

RESOLUTION NO. 2015- 330

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO DECLARATION OF JOINT-USE POND EASEMENTS REQUIRED FOR THE IMPROVEMENTS TO RACE TRACK ROAD IN THE BARTRAM PARK IMPACT FEE CREDIT AGREEMENT.

RECITALS

WHEREAS, Bannan Development Inc., executed and recorded two Declaration of Joint-Use Pond Easements attached hereto as Exhibit "A" and Exhibit "B," incorporated by reference and made a part hereof, per the Impact Fee Credit Agreement for Bartram Park for the construction, operation and maintenance for the Race Track Road improvements; and

WHEREAS, a Certificate of Approval and Acceptance, attached hereto as Exhibit "C," incorporated by reference and made a part hereof, is to accept Pond Easement 102D and Pond Easement 102C; and

WHEREAS, executing and recording the Certificate will show the acceptance of the two pond easements by the County.

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 Board of County Commissioners hereby accepts the two Declaration of Joint-Use Pond Easements for the improvements to Racetrack Road.

Section 3. To the extent that there are typographical 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 is instructed to record the Certificate of Approval and Acceptance in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 3 day of Nov, 2015.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Priscilla L. Bennett, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: 
Deputy Clerk

RENDITION DATE 11/5/15

EXHIBIT "A" TO RESOLUTION

Recording: _____
Doc. stamps: _____
Int. tax: _____
TOTAL: _____

THIS INSTRUMENT WAS PREPARED BY AND,
AFTER RECORDING, RETURN TO:
Joel B. Giles, Esquire
Florida Bar No.: 350591
CARLTON FIELDS JORDEN BURT, P.A.
4221 West Boy Scout Boulevard, Suite 1000
Tampa, Florida 33607-5736
(813) 223-7000
(813) 229-4133 (Facsimile)
jgiles@CFJBlaw.com

DECLARATION OF JOINT-USE POND EASEMENT
(Phase I)

THIS DECLARATION OF JOINT-USE POND EASEMENT (this "Declaration") is given as of the 4th day of JUNE, 2014, (the "Effective Date") by BANNON DEVELOPMENT INC., a corporation organized and existing under the laws of the State of Delaware with its principal place of business at (and the mailing address of which is) 700 Ponte Vedra Lakes Boulevard, Ponte Vedra Beach, Florida 32082, ("Declarant") to ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida with its principal place of business at (and the mailing address of which is) 500 San Sebastian View, St. Augustine, Florida 32084, ("St. Johns County") in reference to the following facts:

(A) Declarant is the owner of the real property in St. Johns County, Florida, more particularly described in Exhibit "A," which is attached hereto and, by this reference, made a part hereof, (the "Easement Property").

(B) Declarant desires to declare, establish, grant, convey, and reserve to and for St. Johns County, and St. Johns County's successors and assigns, easements for the construction, operation, and maintenance of a joint-use drainage and retention pond that meets the capacity requirements of St. Johns County, Florida, relative to the existing and planned improvements to Race Track Road and for ingress, egress, and access upon, over, and across the Easement Property for such purposes.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained in this Declaration, Ten and No/100ths Dollars (\$10.00), and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged by the parties hereto, the parties hereto hereby covenant and agree as follows:

1. **Recitals.** The statements contained in the recitals of fact set forth above (the "Recitals") are true and correct and the Recitals are, by this reference, made a part of this Declaration.

2. **Exhibits.** The exhibits attached to this Declaration are, by this reference, made a part of this Declaration.

3. **Definitions and Abbreviation.** The following terms are used in this Declaration as defined in this Section 3:

(a) The terms defined in the preamble of this Declaration are used in this Declaration as defined therein.

(b) The terms defined in the Recitals are used in this Declaration as defined therein.

4. **Declaration of Easements for Joint-Use Pond and for Ingress, Egress, and Access.** Declarant hereby declares, establishes, grants, conveys, and reserves to and for the benefit of St. Johns County, and St. Johns County's successors and assigns, non-exclusive easements upon, over, and across the Easement Property for the purposes of: (a) the construction, operation, and maintenance of a joint-use drainage and retention pond that meets the capacity requirements of St. Johns County, Florida, relative to the existing and planned improvements to Race Track Road; (b) for pedestrian and vehicular ingress, egress, and access for purposes of such construction, operation, and maintenance; and (c) other purposes incidental to the foregoing, but for no other purposes whatsoever.

5. **St. Johns County's Covenants.** St. Johns County, by the acceptance and use of the easements hereby granted, covenants and agrees to indemnify Declarant and hold Declarant harmless from and against any and all claims, demands, liabilities, losses, costs, or expenses arising from personal injuries or property damage resulting from St. Johns County's use of the Easement Property. The foregoing obligation to indemnify Declarant and hold Declarant harmless shall survive any termination of this Declaration.

6. **Platting and Dedication.** At such time as the Easement Property is platted by Declarant or Declarant's successors and assigns and the dedication thereof to St. Johns County, Florida, for the construction, operation, and maintenance of a joint-use pond, is accepted by St. Johns County, the easements hereby granted upon, over, and across the Easement Property shall terminate. Subject to the foregoing provision, the easements hereby granted shall be perpetual.

7. **Priority Over Liens.** The easements and other rights granted St. Johns County under this Declaration have priority over and are superior to any mortgages or other liens (excluding the lien for ad valorem real property taxes) that may encumber the Easement Property or any part thereof, and in no event shall the foreclosure of any mortgage or other lien encumbering all or any part of the Easement Property or any conveyance in lieu of foreclosure of any such mortgage or other lien terminate any easements and other rights granted St. Johns

County under this Declaration. Declarant represents and warrants to St. Johns County that no mortgage or other lien (excluding the lien for ad valorem real property taxes not yet due and payable) encumbers the Easement Property or any part thereof, and Declarant shall not grant or permit the granting of any mortgage or other lien on the Easement Property or any part thereof prior to the recordation of this Declaration in the public records of St. Johns County, Florida.

