

RESOLUTION NO. 2007-224

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO DEEDS OF DEDICATION FOR IMPROVEMENTS TO RACE TRACK ROAD RIGHT-OF-WAY FROM DURBIN CREEK NATIONAL, LLC, AS AUTHORIZED IN THE IMPACT FEE CREDIT AGREEMENT APPROVED IN RESOLUTION 2006-51

RECITALS

WHEREAS, Resolution No. 2006-51 authorized the County Administrator to execute an Impact Fee Credit Agreement with Durbin Creek National, LLC, a limited liability company, as recorded in Official Records Book 2727, Page 1373; and

WHEREAS, pursuant to paragraph D. in the Impact Fee Credit Agreement, the Developer, Durbin Creek National, LLC, agreed to convey property to St. Johns County for Race Track Road Right-of-Way; and

WHEREAS, the Developer has executed and presented to St. Johns County two Deeds of Dedication, for parcels consisting of approximately 8.44 acres, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, conveying the above mentioned parcels; and

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

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

Section 2. The above described Deeds of Dedication are hereby accepted by the Board of County Commissioners for the purposes mentioned above.

Section 3. The Clerk is instructed to record the original Deeds of Dedication in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 7th day of August, 2007.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich
Ben Rich, Chairman

ATTEST: Cheryl Strickland, Clerk
By: Pam Halter
Deputy Clerk

RENDITION DATE 8/9/07

Prepared by and Return to:
Christine T. Adams, Esquire
Rogers, Towers, P.A.
818A1A North, Suite 208
Ponte Vedra Beach, Florida 32082

**DEED OF DEDICATION
(RIGHTS-OF-WAY)
Parcel 112 - Racetrack Road**

THIS INDENTURE, made this ___ day of August, 2007, between **DURBIN CREEK NATIONAL, LLC**, a Florida limited liability company, whose address is 9540 San Jose Boulevard, Jacksonville, Florida 32257, (“Grantor”), and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of State of Florida, whose address is, 4020 Lewis Speedway, St. Augustine, Florida 32084 (“Grantee”).

WITNESSETH: that for and in consideration of the acceptance of this Dedication by the Grantee, said Grantor does hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, the following described land, situate in St. Johns County, Florida, to wit:

See Exhibit “A” attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the same together with all and singular the tenements, hereditaments and appurtenances of Grantor thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, including easements for drainage, utilities, ingress, egress and sewers, to the proper use, benefit, and behoof of the Grantee, its legal representatives, successors and assigns forever.

Grantee, by the acceptance of this Deed of Dedication, acknowledges that in giving this Deed of Dedication Grantor makes no representations or warranties, expressed or implied, with respect to title to the Property.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

DURBIN CREEK NATIONAL, LLC,
a Florida limited liability company

Name: _____

By _____
Name: Kenneth P. Wilson
Its: President

Name: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of August, 2007, by Kenneth P. Wilson, the President of Durbin Creek National, LLC, a Florida limited liability company, on behalf of the company. He is ___ personally known to me or ___ has provided a valid driver's license as identification.

Notary Public, State of Florida
Name: _____
My Commission Expires: _____
My Commission Number is: _____

Exhibit "A"

