

RESOLUTION NO. 2015- 31

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FOR ADDITIONAL RIGHT-OF-WAY FOR AVENUE "B", A PLATTED UNOPENED COUNTY ROAD LOCATED IN PONTE VEDRA AND AUTHORIZING THE BOARD CHAIR TO JOIN IN THE EXECUTION OF THE DEED.

RECITALS

WHEREAS, Avenue C Properties, LLC, a Florida limited liability company, has executed and presented a Special Warranty Deed for right-of-way previously named Avenue B, now known as Fairway Wood Way in Ponte Vedra, as described in Exhibit "A," attached hereto incorporated by reference and made a part hereof; and

WHEREAS, this right-of-way is needed to convert the platted unopened County road formerly known as Avenue B to a cul-de-sac which was required during the permitting process. The road improvements have been completed by the developer in connection with the Avalon C project; and

WHEREAS, it is in the best interest of the County to accept the Special Warranty Deed for the safety of the citizens in the area.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissions 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 Special Warranty Deed is hereby accepted by the Board of County Commissioners and the Board Chair is authorized to join in the execution of the deed.

Section 3. To the extent that there are typographical, scrivener or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

Section 4. The Clerk of Circuit Court is hereby instructed to record the original Special Warranty Deed in the Public Records of St. Johns County.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, this 17th day of February, 2015.

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

By:  _____
Priscilla L. Bennett, Chair

ATTEST: Cheryl Strickland, Clerk of Court

By:  _____
Deputy Clerk



RENDITION DATE 2/19/15

Exhibit "A" to Resolution

Prepared by and return to:
Joseph J. Van Rooy, Esq.
Van Rooy Law
9471 Baymeadows Rd., Suite 103
Jacksonville, Florida 32256

Doc. Stamps: \$0.70

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 11th day of December, 2014, by and between **AVENUE C PROPERTIES, LLC**, a Florida limited liability company, whose address is 9995 Gate Parkway N., Suite 400, Jacksonville, Florida 32246 (the "Grantor"), and **ST. JOHNS COUNTY**, a political subdivision of the State of Florida whose address is 500 Sebastian View, St. Augustine, Florida 32084 (the "Grantee").

(When used herein the terms "Grantor" and "Grantee" shall be construed to include, masculine, feminine, singular or plural as the context permits or requires and shall include heirs, personal representatives, successors or assigns.)

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable consideration, to it in hand paid by the said Grantee, the receipt and adequacy of which is hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land located in St. Johns County, Florida, to wit (the "Property"):

See Exhibit "A" Legal Descriptions and Exhibit "B" Sketch attached hereto and incorporated herein.

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

The Grantor hereby covenants with Grantee, except as set forth herein, that at the time of the delivery of this deed, the Property was free from all encumbrances made by it, and that it will warrant and defend the title to the land against the lawful claims of all persons claiming by, through or under the Grantor, but against none other. This conveyance is made subject only to reservations, restrictions, and easements of record.

Grantor hereby covenants with Grantee that Grantor has complied with Section 196.295, Florida Statutes, with respect to taxes on the Property.

Signed and Sealed in Our
Presence as Witnesses:

GRANTOR:

AVENUE C PROPERTIES, LLC, a Florida limited
liability company

By: CAPITAL SOLUTIONS IV, LLC,
Its Managing Member

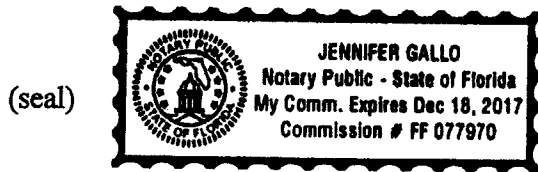
Sign Kelly Stofflet
Print KELLY STOFFLET

By: Nick
Print: NICK KAVALIEROS
Title: MANAGING MEMBER

Sign BA
Print BRAD HUSON

STATE OF FLORIDA }
COUNTY OF DUVAL }

The foregoing instrument was acknowledged before me this 11TH day of December 2014, by NICK KAVALIEROS, the Managing Member of CAPITAL SOLUTIONS IV, LLC, the Managing Member of AVENUE C PROPERTIES, LLC, and was [personally known to me or [] produced _____ as identification.



Jennifer Gallo
(Print Name) JENNIFER GALLO
NOTARY PUBLIC

ST. JOHNS COUNTY, FLORIDA REPRESENTATIVE

Sign _____

Print Priscilla L. Bennett

Title Board Chair

EXHIBIT A to Deed

(Legal Descriptions)

RIGHT OF WAY PARCEL "AA" FOR AVENUE B, AVALON, UNIT 5

PART OF LOT 1, BLOCK 4, AS SHOWN ON THE PLAT OF AVALON, UNIT 5, AS RECORDED IN MAP BOOK 5, PAGE 75 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEASTERLY CORNER OF LOT 8, BLOCK 4, OF SAID AVALON, UNIT 5 AND RUN SOUTH 88° 50' 32" WEST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF AVENUE B (A 50 FOOT RIGHT OF WAY), A DISTANCE OF 201.42 FEET TO A POINT OF CURVATURE FOR THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING THUS DESCRIBED RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 13.06 FEET TO A POINT OF REVERSE CURVATURE, SAID ARC SUBTENDE BY A CHORD BEARING AND DISTANCE OF SOUTH 73° 52' 16" WEST, 12.92 FEET; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 58.33 FEET, SAID ARC SUBTENDE BY A CHORD BEARING AND DISTANCE OF NORTH 87° 41' 03" WEST, 55.07 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF AVENUE B; THENCE NORTH 88° 50' 32" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 67.45 FEET TO THE POINT OF BEGINNING.

