

RESOLUTION NO. 96 -111

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ACCEPTING A SPECIAL WARRANTY DEED CONVEYING THE TURNBULL CREEK PARCEL TO ST. JOHNS COUNTY PURSUANT TO THE ST. JOHNS DRI DEVELOPMENT ORDER.

WHEREAS, to accommodate recreational needs of the future residents of the St. Johns Project as well as the recreational needs of surrounding residents, a specific condition of the St. Johns Development Order approved by St. Johns County Resolution No. 91-130, designated a portion of the Turnbull Creek Parcel specifically for use as a community park; and

WHEREAS, the Developer has granted a conservation easement to the St. Johns River Water Management District over the wetland portion of the parcel as also required by the Development Order; and

WHEREAS, the conservation easement encompasses approximately 382 acres of the Turnbull Creek Parcel and the remaining approximately 72 acres of the Turnbull Creek Parcel is an upland site at the southern extreme of the property which is available for use as a community park by St. Johns County.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

Section 1. The County accepts the Warranty Deed attached hereto as Exhibit "A", incorporated by reference and made a part hereof, subject to the previously recorded Conservation Easement.

Section 2. The clerk is instructed to record the Warranty Deed in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 25 day of June, 1996.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Its Chair, Donald Jordan

ATTEST: CARL "BUD" MARKEL, CLERK

By: 
Deputy Clerk

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THIS DOCUMENT PREPARED
BY AND RETURN TO:

GARY B. DAVENPORT, ESQUIRE
PAPPAS METCALF & JENKS, P.A.
200 WEST FORSYTH STREET
SUITE 1400
JACKSONVILLE, FL 32202-4327

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made effective the 25th day of June, 1996, by and between **DUNAVANT ENTERPRISES, INC.**, a Tennessee corporation, having an address of 3997 New Getwell Road, Memphis, Tennessee 38118, a Florida limited partnership (the "Grantor") and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is % Clerk of Courts, Post Office Drawer 349, St. Augustine, Florida 32085 (the "Grantee").

WITNESSETH: That Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns, forever, the real property located in St. Johns County, Florida, more particularly described in Exhibit "A" (the "Property"). The Property is subject to that certain Deed of Conservation Easement recorded in Official Records Book 1166, page 503 of the public records of St. Johns County, Florida (the "Conservation Easement"). Grantor hereby grants to Grantee all reserved rights of Grantor under the Conservation Easement.

In consideration of the conveyance evidenced by this Special Warranty Deed, Grantor hereby establishes, declares and prescribes that the Property shall be owned, held, transferred and conveyed subject to covenants, conditions, restrictions and reservations as set forth in this paragraph. The Property shall be used by Grantee for public recreational purposes and other public uses which will not intervene with said recreational purposes in accordance with the provisions of the Saint Johns DRI Development Order approved by Resolution No. 91-130 of the St. Johns County Board of County Commissioners (the "Board") as amended by the Board in Resolution No. 91-183, Resolution No. 94-211 and Resolution No. 95-06. The covenants, conditions, restrictions and reservations set forth in this paragraph shall apply to the Property in perpetuity, unless mutually released by Grantor and Grantee.

This Deed is subject to all matters set forth on Exhibit "B" attached hereto and made a part of this Deed.

9252.2
06/04/96

Handwritten:
D. Carter - Y. Carter
Rec - 17.00
Sur - 2.50
Doc -

A PART OF GOVERNMENT LOTS 15, 16 AND 17, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, AND THAT PART OF GOVERNMENT LOT 17 LYING IN SECTION 41, TOWNSHIP 7 SOUTH, RANGE 28 EAST ALL LYING IN ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SCAFF ROAD, AS RECORDED IN OFFICIAL RECORDS VOLUME 845, PAGE 1083 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT LYING ON THE WESTERLY LINE OF SAID GOVERNMENT LOT 17, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST; THENCE NORTH 19°05'30" EAST ALONG SAID WESTERLY LINE OF GOVERNMENT LOT 17, A DISTANCE OF 30.17 FEET TO THE POINT OF BEGINNING; THENCE NORTH 19°05'30" EAST CONTINUING ALONG SAID WESTERLY LINE OF GOVERNMENT LOT 17, A DISTANCE OF 359.48 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 71°48'11" WEST ALONG THE SOUTHWESTERLY LINE OF GOVERNMENT LOT 15 TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF THE ANDRES PACETTI GRANT, SECTION 37, A DISTANCE OF 776.07 FEET TO A SET 1/2 INCH REBAR; THENCE NORTH 88°23'17" EAST ALONG SAID SOUTH LINE OF SECTION 37, A DISTANCE OF 1631.87 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 00°58'56" WEST ALONG THE EASTERLY LINE OF SAID SECTION 37, A DISTANCE OF 5070.70 FEET TO A SET 1/2 INCH REBAR; THENCE SOUTH 72°25'05" EAST ALONG THE NORTHEASTERLY LINE OF SAID GOVERNMENT LOTS 15 AND 16, A DISTANCE OF 4655.46 FEET TO A FOUND CONCRETE MONUMENT; THENCE SOUTH 18°51'53" WEST, A DISTANCE OF 4033.56 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 72°14'54" WEST A DISTANCE OF 988.77 FEET TO A FOUND CONCRETE MONUMENT; THENCE SOUTH 19°07'16" WEST ALONG A LINE TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN SAID GOVERNMENT LOTS 16 AND 17, A DISTANCE OF 1342.37 FEET TO A FOUND CONCRETE MONUMENT; THENCE SOUTH 72°08'34" EAST ALONG SAID DIVISION LINE BETWEEN GOVERNMENT LOTS 16 AND 17, A DISTANCE OF 1941.01 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 76°29'14" WEST ALONG THE EASTERLY PROLONGATION OF THE CENTERLINE OF SAID SCAFF ROAD, A DISTANCE OF 4653.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 454.55 ACRES MORE OR LESS.

EXHIBIT "B"

Permitted Exceptions

1. Deed of Conservation Easement between Dunavant Enterprises, Inc. and the St. Johns River Water Management District recorded in Official Records Book 1166, page 503, of the public records of St. Johns County, Florida.

2. Taxes for the year 1996 and subsequent years.

3. Notification of DRI/Development Order recorded in Official Records Book 922, page 219, as modified by Notice of DRI/Development Order Modification recorded in Official Records Book 1091, page 1119, both of the public records of St. Johns County, Florida.

4. Access to the Property is by private road as evidenced by Official Records Book 845, page 1092, public records of St. Johns County, Florida.