

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, MAKING FINDINGS OF FACT AND CONVEYING TO THE PARKS & RECREATION FOUNDATION OF NORTHEAST ST. JOHNS COUNTY, INC., THE RIGHT, UNDER CERTAIN TERMS AND CONDITIONS, TO NAME CERTAIN FACILITIES THAT ARE OR WILL BE CONSTRUCTED ON THE COUNTY'S NEW PARK IN NORTHEAST ST. JOHNS COUNTY.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. The Board of County Commissioners of St. Johns County, Florida (the "Board") hereby finds and determines the following:

A. The Parks & Recreation Foundation Of Northeast St. Johns County, Inc. (the "Foundation") is a Florida not for profit corporation and an organization that is described in section 501(c)(3) of the Internal Revenue Code and is exempt from federal income tax under section 501(a) of said code.

B. The Articles of Incorporation of the Foundation contain the following provision:

The Company is organized exclusively for construction and equipping of parks and recreation facilities for use by the general public, including but not limited to, the following:

(a) constructing and equipping parks and recreational facilities in Northeast St. Johns County (including athletic facilities, such as soccer fields, baseball diamonds, football fields, and similar facilities and all accessory equipment and facilities necessary to the operation thereof, such as restrooms, bleachers, playground equipment, refreshment stands, athletic equipment and related items) for use by the public at large, including children;

(b) establishing scholarships for children which will allow them to engage in recreational and athletic programs carried out on such parks and recreational facilities; and

(c) doing and performing such other acts and other things as shall assure to residents of Northeast St. Johns County

and particularly their children, adequate facilities and space to engage in recreational, athletic and sports activities.

The Foundation is organized for the purpose of promoting community interest and welfare.

C. St. Johns County has recently acquired approximately 132± acres in Northeast St. Johns County as a gift from D.D.I., Inc. and is in the process of developing those lands into a public park and recreation area (the “Northeast Park”). The Board is in need of additional non ad valorem revenues to help develop the Northeast Park.

D. The Foundation has applied to the Board for the right to name various unnamed ball fields, recreation areas and certain facilities that have been, or will be, constructed in the Northeast Park. The Foundation has advised the Board in its application that the Foundation would like to be able to solicit donations to the Foundation and in return for certain of those donations to name (or to cause the Board to name) any unnamed ball field, recreation area and/or certain unnamed facilities in the Northeast Park a name that is requested by the donor. The Foundation has also advised the Board that it will then donate at least 95% of each such name donation (“Name Donation”) to the County to be used by the County for capital expenditures, reimbursement of capital expenditures and/or payment on County debt incurred for capital expenditures in connection with constructing, improving, and equipping the Northeast Park (collectively, the “Northeast Park Capital Expenditures”). A copy of that application is attached hereto and incorporated herein as **Exhibit A**.

E. Section 125.38, Florida Statutes, authorizes the Board under certain conditions, to convey “any real or personal property that may be owned by” the County or the Board to not for profit corporations. The term “property” is sufficiently comprehensive to include every species of estate, both real and personal, and everything that one person can own and transfer to another. The right to name the ball fields, recreation areas and facilities located on the County’s parks constitutes property that the County may convey pursuant to Section 125.38, Florida Statutes.

F. When conveyed in the manner hereinafter described, the right to name the unnamed ball fields, recreation areas and Facilities, as the term Facilities is hereinafter defined, that are, or will be, located on the Northeast Park (hereinafter referred to as “The Right To Name”) is not needed for County purposes.

Section 2. In consideration for the promise of the Foundation to pay the County at least 95% of each Name Donation that the Foundation receives and accepts, the Board hereby conveys to the Foundation for 5 years from the date of this resolution an unexclusive right to name any unnamed ball field, recreation area and/or Facility in the Northeast Park that the Foundation and the Name Donation donor identify and agree upon as an inducement or reward

for a Name Donation; provided that the procedures and conditions set forth in sections 3 through 5 below are followed and adhered to for each such Name Donation. This 5 year period will be automatically extended for an additional 5 year period if any constructed ball field, recreation area or Facility in the Northeast Park should remain unnamed at the end of the first 5 years. For the purpose of this resolution, the capitalized term Facility shall mean only concession stands, restroom structures, office buildings, picnic pavilions and such other Northeast Park amenities as are hereafter agreed upon by the Board and the Foundation.

Section 3. For each Name Donation that the Foundation agrees to accept, the Foundation shall promptly advise the County Administrator in writing (the "Notice") of the identity or description of the unnamed ball field, recreation area or Facility in the Northeast Park that the Foundation wishes to name; the name that the Foundation wishes to apply to such ball field, recreation area or Facility; the amount of the Name Donation that the Foundation has received, or will receive, applicable to such ball field, recreation area or Facility; the amount of the Name Donation that the Foundation will donate to St. Johns County (which amount must equal or exceed 95% of the amount of the Name Donation that the Foundation has or will receive) to be used by the County solely for Northeast Park Capital Expenditures; and the date(s) that the Foundation will pay the County the amount that the Foundation identifies in relation to the Name Donation and the identified ball field, recreation area or Facility. Upon receipt of a Notice that complies with the above conditions, the County Administrator will promptly initiate a request to the Board to approve or disapprove the identified name for the identified ball field, recreation area or Facility. A failure of the Board to vote on any such request within 45 days of the County Administrator's receipt of the Notice shall constitute automatic Board approval. A majority plus one of the membership of the Board will be required for a disapproval.

