

RESOLUTION NO. 2006- 59

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE A RECIPROCAL CORRECTIVE QUITCLAIM DEED TOGETHER WITH WINCHESTER DEVELOPMENT, RLLP, TO CORRECT THE LEGAL DESCRIPTIONS AND CLEAR A CLOUD ON THE TITLES.

RECITALS

WHEREAS, Winchester Development, RLLP, a Florida limited liability partnership, (hereinafter "Winchester") conveyed property on Greenbriar Road to St. Johns County (hereinafter "County") in deeds recorded in Official Records Book 1651, page 1402 and Official Records Book 2255, page 1640 and the County conveyed Winchester property in deed recorded in Official Records Book 2255, page 1633; and

WHEREAS, Winchester is in the process of platting adjacent land and it was found by the surveyor that the legal description in said deeds had errors that created a cloud on the titles; and

WHEREAS, Winchester has asked the County to join in the execution of a Reciprocal Corrective Quitclaim Deed, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, for the purpose of removing any interests in or to some portion in each other's land and clearing the cloud on the titles.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners as follows:

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

Section 2. The Chairman of the Board of County Commissioners is hereby authorized to execute the Reciprocal Corrective Quitclaim Deed.

Section 3. The Clerk of Court is instructed to record the original Reciprocal Corrective Quitclaim Deed in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 7th day of March, 2006.

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

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

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande
Deputy Clerk

RENDITION DATE 3-9-06

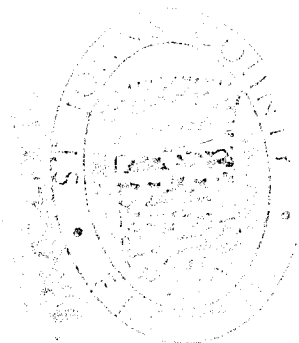


Exhibit "A" to Resolution

This instrument was prepared by
Jeffrey D. Smith, Esq.
Clifford B. Newton, P.A.
10192 San Jose Blvd.
Jacksonville, FL 32257

RECORD AND RETURN TO:

Parcel I.D. Numbers: _____

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RECIPROCAL CORRECTIVE QUITCLAIM DEED

THIS RECIPROCAL CORRECTIVE QUITCLAIM DEED is made and executed as of the _____ day of February, 2005, by and between **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida (hereinafter called "County"), and **WINCHESTER DEVELOPMENT, RLLP**, a Florida Registered Limited Liability Partnership, (hereinafter called "Winchester"), whose address is: **4141 Southpoint Drive East, Suite B, Jacksonville, FL 32216.**

(Wherever used herein, the terms "County" and "Winchester" shall include the singular and the plural, heirs, legal representatives and assigns of individuals and the successors and assigns of corporations or other legal entities, wherever the context so admits or requires.)

WITNESSETH:

WHEREAS, County is the Owner of the lands situate, lying and being in **St. Johns County, Florida**, as more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference thereto (the "**County Lands**"); and

WHEREAS, Winchester is the Owner of the lands situate, lying and being in **St. Johns County, Florida**, as more particularly described on Exhibit "B", attached hereto and incorporated herein by this reference thereto (the "**Winchester Lands**") and

WHEREAS, the record titles to both the County Lands and the Winchester Lands have become clouded, in that it appears that certain recorded instruments erroneously appear to grant to each of the parties hereto record interests in or to some portion of each other's lands; and

WHEREAS, County and Winchester have agreed to execute this Reciprocal Quitclaim Deed for the purpose of clearing and removing any record interest that either party may have in or to the lands of the other.

NOW, THEREFORE, in consideration of the foregoing Recitals and in further consideration of Ten Dollars and other good and valuable consideration, receipt whereof being hereby acknowledged, County does hereby convey, remise, release and quitclaim unto Winchester forever, all right, title, interest, claim and demand which County has or may have in and to the Winchester Lands, as described on Exhibit "B", and likewise, Winchester does hereby convey, remise, release and quitclaim unto

County forever, all right title, interest, claim and demand which Winchester has or may have in and to the County Lands, as described on Exhibit "A".

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever that County or Winchester (as the case may be) may have, either in law or equity, to the only proper use and benefit of County and Winchester forever.

IN WITNESS WHEREOF, County and Winchester have caused this instrument to be executed, as of the day and year first above written, by their respective duly authorized officers.

