A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE CABALLOS DEL MAR DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER, AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON JULY 8, 1975, AND AS PREVIOUSLY MODIFIED BY RESOLUTION 83-36, APPROVED APRIL 26, 1983; RESOLUTION 85-59, APPROVED APRIL 16, 1985; AND RESOLUTION 2002-41, APPROVED MARCH 13, 2002; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, RQB Resort, LP and RQB Development, LP, (the "Owners/Developers") have submitted a Notification of a Proposed Change to the Caballos Del Mar Development of Regional Impact ("DRI") by letter dated August 24, 2007, requesting modification of certain terms of the DRI Development Order (the "NOPC"), as it pertains to development rights associated with the Sawgrass Marriott Resort Parcels; and

WHEREAS, the Owners/Developers have provided information showing that the proposed modifications of the DRI Development Order do not constitute a substantial deviation under any provision of Section 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners, after required notice, has reviewed the NOPC, evaluated the evidence presented at the public hearing held on October 30, 2007, and considered whether the proposed modification constitutes a substantial deviation to the DRI that would require further DRI review.
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

1. The following facts are determined in connection with this Resolution:
   a. The NOPC is consistent with the St. Johns County Comprehensive
      Plan, as amended.
   b. The NOPC is consistent with the Land Development Code of St.
      Johns County, as amended.
   c. The NOPC is compatible with the surrounding area and the future
      development trends of the area.

2. The NOPC and other evidence received provide clear and convincing
   evidence that the requested change does not constitute a substantial deviation to the DRI.

3. The Caballos Del Mar DRI Development Order, as previously approved
   and amended, is hereby modified by approval of the following specific changes for the
   Sawgrass Marriott Resort Parcels:
      a. Increase the number of hotel rooms from 350 to 510 keys;
      b. Increase the number of resort condominiums from 230 to 500
         units; and
      c. Reaffirmation that the Cabana Club parcel is located within the
         boundaries of Caballos del Mar DRI.

4. Except as modified by this Resolution, the existing Caballos Del Mar DRI
   Development Order, as previously approved and amended, shall remain in full force and
   effect.

5. A certified copy of this Resolution, complete with all exhibits, shall be
   rendered by St. Johns County within 10 days of its adoption by certified mail, return
   receipt requested, to the Developer, the Florida Department of Community Affairs and
   the Northeast Florida Regional Planning Council.
6. This Resolution shall take effect upon its adoption.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 30th DAY OF OCTOBER 2007.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: 

Rendition Date 11/2/07

ATTEST: CLERK

By: 

Deputy Clerk.

