

RESOLUTION NO. 2019- 48

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FROM BRISA RESIDENCES, LLC., TO ST. JOHNS COUNTY AS REQUIRED IN THE CONCURRENCY AND IMPACT FEE CREDIT AGREEMENT FOR PROPERTY LOCATED ON LIGHTSEY ROAD.

RECITALS

WHEREAS, Brisa Residences, LLC., an Alabama limited liability company has executed and presented to St. Johns County a Special Warranty Deed, attached hereto as Exhibit "A," incorporated by reference and made a part hereof, conveying additional right-of-way along Lightsey Road; and

WHEREAS, this deed will satisfy a requirement of the Concurrency and Impact Fee Credit Agreement approved by the Board of County Commissioners on December 18, 2018 and recorded in Official Records Book 4656, page 1071; and

WHEREAS, it is in the best interest of the County to accept the Special Warranty Deed for the health, safety and welfare of its citizens.

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 Special Warranty Deed to satisfy the Concurrency and the Impact Fee Credit Agreement.

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 Special Warranty Deed in the Clerk's Office.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 19th day of February, 2019.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Paul M. Waldron
Paul M. Waldron, Chair

ATTEST: Hunter S. Conrad, Clerk

By: Sam Halterman
Deputy Clerk

RENDITION DATE 2/21/19



EXHIBIT "A" TO RESOLUTION

Prepared By/Record and Return To:
Ellen Avery Smith, Esquire
Rogers Towers, P.A.
100 Whetstone Place, Suite 200
St. Augustine, FL 32086

SPECIAL WARRANTY DEED

THIS INDENTURE is made this 2nd day of January, 2019, between **Brisa Residences, LLC**, an Alabama limited liability company, whose address is 500 Office Park Drive, Suite 215, Birmingham, Alabama 35223 ("Grantor"), and **St. Johns County, Florida**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 ("Grantee").

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to him in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the said Grantee, legal representatives, successors and assigns forever, the following described land (the "Land"), situate, lying and being in the County of St. Johns, State of Florida:

See **Exhibit "A"** attached hereto and by this reference made a part hereof.

Property Appraiser's Parcel ID Number: 101550-0000

together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to real estate taxes for the current year and subsequent years; and easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same.

To have and to hold the Property in fee simple forever.

Except as set forth herein, Grantor hereby warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

Grantor represents that Grantor does not now reside and has never resided on the Property and has never filed for homestead exemption with respect thereto.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in his/hers/its name, the day and year first above written.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in his/hers/its name, the day and year first above written.

Signed, sealed and delivered in the presence of:

Brisa Residences, LLC, an Alabama limited liability company

Emily R. Kirkpatrick
Print Name: Emily R. Kirkpatrick

By: Crest Brisa, LLC, an Alabama limited liability company, its Manager

Stacia B. Daniel
Print Name: Stacia B. Daniel

By: Matthew E. Berak
Name: Matthew E. Berak
Title: Manager

(CORPORATE SEAL)

STATE OF ALABAMA

COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this 24th day of January 2019, by Matthew E. Berak, as Manager of Crest Brisa, LLC, an Alabama limited liability company, in its capacity as Manager of Brisa Residences, LLC, an Alabama limited liability company, on behalf of said limited liability companies. (He/she (check one) is personally known to me, or has produced a valid driver's license as identification.



Justin D. Fingar
Print Name: Justin D. Fingar
Notary Public, State and County Aforesaid
My Commission Expires: 10/1/19
Commission Number: _____

EXHIBIT "A"



MAP SHOWING A SKETCH AND LEGAL DESCRIPTION OF:
 A PROPOSED RIGHT-OF-WAY RESERVATION
 BEING A PART OF GOVERNMENT LOT 1, SECTION 35, TOWNSHIP 7 SOUTH,
 RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING FURTHER BY THE
 LEGAL DESCRIPTION ATTACHED HEREON.

