

RESOLUTION NO. 2005- 261

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FOR CONVEYANCE OF AN ATHLETIC PARK LOCATED WITHIN MARSHALL CREEK DRI UNIT ONE PURSUANT THE REQUIREMENTS WITHIN THE DEVELOPMENT OF REGIONAL IMPACT/DEVELOPMENT ORDER.**

**WHEREAS**, Marshall Creek, Ltd., a Florida limited partnership, has executed and presented a Deed of Dedication for a ten acre athletic park located within Marshall Creek DRI Unit One and more particularly described in Exhibit "A" attached hereto, incorporated by reference and made a part hereof; and

**WHEREAS**, the dedication of the park and improvements is required under Specific Condition 34(a) of the Marshall Creek DRI/DO. Specific Condition 34(a) provides for impact fee credits to be awarded to Marshall Creek, Ltd. and the Marshall Creek Community Development District in exchange for the dedication of the athletic park and improvements; and

**WHEREAS**, it is in the best interest of the County to accept this Deed of Dedication to provide the citizens in the area with a recreational facility.

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

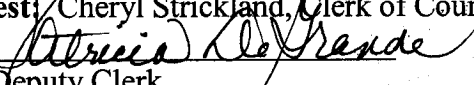
Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. Upon acceptance of this Resolution by the Board of County Commissioners, the Deed of Dedication is hereby accepted in the form of that which is attached hereto as Exhibit "A" and the Clerk of Circuit Court is instructed to record the original Deed of Dedication in the Public Records of St. Johns County.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, this 20<sup>th</sup> day of September, 2005.

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

By:   
Bruce A. Maguire, Chairman

Attest: Cheryl Strickland, Clerk of Court  
By:   
Deputy Clerk

RENDITION DATE 9-23-05

Exhibit "A" to Resolution

This document prepared by:

Kathryn F. Whittington, Esq.  
Pappas Metcalf Jenks & Miller, P.A.  
245 Riverside Avenue, Suite 400  
Jacksonville, Florida 32202

**DEED OF DEDICATION**

THIS INDENTURE, made this 9 day of JUNE, 2005, between **MARSHALL CREEK, LTD.**, whose address is 605 Palencia Club Drive, St. Augustine, Florida 32095, hereinafter called Grantor, and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called Grantee.

**WITNESSETH:** that for and in consideration of the acceptance of this Dedication by the Grantee, said Grantor does hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, the following described land, situate in St. Johns County, Florida, to wit:

PROPERTY AS DESCRIBED ON **EXHIBIT "A"** ATTACHED  
HERETO AND BY THIS REFERENCE MADE A PART  
HEREOF.

**TO HAVE AND HOLD** the same unto the Grantees, its successors and assigns forever, in fee simple for a public park.

**AND** the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2004 and those easements and restrictions of record, if any.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

GRANTOR:

Signed, sealed and delivered in the presence of:

[Signature]  
Print Name: Chesshill Graylor

[Signature]  
Print Name: Tonya Hamstley

MARSHALL CREEK, LTD., a Florida limited partnership

By: HINES/MARSHALL CREEK, LTD., a Florida limited partnership, as its sole general partner

By: HINES MANAGEMENT, L.L.C., a Delaware limited liability company, as its sole general partner

By: Hines Interests Limited Partnership, a Delaware limited partnership, its sole member

By: Hines Holdings, Inc., a Texas corporation, as its sole general partner

[Signature]  
By: Michael T. Harrison

Its: Senior Vice President

Address: Five Ravinia Drive  
Atlanta, Georgia 30346-2102

[Circular Notary Seal]

STATE OF Georgia  
COUNTY OF Cobb

The foregoing instrument was acknowledged before me this 13 day of June, 2005, by Michael T. Harrison, the Senior Vice President of HINES HOLDINGS, INC., a Texas corporation, the sole general partner of Hines Interests Limited Partnership, a Delaware limited partnership, the sole member of Hines Management, LLC, a Delaware limited liability company, the sole general partner of Hines/Marshall Creek, Ltd., a Florida limited partnership, the sole general partner of Marshall Creek, Ltd., a Florida limited partnership, on behalf of the partnership.

