

RESOLUTION NO.2008- 207

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING DEEDS OF DEDICATION AND GRANT OF EASEMENT FROM FDG FLAGLER CROSSING, LLC TO ST. JOHNS COUNTY AND ACCEPTING A SURVEY MAP ALL IN CONNECTION WITH THE NEW RIGHT-OF-WAY OF SAN SEBASTIAN VIEW.**

**RECITALS**

**WHEREAS**, FDG Flagler Crossing LLC, a Delaware limited liability company (hereinafter "FDG") has executed and presented to St. Johns County (hereinafter "County") a Deed of Dedication Right-of-Way, attached hereto as Exhibit "A", a Deed of Dedication Drainage Retention Pond, attached hereto as Exhibit "B", and a Grant of Easement, attached hereto as Exhibit "C", and FDG has provided to the County a Survey Map, attached hereto as Exhibit "D", all incorporated by reference and made a part hereof, and all in connection with the new right-of-way of San Sebastian View (formerly known as Avenue D Extension)(hereinafter "right-of-way"); and

**WHEREAS**, the construction of the right-of-way has been completed and the right-of-way and drainage improvements have been inspected and approved by the St. Johns County Development Review Department; and

**WHEREAS**, the right-of-way provides access to the new Administration Building and the deeds and easement convey the right-of-way to the County along with easement rights for drainage purposes and the survey map depicts the actual limits of the right-of-way; and

**WHEREAS**, it is in the best interest of the public for the County to accept the deeds, easement, and survey map for the purposes mentioned above.

**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 into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Deed of Dedication Right-of-Way, the Deed of Dedication Drainage Retention Pond, the Grant of Easement, and the Survey Map are hereby accepted by the Board of County Commissioners of St. Johns County, Florida.

Section 3. The Clerk is instructed to record the original Deed of Dedication Right-of-Way, Deed of Dedication Drainage Retention Pond, Grant of Easement, and Survey Map in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED, this 5<sup>th</sup> day of August, 2008.

BOARD OF COUNTY COMMISSIONERS OF  
ST. JOHN'S COUNTY, FLORIDA

By:

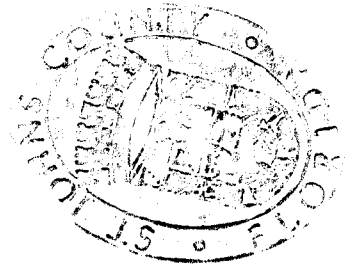
Thomas G. Manuel  
Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

By:

Pam Halterman  
Deputy Clerk

RENDITION DATE 8/8/08



Prepared by and return to:

James A. Hoener, Esq.  
Flagler Development Group  
10151 Deerwood Park Boulevard  
Building 100, Suite 330  
Jacksonville, Florida 32256

**DEED OF DEDICATION  
RIGHT-OF-WAY**

**THIS DEED OF DEDICATION**, made as of March 14, 2008, from **FDG FLAGLER CROSSING LLC**, a Delaware limited liability company ("Grantor"), whose address is 10151 Deerwood Park Boulevard, Building 100, Suite 330, Jacksonville, Florida 32256, to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida ("Grantee"), whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084.

**WITNESSETH:** that for and in consideration of the acceptance of this Deed of Dedication by the Grantee, said Grantor does hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, that certain real property located in St. Johns County being more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Property").

**TO HAVE AND HOLD** the Property unto Grantee, its successors and assigns forever, in fee simple for use as a public road, including therein the right to construct, maintain, and operate, either above or below the surface of the ground, electric light and power, water, sewer, and drainage lines and other public utilities.

**AND** Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property, and hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, and that the Property is free of all encumbrances, except taxes accruing subsequent to December 31, 2007 and those matters set forth on Exhibit "B" attached hereto and made a part hereof.

[signatures on following page]

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

Signed and Sealed  
in Our Presence:

GRANTOR

FDG FLAGLER CROSSING LLC

(sign) Donna Wright  
(print) DONNA WRIGHT

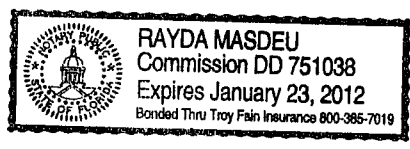
(sign) [Signature]  
(print) [Signature]

By: [Signature]  
Kolleen O.P. Cobb  
As its Vice President

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 14 day of March, 2008, by Kolleen O.P. Cobb, as Vice President of FDG Flagler Crossing, LLC, a Delaware limited liability company, on behalf of the company. She is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Notary Public  
My Commission Expires: 1/23/12



## EXHIBIT "A"

### Miller Tract Ave D "Parcel A"

A portion of Section 36, a portion of Section 55, The Francis J. Fatio Grant, and a portion of Section 56, The Fatio or Delespine Grant, Township 6 South, Range 29 East, together with a portion of Section 1, Township 7 South, Range 29 East, City of St. Augustine, all lying in St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the centerline intersection of San Marco Avenue, also known as U.S. Highway No. 1, a variable width right of way, as now established, with the centerline of State Road No. 16, a variable width Florida Department of Transportation right of way as presently established; thence South  $77^{\circ}33'46''$  West, along said centerline of State Road No. 16, a distance of 1171.22 feet to its intersection with the Southerly prolongation of the Westerly line of those lands described and recorded in Deed Book 66, page 168, of the public records of said county; thence North  $23^{\circ}50'52''$  West, departing said centerline and along said Southerly prolongation and said Westerly line, 6016.37 feet to a point lying on the Southerly line of Section 52, The Fatio or Delespine Grant, of said Township 7 South, Range 29 East; thence South  $82^{\circ}27'09''$  West, departing said Westerly line, and along said Southerly line, 233.88 feet to its intersection with the Southerly prolongation of the Northeasterly line of those lands described and recorded in Official Records Book 141, page 1, of said public records; thence North  $28^{\circ}30'26''$  West, departing said Southerly line, and along said Southerly prolongation and along said Northeasterly line, 2207.52 feet to the Southwesterly corner of those lands described and recorded in Official Records Book 651, page 1551 of said public records; thence North  $62^{\circ}07'20''$  East, along the Southerly line of said lands, 449.19 feet to the Northeasterly corner of those lands described and recorded in Official Records Book 2103, page 1233 and the Point of Beginning.

From said Point of Beginning, thence continue North  $62^{\circ}07'20''$  East, along said Southerly line of Official Records Book 651, page 1551, a distance of 80.40 feet to the Northwesterly corner of those lands described and recorded in Official Records 1876, page 1922 of said public records; thence South  $33^{\circ}34'45''$  East, along the Southwesterly line of said lands, 815.07 feet to a point lying on the boundary line of those lands described and recorded in Official Records Book 2635, page 1760 of said public records; thence along said boundary line the following six courses: Course 1, thence South  $36^{\circ}09'10''$  East, 214.71 feet; Course 2, thence South  $39^{\circ}34'45''$  East, 557.12 feet to the point of curvature of a curve concave Southwesterly, having a radius of 440.00 feet; Course 3, thence Southeasterly, along the arc of said curve, through a central angle of  $34^{\circ}00'00''$ , an arc length of 261.10 feet to the point of tangency of said curve, said arc

**Miller Tract Ave D "Parcel A" (continued)**

being subtended by a chord bearing and distance of South 22°34'45" East, 257.29 feet; Course 4, thence South 05°34'45" East, 423.34 feet to the point of curvature of a curve concave Northeasterly, having a radius of 350.00 feet; Course 5, thence Southeasterly, along the arc of said curve, through a central angle of 112°18'26", an arc length of 686.05 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 61°43'58" East, 581.37 feet; Course 6, thence North 62°06'50" East, 287.18 feet to a point lying on the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established, thence South 27°53'10" East, departing said boundary line and along said Westerly right of way line, 150.00 feet; thence South 62°06'50" West, departing said Westerly right of way line, 228.72 feet to the point of curvature of a curve concave Northeasterly, having a radius of 488.46 feet; thence Northwesterly, along the arc of said curve, through a central angle of 112°18'26", an arc length of 957.45 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 61°43'58" West, 811.37 feet; thence North 05°34'45" West, 411.83 feet to the point of curvature of a curve concave Southwesterly, having a radius of 360.00 feet; thence Northwesterly, along the arc of said curve, through a central angle of 34°00'00", an arc length of 213.63 feet to the point of tangency of said curve, said point also being the intersection with the Southeasterly prolongation of the Easterly line of said Official Records Book 2103, page 1233, said arc being subtended by a chord bearing and distance of North 22°34'45" West, 210.51 feet; thence North 39°34'45" West, 557.12 feet to the point of curvature of a curve concave Northeasterly, having a radius of 1840.00 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 36°34'45" West, 192.60 feet; thence North 33°34'45" West, along said Southeasterly prolongation and along said Westerly line, 853.58 feet to the Point of Beginning.