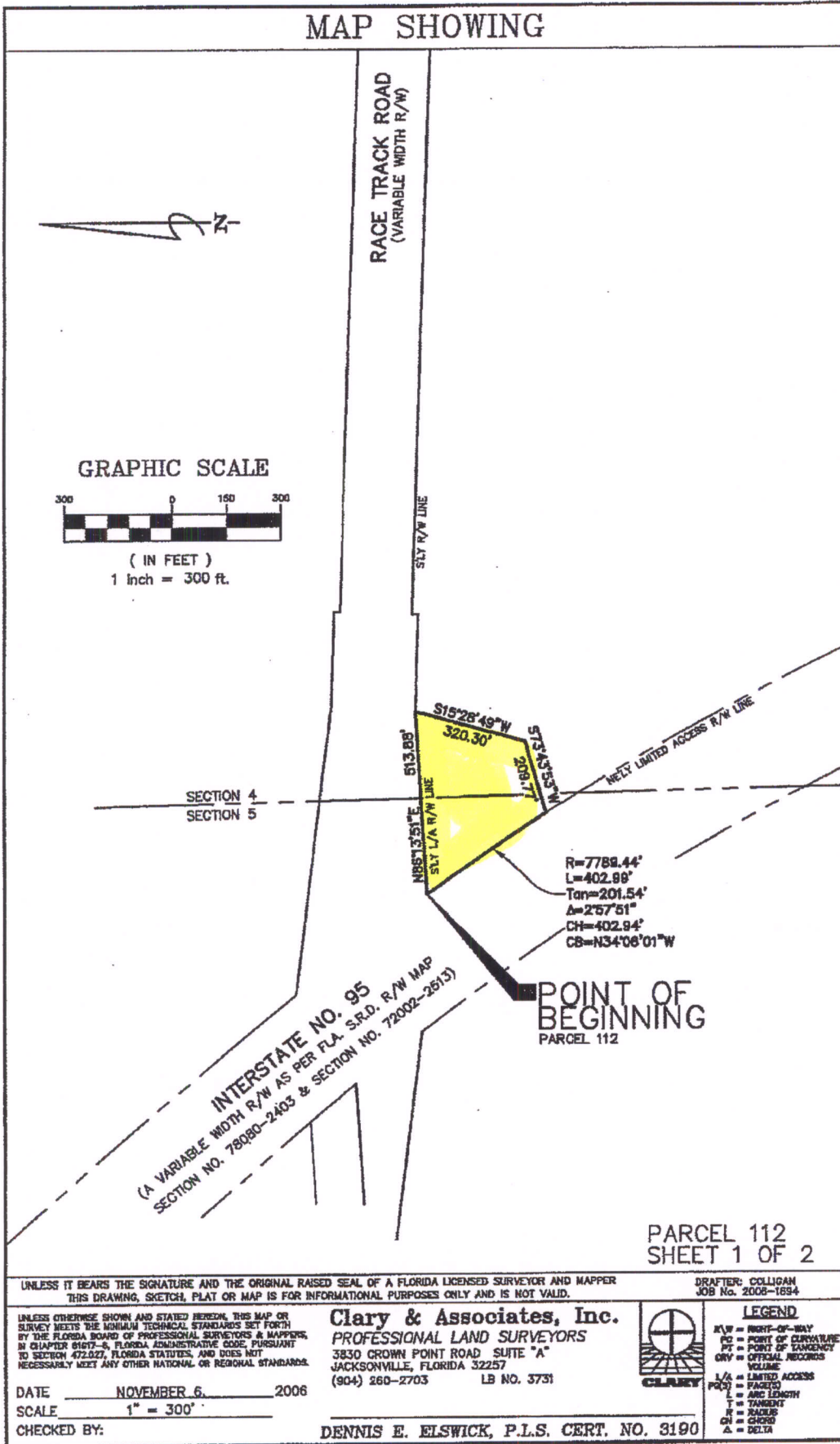
PARCEL 112

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

BEGIN AT THE INTERSECTION OF THE NORTHEASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE NUMBER 95 (A 300 FOOT RIGHT-OF-WAY PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION 72280-2403, DATED APRIL 1, 1964), AND THE SOUTHERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF RACETRACK ROAD (A VARIABLE WIDTH RIGHT-OF-WAY PER SAID STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION NO. 78080-2403 & 72002-2513); THENCE NORTH $86^{\circ}13'51''$ EAST, ALONG SAID SOUTHERLY LIMITED ACCESS RIGHT-OF-WAY LINE, 513.88 FEET; THENCE SOUTH $15^{\circ}28'49''$ WEST, 320.30 FEET; THENCE SOUTH $73^{\circ}43'53''$ WEST, 209.77 FEET, TO THE AFORESAID NORTHEASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE NUMBER 95, AND THE ARC OF A CURVE; THENCE NORTHWESTERLY, ALONG LAST SAID LINE, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 7789.44 FEET, AN ARC DISTANCE OF 402.99 FEET, THROUGH A TOTAL CENTRAL ANGLE OF $02^{\circ}57'51''$, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $34^{\circ}06'01''$ WEST, 402.94 FEET, TO THE POINT OF BEGINNING.

EXHIBIT "A"

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Prepared by and Return to:
Christine T. Adams, Esquire
Rogers, Towers, P.A.
818A1A North, Suite 208
Ponte Vedra Beach, Florida 32082

**DEED OF DEDICATION
(RIGHTS-OF-WAY)
Parcel 113 - Racetrack Road**

THIS INDENTURE, made this ___ day of August, 2007, between **DURBIN CREEK NATIONAL, LLC**, a Florida limited liability company, whose address is 9540 San Jose Boulevard, Jacksonville, Florida 32257, (“Grantor”), and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of State of Florida, whose address is, 4020 Lewis Speedway, St. Augustine, Florida 32084 (“Grantee”).