**ST. JOHNS COUNTY, a political subdivision of the
State of Florida, by its
BOARD OF COUNTY COMMISSIONERS**

By: _____,
_____, Chair

Address: 4020 Lewis Speedway
St. Augustine, FL 32084

**Signed and Sealed in
Our Presence:**

Signature of 1st witness (as to County)

Printed name of 1st witness (as to County)

Signature of 2nd witness (as to County)

Printed name of 2nd witness (as to County)

**STATE OF FLORIDA
COUNTY OF ST. JOHNS**

This instrument was acknowledged before me this day of _____,
2006, by _____, Chair of the Board
of County Commissioners of St. Johns County, Florida, on behalf of the Board, who is
personally known to me.

Notary Public
My commission expires:

WINCHESTER DEVELOPMENT, RLLP, a Florida Registered
Limited Liability Partnership, by its General Partner:
C. ATKERSON, INC., a Florida corporation,

By: _____
Signature of corporate officer

Printed name of corporate officer

Title of corporate officer

***Signed and Sealed in
Our Presence:***

Signature of 1st witness (as to Winchester)

Printed name of 1st witness (as to Winchester)

Signature of 2nd witness (as to Winchester)

Printed name of 2nd witness (as to Winchester)

**STATE OF FLORIDA
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me this _____ day of _____, 2006, by _____, the _____ President of C. Atkerson, Inc., a Florida corporation, the General Partner of Winchester Development, RLLP, a Florida registered limited liability partnership, on behalf of the partnership, who [] is personally known to me or who [] produced _____ as identification.

Notary public
My commission expires:

WINCHESTER – COUNTY WETLANDS
Revised January 26, 2005

WETLAND AREA

A portion of the Francis Philip Fatio Grant, Section 44, Township 5 South, Range 26 East, being a portion of the Nicoll or Moreman Tract in said Grant, together with a portion of the South ½ of the Leonora T. Colt Tract in said Grant, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the intersection of the centerline of Greenbriar Road (County Road No. 11, a 66 foot right of way as now established), with the Westerly line of a tract of land acquired by the United States of America through Condemnation Suit 602-J-Civil, known as the former Switzerland Naval Bomb Target; thence North 35°03'40" East, along said Westerly line, a distance of 35.66 feet to a found concrete monument on the Northerly right of way line of said Greenbriar Road, said point also being the Southwest corner of Tract "A" as described and recorded in Official Records Volume 869, Page 1615; thence continue North 35°03'40" East, along said Westerly line of the former Switzerland Naval Bomb Target, and the Westerly line of said Parcel "A", a distance of 1,695.90 feet to the Northwest corner of said Parcel "A"; thence North 90°00'00" East along the Northerly line of said Parcel "A", a distance of 740.86 feet; thence South 86°07'58" East, 62.50 feet for a POINT OF BEGINNING; thence North 13°20'44" East, 15.00 feet; thence South 77°17'59" East, 29.67 feet; thence South 58°20'45" East, 88.49 feet; thence South 63°38'15" East, 167.63 feet; thence South 79°05'47" East, 170.51 feet; thence North 82°20'42" East, 68.73 feet; thence North 25°36'54" West, 14.37 feet; thence North 04°59'24" East, 57.03 feet; thence North 09°28'37" East, 61.09 feet; thence North 11°07'22" West, 60.37 feet; thence North 34°49'59" West, 52.71 feet; thence North 38°54'29" East, 71.22 feet; thence North 67°53'10" West, 84.70 feet; thence North 03°04'46" West, 62.97 feet; thence North 48°31'07" East, 70.05 feet; thence North 25°39'59" West, 61.49 feet; thence South 87°45'26" West, 40.29 feet; thence South 26°56'25" West, 35.93 feet; thence South 84°02'20" West, 80.12 feet; thence North 72°55'16" West, 82.99 feet; thence North 61°17'17" West, 92.91 feet; thence North 36°00'40" West, 119.99 feet; thence North 01°52'04" West, 48.83 feet; thence North 48°19'05" West, 83.51 feet; thence North 61°35'19" West, 63.63 feet; thence North 40°55'53" West, 124.45 feet; thence North 14°33'21" West, 64.85 feet to a point situate on a curve concave Westerly and having a radius of 330.00 feet; thence Northerly around and along the arc of said curve, 10.52 feet, said arc being subtended by a chord bearing and distance of North 07°23'12" West, 10.52 feet to the point of tangency of said curve; thence North 08°18'01" West, 63.01 feet to the point of curvature of a curve concave Easterly and having a radius of 228.01 feet; thence Northerly around and along the arc of said curve, 82.50 feet, said arc being subtended by a chord bearing and distance of North 01°58'31" East, 82.06 feet; thence South 72°23'10" East, 29.49 feet; thence North 16°59'50" East, 43.00 feet; thence North 72°23'10" West, 29.03 feet to a point situate on a curve concave Easterly having a radius of 230.00 feet; thence Northerly around and along the arc of said curve, 19.02 feet, said arc being subtended by a chord bearing and distance of North 25°20'48" East, 19.02 feet to a point of non-tangency; thence North 44°07'20" East, 104.95 feet; thence North 24°20'00" East, 28.23 feet to a point situate on