### Miller Tract Ave D "Parcel B"

A portion of Section 36, Township 6 South, Range 29 East, together with a portion of Section 1, Township 7 South, Range 29 East, City of St. Augustine, all lying in St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the centerline intersection of San Marco Avenue, also known as U.S. Highway No. 1, a variable width right of way, as now established, with the centerline of State Road No. 16, a variable width Florida Department of Transportation right of way as presently established; thence South  $77^{\circ}33'46''$  West, along said centerline of State Road No. 16, a distance of 1171.22 feet to its intersection with the Southerly prolongation of the Westerly line of those lands described and recorded in Deed Book 66, page 168, of the public records of said county; thence North  $23^{\circ}50'52''$  West, departing said centerline and along said Southerly prolongation and said Westerly line, 6016.37 feet to a point lying on the Southerly line of Section 52, The Fatio or Delespine Grant, of said Township 7 South, Range 29 East; thence South  $82^{\circ}27'09''$  West, departing said Westerly line, and along said Southerly line, 233.88 feet to its intersection with the Southerly prolongation of the Northeasterly line of those lands described and recorded in Official Records Book 141, page 1, of said public records; thence North  $28^{\circ}30'26''$  West, departing said Southerly line, and along said Southerly prolongation and along said Northeasterly line, 2207.52 feet to the Southwesterly corner of those lands described and recorded in Official Records Book 651, page 1551 of said public records; thence North  $62^{\circ}07'20''$  East, along the Southerly line of said lands, 449.19 feet to the Northeasterly corner of those lands described and recorded in Official Records Book 2103, page 1233; thence continue North  $62^{\circ}07'20''$  East, along said Southerly line of Official Records Book 651, page 1551, a distance of 80.40 feet to the Northwesterly corner of those lands described and recorded in Official Records 1876, page 1922 of said public records; thence South  $33^{\circ}34'45''$  East, along the Southwesterly line of said lands, 815.07 feet to a point lying on the boundary line of those lands described and recorded in Official Records Book 2635, page 1760 of said public records; thence along said boundary line the following six courses: Course 1, thence South  $36^{\circ}09'10''$  East, 214.71 feet; Course 2, thence South  $39^{\circ}34'45''$  East, 557.12 feet to the point of curvature of a curve concave Southwesterly, having a radius of 440.00 feet; Course 3, thence Southeasterly, along the arc of said curve, through a central angle of  $34^{\circ}00'00''$ , an arc length of 261.10 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South  $22^{\circ}34'45''$  East, 257.29 feet; Course 4, thence South  $05^{\circ}34'45''$  East, 423.34 feet to the point of curvature of a curve concave Northeasterly, having a radius of 350.00 feet; Course 5, thence Southeasterly,

**Miller Tract Ave D "Parcel B" (continued)**

along the arc of said curve, through a central angle of  $112^{\circ}18'26''$ , an arc length of 686.05 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South  $61^{\circ}43'58''$  East, 581.37 feet; Course 6, thence North  $62^{\circ}06'50''$  East, 387.18 feet to a point lying on the Easterly right of way line of said Florida East Coast Rail Road and the Point of Beginning.

From said Point of Beginning, thence continue North  $62^{\circ}06'50''$  East, 674.92 feet to the point of curvature of a curve concave Westerly, having a radius of 50.00 feet; thence Northerly, along the arc of said curve, through a central angle of  $90^{\circ}01'00''$ , an arc length 70.72 feet to the point of tangency of said curve, said point also being a point lying on the Westerly right of way line of U.S. Highway No. 1 (State Road No. 5), said arc being subtended by a chord bearing and distance of North  $17^{\circ}06'20''$  East, 70.72 feet; thence South  $27^{\circ}54'10''$  East, along said Westerly right of way line, 250.00 feet to the point of curvature of a curve concave Southerly, having a radius of 50.00 feet; thence Westerly, along the arc of said curve, through a central angle of  $89^{\circ}59'00''$ , an arc length of 78.53 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $72^{\circ}53'40''$  West, 70.70 feet; thence South  $62^{\circ}06'50''$  West, 674.98 feet to a point lying on said Easterly right of way line of the Florida East Coast Rail Road; thence North  $27^{\circ}53'10''$  West, along said Easterly right of way line, 150.00 feet to the Point of Beginning.

**EXHIBIT "B"**

1. Agreement with State Road Department of the State of Florida filed May 22, 1935 in Deed Book 107 page 330 of the public records of St. Johns County, Florida.
2. Annexation ordinance as filed April 17, 1996 in Official Records Book 1166, page 1747 of the public records of St. Johns County, Florida.
3. Grant of Easement filed December 10, 2003 in Official Records Book 2103, page 1237 of the public records of St. Johns County, Florida.
4. Ordinance No. 2003-106 as filed January 9, 2004 in Official Records Book 2120, page 613 of the public records of St. Johns County, Florida.
5. Ordinance No. 2005-63 as filed June 19, 2005 in Official Records Book 2515, page 525 of the public records of St. Johns County, Florida.
6. License Agreement filed March 24, 2006 in Official Records Book 2669, page 1678 of the public records of St. Johns County, Florida from St. Johns County, Florida, a political subdivision of the State of Florida and Florida Power & Light Company.
7. License Agreement filed August 17, 2006 in Official Records Book 2766, page 476 of the public records of St. Johns County, Florida from St. Johns County, Florida, a political subdivision of the State of Florida and Florida Power & Light Company.

**JOINDER OF FLAGLER DEVELOPMENT COMPANY, LLC**

The undersigned, Flagler Development Company, LLC, a Florida limited liability company ("Flagler"), hereby joins in this Deed of Dedication from Grantor to Grantee for the purpose of granting, bargaining, selling, aliening, remising, releasing and quitclaiming any right, title or interest that it may have in and to the Property to Grantee, and Flagler hereby does grant, bargain, sell, alien, remise, release and quitclaim any such interest to Grantee.

IN WITNESS WHEREOF, Flagler has caused these presents to be executed the day and year first above written.

Signed, sealed and delivered  
in the presence of:

J A Ho  
Print Name: James A. Hoener

Susan Blount  
Print Name: Susan Blount

**FLAGLER DEVELOPMENT  
COMPANY, LLC**, a Florida limited  
liability company

By: [Signature]  
Name: Keith A. Tickell  
Title: Vice President

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of May, 2008, by Keith A. Tickell, as Vice President of Flagler Development Company, LLC, a Florida limited liability company on behalf of the company who is personally known to me or has produced \_\_\_\_\_ as identification.



Susan Blount  
Print Name: \_\_\_\_\_  
Notary Public, State and County aforesaid  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**JOINDER OF FLORIDA EAST COAST RAILWAY, L.L.C.**

The undersigned, Florida East Coast Railway, L.L.C., a Florida limited liability company ("FECR"), hereby joins in this Deed of Dedication from Grantor to Grantee for the purpose of granting, bargaining, selling, aliening, remising, releasing and quitclaiming any right, title or interest that it may have in and to the Property to Grantee, and FECR hereby does grant, bargain, sell, alien, remise, release and quitclaim any such interest to Grantee.

IN WITNESS WHEREOF, FECR has caused these presents to be executed the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Harry Shugart  
Print Name: HARRY SHUGART

Madeline Torres Santos  
Print Name: Madeline Torres Santos

**FLORIDA EAST COAST RAILWAY,  
L.L.C., a Florida limited liability company**

By: David J. Rohal  
Name: DAVID J. ROHAL  
Title: PRESIDENT

STATE OF FLORIDA

COUNTY OF Duval

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of June, 2008, by DAVID J. ROHAL, as President of Florida East Coast Railway, L.L.C., a Florida limited liability company on behalf of the company who is personally known to me, or has produced \_\_\_\_\_ as identification.

Mary C. Mueller  
Print Name: Mary C. Mueller  
Notary Public, State and County aforesaid  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

00609643.DOC

Mary C. Mueller  
Notary Public, State of Florida  
My Comm. expires April 30, 2010  
Comm. No. DD 532223

Prepared by and return to:

James A. Hoener, Esq.  
Flagler Development Group  
10151 Deerwood Park Boulevard  
Building 100, Suite 330  
Jacksonville, Florida 32256

**DEED OF DEDICATION  
DRAINAGE RETENTION POND**

**THIS DEED OF DEDICATION**, made as of March 14, 2008, from **FDG FLAGLER CROSSING LLC**, a Delaware limited liability company ("Grantor"), whose address is 10151 Deerwood Park Boulevard, Building 100, Suite 330, Jacksonville, Florida 32256, to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida ("Grantee"), whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084.

**WITNESSETH:** that for and in consideration of the acceptance of this Deed of Dedication by the Grantee, said Grantor does hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, that certain real property located in St. Johns County being more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Property").