CERTIFIED AS BEING CORRECT TO:
 CREST RESIDENTIAL, LLC

LEGAL DESCRIPTION

PROPOSED RIGHT-OF-WAY-RESERVATION

ALL THAT CERTAIN TRACT OR STRIP OF LAND, BEING 10.00 FEET WIDE, AND LYING ADJACENT TO THE SOUTHERLY RIGHT-OF-WAY LINE OF LIGHTSEY ROAD (A VARIABLE WIDTH RIGHT-OF-WAY), BEING A PART OF GOVERNMENT LOT 1, SECTION 35, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTH-EAST CORNER OF SAID SECTION 35; THENCE, PROCEED SOUTH 00°27'19" WEST ALONG THE SAID EAST LINE OF SAID SECTION 35, A DISTANCE OF 587.81 FEET TO A POINT, BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LIGHTSEY ROAD (A 60 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED IN THIS AREA); THENCE, DEPARTING SAID SECTION LINE, CONTINUE SOUTH 74°11'47" WEST, ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF LIGHTSEY ROAD, A DISTANCE OF 358.74 FEET, TO THE POINT OF BEGINNING OF THE RESERVATION PARCEL; THENCE, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, CONTINUE SOUTH 00°30'00" EAST, ALONG THE EASTERLY LINE OF THE RESIDENTIAL PARCEL (OF WHICH THIS IS A PART) AS SHOWN IN OFFICIAL RECORDS BOOK 3332, PAGE 699, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, A DISTANCE OF 10.37 FEET; THENCE, DEPARTING THE SAID EASTERLY LINE, CONTINUE SOUTH 74°11'47" WEST, PARALLEL TO THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF LIGHTSEY ROAD, A DISTANCE OF 444.82 FEET TO AN ANGLE POINT ON SAID LINE; THENCE SOUTH 74°54'21" WEST, PARALLEL TO, AND TEN FEET SOUTHERLY OF THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF LIGHTSEY ROAD, A DISTANCE OF 513.11 FEET, TO AN INTERSECTION WITH THE WESTERLY LINE OF THE AFOREMENTIONED RESIDENTIAL PARCEL; THENCE CONTINUE NORTH 00°00'01" EAST, ALONG THE WESTERLY LINE OF THE SAID RESIDENTIAL PARCEL, A DISTANCE OF 10.36 FEET, TO AN INTERSECTION WITH THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF LIGHTSEY ROAD; THENCE CONTINUE NORTH 74°54'21" EAST, ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF LIGHTSEY ROAD, A DISTANCE OF 510.35 FEET TO AN ANGLE POINT ON SAID RIGHT-OF-WAY LINE; THENCE NORTH 74°11'47" EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 447.49 FEET, TO THE POINT OF BEGINNING.

SUBJECT PARCEL THUS DESCRIBED CONTAINS AN AREA OF 9578.87 SQUARE FEET, MORE OR LESS.