WITNESSETH: that for and in consideration of the acceptance of this Dedication by the Grantee, said Grantor does hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, the following described land, situate in St. Johns County, Florida, to wit:

See Exhibit “A” attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the same together with all and singular the tenements, hereditaments and appurtenances of Grantor thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, including easements for drainage, utilities, ingress, egress and sewers, to the proper use, benefit, and behoof of the Grantee, its legal representatives, successors and assigns forever.

Grantee, by the acceptance of this Deed of Dedication, acknowledges that in giving this Deed of Dedication Grantor makes no representations or warranties, expressed or implied, with respect to title to the Property.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

DURBIN CREEK NATIONAL, LLC,
a Florida limited liability company

Name: _____

By _____
Name: Kenneth P. Wilson
Its: President

Name: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of August, 2007, by Kenneth P. Wilson, the President of Durbin Creek National, LLC, a Florida limited liability company, on behalf of the company. He is ___ personally known to me or ___ has provided a valid driver's license as identification.

Notary Public, State of Florida
Name: _____
My Commission Expires: _____
My Commission Number is: _____

Exhibit "A"

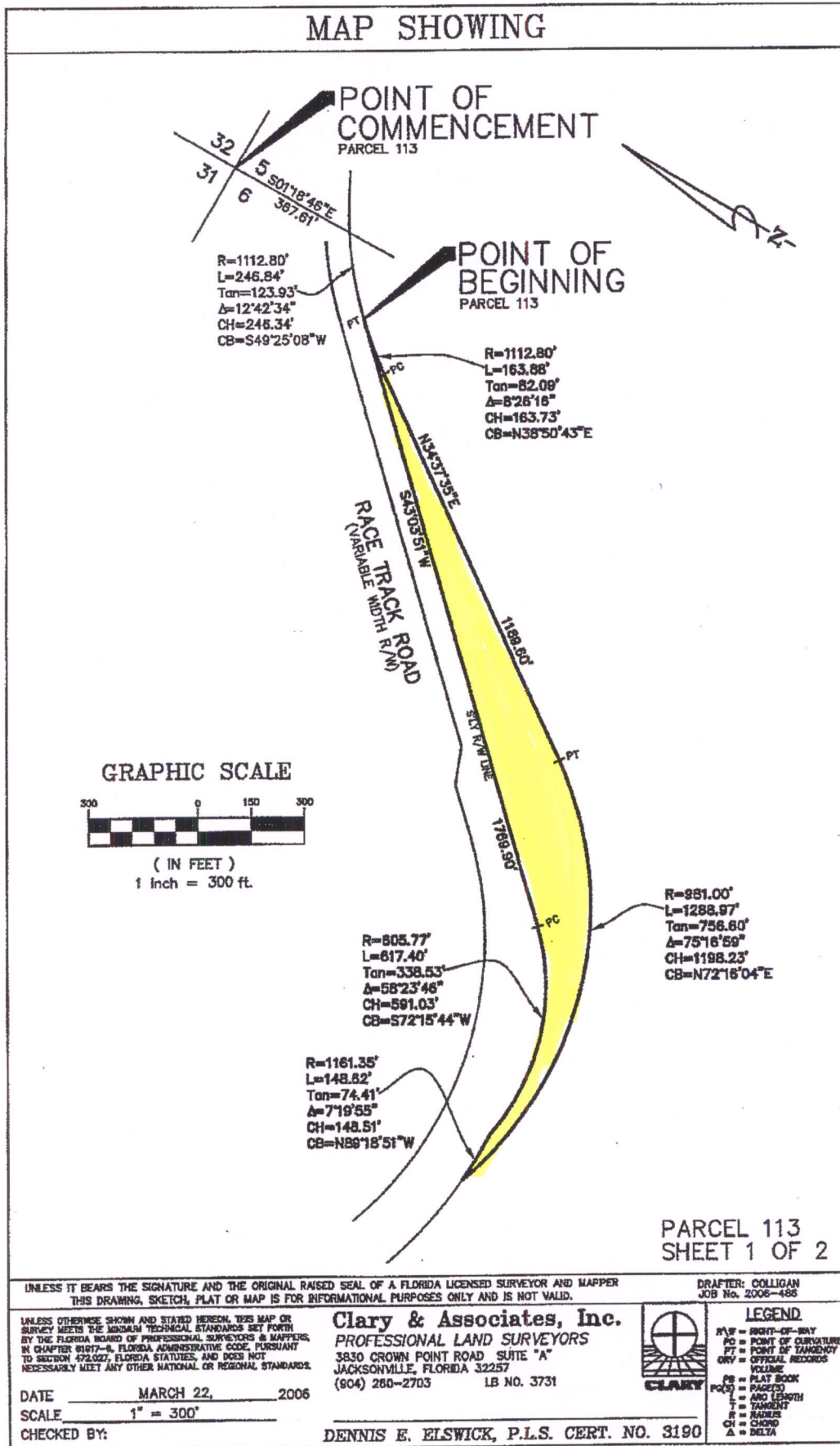
PARCEL 113

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

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 6 (ALSO BEING THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 28 EAST, OF SAID COUNTY); THENCE SOUTH $01^{\circ}18'46''$ EAST, ALONG THE EASTERLY LINE OF SAID SECTION 6, A DISTANCE OF 367.61 FEET TO AN INTERSECTION WITH THE EXISTING SOUTHERLY RIGHT OF WAY LINE OF RACE TRACK ROAD (A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED) AND TO A POINT ON A CURVE; THENCE ALONG THE EXISTING SOUTHWESTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD AND ALONG THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1112.80 FEET, THROUGH A TOTAL CENTRAL ANGLE OF $12^{\circ}42'34''$, AN ARC DISTANCE OF 246.84 