8. **Running of Benefits and Burdens.** The provisions of this Declaration and all easements established hereby shall constitute covenants running with, and shall be appurtenant to, the land affected. All provisions of this Declaration and all easements established hereby shall inure to the benefit of and be binding upon any party which has, or obtains, an interest in the benefited or burdened land. References herein to "Declarant" and "St. Johns County" shall refer to Declarant or St. Johns County and their respective successors and assigns, as the case may be. The interests created hereunder shall not merge and this Declaration shall continue in full force and effect notwithstanding the unity of fee simple title of the Dominant Parcels and the Easement Property.

9. **Not a Public Dedication.** Nothing contained in this Declaration shall be deemed to be a gift or dedication of any portion of the Easement Property to the general public, it being the intention of the parties that this Declaration and the grant and reservation set forth herein shall be strictly limited to and for the purposes herein expressed.

10. **Severability.** If any clause, sentence, or other portion of the terms, conditions, covenants, and restrictions of this Declaration become illegal, null, or void for any reason or are held by any court of competent jurisdiction to be so, the remaining portions hereof shall remain in full force and effect.

11. **Enforcement.** In the event of any violation or threatened violation of the provisions of this Declaration, the aggrieved party shall have the right to seek to enjoin such violation or threatened violation in a court of competent jurisdiction, in addition to any other remedies available at law or in equity, and the prevailing party in any action or proceeding shall recover from the other party any attorneys' fees and costs incurred in such action or proceeding, including, without limitation, attorneys' fees and costs in any trial, appellate, bankruptcy, and post-judgment proceedings.

12. **Entire Agreement; Amendment.** This Declaration contains all of the agreements and understandings of the parties with respect to the subject matter hereof. This Declaration may not be modified or amended in any respect whatsoever, or rescinded, in whole or in part, except with the consent of the Declarant, St. Johns County, and WINSLOW FARMS, LTD., a limited partnership organized and existing under the laws of the State of Florida, ("Winslow") and then only by a written instrument duly executed and acknowledged by Declarant, St. Johns County, and Winslow duly recorded in the public records of St. Johns County, Florida. Any owner of all or any portion of the Easement Property other than Declarant hereby is put on notice that this instrument may be modified or amended, for the purposes of complying with the requirements of any development order applicable to the Easement Property, or subordinated, released, or rescinded without the necessity of obtaining its consent. In addition to any other rights reserved herein, there is reserved to Declarant the right to amend this

Declaration without the joinder and consent of any owner of all or any portion of the Easement Property other than Declarant or any other party for the purpose of:

- (a) correcting scrivener's errors; and/or
- (b) complying with the laws, ordinances, rules, and regulations of the United States, the State of Florida, St. Johns County, and any other governmental authority having jurisdiction over the Easement Property.

13. Governing Law. This Declaration will be governed by and construed in accordance with the laws of the State of Florida.

(Signatures appear on following pages.)

IN WITNESS WHEREOF, the Parties have executed this Declaration, and shall be deemed to have executed the same, as of the day and year first above written.

WITNESSES:

[Signature]
(Sign on this line.)
Heriberto E. Ladrone
(Print name legibly on this line.)

[Signature]
(Sign on this line.)
John T. Dodson III
(Print name legibly on this line.)

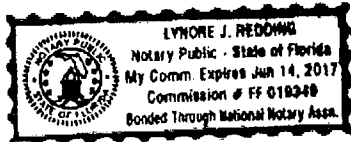
DECLARANT:

BANNON DEVELOPMENT INC.

By: [Signature]
J. THOMAS DODSON,
its President
(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

The foregoing instrument was acknowledged before me this 30th day of May, 2014, by J. THOMAS DODSON, as President of BANNON DEVELOPMENT INC., a corporation organized and existing under the laws of the State of Delaware, on behalf of the corporation. He is personally known to me, or has shown _____ as identification.



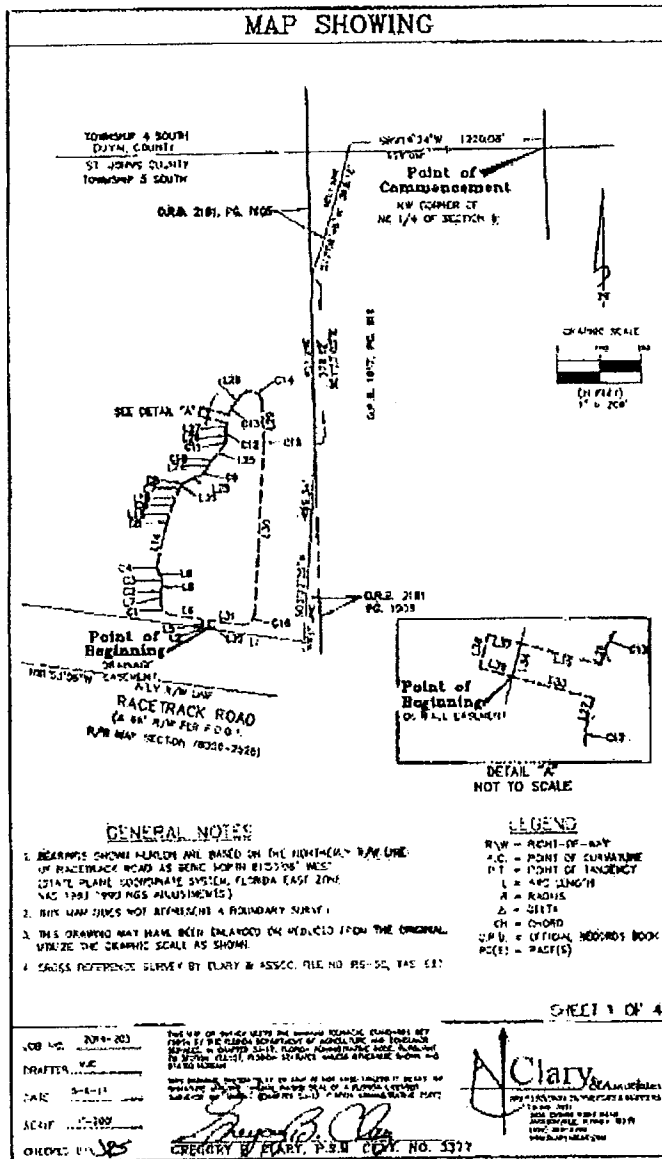
[Signature]
(Sign on this line.)