a curve concave Southeasterly and having a radius of 229.23 feet; thence Northeasterly around and along the arc of said curve, 45.79 feet, said arc being subtended by a chord bearing and distance of North 57°47'26" East, 45.72 feet to a point of non-tangency; thence South 77°15'32" East, 33.48 feet; thence North 64°28'49" East, 43.08 feet; thence South 20°26'33" East, 22.85 feet; thence South 21°33'36" East, 63.14 feet; thence South 61°33'10" East, 100.49 feet; thence South 50°42'18" East, 68.47 feet; thence South 53°50'08" East, 61.76 feet; thence South 35°46'07" West, 42.62 feet; thence South 35°09'12" East, 80.78 feet; thence South 50°30'12" East, 63.52 feet; thence South 76°06'00" East, 51.71 feet; thence South 57°25'19" East, 79.96 feet; thence South 21°49'29" East, 63.00 feet; thence South 31°10'56" East, 74.67 feet; thence South 44°01'51" East, 69.78 feet; thence South 70°20'17" East, 45.25 feet; thence North 74°34'55" East, 37.90 feet; thence North 16°36'14" East, 40.41 feet; thence North 70°30'57" East, 43.62 feet; thence North 75°18'45" East, 34.67 feet; thence South 09°31'51" East, 47.53 feet; thence South 50°32'55" East, 56.49 feet; thence South 20°32'21" East, 34.86 feet; thence South 74°40'01" East, 25.57 feet; thence South 29°13'51" East, 70.10 feet; thence South 65°00'07" East, 47.00 feet; thence South 43°56'49" East, 39.49 feet; thence North 46°03'11" East, 11.87 feet; thence South 46°56'00" East, 82.83 feet; thence South 51°23'03" East, 70.88 feet; thence South 21°11'10" East, 69.68 feet; thence South 21°47'19" East, 74.61 feet; thence South 15°09'05" West, 75.84 feet; thence South 10°38'14" East, 52.49 feet; thence South 25°33'35" East, 69.95 feet; thence South 30°01'39" West, 48.95 feet; thence South 73°00'49" East, 70.80 feet; thence South 05°55'25" East, 32.96 feet; thence North 85°39'05" East, 115.97 feet; thence North 05°05'05" East, 31.53 feet; thence North 27°16'40" East, 22.98 feet; thence North 24°17'47" East, 51.15 feet; thence South 82°22'17" East, 20.83 feet; thence South 56°36'26" East, 15.19 feet; thence North 53°49'58" East, 37.03 feet; thence North 86°54'30" East, 24.53 feet; thence South 45°25'55" East, 14.67 feet; thence South 26°37'27" West, 38.80 feet; thence South 24°04'45" West, 66.60 feet; thence South 75°45'22" West, 396.46 feet; thence North 86°37'27" West, 150.36 feet; thence North 78°40'51" West, 226.90 feet to a point hereinafter referred to as Reference Point "A"; thence North 84°59'04" West, 220.23 feet; thence North 79°05'47" West, 172.55 feet; thence North 63°38'15" West, 170.36 feet; thence North 58°20'45" West, 86.67 feet; thence North 77°17'59" West, 27.33 feet to the POINT OF BEGINNING.

Containing 17.6726 acres, more or less.

Being the same lands as described in deed recorded in Official Records Book 1651, Page 1402, Exhibit 2 of 3 (wetland area), excepting therefrom those lands described in deed recorded in Official Records Book 2255, Page 1633 and together with those certain lands described in deed recorded in Official Records Book 2255, Page 1640, both of the Public Records of St. Johns County, Florida.