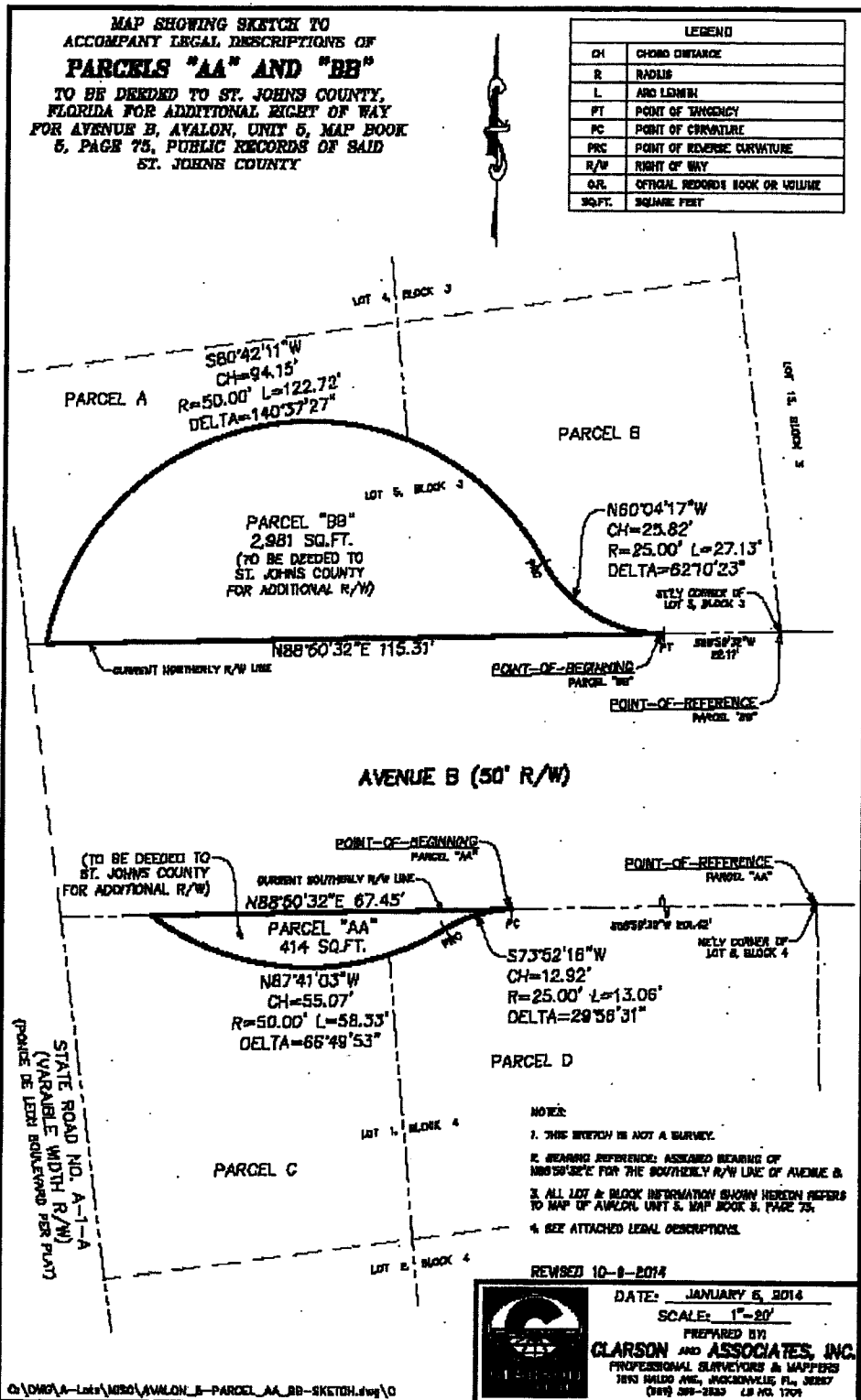
RIGHT OF WAY PARCEL "BB" FOR AVENUE B, AVALON, UNIT 5

