAND USE
1	TOWN CENTER (COMMERCIAL/OFFICE/MULTI-FAMILY/RESIDENTIAL/HOTEL)
2	TOWN CENTER (COMMERCIAL/OFFICE/MULTI-FAMILY/RESIDENTIAL/HOTEL)
3	TOWN CENTER (COMMERCIAL/OFFICE/MULTI-FAMILY/RESIDENTIAL/HOTEL)
4	TOWN CENTER (COMMERCIAL/OFFICE/MULTI-FAMILY/RESIDENTIAL/HOTEL)
5	TOWN CENTER (COMMERCIAL/OFFICE/MULTI-FAMILY/RESIDENTIAL/HOTEL)
6	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
7	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
8	OFFICE/COMMERCIAL/HOTEL/HOSPITAL
9	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
10	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
11	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
12	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
13	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
14	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
15	COMMUNITY SERVICES/OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
16	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
17	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
18	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
19	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
20	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
21	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
22	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
23	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
24	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
25	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
26	OFFICE/COMMERCIAL/MULTI-FAMILY/HOTEL/RESIDENTIAL
27	COMMERCIAL/OFFICE
28	COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
29	PARK/COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
30	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
31	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
32	OFFICE/COMMERCIAL/HOTEL
33	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
34	OFFICE/COMMERCIAL/HOTEL/PRESERVATION
35	SINGLE-FAMILY/MULTI-FAMILY/RESIDENTIAL
36	PARK
37	ELEMENTARY SCHOOL
38	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
39	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
40	OFFICE/COMMERCIAL/MULTI-FAMILY/RESIDENTIAL/HOTEL
41	COMMERCIAL/OFFICE
42	TOWN-CENTER COMMERCIAL/OFFICE
43	OFFICE/COMMERCIAL/HOTEL
44	OFFICE/COMMERCIAL/HOTEL
45	OFFICE/COMMERCIAL/HOTEL
46	COMMUNITY SERVICES/OFFICE/COMMERCIAL

**BARTRAM PARK  
MAP H CHART - EXHIBIT A**

*March 4, 2005*

PARCEL ID	LAND USE
1.	(TOWN CENTER) COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
2.	(TOWN CENTER) COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
3.	(TOWN CENTER) COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
4.	(TOWN CENTER) COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
5.	(TOWN CENTER) COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
6.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
7.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
8.	OFFICE/COMMERCIAL/HOTEL/HOSPITAL
9.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
10.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
11.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
12.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
13.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
14.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
15.	COMMUNITY SERVICES/OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
16.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
17.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
18.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
19.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
20.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
21.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
22.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
23.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
24.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
25.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
26.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
27.	COMMERCIAL/OFFICE
28.	COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
29.	COMMERCIAL/OFFICE/RESIDENTIAL/HOTEL
30.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
31.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
32.	OFFICE/COMMERCIAL
33.	OFFICE/COMMERCIAL/HOTEL/RESIDENTIAL
34.	PRESERVATION
35.	RESIDENTIAL
36.	PARK
37.	ELEMENTARY SCHOOL
38.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
39.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
40.	OFFICE/COMMERCIAL/RESIDENTIAL/HOTEL
41.	COMMERCIAL/OFFICE
42.	COMMERCIAL/OFFICE
43.	OFFICE/COMMERCIAL
44.	OFFICE/COMMERCIAL
45.	OFFICE/COMMERCIAL/HOTEL
46.	COMMUNITY SERVICES/OFFICE/COMMERCIAL

**BARTRAM PARK**

RACETRACK ROAD RIGHT-OF-WAY

PARCEL OWNERS

1/26/2006

Parcel	St. Johns Acres	Duval Acres	Total Acres	Contact	Phone	Address
<b>WINSLOW FARMS</b>						
105	3.728		3.728	Tom Dodson	221-2605	
106A	6.475		6.475			
106B	1.944		1.944			
106C	2.865		2.865			
110A	4.631		4.631			
110B		5.419	5.419			
110C	5.024		5.024			
111	3.764		3.764			
	<u>28.431</u>	<u>5.419</u>	<u>33.850</u>			

