

RESOLUTION NO. 2021- 159

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD, ON BEHALF OF THE COUNTY, TO EXECUTE A RELEASE OF PHOSPHATE, MINERALS, METALS AND PETROLEUM RESERVATIONS AND RELEASE RELATED RIGHTS OF ENTRY AND EXPLORATION SET FORTH IN COUNTY DEED.

RECITALS

WHEREAS, St. Johns County ("County") conveyed a parcel of land immediately west of and adjacent to Lot 103, Cypress Lakes Phase 1 Subdivision to William M. Winn in County Deed dated May 17, 2012 and recorded in Official Records Book 3565, page 1485, of the public records of St. Johns County, Florida; and

WHEREAS, pursuant to Florida Statute 270.11 (2) (b) there has been a written request to the County, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, to release the reservations in said County Deed; and

WHEREAS, said reservation, and in particular the right to mine and develop, is a cloud on the title which could prohibit the ability of the owner to obtain financing or convey clear title; and

WHEREAS, the execution of a Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release of Related Rights of Entry and Exploration document, attached hereto as Exhibit "B", incorporated by reference and made a part hereof, would remove the cloud on the title as requested.

NOW, THEREFORE BE 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 Board of County Commissioners hereby authorizes the Chair of the Board to execute a Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release Related Rights of Entry and Exploration document, on behalf of the County.

Section 3. The Clerk is instructed to record the original Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release Related Rights of Entry and Exploration document in the public records of St. Johns County, Florida.

Section 4. 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.

PASSED AND ADOPTED this 20th day of April, 2021.

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

By: *Jeremiah R. Blocker*
Jeremiah R. Blocker, Chair

ATTEST: Brandon J. Patty
Clerk of the Circuit Court & Comptroller

By: *Yvonne King*
Deputy Clerk

RENDITION DATE APR 22 2021



Gail Oliver, Land Management Systems Director
St. Johns County
500 San Sebastian View
St. Augustine FL 32084

RE: Reservations in County Deed
4821 Innisbrook Ct S
Elkton, FL 32033

Dear Mrs. Oliver:

Please consider this letter a request that St. Johns County release the phosphate, minerals, metals and petroleum reservation and release related rights of entry and exploration included in the County Deed dated May 17, 2012 and recorded in Official Records Book 3565, page 1485, of the public records of St. Johns County, Florida. Said reservations create a cloud on the title which could prohibit the ability to obtain financing or convey a clear title. Thank you for your consideration to this request.

Sincerely,



Sheri Miller
Processor
Watson Title Services of N. FL
904-436-1483
smiller@watsontitle.net

Prepared by:
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

RELEASE OF
PHOSPHATE, MINERALS, METALS AND PETROLEUM RESERVATIONS
AND
RELEASE OF RELATED RIGHTS OF ENTRY AND EXPLORATION

THIS RELEASE is made and given this ___ day of _____, 2021, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida ("County").

WITNESSETH:

WHEREAS, St. Johns County ("County") conveyed a portion of Section 16, Township 8 South, Range 29 East, St. Johns County, Florida, lying immediately west of and adjacent to Lot 103, Cypress Lakes Phase 1, as recorded in Map Book 22, pages 1 through 5, of the public records of said County to William M. Winn in County Deed dated May 17, 2012 and recorded in Official Records Book 3565, page 1485, of the public records of said County; and

WHEREAS, pursuant to Section 270.11(1), F.S. the County reserved certain phosphate, mineral, metals and petroleum rights; and

WHEREAS, pursuant to Section 270.11(2) (b), F.S. a petition has been submitted to the County for a release of said reservation which petition the County has approved.

KNOWN ALL MEN BY THESE PRESENTS: That the County, for and in consideration of mutual benefits, has released and by these presents does release unto the fee simple owners of record, their successors, heirs and assigns, the following reservation reserved in Official Records Book 3565, page 1485, to wit:

"RESERVING UNTO THE GRANTOR, its successors and/or assigns an undivided three-fourths interest in, and title in and to an undivided three-fourths interest in, all the phosphate, minerals and metals that are or may be in, on, or under the said land and an undivided one-half interest in all petroleum that is or may be in, or on, or under said land with the privilege to mine and develop the same."

IN WITNESS WHEREOF, the County has caused this Release to be executed in its name by its Board of County Commissioners acting by the Chair of the Board, the day and year aforesaid.