**TO HAVE AND HOLD** the Property unto Grantee, its successors and assigns forever, in fee simple for use as a drainage retention pond serving the public road located adjacent to and east of the Property, including therein the right to construct, maintain, and operate, either above or below the surface of the ground, related storm and surface water drainage and retention facilities.

**AND** Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property, and hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, and that the Property is free of all encumbrances, except taxes accruing subsequent to December 31, 2007 and those matters set forth on Exhibit "B" attached hereto and made a part hereof.

[signatures on following page]

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

Signed and Sealed  
in Our Presence:

GRANTOR

FDG FLAGLER CROSSING LLC

(sign) *Donna Wright*  
(print) DONNA WRIGHT  
(sign) *Marta Bance*  
(print) MARTA BANCE

By: *Kolleen O.P. Cobb*  
Kolleen O.P. Cobb  
As its Vice President

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 14 day of March, 2008, by Kolleen O.P. Cobb, as Vice President of FDG Flagler Crossing, LLC, a Delaware limited liability company, on behalf of the company. She is personally known to me or has produced \_\_\_\_\_ as identification.

*[Signature]*  
Notary Public  
My Commission Expires: 1/23/12

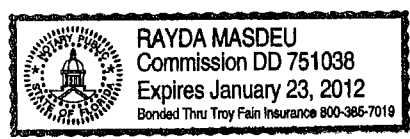


EXHIBIT "A"

**Miller Tract Ave D "Parcel C"**

A portion of Section 56, The Fatio or Delespine Grant, Township 6 South, Range 29 East, City of St. Augustine, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the centerline intersection of San Marco Avenue, also known as U.S. Highway No. 1, a variable width right of way, as now established, with the centerline of State Road No. 16, a variable width Florida Department of Transportation right of way as presently established; thence South  $77^{\circ}33'46''$  West, along said centerline of State Road No. 16, a distance of 1171.22 feet to its intersection with the Southerly prolongation of the Westerly line of those lands described and recorded in Deed Book 66, page 168, of the public records of said county; thence North  $23^{\circ}50'52''$  West, departing said centerline and along said Southerly prolongation and said Westerly line, 6016.37 feet to a point lying on the Southerly line of Section 52, The Fatio or Delespine Grant, of said Township 7 South, Range 29 East; thence South  $82^{\circ}27'09''$  West, departing said Westerly line, and along said Southerly line, 233.88 feet to its intersection with the Southerly prolongation of the Northeasterly line of those lands described and recorded in Official Records Book 141, page 1, of said public records; thence North  $28^{\circ}30'26''$  West, departing said Southerly line, and along said Southerly prolongation and along said Northeasterly line, 2207.52 feet to the Southwesterly corner of those lands described and recorded in Official Records Book 651, page 1551 of said public records; thence North  $62^{\circ}07'20''$  East, along the Southerly line of said lands, 449.19 feet to the Northeasterly corner of those lands described and recorded in Official Records Book 2103, page 1233 of said public records; thence South  $33^{\circ}34'45''$  East, along the Easterly line of said Official Records Book 2103, page 1233, and its Southeasterly prolongation, a distance of 451.27 feet to the Point of Beginning.

From said Point of Beginning, thence continue South  $33^{\circ}34'45''$  East, 402.30 feet to the point of curvature of a curve concave Northeasterly, having a radius of 1840.00 feet; thence Southeasterly, along the arc of said curve, through a central angle of  $03^{\circ}37'20''$ , an arc length of 116.32 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South  $35^{\circ}23'25''$  East, 116.30 feet; thence North  $75^{\circ}49'28''$  West, 141.28 feet; thence North  $16^{\circ}06'35''$  West, 78.72 feet; thence South  $86^{\circ}39'03''$  West, 98.78 feet; thence North  $48^{\circ}49'37''$  West, 62.74 feet; thence North  $18^{\circ}28'57''$  West, 34.67 feet; thence North  $38^{\circ}59'42''$  West, 184.17 feet; thence North  $52^{\circ}37'46''$  East, 55.16 feet; thence North  $37^{\circ}22'46''$  West, 22.99 feet; thence North  $52^{\circ}37'46''$  East, 30.00 feet; thence

**Miller Tract Ave D "Parcel C"**

South 37°22'14" East, 22.99 feet; thence North 52°37'46" East, 93.12 feet to the Point of Beginning.

**EXHIBIT "B"**

1. Agreement with State Road Department of the State of Florida filed May 22, 1935 in Deed Book 107 page 330 of the public records of St. Johns County, Florida.
2. Annexation ordinance as filed April 17, 1996 in Official Records Book 1166, page 1747 of the public records of St. Johns County, Florida.
3. Grant of Easement filed December 10, 2003 in Official Records Book 2103, page 1237 of the public records of St. Johns County, Florida.
4. Ordinance No. 2003-106 as filed January 9, 2004 in Official Records Book 2120, page 613 of the public records of St. Johns County, Florida.
5. Ordinance No. 2005-63 as filed June 19, 2005 in Official Records Book 2515, page 525 of the public records of St. Johns County, Florida.
6. License Agreement filed March 24, 2006 in Official Records Book 2669, page 1678 of the public records of St. Johns County, Florida from St. Johns County, Florida, a political subdivision of the State of Florida and Florida Power & Light Company.
7. License Agreement filed August 17, 2006 in Official Records Book 2766, page 476 of the public records of St. Johns County, Florida from St. Johns County, Florida, a political subdivision of the State of Florida and Florida Power & Light Company.

**JOINDER OF FLORIDA EAST COAST RAILWAY, L.L.C.**

The undersigned, Florida East Coast Railway, L.L.C., a Florida limited liability company ("FECR"), hereby joins in this Deed of Dedication from Grantor to Grantee for the purpose of granting, bargaining, selling, aliening, remising, releasing and quitclaiming any right, title or interest that it may have in and to the Property to Grantee, and FECR hereby does grant, bargain, sell, alien, remise, release and quitclaim any such interest to Grantee.

IN WITNESS WHEREOF, FECR has caused these presents to be executed the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Bernie D. Hatfield  
Print Name: Bernie D. Hatfield

Madeleine Torres Santos  
Print Name: Madeleine Torres Santos

**FLORIDA EAST COAST RAILWAY,  
L.L.C.**, a Florida limited liability company

By: David J. Rohal  
Name: DAVID J. ROHAL  
Title: PRESIDENT

STATE OF FLORIDA

COUNTY OF Duval

The foregoing instrument was acknowledged before me this 1st day of June, 2008, by DAVID J. ROHAL, as President of Florida East Coast Railway, L.L.C., a Florida limited liability company on behalf of the company who is personally known to me, ~~or has produced~~ \_\_\_\_\_ as ~~identification.~~

Mary C. Mueller  
Print Name: Mary C. Mueller  
Notary Public, State and County aforesaid  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

00609643.DOC

Mary C. Mueller  
Notary Public, State of Florida  
My Comm. expires April 30, 2010  
Comm. No. DD 532223

**JOINDER OF FLAGLER DEVELOPMENT COMPANY, LLC**

The undersigned, Flagler Development Company, LLC, a Florida limited liability company ("Flagler"), hereby joins in this Deed of Dedication from Grantor to Grantee for the purpose of granting, bargaining, selling, aliening, remising, releasing and quitclaiming any right, title or interest that it may have in and to the Property to Grantee, and Flagler hereby does grant, bargain, sell, alien, remise, release and quitclaim any such interest to Grantee.

IN WITNESS WHEREOF, Flagler has caused these presents to be executed the day and year first above written.

Signed, sealed and delivered  
in the presence of:

JAH  
Print Name: James A. Hoener  
Susan Blount  
Print Name: Susan Blount

**FLAGLER DEVELOPMENT  
COMPANY, LLC**, a Florida limited  
liability company

By: [Signature]  
Name: Keith A. Tickell  
Title: Vice President

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of May, 2008, by Keith A. Tickell, as Vice President of Flagler Development Company, LLC, a Florida limited liability company on behalf of the company who is personally known to me or has produced \_\_\_\_\_ as identification.



Susan Blount  
Print Name: \_\_\_\_\_  
Notary Public, State and County aforesaid  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Prepared by:  
Laurie Ford  
St. Johns County  
4020 Lewis Speedway  
St. Augustine, Florida 32084

**GRANT OF EASEMENT**

**THIS EASEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 2008, by and between **FDG FLAGLER CROSSING LLC**, a Delaware limited liability company, whose address is 10151 Deerwood Park Boulevard, Building 100, Suite 330, Jacksonville, Florida 32256, grantor, and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, grantee.

**WITNESSETH**, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains, releases and conveys to the grantee, its successors and assigns forever, an unobstructed right-of-way and perpetual easement with the right, privilege and authority to said grantee, its successors and assigns, to construct, lay, maintain, improve and/or repair either above or below the surface of the ground storm water pond and drainage facilities on, along, over, through, across or under the following described land situate in St. Johns County, Florida to wit:

Property as described on attached Exhibit "A", incorporated by reference and made a part hereof.

