

1/18/94

RESOLUTION NO. 94-115
A RESOLUTION ACCEPTING THE CONVEYANCE OF CERTAIN
PRIVATELY-OWNED LANDS BY COUNTY FOR PUBLIC USE

WHEREAS, SJH Partnership, Ltd., a Florida limited partnership ("Applicant") is the owner and developer of certain lands constituting part of Saint Johns, a development of regional impact as approved under St. Johns County Development of Regional Impact Development Order (Resolution No. 91-130), as the same may be amended from time to time (the "DRI"); and

WHEREAS, the DRI provides that, as a condition to Applicant's development of certain lands, Applicant must obtain necessary funding, right-of-ways and governmental approvals for construction of a highway interchange and associated improvements (the "Interchange") at the intersection of Interstate Highway 95 and Nine Mile Road; and

WHEREAS, St. Johns County, Florida ("County") desires for the Interchange to be constructed and recognizes that the Interchange is a needed improvement to the County transportation system and will provide public benefit to the County. The DRI and the Interchange are included in County's proposed 2005 Comprehensive Plan, as submitted to the Florida Department of Community Affairs, as a project consistent with the goals and guidelines for future growth and development of St. Johns County; and

WHEREAS, construction of the Interchange requires appropriate permits and approvals of the Florida Department of Transportation ("FDOT") and the Federal Highway Administration ("FHWA"), and Applicant has obtained such permits and approvals following protracted negotiations; and

WHEREAS, construction of the Interchange in accordance with FDOT and FHWA permits and approvals requires Applicant's acquisition on behalf of FDOT of all necessary right-of-ways. Beginning in mid-1985, Applicant and its predecessors engaged in negotiations with various landowners to purchase the lands necessary for Interchange right-of-ways, and Applicant has now acquired all lands necessary to provide the right-of-ways for construction of the Interchange, except as to remaining lands currently vested in County as existing County right-of-ways, (collectively referred to herein as "County Interchange Lands"), and Applicant also has acquired such additional tracts as necessary to enable future relocation of such County right-of-ways as a result of construction of the Interchange (the "SJH County Right-of-Way Lands"); and

WHEREAS, Applicant has conveyed to FDOT all lands necessary to provide the right-of-ways for construction of the Interchange, except as to the County Interchange Lands, thereby vesting ownership of all lands abutting both sides of the County Interchange Lands in FDOT, except at two specific points; and

WHEREAS, County desires to cooperate with Applicant in providing to or obtaining on behalf of Applicant the necessary approvals, agreements and undertakings to enable Applicant to construct the Interchange, and to take such steps as may be required to vest ownership of the County Interchange Lands in FDOT and to acquire from Applicant such lands as may be necessary to provide right-of-ways for future construction of County roadways relocated as a result of construction of the Interchange; and

WHEREAS, the most efficient method of vesting ownership of the County Interchange Lands in FDOT is to vacate the County Interchange Lands, thus vesting title in FDOT as the

abutting landowner, except as to a specific parcel (herein referred to as Tract IV) that will become vested in County as the abutting landowner and a specific parcel (herein referred to as Tract V) that will become vested in Applicant as the abutting landowner; and

WHEREAS, Applicant and County have entered into an Option Agreement dated effective April 9, 1991, governing the respective rights and obligations of County and Applicant with respect to the transfer of the County Interchange Lands to FDOT through the process of vacation, and the conveyance of Tract IV and Tract V to FDOT; and

WHEREAS, pursuant to such Option Agreement, Applicant has submitted its Petition to vacate the County Interchange Lands; and

WHEREAS, this Board has passed a resolution vacating, abandoning, discontinuing and closing, and renouncing and disclaiming any right of the County and the public in and to, the County Interchange Lands; and

WHEREAS, in conjunction with such vacation of the County Interchange Lands, the Option Agreement provides for County's conveyance of Tract IV to FDOT for the purpose of incorporating Tract IV into the limited access right-of-way of the Interchange; and

WHEREAS, Applicant, joined by FDOT, has submitted its application to County requesting County to convey Tract IV to FDOT for nominal consideration, for use of such property for public purposes; and

WHEREAS, County has entered into a resolution approving the conveyance of Tract IV to FDOT for nominal consideration for use of such property for public purposes; and

WHEREAS, County has entered into a resolution approving the release of certain County oil, gas and mineral reservations in Tract IV in favor of FDOT for nominal consideration; and