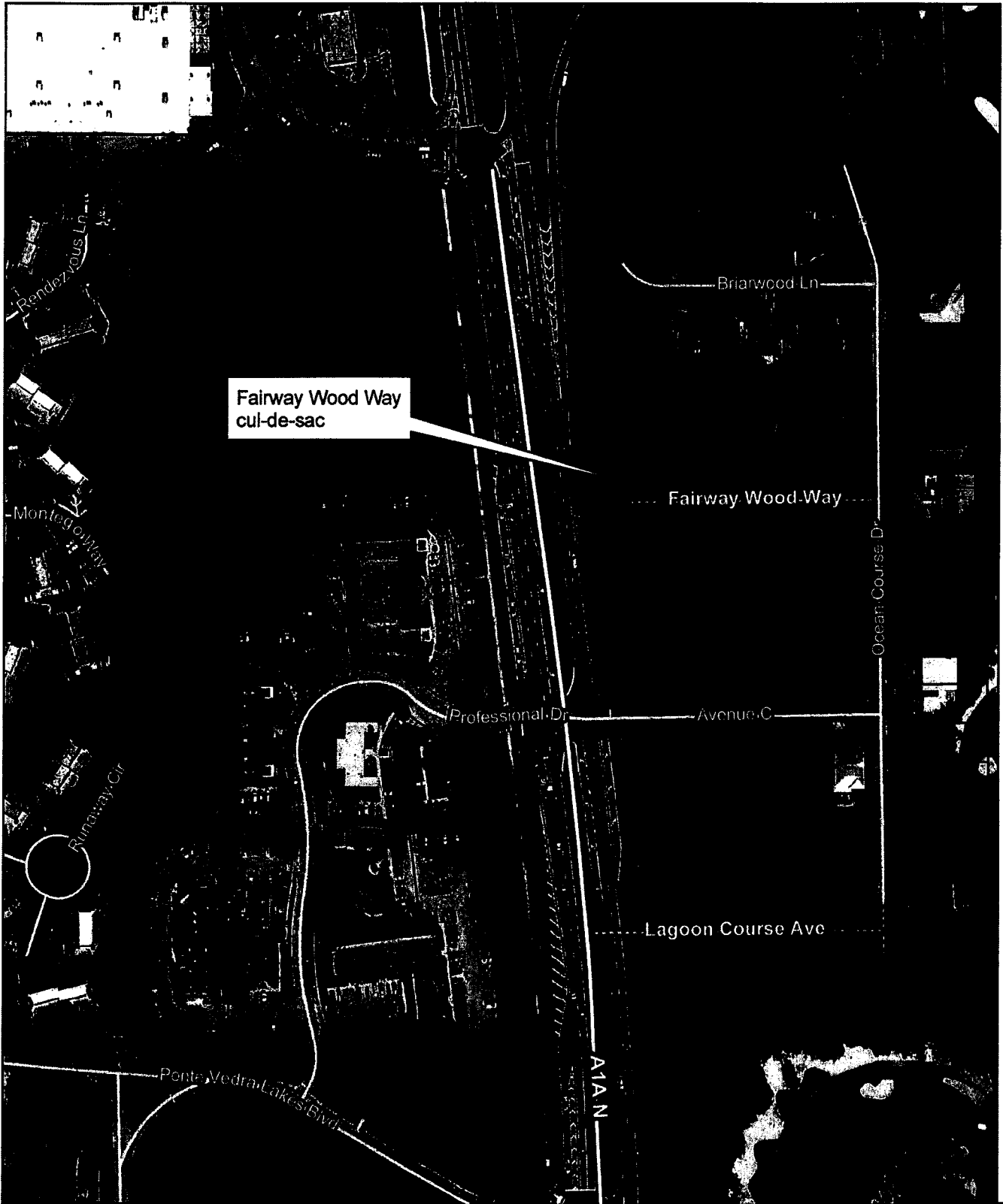
PART OF LOT 5, BLOCK 3, AS SHOWN ON THE PLAT OF AVALON, UNIT 5, AS RECORDED IN MAP BOOK 5, PAGE 75 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEASTERLY CORNER OF SAID LOT 5, BLOCK 3 AND RUN SOUTH 88° 50' 32" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF AVENUE B (A 50 FOOT RIGHT OF WAY), A DISTANCE OF 22.11 FEET TO A POINT OF CURVATURE FOR THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING THUS DESCRIBED RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 27.13 FEET TO A POINT OF REVERSE CURVATURE, SAID ARC SUBTENDE BY A CHORD BEARING AND DISTANCE OF NORTH 60° 04' 17" WEST, 25.82 FEET; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 122.72 FEET, SAID ARC SUBTENDE BY A CHORD BEARING AND DISTANCE OF SOUTH 80° 42' 11" WEST, 94.15 FEET TO A POINT ON SAID NORTHERLY RIGHT OF WAY LINE OF AVENUE B; THENCE NORTH 88° 50' 32" EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF AVENUE B, A DISTANCE OF 115.31 FEET TO THE POINT OF BEGINNING.

EXHIBIT B to Deed

(Sketch)





2013 Aerial Imagery

0 100 200

Feet

January 20, 2015

Fairway Wood Way Right-of-way dedication

Land Management
Systems
Real Estate
Division
(904) 209-0762

Disclaimer:
This map is for reference use only.
Data provided are derived from multiple
sources with varying levels of accuracy.
The St. Johns County Real Estate
Division disclaims all responsibility
for the accuracy or completeness
of the data shown hereon.