(Print name legibly on this line.)
NOTARY PUBLIC, State of Florida
COMMISSION NO.: _____
EXPIRATION DATE: _____

(SEAL)

EXHIBIT "A"

Easement Property



MAP SHOWING

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.00	N81°52'00"W
L2	15.00	N81°52'00"W
L3	15.00	N81°52'00"W
L4	15.00	N81°52'00"W
L5	15.00	N81°52'00"W
L6	15.00	N81°52'00"W
L7	15.00	N81°52'00"W
L8	15.00	N81°52'00"W
L9	15.00	N81°52'00"W
L10	15.00	N81°52'00"W
L11	15.00	N81°52'00"W
L12	15.00	N81°52'00"W
L13	15.00	N81°52'00"W
L14	15.00	N81°52'00"W
L15	15.00	N81°52'00"W
L16	15.00	N81°52'00"W
L17	15.00	N81°52'00"W
L18	15.00	N81°52'00"W
L19	15.00	N81°52'00"W
L20	15.00	N81°52'00"W
L21	15.00	N81°52'00"W
L22	15.00	N81°52'00"W
L23	15.00	N81°52'00"W
L24	15.00	N81°52'00"W
L25	15.00	N81°52'00"W
L26	15.00	N81°52'00"W
L27	15.00	N81°52'00"W
L28	15.00	N81°52'00"W
L29	15.00	N81°52'00"W
L30	15.00	N81°52'00"W
L31	15.00	N81°52'00"W
L32	15.00	N81°52'00"W
L33	15.00	N81°52'00"W
L34	15.00	N81°52'00"W
L35	15.00	N81°52'00"W
L36	15.00	N81°52'00"W
L37	15.00	N81°52'00"W
L38	15.00	N81°52'00"W
L39	15.00	N81°52'00"W
L40	15.00	N81°52'00"W


CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	42.79	35.28	31°43'19"	32.24	N41°01'44"W
C2	6.41	39.08	11°29'09"	6.18	N85°35'33"W
C3	28.49	35.28	39°20'21"	21.83	N57°14'59"W
C4	3.26	35.28	5°25'41"	3.10	N84°27'47"E
C5	1.76	35.28	2°26'25"	1.71	N82°06'18"E
C6	0.89	35.28	1°13'14"	0.87	N80°32'20"E
C7	14.89	35.28	16°28'21"	11.74	N53°29'20"E
C8	29.72	35.28	32°56'42"	23.48	N41°01'44"W
C9	6.52	35.28	13°29'51"	6.27	N85°35'33"W
C10	26.38	35.28	38°22'55"	20.21	N57°14'59"W
C11	12.49	35.28	17°18'21"	9.68	N41°01'44"W
C12	13.28	35.28	18°27'03"	12.19	N37°14'59"W
C13	13.28	35.28	18°27'03"	12.19	N37°14'59"W
C14	13.28	35.28	18°27'03"	12.19	N37°14'59"W
C15	13.28	35.28	18°27'03"	12.19	N37°14'59"W
C16	49.81	35.28	34°21'49"	38.15	N41°01'44"W

SHEET 2 OF 4

JOB NO. 2014-201
 DRAWN BY MJC
 DATE 3-6-14
 SCALE 1"=500'
 CHECKED [Signature]

THIS DRAWING, MAP OR PLAN IS TO BE USED ONLY AS SHOWN ON THE DRAWING. ANY OTHER USE IS AT THE USER'S RISK. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