PARCEL 1:

A portion of the Francis Philip Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the intersection of the centerline of Greenbriar Road (County Road No. 11, a 66 foot right of way as now established), with the Westerly line of a tract of land acquired by the United States of America through Condemnation Suit 602-J-Civil, known as the former Switzerland Naval Bomb Target; thence North $35^{\circ}03'27''$ East, along said Westerly line, a distance of 35.66 feet to a found concrete monument on the Northerly right of way line of said Greenbriar Road, said point also being the Southwest corner of Tract "A" as described and recorded in Official Records Volume 869, Page 1615; thence continue North $35^{\circ}03'27''$ East, along said Westerly line of the former Switzerland Naval Bomb Target, and the Westerly line of said Parcel "A", a distance of 1,695.90 feet to the Northwest corner of said Tract "A"; thence North $89^{\circ}57'58''$ East, along the Northerly line of said Parcel "A" and along the Northerly line of said Tract "A" and along the Northerly line of Tract "B", said last mentioned lands and an Easterly prolongation thereof, 1,394.61 feet; thence South $32^{\circ}56'25''$ East, 85.36 feet for a POINT OF BEGINNING; thence continue South $32^{\circ}56'25''$ East, 49.38 feet; thence South $41^{\circ}23'42''$ West, 63.59 feet; thence North $81^{\circ}09'51''$ West, 96.57 feet; thence North $48^{\circ}21'12''$ East, 89.21 feet; thence North $71^{\circ}07'22''$ East, 46.46 feet to the POINT OF BEGINNING.

Containing 0.15 acres, more or less.

PARCEL 2:

A portion of the Francis Philip Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the intersection of the centerline of Greenbriar Road (County Road No. 11, a 66 foot right of way as now established), with the Westerly line of a tract of land acquired by the United States of America through Condemnation Suit 602-J-Civil, known as the former Switzerland Naval Bomb Target; thence North $35^{\circ}03'27''$ East, along said Westerly line, a distance of 35.66 feet to a found concrete monument on the Northerly right of way line of said Greenbriar Road, said point also being the Southwest corner of Tract "A" as described and recorded in Official Records Volume 869, Page 1615; thence continue North $35^{\circ}03'27''$ East, along said Westerly line of the former Switzerland Naval Bomb Target, and the Westerly line of said Parcel "A", a distance of 1,695.90 feet to the Northwest corner of said Tract "A"; thence North $89^{\circ}57'58''$ East, along the Northerly line of said Parcel "A" and along the Northerly line of said Tract "A" and along the Northerly line of Tract "B", said last mentioned lands and an Easterly prolongation thereof, 1,394.61 feet; thence South $32^{\circ}56'25''$ East, 134.74 feet; thence South $66^{\circ}03'53''$ East, 64.68 feet for a POINT OF BEGINNING; thence South $83^{\circ}14'29''$ East, 48.80 feet; thence South $28^{\circ}52'00''$ East, 59.89 feet; thence North $73^{\circ}18'31''$ West, 121.82 feet; thence North $59^{\circ}27'12''$ East, 45.65 feet to the POINT OF BEGINNING.

Containing 0.07 acres, more or less.

PARCEL 3:

A portion of the Francis Philip Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the intersection of the centerline of Greenbriar Road (County Road No. 11, a 66 foot right of way as now established), with the Westerly line of a tract of land acquired by the United States of America through Condemnation Suit 602-J-Civil, known as the former Switzerland Naval Bomb Target; thence North $35^{\circ}03'27''$ East, along said Westerly line, a distance of 35.66 feet to a found concrete monument on the Northerly right of way line of said Greenbriar Road, said point also being the Southwest corner of Tract "A" as described and recorded in Official Records Volume 869, Page 1615; thence continue North $35^{\circ}03'27''$ East, along said Westerly line of the former Switzerland Naval Bomb Target, and the Westerly line of said Parcel "A", a distance of 1,695.90 feet to the Northwest corner of said Tract "A"; thence North $89^{\circ}57'58''$ East, along the Northerly line of said Parcel "A" and along the Northerly line of said Tract "A" and along the Northerly line of Tract "B", said last mentioned lands and an Easterly prolongation thereof, 740.86 feet to the Northeast corner of said Parcel "B"; thence North $19^{\circ}02'44''$ West, 13.28 feet for a POINT OF BEGINNING; thence North $06^{\circ}49'10''$ East, 15.10 feet; thence South $76^{\circ}39'16''$ East, 70.86 feet; thence South $13^{\circ}20'44''$ West, 15.00 feet; thence North $76^{\circ}39'16''$ West, 69.14 feet to the POINT OF BEGINNING.

Containing 0.02 acres, more or less.