<b>RASMUS/WILLIAMS</b>						
100A	5.487		5.487	Bob Williams		12244 Reedpond Dr. E. Jacksonville, FL 32223
100B	1.709		1.709			
100C	3.165		3.165			
102A	0.109		0.109	Marylin Williams		
102B	8.569		8.569			
102C	4.134		4.134			
102D	3.451		3.451			
	<u>26.624</u>		<u>26.624</u>			

<b>DURBIN CREEK NATIONAL (GATE)</b>						
112	2.691		2.691	Ken Wilson	737-7220	9540 San Jose Boulevard Jacksonville, FL 32257
113	5.780		5.780			
	<u>8.471</u>		<u>8.471</u>			

<b>INDIVIDUAL PARCELS</b>						
Creekside Christian Church	103	2.006	2.006	Chuck Teterman, Pasto	230-0550	P.O.Box 600111 Jacksonville, FL 32260-0111
Barco Family Trust	104	2.235	2.235	Barry Barco	772-1313	7587 Wilson Blvd. Jacksonville, FL 32210
Charles David Van Opstal	107	0.327	0.327	Van Opstal		5239 Race Track Rd. Jacksonville, FL 32259
New Era Development	108A	0.592	0.592	Venus Bahman	396-2261	824 Waterman Rd. S. Jacksonville, FL 32207
New Era Development	108B	0.160	0.160			
New Era Development	108C		0.989			
George Waldock	109		1.045	George Waldock	268-5823	3718 Marbon Rd. Jacksonville, FL 32223
		<u>5.320</u>	<u>2.034</u>			<u>7.354</u>

<b>Total R.O.W. Acres</b>	<b>68.846</b>	<b>7.453</b>	<b>76.299</b>
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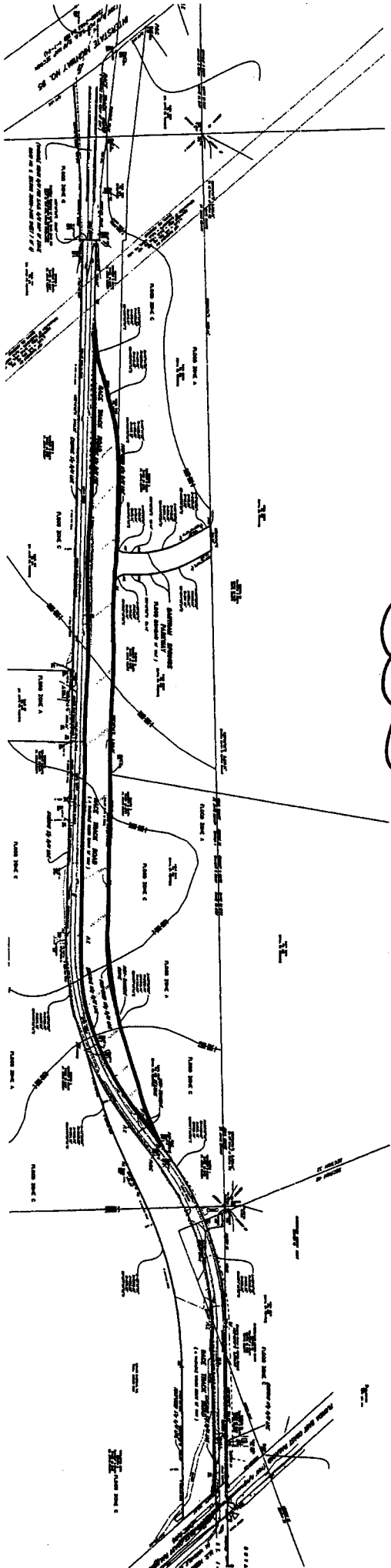
**TOTAL ROW REQUIRED FOR NEW RACETRACK ROAD SEGMENT**

Developer Contribution & Donation	68.945
St. Johns County	<u>5.320</u>
Duval County	<u>2.034</u>
	<u>76.299</u>

**TOTAL ROW PROVIDED BY DEVELOPER**

Existing Contributed ROW for Phase 1 Const.	11.240
Future Contribution & Donation for Phase 2 Const.	<u>68.945</u>
	<u>80.185</u>





11.24 acres

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF RESOURCE PLANNING AND MANAGEMENT  
BUREAU OF STATE PLANNING  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100  
904/488-4925

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED  
DEVELOPMENT OF REGIONAL IMPACT (DRI)  
SUBSECTION 380.06(19), FLORIDA STATUTES**

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, **J. Thomas Dodson**, the undersigned owner/authorized representative of Bartram Park, Ltd. (developer) and Bartram Investments, LLC and Winslow Farms, Ltd., hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Bartram Park DRI (original and current project names) development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to St. Johns County, (local government), to the Northeast Florida Planning Council, and to the Bureau of State Planning, Department of Community Affairs and City of Jacksonville (adjacent local government).