GREGORY CLARY, P.E., No. 10377



MAP SHOWING


DUTIFALL EASEMENT

A PORTION OF SECTION 6, TOWNSHIP 8 SOUTH, RANGE 28 EAST, 31 JAMES COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER SECTION OF SECTION SAID 6, THENCE SOUTH 01°14'34" WEST, ALONG THE NORTHERLY LINE OF SAID SECTION 6, A DISTANCE OF 1320.08 FEET TO THE SOUTHEASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 7109, PAGE 1965 OF THE PUBLIC RECORDS OF SAID ST. JAMES COUNTY, THENCE SOUTH 17°04'41" WEST, ALONG LAST SAID LINE, 318.18 FEET, TO THE WICKERY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1897, PAGE 016 OF SAID PUBLIC RECORDS, THENCE SOUTH 07°23'07" EAST, ALONG LAST SAID LINE, 578.12 FEET, TO THE NORTHWESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3181, PAGE 1908, OF SAID PUBLIC RECORDS, THENCE SOUTH 03°27'25" WEST, ALONG LAST SAID LINE, 456.34 FEET, THENCE WEST 81°53'05" WEST, 133.98 FEET, THENCE CONTINUE NORTH 81°53'05" WEST, 15.06 FEET, THENCE NORTH 05°05'31" EAST, 20.00 FEET, THENCE NORTH 81°53'05" WEST, 76.32 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY, THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 42.79 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 49°01'41" WEST, 38.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 02°07'21" WEST, 27.21 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY, THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 6.01 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 02°23'17" EAST, 6.00 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 11°04'41" EAST, 12.28 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY, THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 20.49 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 08°57'25" WEST, 20.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 27°11'17" WEST, 32.28 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY, THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 21.43 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 07°20'36" WEST, 20.98 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 12°07'27" EAST, 32.16 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY, THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 13.50 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 14°21'47" EAST, 13.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 19°46'09" EAST, 38.26 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY, THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 1.88 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 21°04'41" EAST, 1.88 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 30°22'12" EAST, 1.36 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY, THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 11.65 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 25°33'28" EAST, 11.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 37°48'17" EAST, 26.26 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY, THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 10.37 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 48°21'14" EAST, 14.28 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 28°54'05" EAST, 20.88 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY, THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 8.59 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 30°11'05" EAST, 8.57 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 41°28'01" EAST, 36.26 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY, THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 20.38 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 16°16'38" EAST, 25.34 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 08°24'48" WEST, 2.33 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY, THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 12.99 FEET, SAID ARC BEING SUBSTITUTED BY A CHORD BEARING AND DISTANCE OF NORTH 05°13'25" EAST, 13.00 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 15°18'34" EAST, 15.33 FEET, THENCE NORTH 74°52'33" WEST, 58.02 FEET TO THE POINT OF BEGINNING, THENCE NORTH 15°04'05" EAST, 50.04 FEET, THENCE NORTH 74°00'00" WEST, 20.00 FEET, THENCE SOUTH 12°17'08" WEST, 20.00 FEET, THENCE SOUTH 74°52'33" EAST, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 400 SQUARE FEET, MORE OR LESS

SHEET 4 OF 4

JOB NO.	3014-283	<small>THIS MAP OR INSTRUMENT BEING THE RESULT OF A SURVEY MADE BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF ACCORDING TO THE PUBLIC STATUTES, I HEREBY CERTIFY THAT THE SAID SURVEY WAS MADE IN ACCORDANCE WITH THE SAID STATUTES AND THAT THE SAID INSTRUMENT IS A TRUE AND CORRECT REPRESENTATION OF THE SAID SURVEY.</small>
DRAWN BY	M.C.	
DATE	3-6-10	
SCALE	1"=200'	
CHECKED BY	<i>[Signature]</i>	 PROFESSIONAL SURVEYING ENGINEERS 101 W. 25th St. Tallahassee, Florida 32301 (904) 944-1111 www.clary.com

GUYTON, FLA. F.S.M. COURT NO. 8377

DRAINAGE EASEMENT

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

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER SECTION OF SECTION SAID 6; THENCE SOUTH 89°14'34" WEST, ALONG THE NORTHERLY LINE OF SAID SECTION 6, A DISTANCE OF 1220.08 FEET, TO THE SOUTHEASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2181, PAGE 1905 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE SOUTH 17°06'46" WEST, ALONG LAST SAID LINE, 315.18 FEET, TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1917, PAGE 919 OF SAID PUBLIC RECORDS; THENCE SOUTH 01°23'03" EAST, ALONG LAST SAID LINE, 378.12 FEET, TO THE NORTHWESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2181, PAGE 1908, OF SAID PUBLIC RECORDS; THENCE SOUTH 03°22'25" WEST, ALONG LAST SAID LINE, 459.34 FEET; THENCE NORTH 81°53'06" WEST, 230.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 81°53'06" WEST, 15.00 FEET; THENCE NORTH 08°06'54" EAST, 20.00 FEET; THENCE NORTH 81°53'06" WEST, 76.32 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 42.79 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 41°01'14" WEST, 39.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 00°09'21" WEST, 22.21 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 6.01 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 05°35'13" EAST, 6.00 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 11°19'48" EAST, 12.39 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 20.49 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 08°14'25" WEST, 20.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 27°48'39" WEST, 10.28 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 21.43 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 07°20'36" WEST, 20.98 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 13°07'27" EAST, 95.16 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG

AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 3.50 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 16°27'47" EAST, 3.49 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 19°48'08" EAST, 38.76 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 1.36 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 21°06'18" EAST, 1.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 22°24'28" EAST, 38.86 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 8.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 30°53'20" EAST, 8.85 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 39°22'12" EAST, 1.98 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 14.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 53°35'28" EAST, 14.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 67°48'43" EAST, 36.26 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 20.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 48°21'24" EAST, 19.98 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 28°54'05" EAST, 20.69 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 6.58 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 35°11'05" EAST, 6.57 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 41°28'04" EAST, 39.20 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 26.38 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 16°16'38" EAST, 25.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 08°54'49" WEST, 2.53 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 12.69 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°12'25" EAST, 12.60 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 15°19'38" EAST,

15.33 FEET; THENCE NORTH 74°50'59" WEST, 49.02 FEET; THENCE NORTH 15°09'05" EAST, 20.00 FEET; THENCE SOUTH 74°50'59" EAST, 49.08 FEET; THENCE NORTH 15°19'38" EAST, 8.63 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 12.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 27°03'10" EAST, 12.19 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 38°46'43" EAST, 30.66 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 73.22 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 71°18'10" EAST, 56.35 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 01°23'03" EAST, 83.03 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 180.00 FEET, AN ARC DISTANCE OF 14.95 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 00°59'41" WEST, 14.94 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 03°22'25" WEST, 384.27 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 49.61 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 50°44'40" WEST, 44.15 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 81°53'06" WEST, 76.32 FEET; THENCE SOUTH 08°06'54" WEST, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.133 ACRES, MORE OR LESS.