[Signature]  
Print Name: Margaret A. Ramirez  
NOTARY PUBLIC  
State of GA at Large  
Commission #: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Personally known  or Produced ID \_\_\_\_\_  
[check one of the above]  
Type of Identification Produced \_\_\_\_\_

Notary Public, Cobb County, Georgia  
Commission Expires February 13, 2009

SKETCH TO FOLLOW LEGAL DESCRIPTION OF:

A PORTION OF TRACT "A", MARSHALL CREEK DRI UNIT ONE, ACCORDING TO MAP THEREOF RECORDED IN MAP BOOK 41, PAGES 52 THROUGH 57 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA AND A PORTION OF PARCEL "40", ACCORDING TO DEED RECORDED IN BOOK 1958, PAGE 2168 OF THE PUBLIC RECORDS OF SAID COUNTY AND A PORTION OF PARCEL "1", ACCORDING TO DEED RECORDED IN BOOK 1431, PAGE 504 OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR THE POINT OF BEGINNING COMMENCE AT THE MOST SOUTHERLY CORNER OF SAID TRACT "A"; THENCE NORTH 56°10'23" WEST, ALONG A SOUTHWESTERLY LINE OF SAID TRACT "A", 285.45 FEET; THENCE SOUTH 78°27'51" WEST, 205.75 FEET; THENCE NORTH 66°54'26" WEST, 285.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID TRACT "A"; THENCE NORTH 89°59'59" WEST, ALONG SAID SOUTHERLY BOUNDARY, 120.56 FEET TO A SOUTHEASTERLY BOUNDARY LINE OF SAID PARCEL "1", THE SAME BEING THE NORTHWESTERLY BOUNDARY OF AFOREMENTIONED TRACT "A"; THENCE NORTH 38°53'53" EAST, ALONG SAID NORTHWESTERLY BOUNDARY, 641.36 FEET TO THE MOST EASTERLY CORNER OF TRACT "B", SAID MARSHALL CREEK DRI UNIT ONE; THENCE THE FOLLOWING (5) COURSES ALONG THE BOUNDARY OF SAID TRACT "B": COURSE (1) SOUTH 51°06'07" EAST, 60.00 FEET; COURSE (2) NORTH 38°53'53" EAST, 20.00 FEET; COURSE (3) SOUTH 51°06'07" EAST, 10.00 FEET; COURSE (4) NORTH 38°53'53" EAST, 75.00 FEET; COURSE (5) NORTH 51°06'07" WEST, 75.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT "B", THE SAME BEING THE NORTHWESTERLY BOUNDARY OF AFOREMENTIONED TRACT "A"; THENCE NORTH 38°53'53" EAST, 189.35 FEET; THENCE SOUTH 53°26'56" EAST, 198.13 FEET; THENCE SOUTH 03°05'10" EAST, 326.19 FEET; THENCE SOUTH 51°06'07" EAST, 281.60 FEET TO THE SOUTHEASTERLY BOUNDARY OF SAID TRACT "A", THE SAME BEING THE NORTHWESTERLY RIGHT-OF-WAY LINE OF PALENCIA VILLAGE DRIVE, PER SAID PLAT OF MARSHALL CREEK DRI UNIT ONE; THENCE THE FOLLOWING (2) COURSES ALONG SAID SOUTHEASTERLY BOUNDARY; COURSE (1) IN A SOUTHERLY DIRECTION, ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE WESTERLY AND HAVING A RADIUS OF 850.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 22°16'58" WEST, 209.64 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE (2) SOUTH 29°21'59" WEST, 155.46 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 10.06 ACRES, MORE OR LESS.