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
J. Thomas Dodson

2. Applicant: J. Thomas Dodson, Jr.  
Bartram Park, Ltd.  
Bartram Investments, LLC  
Winslow Farms, Ltd.  
13361 Atlantic Boulevard  
Jacksonville, Florida 32225  
(904) 221-2605
3. Authorized Agent: Susan C. McDonald, Esquire  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207  
(904) 346-5587
4. Location: Portions of Sections 28, 29, 30, 32, 33, 34 and a portion of the Christopher Minchen Grant, Section 48, and a portion of Sections 45, and 47, Township 5 South, Range 28 East, St Johns County, Florida
5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Development or any reviewing agency to clarify the nature of the change or the resulting impacts.

We are requesting the following changes to the DRI:

1. **Special Condition** Paragraph 24. Transportation Racetrack Road Improvement is hereby amended to read as follows:

**24. Racetrack Road.**

- (1) Add as last sentence of this paragraph:

St. Johns County agrees to acquire at its cost lands in St. Johns County needed to obtain sufficient right of way in excess of the 133 feet of 67-foot right of way plus 6.83 acres for stormwater ponds to be contributed by Applicant ("~~Required~~-Right of Way") in order to widen Racetrack Road from the East Spine Road of Bartram Park to Russell Sampson Road and construct stormwater ponds.

- (2) Delete existing language and replace with the following:

Construction for the final segment of Bartram Park Blvd. from its existing terminus to Racetrack Road shall be commenced on or before June 2006 and completed no later than June 2007. On or before February 2008, or as soon as sufficient land for right of way and stormwater ponds has been acquired by the County, whichever is later, Developer shall commence construction of the four-laning of Racetrack Road from Russell Sampson Road to the East Spine Road including the I-95 bridge/flyover. Construction shall be completed within twenty months of commencement.

- (3) Delete existing language and replace with the following:

The developer shall receive a credit against the proportionate share of \$11,161,335, consisting of \$8,161,335 for construction of both improvements to Racetrack Road and \$3,000,000 for right of way contribution. If the substantiated total is less than \$13,538,645 (\$11,161,335 plus \$2,377,310 which is the cost of widening Racetrack Road from the east Spine Road to U. S. 1), Developer will pay the difference in cash in year 2000 dollars to either the City of Jacksonville or St. Johns County as fulfillment of this condition. Provided, however, if at the time of payment for this improvement, the cost including the value of the right of way is greater than \$13,538,645, Developer shall have the right in subsequent changes to the Development Order to request credit for the difference in the estimated cost and actual cost against the Additional Transportation Contribution. The improvements to Racetrack Road and the donation of Racetrack Road right of way shall be deemed to satisfy all DRI transportation mitigation requirements of St. Johns County.

In the Development Order there was never any time frame specified for the completion of Bartram Park Blvd. and connection to Racetrack Rd. This amendment will provide a time certain for completion of Bartram Park Blvd. and its connection to Racetrack Road. Bartram Park Blvd., a four lane connector road, will provide a much needed north-south alternative to Philips Highway and provide a beginning to the North-South Connector for St. Johns County. There will be no net increase in transportation impacts as a result of these changes and the total amount of pipelining payment remains the same. Based on the foregoing, these changes should not be construed as a substantial deviation.