PARCEL 4:

A portion of the Francis Philip Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the intersection of the centerline of Greenbriar Road (County Road No. 11, a 66 foot right of way as now established), with the Westerly line of a tract of land acquired by the United States of America through Condemnation Suit 602-J-Civil, known as the former Switzerland Naval Bomb Target; thence North $35^{\circ}03'27''$ East, along said Westerly line, a distance of 35.66 feet to a found concrete monument on the Northerly right of way line of said Greenbriar Road, said point also being the Southwest corner of Tract "A" as described and recorded in Official Records Volume 869, Page 1615; thence continue North $35^{\circ}03'27''$ East, along said Westerly line of the former Switzerland Naval Bomb Target, and the Westerly line of said Parcel "A", a distance of 1,695.90 feet to the Northwest corner of said Tract "A"; thence North $89^{\circ}57'58''$ East, along the Northerly line of said Parcel "A", a distance of 200.86 feet; thence North $08^{\circ}32'37''$ East, 846.20 feet to the Southeast corner of those certain lands described in Deed Book "Y", Page 636 of the Public Records of said County; thence North $80^{\circ}05'46''$ East, 308.29 feet for a POINT OF BEGINNING; thence North $20^{\circ}56'08''$ East, 55.62 feet; thence North $44^{\circ}07'20''$ East, 43.85 feet; thence South $25^{\circ}20'48''$ West, 19.02 feet; thence South $72^{\circ}23'10''$ East, 29.03 feet; thence South $16^{\circ}59'50''$ West, 43.00 feet; thence North $72^{\circ}23'10''$ West, 29.49 feet; thence South $07^{\circ}09'30''$ West, 41.20 feet; thence South $03^{\circ}12'28''$ East, 41.20 feet; thence South $08^{\circ}18'01''$ East, 71.36 feet; thence North $23^{\circ}49'52''$ West, 61.41 feet; thence North $09^{\circ}29'51''$ West, 72.81 feet to the POINT OF BEGINNING.

Containing 0.10 acres, more or less.

PARCEL 5:

A portion of the Francis Philip Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the intersection of the centerline of Greenbriar Road (County Road No. 11, a 66 foot right of way as now established), with the Westerly line of a tract of land acquired by the United States of America through Condemnation Suit 602-J-Civil, known as the former Switzerland Naval Bomb Target; thence North $35^{\circ}03'27''$ East, along said Westerly line, a distance of 35.66 feet to a found concrete monument on the Northerly right of way line of said Greenbriar Road, said point also being the Southwest corner of Tract "A" as described and recorded in Official Records Volume 869, Page 1615; thence continue North $35^{\circ}03'27''$ East, along said Westerly line of the former Switzerland Naval Bomb Target, and the Westerly line of said Parcel "A", a distance of 1,695.90 feet to the Northwest corner of said Tract "A"; thence North $89^{\circ}57'58''$ East, along the Northerly line of said Parcel "A", a distance of 200.86 feet; thence North $08^{\circ}32'37''$ East, 846.20 feet to the Southeast corner of those certain lands described in Deed Book "Y", Page 636 of the Public Records of said County; thence South $72^{\circ}10'43''$ East, 1,472.84 feet for a POINT OF BEGINNING; thence South $65^{\circ}00'07''$ East, 29.98 feet; thence South $46^{\circ}56'00''$ East, 10.04 feet; thence South $46^{\circ}03'11''$ West, 11.29 feet; thence North $43^{\circ}56'49''$ West, 38.00 feet to the POINT OF BEGINNING.

Containing 0.006 acres, more or less.

PARCEL 6:

A portion of the Francis Philip Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the intersection of the centerline of Greenbriar Road (County Road No. 11, a 66 foot right of way as now established), with the Westerly line of a tract of land acquired by the United States of America through Condemnation Suit 602-J-Civil, known as the former Switzerland Naval Bomb Target; thence North $35^{\circ}03'27''$ East, along said Westerly line, a distance of 35.66 feet to a found concrete monument on the Northerly right of way line of said Greenbriar Road, said point also being the Southwest corner of Tract "A" as described and recorded in Official Records Volume 869, Page 1615; thence continue North $35^{\circ}03'27''$ East, along said Westerly line of the former Switzerland Naval Bomb Target, and the Westerly line of said Parcel "A", a distance of 1,695.90 feet to the Northwest corner of said Tract "A"; thence North $89^{\circ}57'58''$ East, along the Northerly line of said Parcel "A", a distance of 200.86 feet; thence North $08^{\circ}32'37''$ East, 846.20 feet to the Southeast corner of those certain lands described in Deed Book "Y", Page 636 of the Public Records of said County; thence North $61^{\circ}34'28''$ East, 498.95 feet for a POINT OF BEGINNING; thence North $24^{\circ}20'00''$ East, 32.97 feet; thence South $77^{\circ}15'32''$ East, 25.73 feet; thence South $57^{\circ}47'26''$ West, 45.72 feet to the POINT OF BEGINNING.

Containing 0.009 acres, more or less.