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

By: _____
Jeremiah R. Blocker, Chair

ATTEST: Brandon J. Patty
Clerk of the Circuit Court & Comptroller

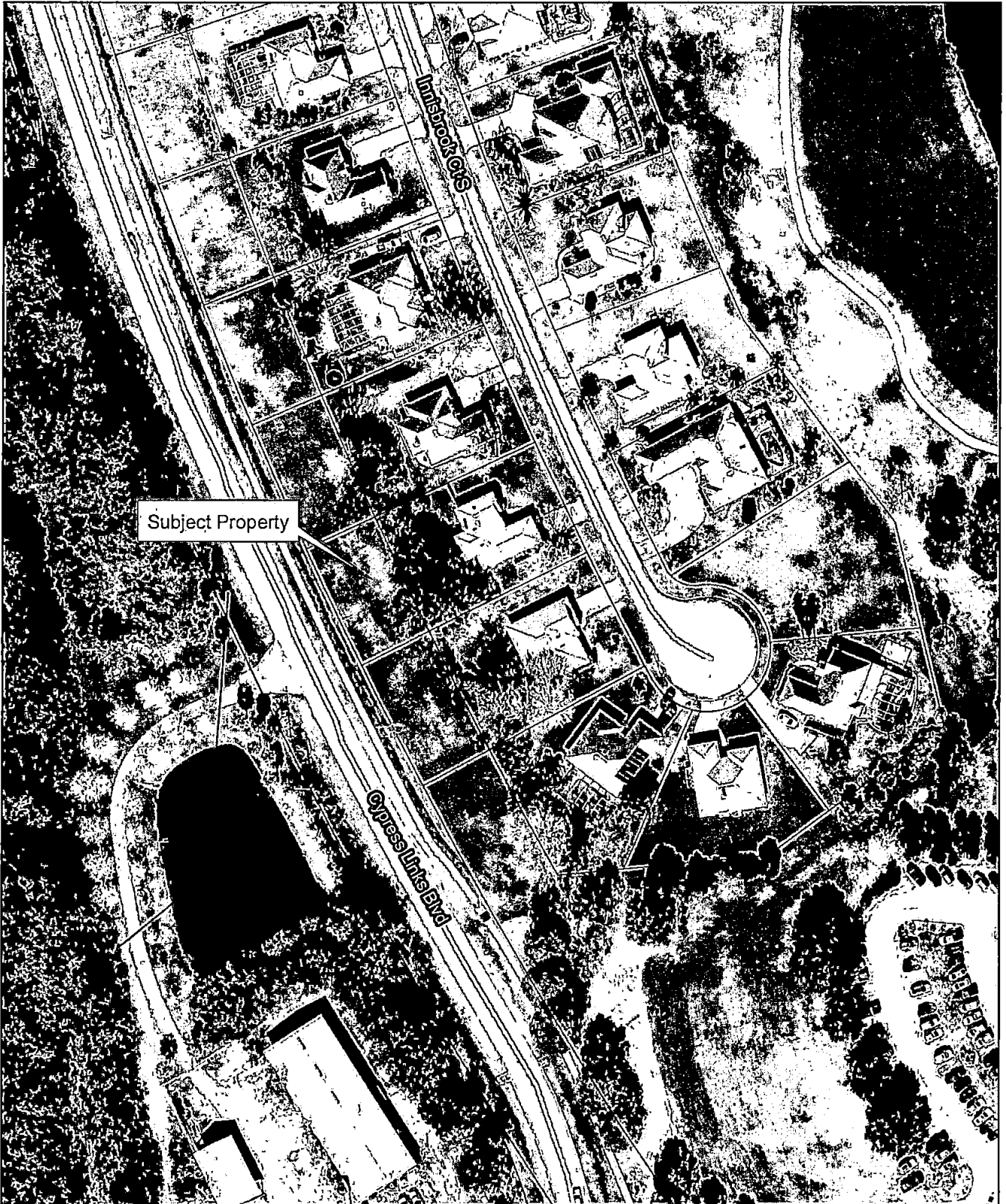
By: _____
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2021, by Jeremiah R. Blocker, as Chair for the Board of County Commissioners of St. Johns County, Florida.

Notary Public
My Commission Expires: _____

Personally Known or Produced Identification
Type of Identification Produced



Subject Property

Imperial Blvd

Cypress Lakes Blvd



2019 Aerial Imagery
March 23, 2021

*Release of Phosphate, Minerals, Metals and
Petroleum Reservations and Release of Related
Rights of Entry and Exploration
Property adjacent to Lot 103, Cypress Lakes
Phase 1*

Land Management
Systems
Real Estate
Division
(904) 209-0790

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
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of the data shown hereon.