OUTFALL EASEMENT

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

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CONTAINING 400 SQUARE FEET, MORE OR LESS.

EXHIBIT "B" TO RESOLUTION

Recording: 6 86.50
Doc. stamps: 0.70
Int. tax: -
TOTAL: \$87.20

THIS INSTRUMENT WAS PREPARED BY AND,
AFTER RECORDING, RETURN TO:
Joel B. Giles, Esquire
Florida Bar No.: 350591
CARLTON FIELDS JORDEN BURT, P.A.
4221 West Boy Scout Boulevard, Suite 1000
Tampa, Florida 33607-5736
(813) 223-7000
(813) 229-4133 (Facsimile)
jgiles@CFJBlaw.com

DECLARATION OF JOINT-USE POND EASEMENT
(Tract 2, Phase 1)

THIS DECLARATION OF JOINT-USE POND EASEMENT (this "Declaration") is given as of the 23rd day of September, 2014, (the "Effective Date") by **BANNON DEVELOPMENT INC.**, a corporation organized and existing under the laws of the State of Delaware with its principal place of business at (and the mailing address of which is) 700 Ponte Vedra Lakes Boulevard, Ponte Vedra Beach, Florida 32082, ("Declarant") to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida with its principal place of business at (and the mailing address of which is) 500 San Sebastian View, St. Augustine, Florida 32084, ("St. Johns County") in reference to the following facts:

(A) Declarant is the owner of the real property in St. Johns County, Florida, more particularly described in Exhibit "A," which is attached hereto and, by this reference, made a part hereof, (the "Easement Property").

(B) Declarant desires to declare, establish, grant, convey, and reserve to and for St. Johns County, and St. Johns County's successors and assigns, easements for the construction, operation, and maintenance of a joint-use drainage and retention pond that meets the capacity requirements of St. Johns County, Florida, relative to the existing and planned improvements to Race Track Road and for ingress, egress, and access upon, over, and across the Easement Property for such purposes.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained in this Declaration, Ten and No/100ths Dollars (\$10.00), and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged by the parties hereto, the parties hereto hereby covenant and agree as follows:

(0)

1. **Recitals.** The statements contained in the recitals of fact set forth above (the "Recitals") are true and correct and the Recitals are, by this reference, made a part of this Declaration.

2. **Exhibits.** The exhibits attached to this Declaration are, by this reference, made a part of this Declaration.

3. **Definitions and Abbreviation.** The following terms are used in this Declaration as defined in this Section 3:

(a) The terms defined in the preamble of this Declaration are used in this Declaration as defined therein.

(b) The terms defined in the Recitals are used in this Declaration as defined therein.

4. **Declaration of Easements for Joint-Use Pond and for Ingress, Egress, and Access.** Declarant hereby declares, establishes, grants, conveys, and reserves to and for the benefit of St. Johns County, and St. Johns County's successors and assigns, non-exclusive easements upon, over, and across the Easement Property for the purposes of: (a) the construction, operation, and maintenance of a joint-use drainage and retention pond that meets the capacity requirements of St. Johns County, Florida, relative to the existing and planned improvements to Race Track Road; (b) for pedestrian and vehicular ingress, egress, and access for purposes of such construction, operation, and maintenance; and (c) other purposes incidental to the foregoing, but for no other purposes whatsoever.

5. **St. Johns County's Covenants.** St. Johns County, by the acceptance and use of the easements hereby granted, covenants and agrees to indemnify Declarant and hold Declarant harmless from and against any and all claims, demands, liabilities, losses, costs, or expenses arising from personal injuries or property damage resulting from St. Johns County's use of the Easement Property. The foregoing obligation to indemnify Declarant and hold Declarant harmless shall survive any termination of this Declaration.

6. **Platting and Dedication.** At such time as the Easement Property is platted by Declarant or Declarant's successors and assigns and the dedication thereof to St. Johns County, Florida, for the construction, operation, and maintenance of a joint-use pond, is accepted by St. Johns County, the easements hereby granted upon, over, and across the Easement Property shall terminate. Subject to the foregoing provision, the easements hereby granted shall be perpetual.

7. **Priority Over Liens.** The easements and other rights granted St. Johns County under this Declaration have priority over and are superior to any mortgages or other liens (excluding the lien for ad valorem real property taxes) that may encumber the Easement Property or any part thereof, and in no event shall the foreclosure of any mortgage or other lien encumbering all or any part of the Easement Property or any conveyance in lieu of foreclosure of any such mortgage or other lien terminate any easements and other rights granted St. Johns

County under this Declaration. Declarant represents and warrants to St. Johns County that no mortgage or other lien (excluding the lien for ad valorem real property taxes not yet due and payable) encumbers the Easement Property or any part thereof, and Declarant shall not grant or permit the granting of any mortgage or other lien on the Easement Property or any part thereof prior to the recordation of this Declaration in the public records of St. Johns County, Florida.

8. **Running of Benefits and Burdens.** The provisions of this Declaration and all easements established hereby shall constitute covenants running with, and shall be appurtenant to, the land affected. All provisions of this Declaration and all easements established hereby shall inure to the benefit of and be binding upon any party which has, or obtains, an interest in the benefited or burdened land. References herein to "Declarant" and "St. Johns County" shall refer to Declarant or St. Johns County and their respective successors and assigns, as the case may be. The interests created hereunder shall not merge and this Declaration shall continue in full force and effect notwithstanding the unity of fee simple title of the Dominant Parcels and the Easement Property.