Adopted Regular Meeting October 30, 2007

Effective: 10/30/07
Exhibit A

LEGAL DESCRIPTION

All of Government Lots 3, 4, 11 and 12, Section 16; all of Government Lots 3, 4, 9, 10, 11 and 12 and a part of Government Lots 1, 2, 5, 7 and 8; Section 17; a part of Section 19; all of Government Lots 1, 2, 3, 6 and 7 and a part of Government Lots 4, 5 and 8, Section 20; all of Government Lots 3, 4 and 5 and part of Government Lot 11, Section 21; a part of Government Lots 8 and 9, Section 27; and all of Government Lot 1, 2 and 3 and a part of Government Lot A, Section 28; a part of Government Lots 4 and 9, Section 34; a part of the Louis Mallair Grant, Section 39; a part of the Heirs of Thomas Pitch Grant, Section 40; a part of the Francis L. Sanchez Grant, Section 41; a part of the Sebastian Espinosa Grant, Section 42; a part of the Nicholas Sanchez Grant, Section 46; a part of the Sanches or Hill Grant, Section 47; and all of the Sanchez, Hill or Pitch Grant, Section 48; all of the Christina Hill or Pitch Grant, Section 50; a part of the Christina-Hill or Pitch Grant, Section 51; a part of the Hill, Pitch or Sanches Grant, Section 52; and a part of the William Hart Grant, Section 55; all in Township 3 South, Range 29 East, St. Johns County, Florida; together with a part of Government Lots 2 and 3 of Section 3; a part of the Heirs of Thomas Pitch Grant, Section 38; a part of the Heirs of Espinosa Grant, Section 39 and a part of the Christina Hill Grant, Section 70; all in Township 4 South, Range 29 East, St. Johns County, Florida; more particularly described as follows: For a POINT OF BEGINNING commence at the Northeast corner of aforementioned Government Lot 14, Section 16, Township 3 South, Range 29 East; thence run Southerly along the Easterly line of said Government Lot 14 and along the Easterly line of Government Lots 3 and 5 of aforesaid Section 21, a distance of 3500 feet, more or less to the South line of said Government Lot 5; thence run Westerly along the Southerly line of aforesaid Government Lot 5, Section 21, a distance of 1700 feet, more or less to the Northeasternly line of Section 40; thence run Southeasterly along the Northeasternly line of aforesaid Section 40, a distance of 1500 feet, more or less to the Northerly line of Government Lot 11, Section 21; thence run Easterly along the Northerly line of aforesaid Government Lot 11, Section 21, a distance of 2360 feet, more or less to the East line of Government Lot 11; thence run Southerly along the Easterly line of said Government Lot 11, Section 21; a distance of 1320 feet, more or less to the North line of Government Lot 1, Section 28; thence run Easterly, along the Northerly line of aforesaid Government Lot 1, Section 28, a distance of 1328.12 feet to the Northeast corner of said Government Lot 1, Section 28; thence run S. 00° 20' 05" E., along the Easterly line of said Section 28, a distance of 1328.07 feet to the Northwesterly corner of Sun Valley as recorded in Map Book 6, Page 11 of the public records of said county; thence run S. 00° 20' 16" E., along the Westerly line of said Sun Valley, a distance of 1511.97 feet to a point in the centerline of Sun Valley Drive, as platted by said Sun Valley; thence run due South a distance of 39.00 feet; thence run S. 2° 12' 15" E., a distance of 821.00 feet; thence run due West a distance of 500.00 feet; thence run S. 2° 12' 15" W., a distance of 500.00 feet; thence run E. 2° 12' 15" W., a distance of 500.00 feet; thence run S. 1° 00' 00" E., along the Wasterly line of way known as Mosquito Control Road and its Wasterly projection, a distance of 14.73.18 feet; thence run S. 2° 12' 15" W., along the Wasterly right of way line of a State Road known as Ponte Vedra By-Pass Road (as now established as a 200 foot right of way) State Road No. A-1-A and/or State Road No. 203, a distance of 933.53 feet to an angle point in said right of way; thence continue Southerly and Southwesterly along said Wasterly right of way line of Ponte Vedra By-Pass Road (as now established as a 200 foot right of way) State Road No. 203, a distance of 5300 feet more or less to the Wasterly right of way 11 of Palm Valley Road, State Road No. 210; thence run Southwesterly along said Wasterly right of way line of Palm Valley Road a distance of 2000 feet more or less to the Northerly line of the lands described in Deed Book 177 Page 362 of the aforesaid public records; thence run Wasterly along said Northerly line a distance of 265 feet more or less; thence run Southerly along the Wasterly line of the lands described in the aforesaid Deed Book 177 Page 362 a distance of 100 feet more or less to the Southerly line of the lands described in Official Records Volume 265, Pages 99 and 101 of the aforesaid public records; thence run Wasterly along said Northerly line a distance of 1756 feet more or less to the Northwesterly line of the lands in the possession of J. E. Wilson; thence run Southwesterly along said Northwesterly line of the lands in the possession of J. E. Wilson and its Southwesterly projection a distance of 1300 feet more or less to the Northerly line of Lot 39, Palm Valley Gardens Unit 6, Map Book 5, Page 73; thence run Southwesterly along the Northerly