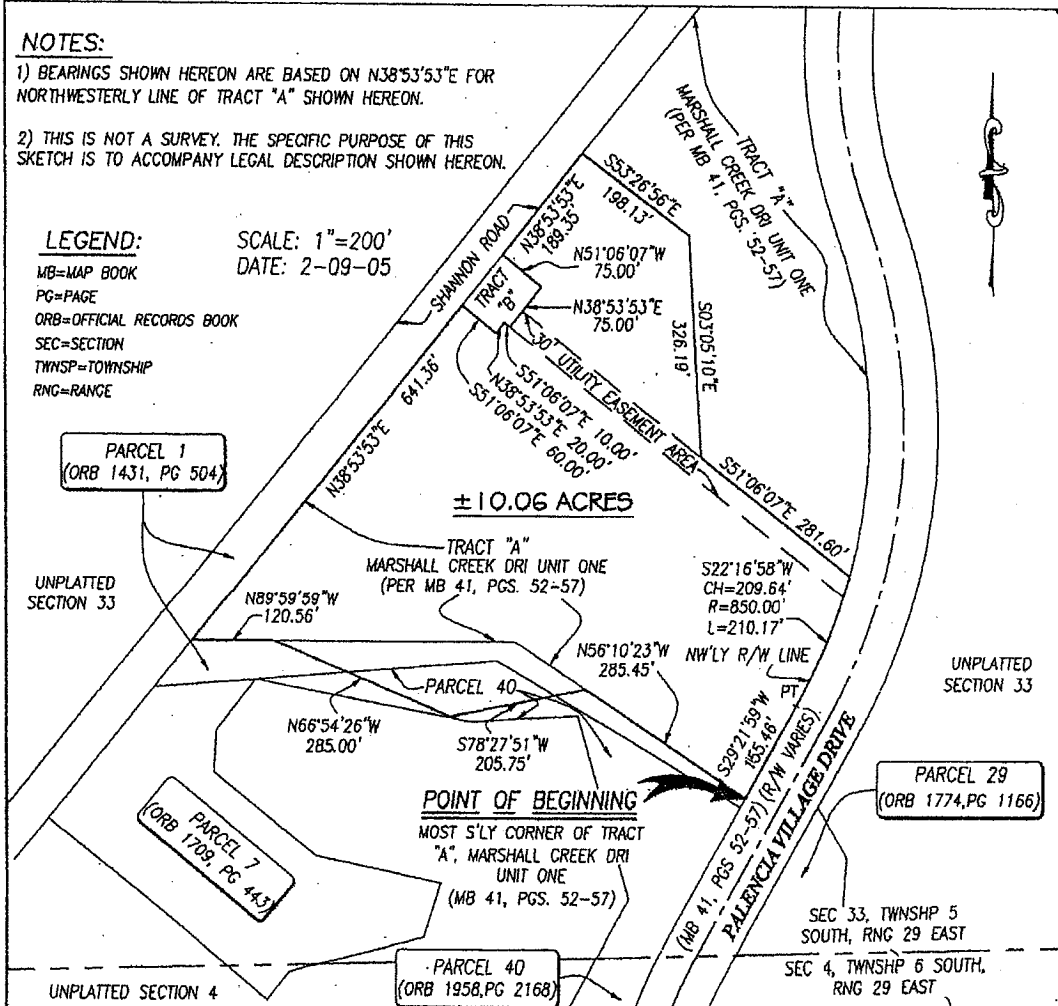
**NOTES:**

- 1) BEARINGS SHOWN HEREON ARE BASED ON N38°53'53"E FOR NORTHWESTERLY LINE OF TRACT "A" SHOWN HEREON.
- 2) THIS IS NOT A SURVEY. THE SPECIFIC PURPOSE OF THIS SKETCH IS TO ACCOMPANY LEGAL DESCRIPTION SHOWN HEREON.