9. **Not a Public Dedication.** Nothing contained in this Declaration shall be deemed to be a gift or dedication of any portion of the Easement Property to the general public, it being the intention of the parties that this Declaration and the grant and reservation set forth herein shall be strictly limited to and for the purposes herein expressed.

10. **Severability.** If any clause, sentence, or other portion of the terms, conditions, covenants, and restrictions of this Declaration become illegal, null, or void for any reason or are held by any court of competent jurisdiction to be so, the remaining portions hereof shall remain in full force and effect.

11. **Enforcement.** In the event of any violation or threatened violation of the provisions of this Declaration, the aggrieved party shall have the right to seek to enjoin such violation or threatened violation in a court of competent jurisdiction, in addition to any other remedies available at law or in equity, and the prevailing party in any action or proceeding shall recover from the other party any attorneys' fees and costs incurred in such action or proceeding, including, without limitation, attorneys' fees and costs in any trial, appellate, bankruptcy, and post-judgment proceedings.

12. **Entire Agreement; Amendment.** This Declaration contains all of the agreements and understandings of the parties with respect to the subject matter hereof. This Declaration may not be modified or amended in any respect whatsoever, or rescinded, in whole or in part, except with the consent of the Declarant, St. Johns County, and WINSLOW FARMS, LTD., a limited partnership organized and existing under the laws of the State of Florida, ("Winslow") and then only by a written instrument duly executed and acknowledged by Declarant, St. Johns County, and Winslow duly recorded in the public records of St. Johns County, Florida. Any owner of all or any portion of the Easement Property other than Declarant hereby is put on notice that this instrument may be modified or amended, for the purposes of complying with the requirements of any development order applicable to the Easement Property, or subordinated, released, or rescinded without the necessity of obtaining its consent. In addition to any other rights reserved herein, there is reserved to Declarant the right to amend this Declaration without the joinder and

consent of any owner of all or any portion of the Easement Property other than Declarant or any other party for the purpose of:

- (a) correcting scrivener's errors; and/or
- (b) complying with the laws, ordinances, rules, and regulations of the United States, the State of Florida, St. Johns County, and any other governmental authority having jurisdiction over the Easement Property.

13. Governing Law. This Declaration will be governed by and construed in accordance with the laws of the State of Florida.

(Signatures appear on following pages.)

IN WITNESS WHEREOF, the Parties have executed this Declaration, and shall be deemed to have executed the same, as of the day and year first above written.

WITNESSES:

[Signature]
(Sign on this line.)
Joel B. Giles
(Print name legibly on this line.)

[Signature]
(Sign on this line.)
Lynore J. Redding
(Print name legibly on this line.)

DECLARANT:

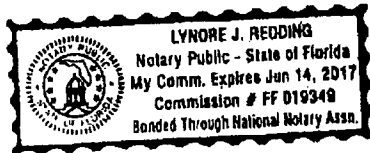
BANNON DEVELOPMENT INC.

By: [Signature]
J. THOMAS DODSON,
its President

(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 10th day of SEPTEMBER, 2014, by J. THOMAS DODSON, as President of BANNON DEVELOPMENT INC., a corporation organized and existing under the laws of the State of Delaware, on behalf of the corporation. He is personally known to me, ~~or has shown~~ _____ as identification.



[Signature]
(Sign on this line.)

(Print name legibly on this line.)

NOTARY PUBLIC, State of Florida

COMMISSION NO: _____
EXPIRATION DATE: _____

(SEAL)

EXHIBIT "A"

Easement Property

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

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE SOUTH 00°02'03" EAST, ALONG THE WESTERLY LINE OF SAID SECTION 6, A DISTANCE OF 253.54 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD (A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED); THENCE SOUTH 60°25'12" EAST, ALONG LAST SAID LINE, 1110.87 FEET; THENCE NORTH 29°34'48" EAST, 134.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 24°42'36" EAST, 69.25 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 235.00 FEET, AN ARC DISTANCE OF 104.45 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 11°58'35" EAST, 103.60 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 00°45'26" WEST, 252.73 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 47.12 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°14'34" EAST, 42.43 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 89°14'34" EAST, 184.88 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 58.41 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 34°58'43" EAST, 49.61 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 30.58 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°23'55" EAST, 29.27 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 11.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 26°40'06" EAST, 11.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 15°44'24" EAST, 44.35 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 11.22 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 26°27'10" EAST, 11.15 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 37°09'55" EAST, 31.22 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 4.40 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 32°57'59" EAST, 4.39 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 28°46'03" EAST, 18.98 FEET; THENCE SOUTH 27°19'51" EAST, 31.85 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 16.10

FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 11°57'29" EAST, 15.91 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 03°24'53" WEST, 14.90 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 3.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°09'30" WEST, 3.92 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 10°54'08" WEST, 22.80 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 3.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 13°59'32" WEST, 3.23 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 17°04'56" WEST, 31.86 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 9.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°41'41" WEST, 9.79 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 01°41'33" EAST, 29.21 FEET; THENCE SOUTH 04°45'06" EAST, 42.68 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 3.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°15'09" EAST, 3.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 11°45'12" EAST, 19.82 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 12.38 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 00°04'06" WEST, 12.29 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 11°53'25" WEST, 37.97 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 11.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 23°00'32" WEST, 11.57 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 34°07'40" WEST, 122.64 FEET TO THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 2087.83 FEET, AN ARC DISTANCE OF 61.32 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61°16'41" WEST, 61.32 FEET; THENCE NORTH 60°26'12" WEST, 129.88 FEET; THENCE NORTH 80°44'28" WEST, 106.89 FEET; THENCE NORTH 60°25'12" WEST, 3.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.38 ACRES, MORE OR LESS.