**TOGETHER** with the right of said grantee, its successors and assigns, of ingress and egress to and over said above described premises, and for doing anything necessary or useful or convenient, or removing at any time any and all of said improvements upon, over, under or in said lands, together also with the right and easement, privileges and appurtenances in and to said land which may be required for the enjoyment of rights herein granted.

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

Signed, sealed and delivered in  
Our presence as Witnesses:

(sign) JA Ho  
(print) James A. Hoener

(sign) Susan Blount  
(print): Susan Blount

GRANTOR:

**FDG FLAGLER CROSSING LLC**, a  
Delaware limited liability company

By: [Signature]  
Name: Keith A. Tickell  
Its: Vice President

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of May, 2008, by Keith A. Tickell as Vice President of FDG FLAGLER CROSSING LLC, a Delaware limited liability company, on behalf of the company. He/She is personally known to me or has produced \_\_\_\_\_ as identification.



Susan Blount  
Notary Public  
My commission expires: \_\_\_\_\_

**JOINDER OF FLORIDA EAST COAST RAILWAY, L.L.C.**

The undersigned, Florida East Coast Railway, L.L.C., a Florida limited liability company ("FECR"), hereby joins in this Grant of Easement from grantor to grantee for the purpose of subjecting any right, title or interest that FECR may have in and to the aforesaid land to this Grant of Easement.

IN WITNESS WHEREOF, FECR has caused these presents to be executed the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Bonnie D. Hatfield  
Print Name: Bonnie D. Hatfield

Madeleine Torres Santos  
Print Name: Madeleine Torres Santos

**FLORIDA EAST COAST RAILWAY,  
L.L.C.**, a Florida limited liability company  
By: David J. Rohal  
Name: DAVID J. ROHAL  
Title: PRESIDENT

STATE OF FLORIDA  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 1st day of June, 2008, by David J. Rohal, as President of Florida East Coast Railway, L.L.C., a Florida limited liability company on behalf of the company. He/She is personally known to me ~~or has produced~~ \_\_\_\_\_ as ~~identification.~~

Mary C. Mueller  
Print Name: Mary C. Mueller  
Notary Public, State and County aforesaid  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**Mary C. Mueller**  
**Notary Public, State of Florida**  
**My Comm. expires April 30, 2010**  
**Comm. No. DD 532223**

**EXHIBIT "A"**

**Legal Description of Property**

**St. Johns County Drainage Easement Parcel 10I**

A portion of Section 1, together with a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Southwesterly prolongation of the Southerly right of way line of Poinciana Avenue, a 30 foot right of way as presently established, and the Westerly right of way line of U.S. Highway No. 1 (State Road No. 5), a variable width right of way as presently established; thence North 27°54'10" West, along said Westerly right of way line of U.S. Highway No. 1, a distance of 794.53 feet to the point of curvature of a curve concave Southerly, having a radius of 50.00 feet, thence Westerly, departing said Westerly right of way line of U.S. Highway No. 1 and along the arc of said curve, through a central angle of 89°59'00", an arc length of 78.53 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 72°53'40" West, 70.70 feet; thence South 62°06'50" West, 1003.70 feet to the point of curvature of a curve concave Northerly, having a radius of 488.46 feet; thence Westerly, along the arc of said curve, through a central angle of 30°01'56", an arc length of 256.03 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 77°07'47" West, 253.11 feet.

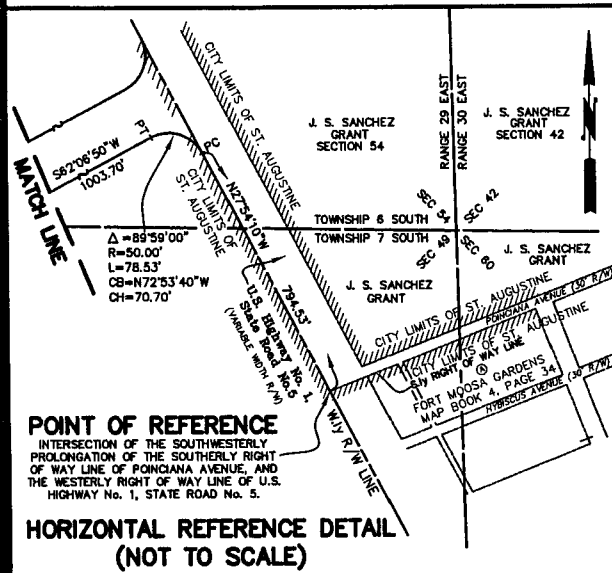
From said Point of Beginning, thence South 06°15'57" East, 89.92 feet; thence South 44°24'40" West, 224.54 feet; thence North 65°10'07" West, 66.61 feet; thence North 33°06'17" West, 123.47 feet; thence North 76°43'36" West, 84.74 feet; thence North 45°23'12" West, 56.99 feet; thence North 09°57'32" West, 155.92 feet; thence South 80°02'28" West, 18.78 feet; thence North 09°57'32" West, 30.00 feet; thence North 80°02'28" East, 18.78 feet; thence North 09°57'32" West, 41.24 feet; thence North 53°37'46" East, 70.38 feet to a point on a curve concave Northeasterly, having a radius of 488.46 feet; thence Southeasterly, along the arc of said curve, through a central angle of 52°39'24", an arc length of 448.91 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 61°31'33" East, 433.28 feet.

Containing 2.24 acres, more or less.

# SKETCH TO ACCOMPANY DESCRIPTION

A PORTION OF SECTION 1, TOGETHER WITH A PORTION OF SECTION 56 OF THE J. DELESPINE GRANT, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA,

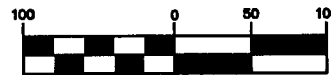
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



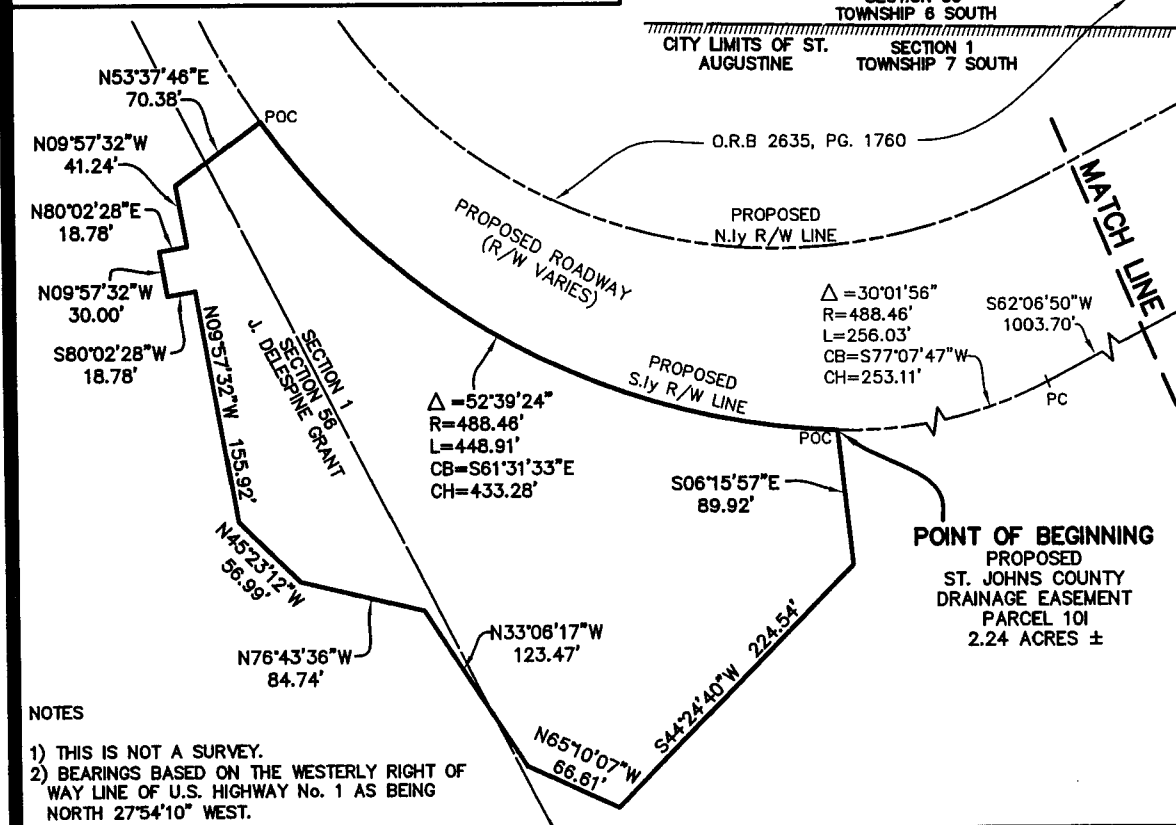
## LEGEND

PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
POC	POINT ON A CURVE
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
R/W	RIGHT OF WAY
SEC	SECTION
	CITY LIMITS OF ST. AUGUSTINE
R	RADIUS
Δ	CENTRAL ANGLE
L	ARC LENGTH
CB	CHORD BEARING
CH	CHORD DISTANCE