Section 4. When the name for the applicable ball field, recreation area or Facility is approved or disapproved by the Board, the County Administrator shall promptly notify the Foundation of that fact. In the event of approval, the Foundation will be expected to pay the County the amount identified by the Foundation in its Notice by the date(s) indicated in the Notice and upon payment in full by the Foundation the subject ball field, recreation area or Facility shall thereafter be known by the name identified in the Foundation's Notice. The Board shall not thereafter change the name of such ball field, recreation area or Facility without the Foundation's, or its successor's, written consent. All name changes will be treated as if naming an unnamed ball field, recreation area or Facility and will abide by and follow the conditions and procedures of this resolution. A failure by the Foundation to pay the County the full amount identified in the Notice on or before 45 days past the date(s) indicated in the Notice shall constitute automatic termination of the Board's approval of that name for the subject ball field, recreation area or Facility.

Section 5. Name signage shall be uniform in appearance and will be installed and maintained by the St. Johns County Parks and Recreation Department. The Foundation and the Recreation Department will select the type style and design of all signage involved in "The Right To Name".

Section 6. Unless the time period, as extended if applicable, that is set forth in Section 2 is extended by one or more subsequent Board resolutions, the County Administrator

will not process any Notices, and the Board will not approve any names contained in any Notices, received by the County Administrator after such time period, as extended if applicable, has passed or expired.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 10th day of October, 2000.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia A. Grande
Deputy Clerk



The Parks & Recreation Foundation of Northeast St. Johns County, Inc.

P.O. Box 2053
Ponte Vedra Beach, Florida 32082
Phone: 904/273-0240

September 26, 2000

Board of County Commissioners of St. Johns County, Florida
Attn: James Bryant, Chairman
P.O. Box 349
St. Augustine, FL 32085-0349

Re: Application to allow the Parks & Recreation Foundation of Northeast St. Johns County, Florida to name ball fields, recreation areas and certain facilities in the Northeast Park that is in the process of being developed by St. Johns County.

Dear Commissioners,

The Parks & Recreation Foundation of Northeast St. Johns County, Inc. (the "Foundation") is a Florida not-for-profit corporation and an organization that is described in Section 501(c)(3) of the Internal Revenue Code and is exempt from federal income tax under Section 501(a) of said code.

The Articles of Incorporation of the Foundation contain the following provisions:

The Company is organized exclusively for construction and equipping of parks and recreation facilities for use by the general public, including but not limited to, the following:

(a) constructing and equipping parks and recreational facilities in Northeast St. Johns County (including athletic facilities, such as soccer fields, baseball diamonds, football fields, and similar facilities and all accessory equipment and facilities necessary to the operation thereof, such as restrooms, bleachers, playground equipment, refreshment stands, athletic equipment and related items) for use by the public at large, including children;

(b) establishing scholarships for children which will allow them to engage in recreational and athletic programs carried out on such parks and recreational facilities; and

EXHIBIT "A"

(c) doing and performing such other acts and other things as shall assure to residents of Northeast St. Johns County and particularly their children, adequate facilities and space to engage in recreational, athletic and sports activities.

The Foundation is organized for the purpose of promoting community interest and welfare.

As can be discerned by its Articles of Incorporation, one of the Foundation's major goals is to assist the County in expediting the development of the County's new park in Northeast St. Johns County (the "Northeast Park"). As one of the means to accomplish that goal, the Foundation would like to solicit certain donations ("Name Donations") to the Foundation and in return for those Name Donations to name (or cause the Board to name) any unnamed ball field, recreation area or Facility in the Northeast Park a name that is requested by the donor; provided that for each Name Donation, the Foundation donates at least 95% of the Name Donation to the County to be used by the County for capital expenditures, reimbursement of capital expenditures and/or payment on County debt incurred for capital expenditures in connection with constructing, improving, and equipping the Northeast Park. As used herein, the term "Facility" means concession stands, restroom structures, office buildings, picnic pavilions and such other Northeast Park amenities as are hereafter agreed upon by the Board and the Foundation.

Please consider this letter as the Foundation's application to the Board for the right to name unnamed ball fields, recreation areas and Facilities in the Northeast Park under the above conditions and such other reasonable conditions that the Board may require. The Foundation sincerely believes that the Board's approval of this application will enable the Foundation to raise significant dollars for Northeast Park improvements. The Board's favorable consideration of this application will be most appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Lynda Storkerson". The signature is written in black ink and is positioned above the printed name and title.

Lynda Storkerson
President