MAP SHOWING

LINE TABLE		
LINE	LENGTH	BEARING
L1	134.00'	N88°24'40"E
L2	69.23'	N84°42'36"E
L3	232.73'	N82°42'28"W
L4	184.88'	N89°14'34"E
L5	44.35'	S15°48'24"E
L6	31.82'	S37°09'39"E
L7	18.96'	S28°45'03"E
L8	31.85'	S27°19'51"E
L9	14.90'	S03°24'53"W
L10	22.80'	S10°34'08"W
L11	31.86'	S17°04'56"W
L12	29.21'	S01°41'33"E
L13	48.68'	S04°43'06"E
L14	19.82'	S11°43'12"E
L15	37.97'	S11°52'25"W
L16	122.64'	S34°07'49"W
L17	129.88'	N60°26'12"W
L18	106.89'	N80°44'28"W
L19	3.59'	N60°23'12"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	184.45'	235.00'	25°28'02"	103.60'	N11°58'35"E
C2	47.12'	30.00'	90°00'00"	42.43'	N44°18'34"E
C3	58.41'	30.00'	111°33'23"	48.61'	S34°58'43"E
C4	30.58'	30.00'	58°23'48"	29.27'	S08°23'00"E
C5	11.44'	30.00'	21°51'23"	11.37'	S26°40'06"E
C6	11.22'	30.00'	21°23'21"	11.15'	S26°27'10"E
C7	4.48'	30.00'	8°22'52"	4.39'	S02°57'59"E
C8	16.10'	30.00'	30°44'43"	15.91'	S11°57'23"E
C9	3.92'	30.00'	7°29'14"	3.92'	S07°09'36"W
C10	3.24'	30.00'	6°10'48"	3.23'	S13°01'32"W
C11	9.63'	30.00'	18°46'28"	9.78'	S07°41'41"W
C12	3.67'	30.00'	7°08'01"	3.66'	S08°15'09"E
C13	12.38'	30.00'	23°38'36"	12.29'	S00°04'06"W
C14	11.64'	30.00'	22°14'12"	11.57'	S23°21'32"W

SHEET 2 OF 3

JOB NO. 2014-417
 DRAFTER MJC
 DATE 9-12-14
 SCALE 1"=300'

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSERVATION, CHAPTER 19-17, FLSMRS. ADMINISTRATIVE CODE, PURSUANT TO SECTION 190.04(1), FLORIDA STATUTES, UNLESS OTHERWISE SHOWN ON THE STATE RECORDS.

THIS SURVEY, INSTRUMENT, PLAN OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL STAMP SEAL OF A FLORIDA LICENSED SURVEYOR AND NUMBER (CHAPTER 19-17, FLORIDA ADMINISTRATIVE CODE).



CHECKED BY: GREGORY B. CLARY, P.S.M. CRRT. NO. 3377

MAP SHOWING

A PORTION OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHN'S COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 8; THENCE SOUTH 00°02'03" EAST, ALONG THE WESTERLY LINE OF SAID SECTION 8, A DISTANCE OF 253.54 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD (A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED); THENCE SOUTH 80°25'12" EAST, ALONG SAID LINE, 1110.87 FEET; THENCE NORTH 28°34'48" EAST, 134.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 24°42'36" EAST, 89.25 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 235.00 FEET, AN ARC DISTANCE OF 104.45 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 11°58'35" EAST, 103.80 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 00°48'28" WEST, 282.73 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 47.12 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°4'34" EAST, 42.43 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 89°14'34" EAST, 184.88 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 58.41 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 34°58'43" EAST, 48.81 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 30.58 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°23'55" EAST, 28.27 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 11.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°40'08" EAST, 11.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 18°44'24" EAST, 44.38 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 11.22 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°27'10" EAST, 11.15 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 37°09'50" EAST, 31.22 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 4.40 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 32°57'59" EAST, 4.38 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 28°48'03" EAST, 18.98 FEET; THENCE SOUTH 27°19'31" EAST, 31.85 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 18.10 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 11°57'29" EAST, 18.91 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 03°24'53" WEST, 14.80 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 3.82 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°09'30" WEST, 3.93 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 10°04'08" WEST, 22.80 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 3.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 13°59'32" WEST, 3.23 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 17°04'08" WEST, 31.86 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 8.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°41'41" WEST, 9.78 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 01°41'33" EAST, 28.21 FEET; THENCE SOUTH 04°48'06" EAST, 42.88 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 3.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°15'09" EAST, 3.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 11°48'12" EAST, 19.82 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 12.38 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 00°04'08" WEST, 12.29 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 11°33'23" WEST, 37.87 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 11.84 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 23°00'32" WEST, 11.57 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 34°07'40" WEST, 122.64 FEET TO THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 2087.83 FEET, AN ARC DISTANCE OF 81.32 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 81°18'41" WEST, 81.32 FEET; THENCE NORTH 80°26'12" WEST, 122.88 FEET; THENCE NORTH 80°44'28" WEST, 108.89 FEET; THENCE NORTH 60°25'12" WEST, 3.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.38 ACRES, MORE OR LESS.

SHEET 3 OF 3

JOB NO. 2014-417
 DRAFTER NJC
 DATE 8-19-14
 SCALE 1"=300'

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND FORESTRY, DIVISION OF COUNTY AND CITY, TOWNSHIP ADMINISTRATIVE CODE, PLUMBING TO MEET THE FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND NOTED HEREON.
 THIS DRAWING, SHEET, PLAN OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL SCALED SEAL OF A LICENSED SURVEYOR AND NUMBER (CHAPTER 34-17, FLORIDA ADMINISTRATIVE CODE).