## GRAPHIC SCALE



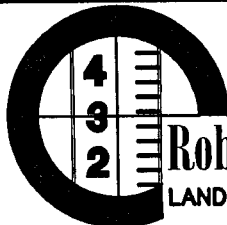
( IN FEET )  
AS SHOWN



## NOTES

- 1) THIS IS NOT A SURVEY.
- 2) BEARINGS BASED ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY No. 1 AS BEING NORTH 27°54'10" WEST.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



**Robert M. Angas Associates, inc.**

LAND SURVEYORS, PLANNERS AND CIVIL ENGINEERS  
SINCE 1924

14775 Old St. Augustine Road, Jacksonville, FL. 32258 Tel: (904) 642-8550  
Certificate of Authorization No.: LB 3624

*(Signature)*  
JOSEPH LESLIE REYNOLDS, III  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LS No. 5517

DATE: JUNE 19, 2007

### St. Johns County Drainage Easement Parcel 10J

A portion of Section 36, Township 6 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

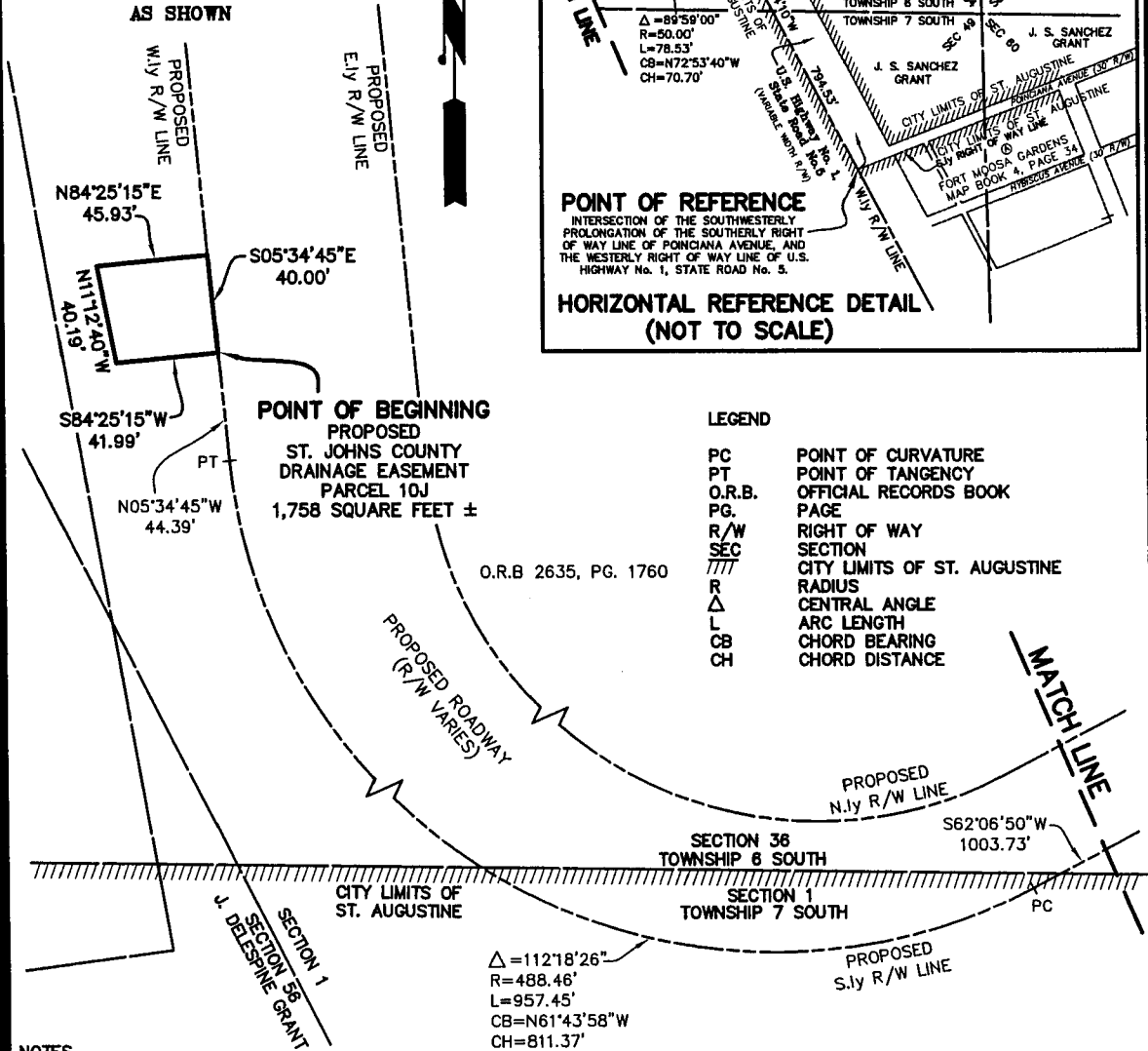
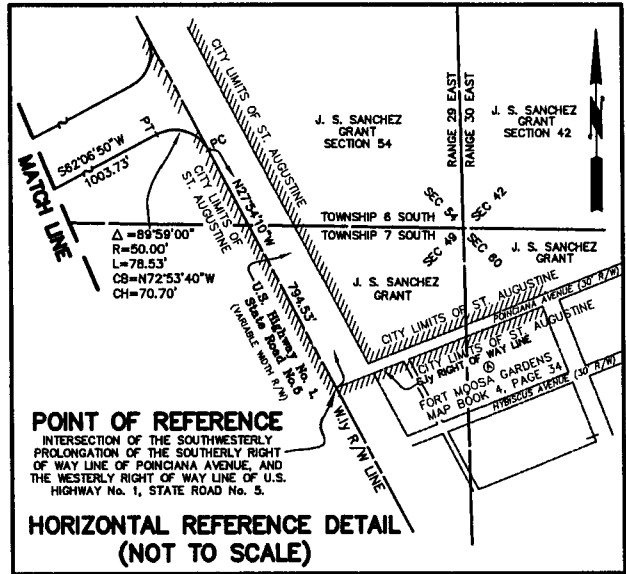
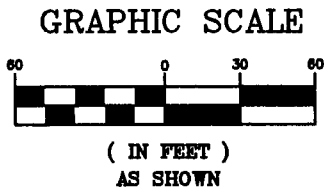
For a Point of Reference, commence at the intersection of the Southwesterly prolongation of the Southerly right of way line of Poinciana Avenue, a 30 foot right of way as presently established, and the Westerly right of way line of U.S. Highway No. 1 (State Road No. 5), a variable width right of way as presently established; thence North  $27^{\circ}54'10''$  West, along said Westerly right of way line of U.S. Highway No. 1, a distance of 794.53 feet to the point of curvature of a curve concave Southerly, having a radius of 50.00 feet, thence Westerly, departing said Westerly right of way line of U.S. Highway No. 1 and along the arc of said curve, through a central angle of  $89^{\circ}59'00''$ , an arc length of 78.53 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $72^{\circ}53'40''$  West, 70.70 feet; thence South  $62^{\circ}06'50''$  West, 1003.70 feet to the point of curvature of a curve concave Northeasterly, having a radius of 488.46 feet; thence Northwesterly, along the arc of said curve, through a central angle of  $112^{\circ}18'26''$ , an arc length of 957.45 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $61^{\circ}43'58''$  West, 811.37 feet; thence North  $05^{\circ}34'45''$  West, 44.39 feet to the Point of Beginning.

From said Point of Beginning, thence South  $84^{\circ}25'15''$  West, 41.99 feet; thence North  $11^{\circ}12'40''$  West, 40.19 feet; thence North  $84^{\circ}25'15''$  East, 45.93 feet; thence South  $05^{\circ}34'45''$  East, 40.00 feet to the Point of Beginning.

Containing 1,758 square feet, more or less.

# SKETCH TO ACCOMPANY DESCRIPTION

A PORTION OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA,  
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



**NOTES**

- 1) THIS IS NOT A SURVEY.
- 2) BEARINGS BASED ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY No. 1 AS BEING NORTH 27°54'10" WEST.