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $49^{\circ}25'08''$ WEST, 246.34 FEET TO POINT OF TANGENCY AND THE POINT OF BEGINNING; THENCE SOUTH $43^{\circ}03'51''$ WEST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD, A DISTANCE OF 1769.90 FEET TO A POINT OF CURVATURE OF A CURVE; THENCE WESTERLY, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 605.77 FEET, AN ARC DISTANCE OF 617.40 FEET, THROUGH A TOTAL CENTRAL ANGLE OF $58^{\circ}23'46''$, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $72^{\circ}15'44''$ WEST, 591.03 FEET TO A POINT ON A CURVE; THENCE WESTERLY, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1161.35 FEET, AN ARC DISTANCE OF 148.62 FEET, THROUGH A TOTAL CENTRAL ANGLE OF $07^{\circ}19'55''$, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $89^{\circ}18'51''$ WEST, 148.51 FEET TO A POINT ON A CURVE; THENCE EASTERLY, DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 981.00 FEET, AN ARC DISTANCE OF 1288.97 FEET, THROUGH A TOTAL CENTRAL ANGLE OF $75^{\circ}16'59''$, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $72^{\circ}16'04''$ EAST, 1198.23 FEET; THENCE NORTH $34^{\circ}37'35''$ EAST, A DISTANCE OF 1189.60 FEET TO A POINT OF CURVATURE OF A CURVE; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1112.80 FEET, AN ARC DISTANCE OF 163.88 FEET, THOUGH A TOTAL CENTRAL

ANGLE OF $08^{\circ}26'16''$, SAID ARC BEING SUBTENDED BY A CHORD BEARING
AND DISTANCE OF NORTH $38^{\circ}50'43''$ EAST, 163.73 FEET TO THE POINT OF
BEGINNING;

EXHIBIT "A"



UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

DRAFTER: COLLIGAN
JOB No. 2006-486

UNLESS OTHERWISE SHOWN AND STATED HEREDIN, THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, IN CHAPTER 1917-8, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND DOES NOT NECESSARILY MEET ANY OTHER NATIONAL OR REGIONAL STANDARDS.

Clary & Associates, Inc.
PROFESSIONAL LAND SURVEYORS
3830 CROWN POINT ROAD SUITE "A"
JACKSONVILLE, FLORIDA 32257
(904) 280-2703 LB NO. 3731



LEGEND
R/W = RIGHT-OF-WAY
PC = POINT OF CURVATURE
PT = POINT OF TANGENCY
ORV = OFFICIAL RECORDS VOLUME
PS = PLAT BOOK
PCS = PAGES
L = AND LENGTH
T = TANGENT
R = RADIUS
CH = CHORD
Δ = DELTA

DATE MARCH 22, 2006
SCALE 1" = 300'
CHECKED BY:

DENNIS E. ELSWICK, P.L.S. CERT. NO. 3190