WHEREAS, the Option Agreement provides that upon County's vacation of the County Interchange Lands, conveyance of Tract IV to FDOT and release of County's oil, gas and mineral reservations in Tract IV, Applicant shall convey to County fee simple title to the SJH County Right-of-Way Lands for nominal consideration; and

WHEREAS, pursuant to the Option Agreement, Applicant has deposited into escrow with Pappas Metcalf & Jenks, to be held in accordance with the Option Agreement, an executed Deed conveying the SJH County Right-of-Way Lands to County, to be released to County upon satisfaction of the conditions set forth in the Option Agreement; and

WHEREAS, the conditions set forth in the Option Agreement governing the release, delivery and recording of such Deed conveying the SJH County Right-of-Way Lands have been fully satisfied, and said Deed has been released and delivered to County for recording; and

WHEREAS, County now desires to accept conveyance of the SJH County Right-of-Way Lands as set forth in said Deed,

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

1.

That the conveyance to County of the following described lands, to-wit:

Legal description as per attached SCHEDULE "A"

as conveyed by SJH Partnership, Ltd., a Florida limited partnership, for nominal consideration by Statutory Warranty Deed, subject to the encumbrances described on attached SCHEDULE "B", is hereby accepted by County for public use.

2.

That any notice required for the adoption of this resolution is hereby authorized to be published.

3.

That Applicant shall pay all recording costs.

DATED this 14 day of June, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Alan Robert
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Ima Pratte
Deputy Clerk

SJH33

SCHEDULE A

PARCEL 101, PART "A"

A PART OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 11; THENCE SOUTH 89°32'10" WEST ALONG THE SOUTH LINE OF SAID SECTION 11 AND ALONG THE CENTERLINE OF NINE MILE ROAD, COUNTY ROAD S13A (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 1915.72 FEET; THENCE NORTH 00°27'50" WEST, A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID NINE MILE ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 89°32'10" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, A DISTANCE OF 688.05 FEET; THENCE NORTH 00°27'50" WEST, A DISTANCE OF 96.00 FEET; THENCE NORTH 89°11'12" EAST, A DISTANCE OF 165.01 FEET; THENCE SOUTH 79°57'27" EAST, A DISTANCE OF 531.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.947 ACRES MORE OR LESS.

PARCEL 101, PART "B"

A PART OF GOVERNMENT LOT 1, SECTION 14, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 14; THENCE SOUTH 89°32'10" WEST ALONG THE NORTH LINE OF SAID SECTION 14 AND ALONG THE CENTERLINE OF NINE MILE ROAD, COUNTY ROAD S13A (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 1820.67 FEET; THENCE SOUTH 00°27'50" EAST, A DISTANCE OF 33.00 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID NINE MILE ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 71°47'29" WEST, A DISTANCE OF 314.99 FEET; THENCE SOUTH 89°32'10" WEST, A DISTANCE OF 483.10 FEET; THENCE NORTH 00°27'50" WEST ALONG A LINE TO ITS INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, A DISTANCE OF 96.00 FEET; THENCE NORTH 89°32'10" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 783.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.395 ACRES MORE OR LESS.

PARCEL 101, PART "C"

A PART OF LOTS 1 AND 2 OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 14 OF SAID TOWNSHIP AND RANGE; THENCE NORTH $89^{\circ}32'10''$ EAST ALONG THE NORTH LINE OF SAID SECTION 14 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95, STATE ROAD NO. 9 (A 300 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 128.63 FEET; THENCE SOUTH $27^{\circ}32'59''$ EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 3998.32 FEET; THENCE SOUTH $61^{\circ}09'26''$ WEST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH $28^{\circ}21'52''$ WEST, A DISTANCE OF 1696.46 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 971.92 FEET AND A CENTRAL ANGLE OF $29^{\circ}47'04''$; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 505.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH $43^{\circ}15'24''$ WEST AND A CHORD DISTANCE OF 499.57 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH $58^{\circ}08'56''$ WEST, A DISTANCE OF 855.02 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 256.00 FEET AND A CENTRAL ANGLE OF $77^{\circ}21'10''$; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 345.62 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH $83^{\circ}10'29''$ WEST AND A CHORD DISTANCE OF 319.96 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH $44^{\circ}29'54''$ WEST, A DISTANCE OF 668.45 FEET; THENCE NORTH $45^{\circ}30'06''$ WEST, A DISTANCE OF 141.00 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, COUNTY ROAD S13A (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE NORTH $44^{\circ}29'54''$ EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, A DISTANCE OF 193.99 FEET; THENCE SOUTH $45^{\circ}30'06''$ EAST, A DISTANCE OF 49.00 FEET; THENCE NORTH $44^{\circ}27'56''$ EAST, A DISTANCE OF 294.37 FEET; THENCE NORTH $47^{\circ}55'55''$ EAST, A DISTANCE OF 200.39 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 336.00 FEET AND A CENTRAL ANGLE OF $73^{\circ}55'09''$; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 433.48 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH $84^{\circ}53'30''$ EAST AND A CHORD DISTANCE OF 404.04 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH $58^{\circ}08'56''$ EAST, A DISTANCE OF 855.81 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1051.92 FEET AND A CENTRAL ANGLE OF $11^{\circ}49'20''$; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 217.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH $52^{\circ}14'17''$ EAST AND A CHORD DISTANCE OF 216.65 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD; THENCE SOUTH $27^{\circ}32'59''$ EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD, A DISTANCE OF 2021.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.081 ACRES MORE OR LESS.