Further, the Development Order as amended presently provides that if improvements to Racetrack Road exceed the estimated cost, the proportionate share calculation may be recomputed to revise the Racetrack Road improvement costs if they exceed the estimated cost at the time of DRI approval. The only resulting adjustment would be in the amount of the "Additional Contribution". The total amount of the proportionate share would not change. This is the intent and purpose of the language presently found in the subsection of Special Condition VII **Additional Contribution**, therefore, the requested change does not revise the intent and purpose of that section. The recalculation would be computed as follows: The approved proportionate share of \$47,350,643 would be reduced by (i) the \$23,350,000 Interchange Contribution, (ii) the actual cost of the Racetrack Road

improvements in 1999 dollars, (iii) the value of the Racetrack Road right of way contribution which is \$3,000,000, (iv) the amount of \$1,000,000 for the St. Augustine Road six lane widening and right of way contribution, and (v) the \$500,000 PD & E Study. The resulting figure will be the "Additional Contribution" which will be substituted for the estimated \$7,961,998 contribution in year 2000 dollars.

2. Paragraph 3 of the General Conditions of the DRI is deleted in its entirety and the following substituted therefore: Phasing: General Condition 3.. Phasing and Buildout and Expiration of DRI . The phasing schedule of this portion of the DRI is revised as follows:

Development in St. Johns County shall occur as follows

<u>Land Use</u>	<u>Phase I</u> <u>(2000-2010)</u>	<u>Phase II</u> <u>(2011-2015)</u>
Office		44,830 square feet
Commercial		374,084square feet

No vertical development will occur in St. Johns County prior to January 1, 2005. Construction may commence on all development in the county at such time as (i) construction has commenced on the widening of the portion of Racetrack Road from the East Spine Road to Russell Sampson Road including the Durbin Creek Bridge and (ii) the total cost of construction of that improvement is guaranteed by a bond. The projected buildout date for all development is December 31, 2015. ~~The~~ DRI termination and DRI Development Order expiration dates are established as December 31, 2020.

2. The Master Plan, Map H, and Chart as depicted in Exhibit D in the Development Order is replaced by Master Plan, Map H, dated 5-20-05 and Chart dated March 4, 2005 as depicted in Exhibit A.

All other language in this section remains unchanged.

3. Special Condition 13 Wetland Impacts of the Development Order is hereby revised to read as follows:

"The Sale of the Preserve Property as described above pursuant to the conditions of the Agreement of Purchase and Sale between Applicant and the St. Johns River Water Management District shall serve as mitigation for impacts to sixteen (16) acres of wetlands within the DRI, either in Duval or St. Johns County. Any further wetlands impacts shall not exceed 200 acres total for the entire DRI (including 16 acres which have already been mitigated); provided, however, that up to 7.67 acres of additional impacts (above 200) may be located within Bartram Parcel 45. The entire 200 acres are not contiguous. The limit of wetland impacts shall apply only to the improvements within the Bartram Park DRI boundary and shall not include wetland impacts, if any,

associated with the widening of Racetrack Road or construction of the Canoe launch site. Wetland impacts will be mitigated through the regulatory permitting process. Wetland impacts in St. Johns County shall not exceed ten (10) acres not including wetland impacts, if any, associated with the widening of Racetrack Road or construction of the Canoe launch site.”

The additional wetland impacts are being mitigated through the purchase and preservation of an 1098.89 acre wetland tract in St. Johns County. This parcel is located in the midst of the Cummer Tract which was acquired by the St. Johns River Water Management District and completes the district’s purchase and preservation of a regionally significant wetland system. Attached is information from Environmental Services Inc. which describes the wetland qualities of the site together with the pertinent water management district permit information relating to the site. The decrease of 100 acres of open space is being offset by a corresponding increase of 100 acres in residential development pursuant to Florida Statutes 380.06 19 (e) (5) ( c) which is a presumption of a substantial deviation. The statute permits simultaneous increases and decreases of at least two of the uses within an authorized multiuse development of regional impact which was originally approved with three or more uses specified in s. 380.0651 (3) ( c ), (d), (f), and (g) and residential use. This change meets that criteria. In addition, we believe the change should not be viewed as a substantial deviation because the developer has purchased 1098.89 acres of regionally significant wetlands located within the same drainage basin as the DRI which will be preserved in their natural state to offset the development of these wetlands. As the attached information states, the wetlands to be impacted on site are made up of stressed isolated low quality wetlands, and former borrow pits. Therefore, the use of these wetlands for development is offset by the preservation of 1089 acres of pristine high quality wetlands viewed as regionally significant by the water management district and required by the district as a part of the on site permit. Further the development of these wetlands does not create additional external impacts or add additional development rights to the DRI. Therefore, such a change should not be viewed as a substantial deviation.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.
  