CHECKED BY: GREGORY B. CLARY, P.S.M. CERT. NO. 3377

EXHIBIT "C" TO RESOLUTION

Recording: _____
Doc. stamps: _____
Int. tax: _____
TOTAL: _____

THIS INSTRUMENT WAS PREPARED BY AND,
AFTER RECORDING, RETURN TO:
Joel B. Giles, Esquire
Florida Bar No.: 0350591
CARLTON FIELDS JORDEN BURT, P.A.
4221 W. Boy Scout Blvd., Suite 1000
Tampa, Florida 33607
(813) 223-7000
(813) 229-4133 (Facsimile)
JGiles@CFJBlaw.com

CERTIFICATE OF APPROVAL AND ACCEPTANCE

ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida with its principal place of business at (and the mailing address of which is) 500 San Sebastian View, St. Augustine, Florida 32084, ("St. Johns County") is the benefitted party under the following documents (collectively, the "Easements"):

1. Pond Easement 102D. Declaration of Joint-Use Pond Easement (Phase 1) given by BANNON DEVELOPMENT INC., ("Declarant") to St. Johns County dated June 4, 2014, and recorded June 13, 2014, in Official Records Book 3891, at page 1808, of the public records of St. Johns County, Florida; and

2. Pond Easement 102C. Declaration of Joint-Use Pond Easement (Tract 2, Phase 1) given by BANNON DEVELOPMENT INC., ("Declarant") to St. Johns County dated September 23, 2014, and recorded September 26, 2014, in Official Records Book 3934, at page 189, of the public records of St. Johns County, Florida.

The Easements have been approved and accepted by the Board of County Commissioners of St. Johns County, Florida, on this _____ day of _____, 2015.

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

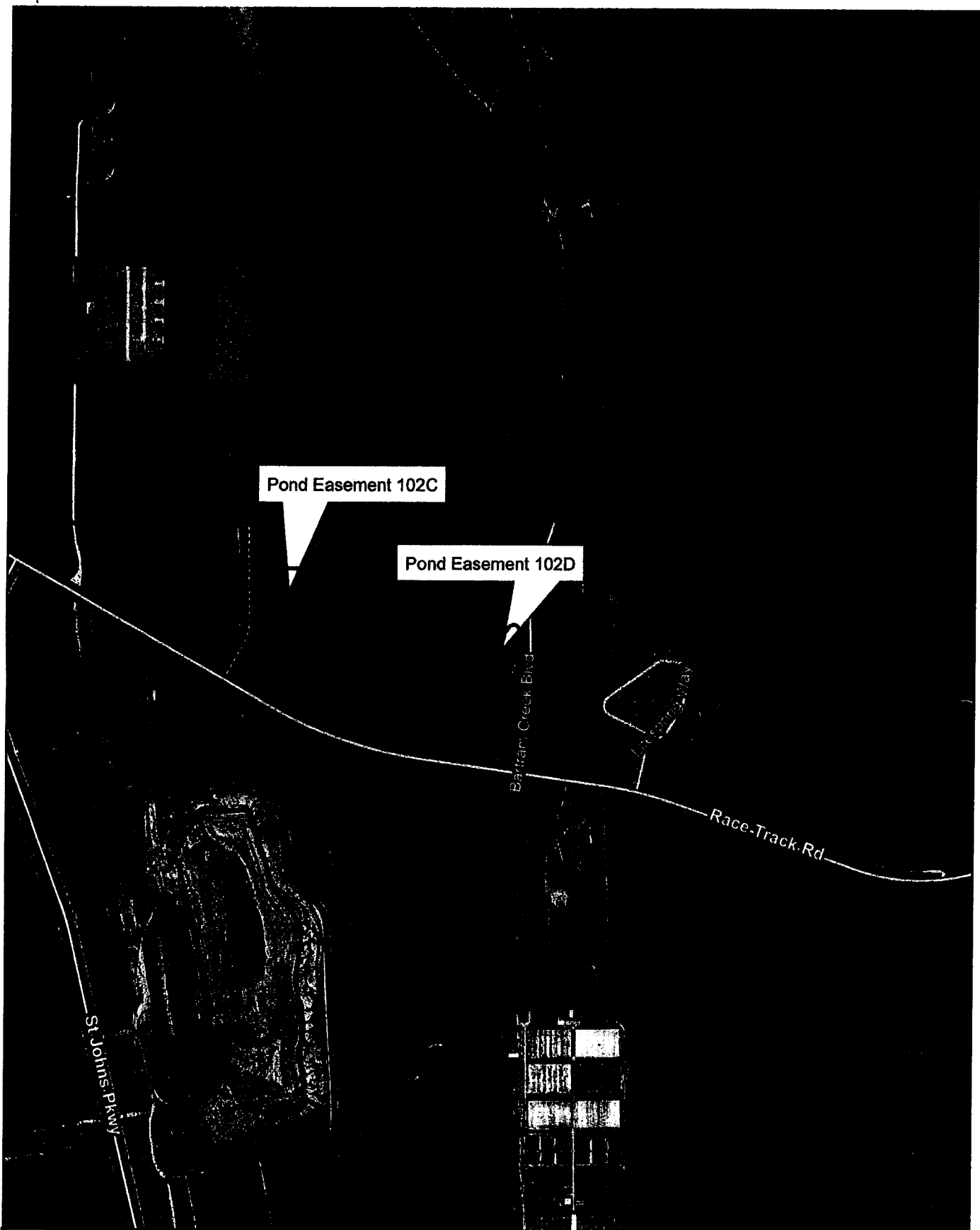
By: _____

Chair

ATTEST:
CHERYL STRICKLAND, CLERK

By: _____

Deputy Clerk



2013 Aerial Imagery
100 200 Feet
October 27, 2015

Race Track Road Improvements

Ponds 102C & 102D

Land Mgmt. Systems
Real Estate Division
209-0796

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.