6/25/08 REVISED TO CORRECT SCRIVENER'S ERROR

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



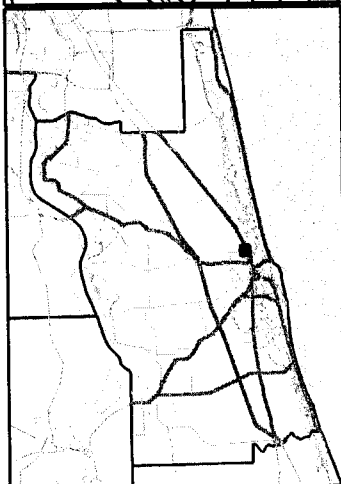
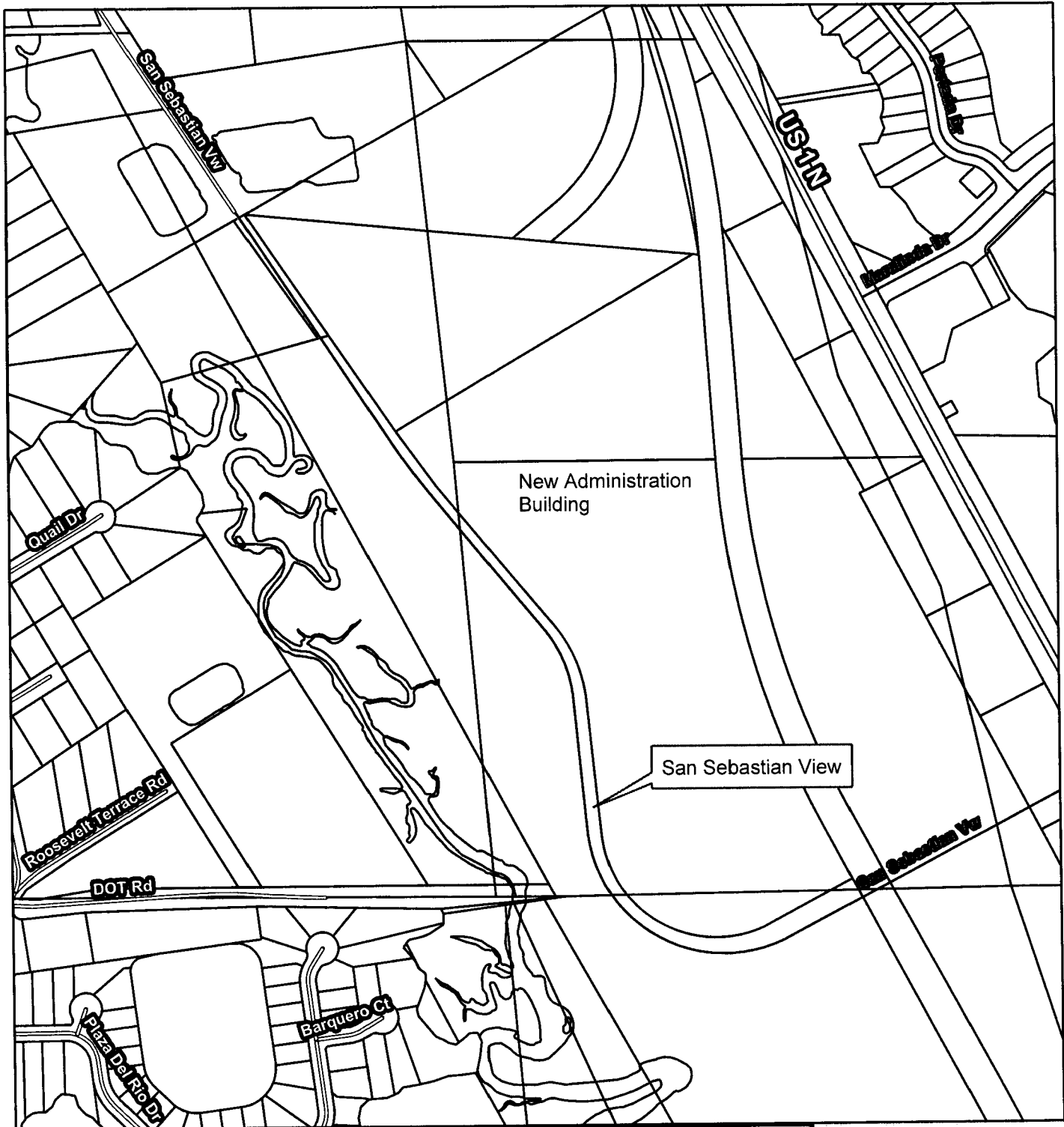
**Robert M. Angas Associates, inc.**  
LAND SURVEYORS, PLANNERS AND CIVIL ENGINEERS  
SINCE 1924

14775 Old St. Augustine Road, Jacksonville, FL. 32258 Tel: (904) 642-8550  
Certificate of Authorization No.: LB 3624

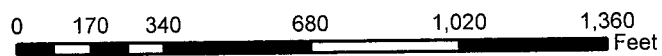
*Joseph Leslie Reynolds, III*  
JOSEPH LESLIE REYNOLDS, III  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LS No. 5517

DATE: JUNE 19, 2007





## San Sebastian View Right-of-Way



St. Johns County  
Land Mgmt Systems  
Real Estate Division



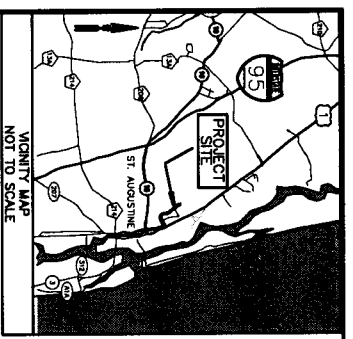
Map Prepared:  
July 11, 2008  
(904) 209-0790



### Location Map

**DISCLAIMER.**  
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy.

**MAP TO SHOW SPECIFIC PURPOSE LIMITED RIGHT OF WAY SURVEY OF A PORTION OF SECTION 36, A PORTION OF SECTION 55, THE FRANCIS J. FATO GRANT, AND A PORTION OF SECTION 56, THE FATO OR DESPINE GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 29 EAST, CITY OF ST. AUGUSTINE, ALL LYING IN ST. JOHNS COUNTY, FLORIDA.**



NO.	DESCRIPTION	DATE	BY
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...

**NOTES**

- 1) THE ENTIRETY OF THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 2) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 3) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 4) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 5) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 6) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 7) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 8) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 9) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 10) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.

RIGHT OF WAY MAP

COUNTY OF ST. JOHNS  
RIGHT OF WAY MAPPING

PROJECT NO. \_\_\_\_\_  
DATE \_\_\_\_\_

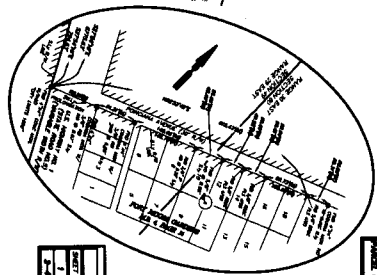
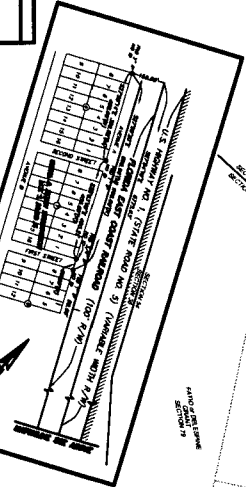
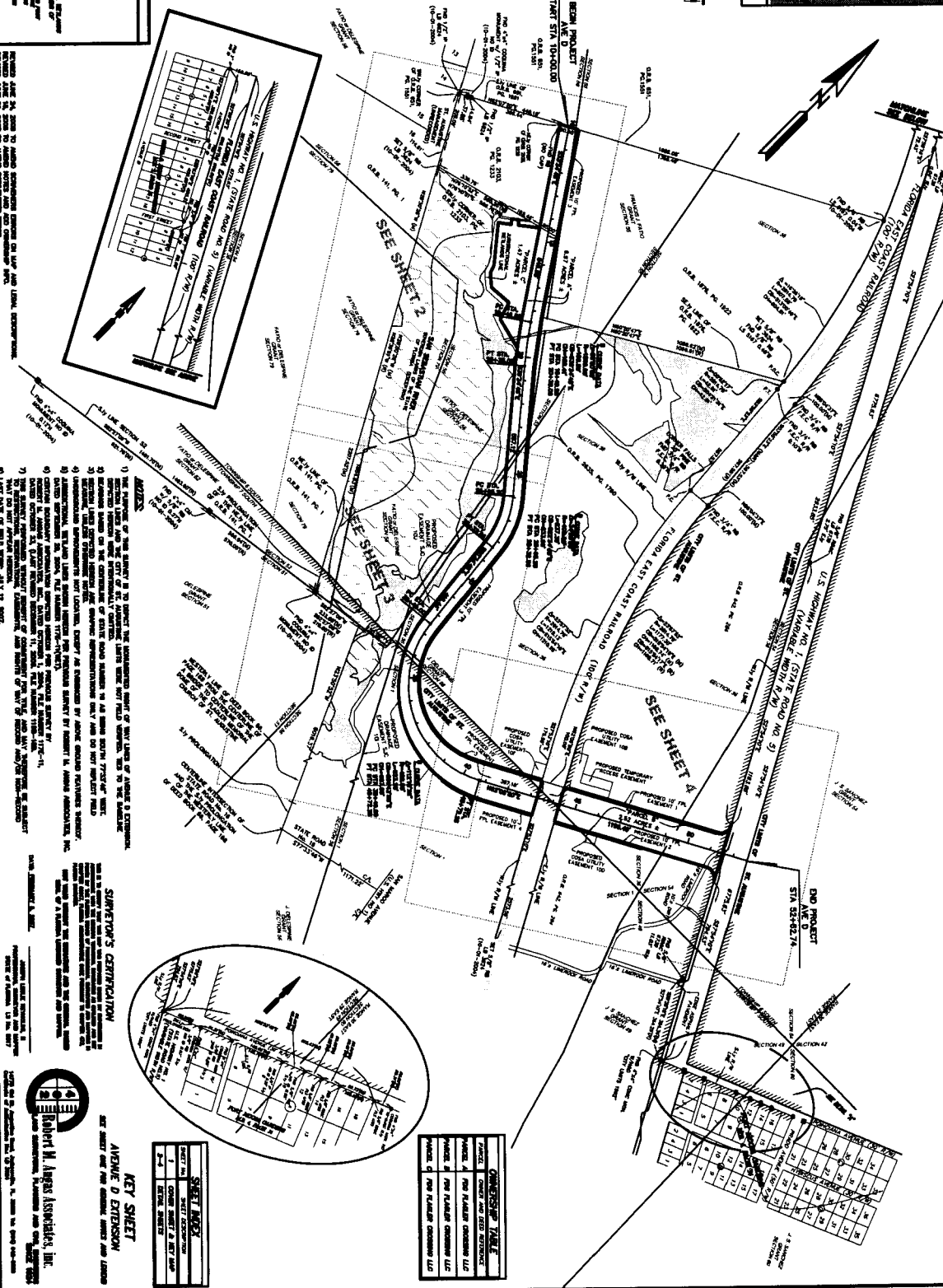
COUNTY PROJECT NO. \_\_\_\_\_  
DATE \_\_\_\_\_