7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

The following are changes to the St. Johns Development Order only and do not include changes to the Duval County Development Order.

- A. Resolution No. 139-Approved the DRI September 27, 2000. (St. Johns County).
  - B. Resolution 2001-93-Amends phasing in St. Johns County lands, revises Master Plan, revises Transportation Condition relating to improvements to Racetrack Road; revises Transportation Condition relating to payment required by the Additional Transportation Condition.
  - C. Resolution 2003-94-Provides interpretation of conditions as to Parcel 45.
  - D. Resolution 2005—146 (pending approval) Revises conditions relating to canoe launch site and community services site.
8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

none

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes. Less than 40%.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

Yes

No

10. Does the proposed change result in a change to the build-out date or any phasing date of the project? If so, indicate the proposed new build-out or phasing dates. No
11. Will the proposed change require an amendment to the local government comprehensive plan? No

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06(15), F.S., and 9J-2.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions. Yes, see attached Exhibit A.
13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:
- A. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments

and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

- B. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;
- C. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;
- D. A proposed amended development order termination date that reasonably reflects the time required to complete the development;
- E. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and
- F. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025(7), F.A.C.

See proposed ordinance reflecting the changes attached at Exhibit B.

**SUBSTANTIAL DEVIATION DETERMINATION CHART**

<b>TYPE OF LAND USE</b>	<b>CHANGE CATEGORY</b>	<b>PROPOSED PLAN</b>	<b>ORIGINAL PLAN</b>	<b>PREVIOUS D.O. CHANGE + DATE</b>	
Attraction/ Recreation	# Parking Spaces		No Change		
	# Spectators		" "		
	# Seats		" "		
	Site locational changes		" "		
	Acreage, including drainage, ROW, easements, etc.		" "		
	# External Vehicle Trips		" "		
	D.O. conditions		" "		
	ADA representations		" "		
	Airports	Runway (length)		No Change	
		Runway (strength)		" "	
Terminal (gross square feet)			" "		
# Parking Spaces			" "		
# Gates			" "		
Apron Area (gross square feet)			" "		
Site locational changes			" "		
Airport Acreage, including drainage, ROW, easements, etc.			" "		
# External Vehicle Trips			" "		
D.O. conditions			" "		
ADA representations		" "			
Hospitals	# Beds		No Change		
	# Parking Spaces		" "		
	Building (gross square feet)		" "		

Site locational changes

" "

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**SUBSTANTIAL DEVIATION DETERMINATION CHART**

<b>TYPE OF LAND USE</b>	<b>CHANGE CATEGORY</b>	<b>PROPOSED PLAN</b>	<b>ORIGINAL PLAN</b>	<b>PREVIOUS D.O. CHANGE + DATE</b>
	Acreage, including drainage, ROW, easements, etc.	No Change	No Change	
	# External Vehicle Trips	"	"	
	D.O. conditions	"	"	
	ADA representations	"	"	
Industrial	Acreage, including drainage, ROW, easements, etc.	No Change	No Change	
	# Parking Spaces	"	"	
	Building (gross square feet)	"	"	
	# Employees	"	"	
	Chemical storage (barrels and lbs.)	"	"	
	Site locational changes	"	"	
	# External Vehicle Trips	"	"	
	D.O. conditions	"	"	
	ADA representations	"	"	
	Mining Operations	Acreage mined (year)	No Change	No Change
Water Withdrawal (Gal/day)		"	"	
Size of Mine (acres), including drainage, ROW, easements, etc.		"	"	
Site locational changes		"	"	
# External Vehicle Trips		"	"	
D.O. conditions		"	"	
ADA representations		"	"	