PARCEL 101, PART "D"

A PART OF LOT 2 OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 14 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 89°32'10" EAST ALONG THE NORTH LINE OF SAID SECTION 14 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95, STATE ROAD NO. 9 (A 300 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 128.63 FEET; THENCE SOUTH 27°32'59" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE TO ITS INTERSECTION WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, COUNTY ROAD S13A (A RIGHT-OF-WAY LINE OF VARYING WIDTH), A DISTANCE OF 701.62 FEET; THENCE SOUTH 60°09'09" WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, A DISTANCE OF 752.14 FEET; THENCE SOUTH 62°26'19" WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 15.32 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1185.11 FEET AND A CENTRAL ANGLE OF 17°56'25"; THENCE SOUTHWESTERLY CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 371.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 53°28'07" WEST AND A CHORD DISTANCE OF 369.56 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 44°29'54" WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 204.46 FEET; THENCE SOUTH 45°30'06" EAST, A DISTANCE OF 17.00 FEET; THENCE SOUTH 44°29'54" WEST, CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 176.42 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 44°29'54" WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1580.38 FEET; THENCE NORTH 39°46'13" EAST, LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 606.37 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 3531.68 FEET AND A CENTRAL ANGLE OF 04°43'41"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 291.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 42°08'03" EAST AND A CHORD DISTANCE OF 291.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 44°29'54" EAST, A DISTANCE OF 484.97 FEET; THENCE NORTH 45°30'06" WEST, A DISTANCE OF 81.00 FEET; THENCE NORTH 44°29'54" EAST, A DISTANCE OF 199.99 FEET; THENCE SOUTH 45°30'06" EAST, A DISTANCE OF 143.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.081 ACRES MORE OR LESS.

SCHEDULE B**As to Parcel 101, Part "A"**

1. Grant of Access recorded in Official Records Book 837, page 825 and Official Records Book 837, page 834, all of the public records of St. Johns County, Florida.
2. Restrictions recorded in Official Records Book 819, page 1538, partially released in Official Records Book 953, page 17, all of the public records of St. Johns County, Florida.
3. Corrective Escrow Agreement recorded in Official Records Book 1051, Page 1359.
4. Real estate taxes for the year 1994.

As to Parcel 101, Part "B"

1. Corrective Escrow Agreement recorded in Official Records Book 1051, Page 1359.
2. Real estate taxes for the year 1994.

As to Parcel 101, Part "C"

1. Restrictions recorded in Official Records Book 814, page 1420 of the public records of St. Johns County, Florida.
2. Rights of access recorded in Official Records Book 837, page 825 and Official Records Book 837, page 834, all of the public records of St. Johns County, Florida.
3. Corrective Escrow Agreement recorded in Official Records Book 1051, Page 1359.
4. Real estate taxes for the year 1994.

As to Parcel 101, Part "D"

1. Right of access as recorded in Official Records Book 837, page 834 of the public records of St. Johns County, Florida.
2. Corrective Escrow Agreement recorded in Official Records Book 1051, Page 1359.
3. Real estate taxes for the year 1994.

Recorded in Public Records St. Johns County, FL
Clerk # 94021521 O.R. 1059 PG 1524 09:52AM 06-22-94
Recording 25.00 Surcharge 3.50 Doc Stamp 402.50



6 Rec 2513
doc 402.50

THIS INDENTURE made this 21 day of June
A.D., 1994, between **SJH PARTNERSHIP, LTD.**, a Florida limited
partnership, as party of the first part, and **ST. JOHNS COUNTY,**
FLORIDA, a political subdivision of the State of Florida, as party
of the second part.