AVENUE D EXTENSION  
ST. JOHNS COUNTY

DATE \_\_\_\_\_  
BY \_\_\_\_\_

DATE \_\_\_\_\_  
BY \_\_\_\_\_

DATE \_\_\_\_\_  
BY \_\_\_\_\_



**NOTES**

- 1) THE ENTIRETY OF THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 2) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 3) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 4) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 5) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 6) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 7) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 8) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 9) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.
- 10) THE SURVEY IS TO BE CONSIDERED AS A SINGLE UNIT AND SHALL BE TREATED AS SUCH IN ALL RESPECTS.

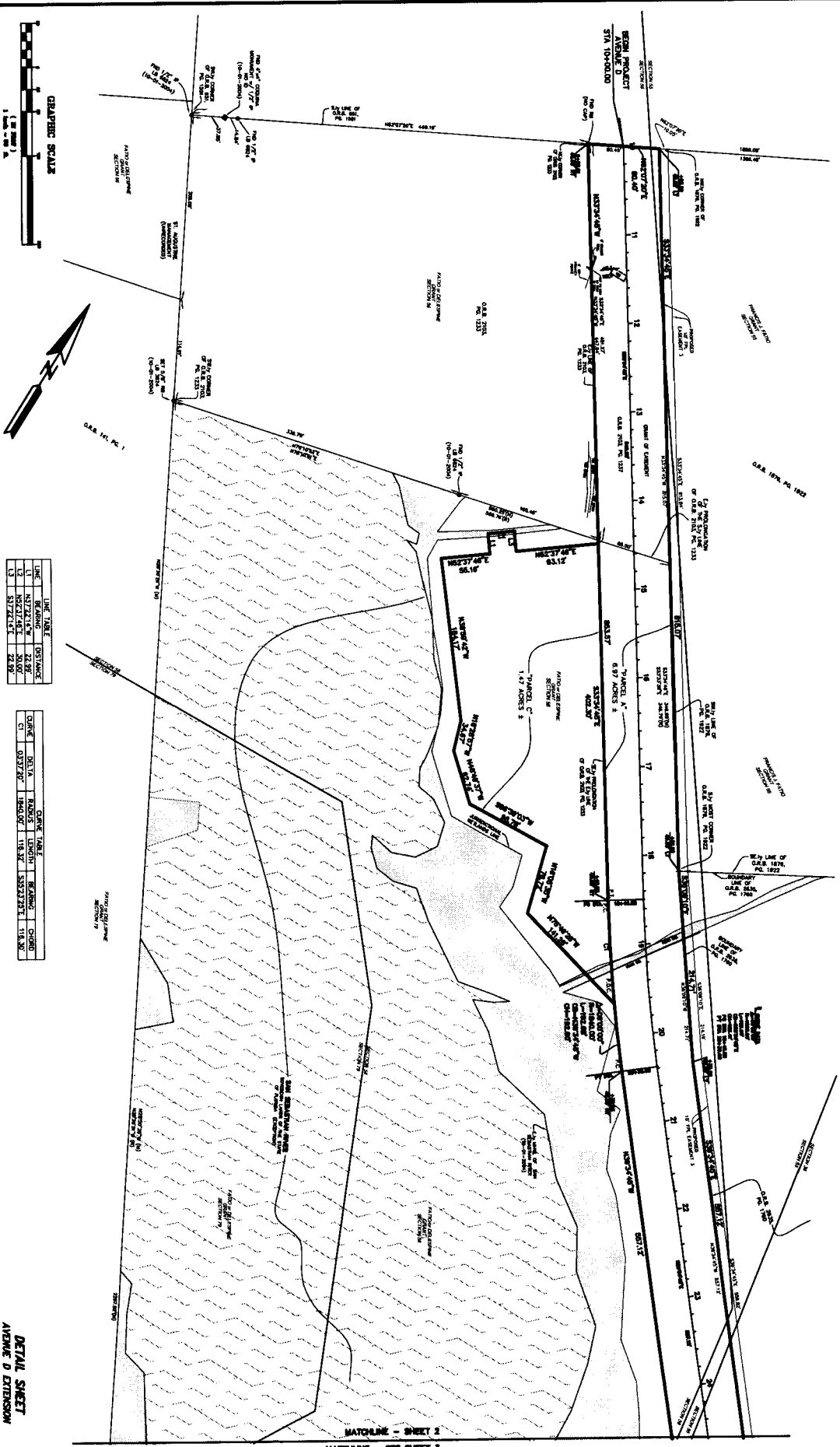
**KEY SHEET**

AVENUE D EXTENSION

DATE \_\_\_\_\_  
BY \_\_\_\_\_

DATE \_\_\_\_\_  
BY \_\_\_\_\_

**MAP TO SHOW SPECIFIC PURPOSE RIGHT OF WAY SURVEY OF  
 A PORTION OF SECTION 36, A PORTION OF SECTION 55, THE FRANCIS J. FATTO GRANT, AND A PORTION OF SECTION 56,  
 THE FATTO OR DELESPIGNE GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, CITY OF ST. AUGUSTINE, ALL LYING IN ST. JOHNS COUNTY, FLORIDA.**



RIGHT OF WAY MAP

COUNTY OF ST. JOHNS  
 RIGHT OF WAY MAPPING

LINE	BEARING	DISTANCE
L1	N17°21'48" W	22.80'
L2	S82°27'48" E	20.00'
L3	S87°24'15" E	20.00'

DATE	DELTA	TRANSIT	BEARING	CHANG
03/27/20	180.00'	118.32'	S83°28'21" E	118.30'