**SUBSTANTIAL DEVIATION DETERMINATION CHART**

<b>TYPE OF LAND USE</b>	<b>CHANGE CATEGORY</b>	<b>PROPOSED PLAN</b>	<b>ORIGINAL PLAN</b>	<b>PREVIOUS D.O. CHANGE + DATE</b>	
Office	Acreage, including drainage, ROW, easements, etc.	No Change	No Change		
	Building (gross square feet)	"	"		
	# Parking Spaces	"	"		
	# Employees	"	"		
	Site locational changes	"	"		
	# External Vehicle Trips	"	"		
	D.O. conditions	"	"		
	ADA representations	"	"		
	Petroleum/Chem. Storage	Storage Capacity (barrels and/or lbs.)	No Change	No Change	
		Distance to Navigable Waters (feet)	"	"	
Site locational changes		"	"		
Facility Acreage, including drainage, ROW, easements, etc.		"	"		
# External Vehicle Trips		"	"		
D.O. conditions		"	"		
ADA representations		"	"		
Ports (Marinas)		# boats, wet storage	"	"	
		# boats, dry storage	"	"	
		Dredge and fill (cu. yds.)	"	"	
	Petroleum storage (gals.)	"	"		
	Site locational changes	"	"		
Port Acreage, including	"	"			

drainage, ROW, easements, etc.

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**SUBSTANTIAL DEVIATION DETERMINATION CHART**

<b>TYPE OF LAND USE</b>	<b>CHANGE CATEGORY</b>	<b>PROPOSED PLAN</b>	<b>ORIGINAL PLAN</b>	<b>PREVIOUS D.O. CHANGE + DATE</b>
Residential	# External Vehicle Trips		No Change	
	D.O. conditions		" "	
	ADA representations		" "	
	# dwelling units		No Change	
	Type of dwelling units		" "	
	# lots		" "	
	Acreage, including drainage, ROW, easements, etc.		" "	
	Site locational changes		" "	
	# External Vehicle Trips		" "	
	D.O. conditions		" "	
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc.		No Change	
	Floor Space (gross square feet)		" "	
	# Parking Spaces		" "	
	# Employees		" "	
	Site locational changes		" "	
	# External Vehicle Trips		" "	
	D.O. conditions		" "	
	ADA representations		" "	
	# Rental Units		" "	
	Floor Space (gross square feet)		" "	
# Parking Places		" "		

# Employees  
Site locational changes

" "  
" "

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**SUBSTANTIAL DEVIATION DETERMINATION CHART**

<b>TYPE OF LAND USE</b>	<b>CHANGE CATEGORY</b>	<b>PROPOSED PLAN</b>	<b>ORIGINAL PLAN</b>	<b>PREVIOUS D.O. CHANGE + DATE</b>
	Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	No Change	No Change	
R. V. Park	Acreage, including drainage, ROW, easements, etc. # Parking Spaces Buildings (gross square feet) # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations	No Change	No Change	
Open Space (All natural and vegetated non-impervious surfaces)	Acreage Site locational changes Type of open space D.O. conditions ADA representations	No Change	No Change	
Preservation Buffer or Special Protection Areas D.O. conditions	Acreage Site locational changes Development of site proposed "	No Change	No Change	

ADA representations

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Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

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FEB 13 2006

ST. JOHNS COUNTY  
PLANNING DIVISION

**THE ST. AUGUSTINE RECORD**

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE** who on oath says that she is an Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida: that the attached copy of advertisement, being **NOTICE OF HEARING** in the matter **NOPC 05-02 BARTRAM PK** was published in said newspaper in the issues of **FEBRUARY 9, 2006.**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **9TH** day of **FEBRUARY, 2006.**

by *Sarah Selfridge* who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

*Patricia A. Bergquist*  
(Signature of Notary Public)



Patricia A. Bergquist  
My Commission DD275991  
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

**NOTICE OF A PROPOSED CHANGE (NOPC) TO THE BARTRAM PARK DEVELOPMENT OF REGIONAL IMPACT (DRI)**

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, February 21, 2006 by the Board of County Commissioners at 1:30 p.m. in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to consider a Notice of Proposed Change (NOPC) to the Bartram Park DRI to request modifications to the DRI Development Order (DO). The subject property is located North of Race Track Road within St. Johns County, Florida.

This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he or she must appeal the decision on the verbal record of the proceedings in which the record includes the testimony and evidence upon which the decision was based.

This matter is subject to the provisions of the judicial rules of the State of Florida, which require the use of more complete information in the proceedings. Interested parties should contact the Board of County Commissioners at 1111 1/2 Street, St. Augustine, Florida, 32085, with compliance with Resolution 95-128, to properly notified public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 34, St. Augustine, Florida, 32085.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA**  
JAMES B. BRYANT, CHAIRMAN

FILE NUMBER: **NOPC 05-02 BARTRAM PK**  
L27-6 Feb 9, 2006