line of Lot 39, Palm Valley Gardens Unit 6, as recorded in Map Book 5, Page 73 of the aforesaid public records, a distance of 300 feet, more or less to the Easterly line of Palm Valley Gardens Unit 6; thence run Northwesterly along the Easterly line of said Palm Valley Gardens Unit 6, a distance of 1200 feet, more or less to the Northeast corner of said Palm Valley Gardens Unit 6; thence run Southwesterly along the Northerly line of Palm Valley Gardens Unit 6, a distance of 1512 feet, more or less to the Easterly line of said Palm Valley Gardens Unit 6; thence run Northwesterly along the Easterly line of Palm Valley Gardens Unit 6, as recorded in Map Book 5, Page 66 of said public records, a distance of 3657.06 feet, more or less to the Southeast corner of Palm Valley Gardens Unit 4, Northerly; thence continue Northwesterly along the Easterly line of Palm Valley Gardens Unit 4, as recorded in Map Book 5, Page 71 of said public records, a distance of 7026.06 feet, more or less to the Northeast corner of Palm Valley Gardens Unit 4; thence run Westerly along the Northerly line of said Palm Valley Gardens Unit 4, a distance of 333 feet, more or less to the Southwest corner of the Northeast corner of said Subdivision; thence run Southwesterly along the Northerly line of Big Cypress Subdivision, as recorded in Map Book 5, Page 74 of said public records, a distance of 2655.01 feet, more or less to the Easterly corner of said Subdivision; thence run Southwesterly along the Southwesterly line of said Subdivision, a distance of 860 feet, more or less to the Easterly right of way line of the Intracoastal Waterway; thence run Northwesterly along the Northeast line of the 500 foot right of way of the Intracoastal Waterway, a distance of 6738 feet, more or less to the Northerly line of said Section 39; thence run Southwesterly along the Northeast line of said Section 39, a distance of 1000 feet, more or less to the Northeast corner of said Section 39; thence run Southwesterly along the Southwesterly line of said Section 39, a distance of 92 feet, more or less, to the corner common to Sections 16, 18, 19 and 39 of Township 3 South, Range 29 East, thence run Easterly along the Northerly line of said Section 19, a distance of 203 feet, more or less, to the corner common to Sections 17, 18, 19 and 39 of said Township and Range; thence run Easterly along the Northerly line of Government Lots 3 and 4, a distance of 1120 feet, more or less to the Easterly line of Government Lot 10, thence run Northwesterly along said line, thence run Northwesterly along said line, the same being the Easterly line of Government Lots 4, 9 and 10 of aforesaid Section 17, a distance of 2350 feet to an angle point in said line, thence run Southwesterly along said line to the Southern line of Section 25; thence run Easterly along the Southern boundary of St. Johns County, Florida, a distance of 7650 feet, more or less to the Northeast corner of Government Lot 3, a distance of 1320 feet, more or less to the Southeast corner of Government Lot 3, a distance of 1320 feet, more or less to the Southeast corner of Government Lot 3; thence run Easterly along the Easterly line of aforesaid Government Lot 3, a distance of 1320 feet, more or less to the Southeast corner of Government Lot 3; thence run Easterly along the Easterly line of said Pine Crest Estates, as recorded in Map Book 3, Page 144 of said public records, a distance of 105 feet, more or less to the Northeast boundary of said Pine Crest Estates; thence run Easterly along the Northerly line of said Pine Crest Estates, a distance of 245 feet, more or less, to the Northerly boundary of aforesaid Government Lot 1, thence run Easterly along said Northerly boundary of said Pine Crest Estates, a distance of 1318.07 feet to the Northwest corner of said Pine Crest Estates, thence run Southwesterly along the Easterly line of said Pine Crest Estates, a distance of 2658.05 feet, more or less to the Northwest corner of said Pine Crest Estates and the Easterly prolongation thereof, a distance of 1370 feet, more or less, to the point in the Easterly line of aforesaid Government Lot 7, thence run Southwesterly along the Easterly line of said Government Lot 7, a distance of 60 feet, more or less to the Northwest corner of Government Lot 13, thence run Easterly along the Northerly line of Government Lot 13, a distance of 2660 feet, more or less, to the joint of beginning, excepting therefrom the 60 and 60 foot right of way of Solano Road, St. Johns Road, 820-A; also excluding therefrom certain lands described in Parcels A, B and C of Official Records Volume 217, Page 650 of the aforesaid public records and subject to an easement for the right of ingress and egress over Thousand Oaks Boulevard (a private road having a 60 foot right of way as described in said Official Records subject to a 100 foot wide easement as described in Official Records Volume 264, Pages 179 and 180 of the aforesaid public records. Containing 3670 acres, more or less.
The St. Augustine Record
PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared CHARLES K. BARRETT
who on oath says that she is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being a NOTICE OF HEARING
in the matter NOPC 07-05 CABALLOS DEL MAR
was published in said newspaper in the issues of OCTOBER 15, 2007.

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
heretofore been continuously published in said St. Johns County, Florida, each
day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he has neither paid nor promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this 15th day of OCTOBER, 2007.

by __________________________ who is personally known to me
or who has produced PERSONALLY KNOWN
as identification.

(Signature of Notary Public)  (Seal)

PATRICIA A. BERGQUIST
The St. Augustine Record
PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
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or who has produced PERSONALLY KNOWN as identification.

PATRICIA A. BERGQUIST
(Signature of Notary Public)