WITNESSETH, that the said party of the first part, for and in
consideration of the sum of One Dollar and other valuable
consideration, paid, receipt of which is hereby acknowledged, does
hereby grant, bargain, sell, and convey unto the party of the
second part, its successors and assigns, the following described
land, situate, lying and being in the County of St. Johns, State of
Florida, to-wit:

SECTION _____ STATE ROAD _____ ST. JOHNS COUNTY

PARCEL 101, PART "A"

A PART OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS
COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A
POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SAID
SECTION 11; THENCE SOUTH 89°32'10" WEST ALONG THE SOUTH LINE OF
SAID SECTION 11 AND ALONG THE CENTERLINE OF NINE MILE ROAD, COUNTY
ROAD S13A (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE
OF 1915.72 FEET; THENCE NORTH 00°27'50" WEST, A DISTANCE OF 33.00
FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID NINE
MILE ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 89°32'10" WEST
ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, A
DISTANCE OF 688.05 FEET; THENCE NORTH 00°27'50" WEST, A DISTANCE OF
96.00 FEET; THENCE NORTH 89°11'12" EAST, A DISTANCE OF 165.01 FEET;
THENCE SOUTH 79°57'27" EAST, A DISTANCE OF 531.96 FEET TO THE POINT
OF BEGINNING.

CONTAINING 0.947 ACRES MORE OR LESS.

SUBJECT TO:

1. Grant of Access recorded in Official Records Book 837,
page 825 and Official Records Book 837, page 834, all of the public
records of St. Johns County, Florida.

2. Restrictions recorded in Official Records Book 819, page
1538, partially released in Official Records Book 953, page 17, all
of the public records of St. Johns County, Florida.

In R. J. Pappas & Metten H
300 W. Forsyth St Suite 1900
Jacksonville, FL 32202

3. Corrective Escrow Agreement recorded in Official Records Book 1051, page 1359 of the public records of St. Johns County, Florida.

4. Real estate taxes for the year 1994.

ALSO:

PARCEL 101, PART "B"

A PART OF GOVERNMENT LOT 1, SECTION 14, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 14; THENCE SOUTH 89°32'10" WEST ALONG THE NORTH LINE OF SAID SECTION 14 AND ALONG THE CENTERLINE OF NINE MILE ROAD, COUNTY ROAD S13A (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 1820.67 FEET; THENCE SOUTH 00°27'50" EAST, A DISTANCE OF 33.00 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID NINE MILE ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 71°47'29" WEST, A DISTANCE OF 314.99 FEET; THENCE SOUTH 89°32'10" WEST, A DISTANCE OF 483.10 FEET; THENCE NORTH 00°27'50" WEST ALONG A LINE TO ITS INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, A DISTANCE OF 96.00 FEET; THENCE NORTH 89°32'10" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 783.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.395 ACRES MORE OR LESS.

SUBJECT TO:

1. Corrective Escrow Agreement recorded in Official Records Book 1051, page 1359 of the public records of St. Johns County, Florida.

2. Real estate taxes for the year 1994.

ALSO:

PARCEL 101, PART "C"

A PART OF LOTS 1 AND 2 OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 14 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 89°32'10" EAST ALONG THE NORTH LINE OF SAID SECTION 14 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95, STATE ROAD NO. 9 (A 300 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 128.63 FEET; THENCE SOUTH 27°32'59" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 3998.32 FEET; THENCE SOUTH 61°09'26" WEST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 28°21'52"

WEST, A DISTANCE OF 1696.46 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 971.92 FEET AND A CENTRAL ANGLE OF 29°47'04"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 505.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 43°15'24" WEST AND A CHORD DISTANCE OF 499.57 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 58°08'56" WEST, A DISTANCE OF 855.02 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 256.00 FEET AND A CENTRAL ANGLE OF 77°21'10"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 345.62 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 83°10'29" WEST AND A CHORD DISTANCE OF 319.96 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 44°29'54" WEST, A DISTANCE OF 668.45 FEET; THENCE NORTH 45°30'06" WEST, A DISTANCE OF 141.00 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, COUNTY ROAD S13A (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE NORTH 44°29'54" EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, A DISTANCE OF 193.99 FEET; THENCE SOUTH 45°30'06" EAST, A DISTANCE OF 49.00 FEET; THENCE NORTH 44°27'56" EAST, A DISTANCE OF 294.37 FEET; THENCE NORTH 47°55'55" EAST, A DISTANCE OF 200.39 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 336.00 FEET AND A CENTRAL ANGLE OF 73°55'09"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 433.48 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 84°53'30" EAST AND A CHORD DISTANCE OF 404.04 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 58°08'56" EAST, A DISTANCE OF 855.81 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1051.92 FEET AND A CENTRAL ANGLE OF 11°49'20"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 217.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 52°14'17" EAST AND A CHORD DISTANCE OF 216.65 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD; THENCE SOUTH 27°32'59" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD, A DISTANCE OF 2021.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.081 ACRES MORE OR LESS.