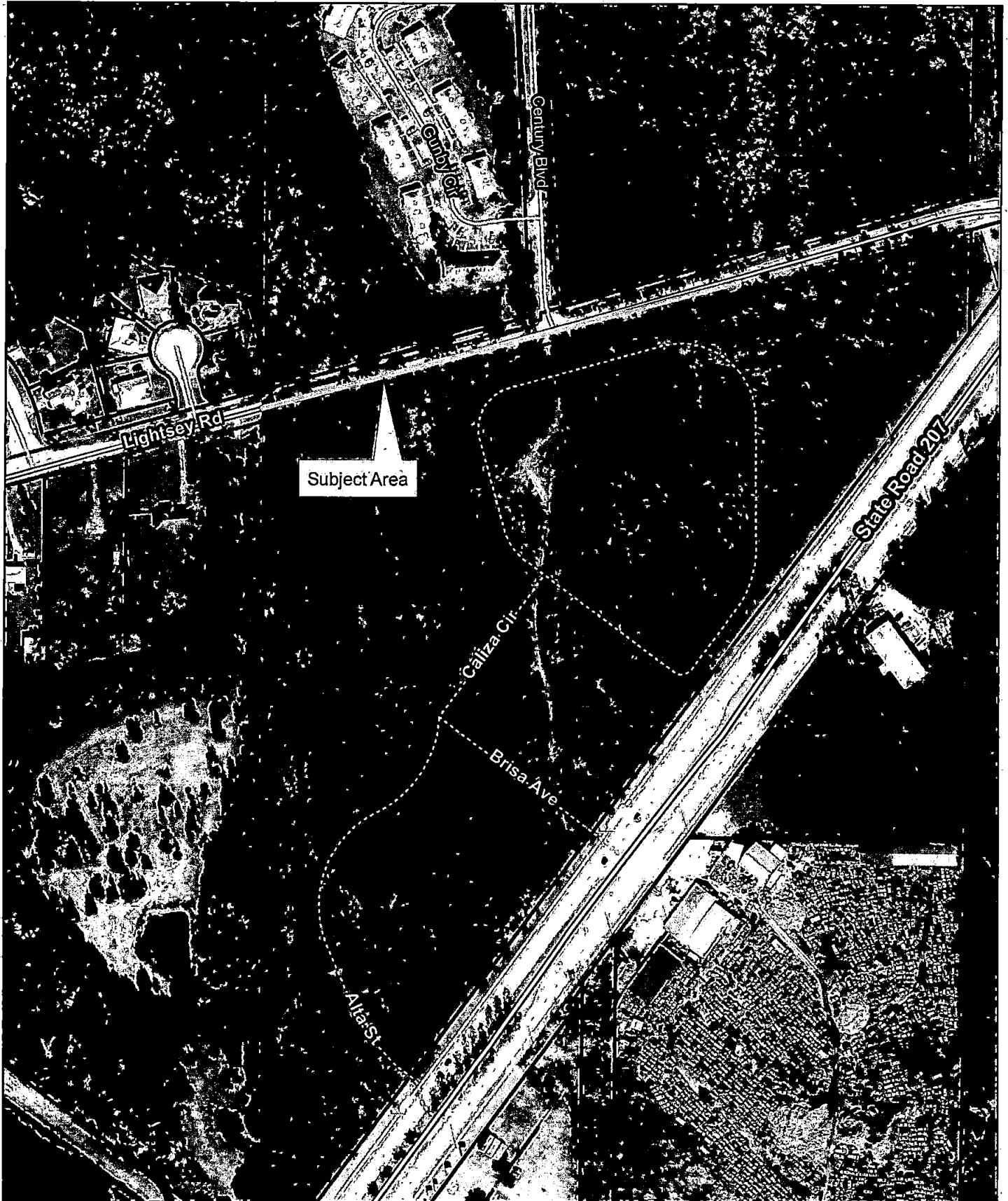
SURVEYOR'S REPORT & NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. ALL BOUNDARY INFORMATION PERTAINS TO A LEGAL DESCRIPTION OF THE PARCEL TRACT DESCRIBED IN OFFICIAL RECORDS BOOK 3332, PAGE 699, OF THE ST. JOHNS COUNTY, FLORIDA, PUBLIC RECORDS.

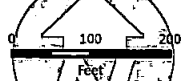
SHEET 1 OF 2

<p>ATLANTIC ~ GULF SURVEYING CO. LAND & ENGINEERING SURVEYS LICENSED BUSINESS NUMBER (L.B.) 0226 5738 TALLAHASSEE ROAD JACKSONVILLE, FLORIDA 32216 904-771-6112</p>		<p>ABBREVIATIONS: H HUB S SOUTH E EAST M MET C CONCRETE P PLASTER G GALVANIZED C.U. CITY OF S.E. SECTION T.P. TOWNSHIP R.C. RANGE P.R.C. PARCEL A.V.O. AREA C.O.M. CONDITION</p>
<p>LEGEND E SET IRON PIN OR PIPE O FOUND IRON PIN OR PIPE C SET CONCRETE MONUMENT S FOUND CONCRETE MONUMENT A TRAVERSE OR CONTROL POINT F FENCE AS NOTED</p>		<p>DATE 10/28/18 DATE OF SURVEY N/A FIELD BOOK N/A</p>
<p>I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS CHAPTER 46-17.001, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.</p> <p>10/28/2018</p> <p>BRIAN R. MARIE, P.S.M., FL. REG. # 4082</p>		<p>DATE 10/28/18 DATE OF SURVEY N/A FIELD BOOK N/A</p>

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL TAPES SEAL OF A FLORIDA LICENSED SURVEYOR AND SUPPORT THIS DRAWING, THESE PLANS OR MAPS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.



2016 Aerial Imagery



January 25, 2019

Lightsey Road Apartments

Additional Right-of-Way

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.