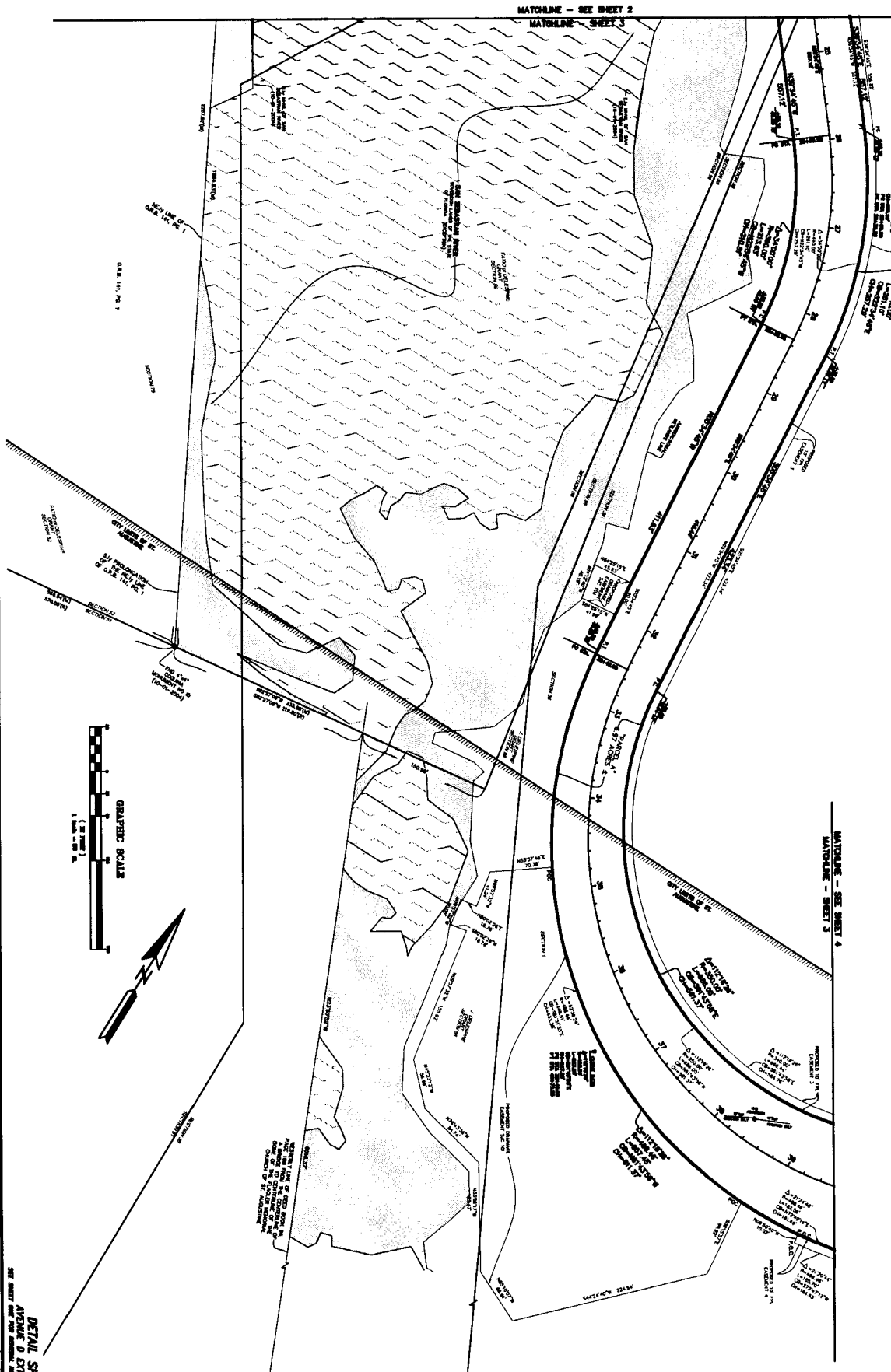
COUNTY PROJECT NO. N/A  
 ST. JOHNS COUNTY

PREPARED BY: PUBLIC ASSOCIATES, INC.  
 SCALE: 1" = 50'  
 SHEET 2 OF 4

DETAIL SHEET  
 AVENUE D EXTENSION

MATCHLINE - SHEET 2  
 MATCHLINE - SEE SHEET 3

**MAP TO SHOW SPECIFIC PURPOSE LIMITED RIGHT OF WAY SURVEY OR A PORTION OF SECTION 36, A PORTION OF SECTION 55, THE FRANCIS J. FATTO GRANT, AND A PORTION OF SECTION 56, THE FATTO OR DELESPINE GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 29 EAST, CITY OF ST. AUGUSTINE, ALL LYING IN ST. JOHNS COUNTY, FLORIDA.**



RIGHT OF WAY MAP

COUNTY OF ST. JOHNS  
RIGHT OF WAY MAPPING

PROJECT NO.	DATE	REVISION	BY	DATE	REVISION	BY	DATE	REVISION	BY	DATE

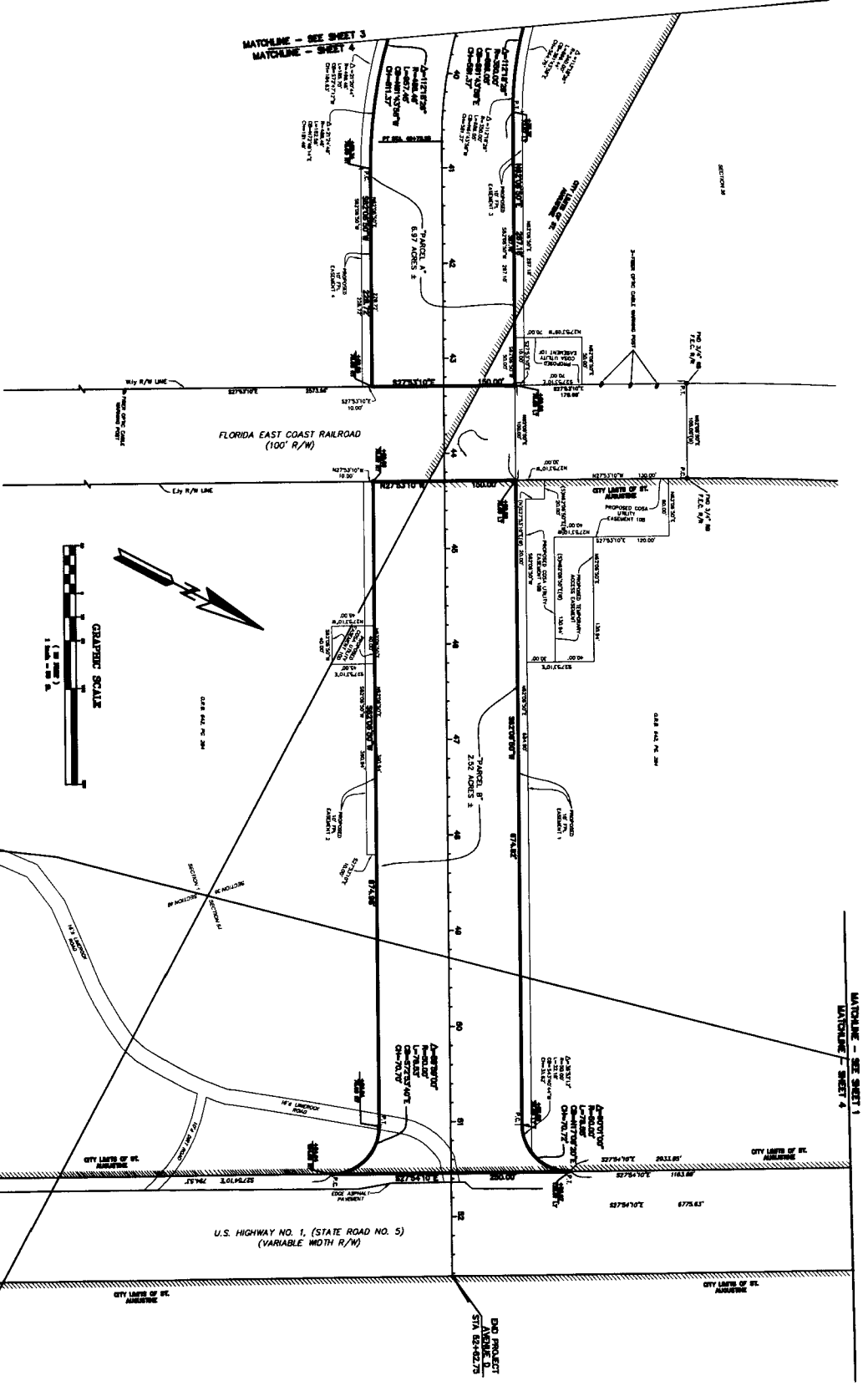
COUNTY PROJECT NO. N/A  
AVENUE D EXTENSION ST. JOHNS COUNTY

DATE	BY	SCALE	SHEET
12/15/2011	J. J. JOHNS	1" = 20'	3 OF 4

**DETAIL SHEET**  
AVENUE D EXTENSION

SEE SHEET FOR THE ORIGINAL SURVEY AND LEGEND

**MAP TO SHOW SPECIFIC PURPOSE LIMITED RIGHT OF WAY SURVEY OF**  
**A PORTION OF SECTION 36, A PORTION OF SECTION 35, THE FRANCIS J. PATO GRANT, AND A PORTION OF SECTION**  
**56, THE FATO OR DELESPINE GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION**  
**1, TOWNSHIP 7 SOUTH, RANGE 29 EAST, CITY OF ST. AUGUSTINE, ALL LYING IN ST. JOHNS COUNTY, FLORIDA.**



RIGHT OF WAY MAP

COUNTY OF ST. JOHNS  
 RIGHT OF WAY MAPPING

NO.	DATE	REVISION	BY	DATE	REVISION	BY	DATE	REVISION	BY

COUNTY PROJECT NO. N/A  
 ST. JOHNS COUNTY

AVENUE D EXTENSION  
 SCALE: 1" = 50'  
 SHEET 4 OF 4

RETAIN SHEET  
 AVENUE D EXTENSION