SUBJECT TO:

1. Restrictions recorded in Official Records Book 814, page 1420 of the public records of St. Johns County, Florida.
2. Rights of access recorded in Official Records Book 837, page 825 and Official Records Book 837, page 834, all of the public records of St. Johns County, Florida.
3. Corrective Escrow Agreement recorded in Official Records Book 1051, page 1359 of the public records of St. Johns County, Florida.

4. Real estate taxes for the year 1994.

ALSO:

PARCEL 101, PART "D"

A PART OF LOT 2 OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 14 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 89°32'10" EAST ALONG THE NORTH LINE OF SAID SECTION 14 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95, STATE ROAD NO. 9 (A 300 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 128.63 FEET; THENCE SOUTH 27°32'59" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE TO ITS INTERSECTION WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, COUNTY ROAD S13A (A RIGHT-OF-WAY LINE OF VARYING WIDTH), A DISTANCE OF 701.62 FEET; THENCE SOUTH 60°09'09" WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD, A DISTANCE OF 752.14 FEET; THENCE SOUTH 62°26'19" WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 15.32 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1185.11 FEET AND A CENTRAL ANGLE OF 17°56'25"; THENCE SOUTHWESTERLY CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 371.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 53°28'07" WEST AND A CHORD DISTANCE OF 369.56 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 44°29'54" WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 204.46 FEET; THENCE SOUTH 45°30'06" EAST, A DISTANCE OF 17.00 FEET; THENCE SOUTH 44°29'54" WEST, CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 176.42 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 44°29'54" WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1580.38 FEET; THENCE NORTH 39°46'13" EAST, LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 606.37 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 3531.68 FEET AND A CENTRAL ANGLE OF 04°43'41"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 291.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 42°08'03" EAST AND A CHORD DISTANCE OF 291.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 44°29'54" EAST, A DISTANCE OF 484.97 FEET; THENCE NORTH 45°30'06" WEST, A DISTANCE OF 81.00 FEET; THENCE NORTH 44°29'54" EAST, A DISTANCE OF 199.99 FEET; THENCE SOUTH 45°30'06" EAST, A DISTANCE OF 143.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.081 ACRES MORE OR LESS.

SUBJECT TO:

1. Corrective Escrow Agreement recorded in Official Records Book 1051, page 1359 of the public records of St. Johns County, Florida.

2. Right of access as recorded in Official Records Book 837, page 834, of the public records of St. Johns County, Florida.

3. Real estate taxes for the year 1994.

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereto belonging or in anywise incident or appertaining forever; and the said party of the first party does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, said party of the first part has hereunto set its hand and seal by and through its authorized representative the date first above written.

Signed, sealed and delivered in the presence of:

SJH PARTNERSHIP, LTD., a Florida limited partnership

By: ~~St. Johns Harbour, Inc., a Florida corporation, its general partner~~

By: Louis Baioni, President
Address: 3797 New Getwell Road
Memphis, Tennessee 38118

(Corporate Seal)

William H. Stubblefield
(Print Name) William H. Stubblefield

Russel L. Cherry
(Print Name) Russel L. Cherry

ATTEST:

By: William H. Stubblefield
Secretary

STATE OF Tennessee }
 } SS
COUNTY OF Shelby }

O.R. 1059 PG 1529

The foregoing instrument was acknowledged before me this 23rd day of December, 1993, by LOUIS BAIONI, president of St. Johns Harbour, Inc., a Florida corporation, general partner of SJH Partnership, Ltd., a Florida limited partnership.

Darlene Swanson
(Print Name Darlene Swanson)
NOTARY PUBLIC
State of Tennessee at Large
Commission # _____
My Commission Expires:
My Commission Expires Oct. 16, 1994
Personally known or
Produced I.D. _____
[check one of the above]

Type of Identification Produced