**LEGEND:**

- MB=MAP BOOK
- PG=PAGE
- ORB=OFFICIAL RECORDS BOOK
- SEC=SECTION
- TWNSP=TOWNSHIP
- RNG=RANGE

SCALE: 1"=200'  
DATE: 2-09-05

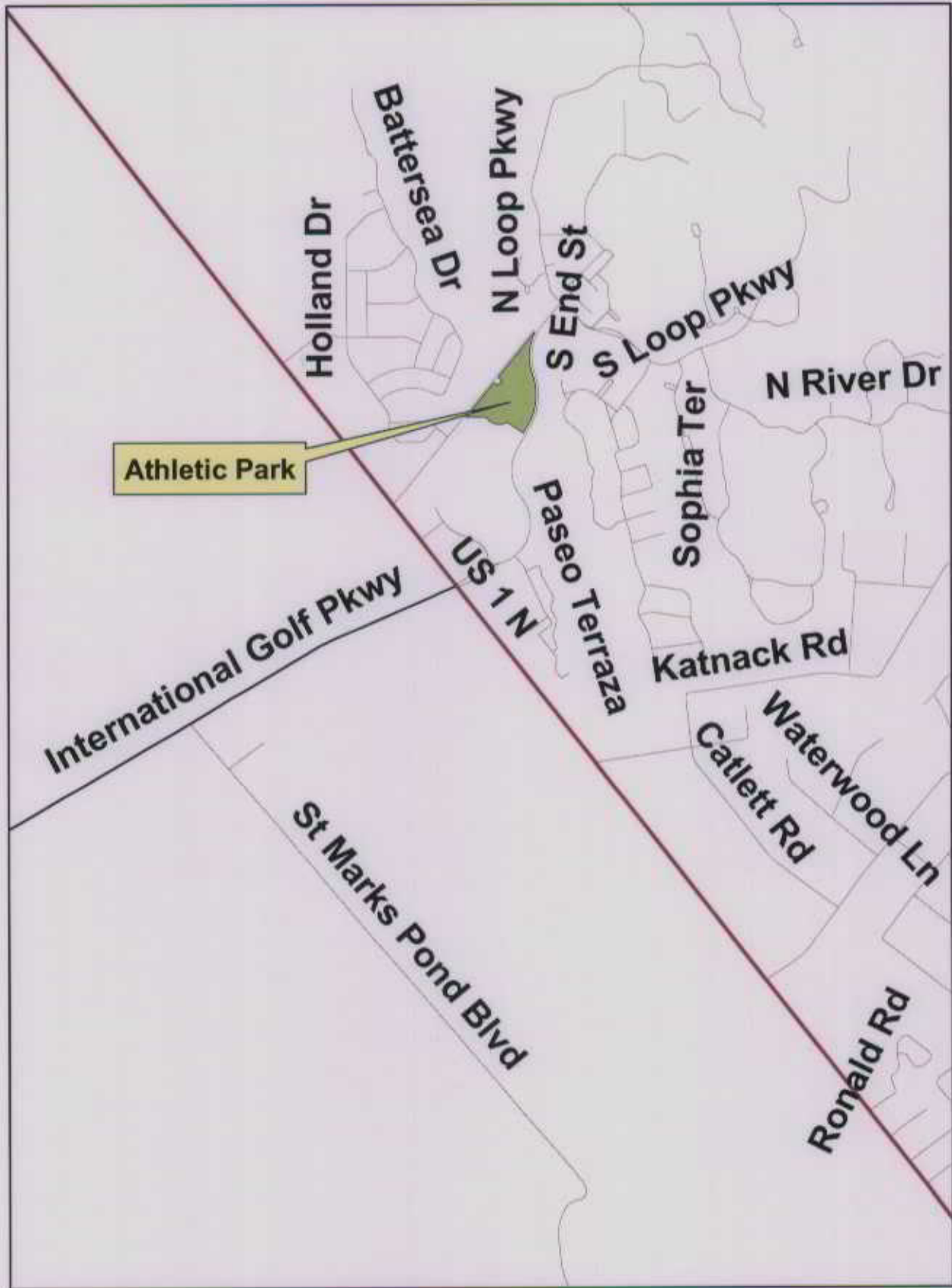


REVISED 2/25/05 TO EXCLUDE TRACT "B"  
part of tract a legal.dwg 2-7-05 7:59:12 am EST

*Charles Robert Lee*  
CHARLES ROBERT LEE  
REGISTERED SURVEYOR & MAPPER NO. 5618 FL.

**PRIVETT & ASSOC. OF FLORIDA, INC.**  
SURVEYORS, MAPPERS AND LAND PLANNERS  
2732 TOWNSEND BOULEVARD  
JACKSONVILLE, FLORIDA, 32211  
(904) 743-7658 LB No.4622

# Marshall Creek Athletic Park



Disclaimer: This map is provided by the St. Johns County Real Estate Division and is for estimate purposes only. The Real Estate Division disclaims all responsibility for the accuracy or completeness of data shown herein. Data are from multiple sources with varying degrees of accuracy. This map should not be used for final site-specific land use decisions.



Prepared By  
St. Johns County  
Real Estate Division

