

RESOLUTION NO. 2008- 268

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING CONVEYANCE OF A 2.28 ACRE COUNTY USE SITE SATISFYING THE FIRE STATION SITE PROVISION IN SPECIAL CONDITION 30(A) OF THE ABERDEEN DEVELOPMENT ORDER.

RECITALS

WHEREAS, Aberdeen Community Development District has agreed to the terms and conditions in the Special Warranty Deed, attached hereto as Exhibit A, incorporated by reference and made a part hereof, to convey a 2.28 acre tract meeting the fire station site provisions of the Aberdeen DRI Development Order Resolution 2003-62, (the "Aberdeen DRI"), Special Condition 30(A); and

WHEREAS, a two acre tract was reserved for a fire station site within the Aberdeen Village Center, but did not provide the optimal Fire Services route coverage for citizens in the Northwest; and

WHEREAS, a portion of Veterans Park was identified that provided more optimal route coverage for providing fire services to citizens in the Northwest; and

WHEREAS, the Developer has offered a 2.28 acre site for any future County use since the proposed fire station location lies on County property; and

WHEREAS, these lands will enhance future opportunities for St. Johns County residents and it is in the best interest of the public to accept this conveyance.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners 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. In satisfaction of Development Order Special Condition 30(A) of the Aberdeen DRI the dedication of property, as described in the Warranty Deed is hereby accepted, conveying the property free and clear of any encumbrances (other than as listed on Exhibit B of the Warranty Deed). Accordingly, the original fire station site as shown on Exhibit 2 (Map H) of the Aberdeen DRI is released and shall be available for development. Pursuant to the Development Order, no impact fee credits shall be requested for the donation site.


Section 3. The Clerk is instructed to record the original Warranty Deed in the Official Records of St. Johns County, Florida and a certified copy of this Resolution shall be forwarded forthwith to Governmental Management Services, LLC, Attn: District Manager, Aberdeen

Community Development District, 475 West Town Place, Suite 111, World Golf Village, St. Augustine, FL 32092.

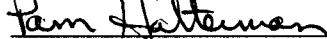
PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 30 day of September, 2008.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By:


Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 10/1/08

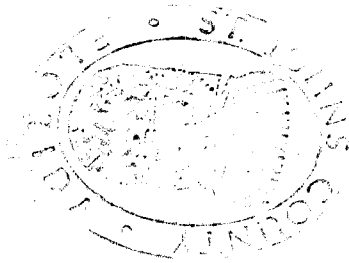


EXHIBIT "A" OF RESOLUTION

THIS DOCUMENT PREPARED
BY AND RETURN TO:

G. TODD COTTRILL
PAPPAS METCALF JENKS & MILLER, P.A.
245 RIVERSIDE AVENUE, SUITE 400
JACKSONVILLE, FLORIDA 32202-4926

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of the ____ day of October, 2008, by and between **ABERDEEN COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government established pursuant to chapter 190, Florida Statutes (the "Grantor"), whose mailing address is 14785 St. Augustine Road, Suite 4, Jacksonville, Florida 32258 and **ST. JOHNS COUNTY**, a political subdivision of the State of Florida ("Grantee"), whose mailing address is 4020 Lewis Speedway, St. Augustine, Florida 32084.

WITNESSETH THAT:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, does hereby grant, bargain, sell, release, convey and confirm unto Grantee, and Grantee's heirs, successors and assigns, the parcel of land, lying in St. Johns County, Florida, more particularly described on the attached Exhibit "A" (the "Property"), and together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

SUBJECT TO the matters listed on the attached Exhibit B (the "Permitted Exceptions"), provided this Deed shall not operate to reimpose the same.

AND GRANTOR, hereby covenants with Grantee and Grantee's successors and assigns that Grantor is lawfully seized of the Property in fee simple subject only to the Permitted Exceptions; that Grantor has good right and lawful authority to sell and convey the Property; that Grantor hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through, or under the Grantor, but against none other.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Grantor and Grantee have each executed this Deed as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Printed: _____

Printed: _____

GRANTOR:

**ABERDEEN COMMUNITY
DEVELOPMENT DISTRICT,**
a local unit of special purpose government
established pursuant to chapter 190,
Florida Statutes

By: _____
Name: _____
Its: _____

STATE OF FLORIDA)
)SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of October, 2008, by _____, the _____ of **ABERDEEN COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government established pursuant to chapter 190, Florida Statutes, on behalf of the Community Development District.

(Print Name _____)
NOTARY PUBLIC
State of Florida at Large
Commission #
My Commission Expires:
Personally Known _____
or Produced I.D. _____
[check one of the above]

Type of Identification Produced

Exhibit A
(Legal Description)



Robert M. Angas Associates, Inc.
Land Surveyors, Planners and Civil Engineers
Since 1924

14775 Old St. Augustine Road
Jacksonville, FL 32258
Tel: (904) 642-8550
Fax: (904) 642-4165

Revised August 12, 2008
July 22, 2008
Braash Tract
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Work Order No. 08-145.00
File No. 120C-7(A)

Parcel A

A portion of Section 35, Township 4 South, Range 27 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 2159, page 1027 of the public records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Southeast corner of said Section 35, thence South $89^{\circ}12'15''$ West, along the Southerly line of said Section 35, a distance of 660.26 feet to the Easterly most Southeast corner of Tract 1, as shown on the plat of Durbin Crossing North Phase 1 – Unit 1, as recorded in Map Book 58, pages 49 through 53 of said public records; thence North $01^{\circ}38'22''$ West, departing said Southerly line and along the Easterly line of said Tract 1, a distance of 810.51 feet to the Northeast corner of said lands and the Point of Beginning.

From said Point of Beginning, thence along the Northerly line of said Tract 1 the following twenty (20) courses: Course 1, thence North $87^{\circ}53'11''$ West, departing said Westerly line, 35.46 feet to a point of curvature of a curve concave Southerly, having a radius of 15.00 feet; Course 2, thence Southwesterly along the arc of said curve, through a central angle of $23^{\circ}49'20''$, an arc length of 6.24 feet to a point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $80^{\circ}12'09''$ West, 6.19 feet; Course 3, thence South $68^{\circ}17'29''$ West, 65.07 feet; Course 4, thence South $81^{\circ}12'03''$ West, 32.04 feet; Course 5, thence North $63^{\circ}20'49''$ West, 29.08 feet; Course 6, thence North $70^{\circ}23'17''$ West, 53.56 feet; Course 7, thence North $39^{\circ}32'47''$ West, 37.31 feet to a point of curvature of a curve concave Southwesterly, having a radius of 15.00 feet; Course 8, thence Northwesterly along the arc of said curve, through a central angle of $22^{\circ}03'58''$, an arc length of 5.78 feet to a point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $50^{\circ}34'45''$ West, 5.74 feet; Course 9, thence North $61^{\circ}36'44''$ West, 42.82 feet to a point of curvature of a curve concave Southerly, having a radius of 15.00 feet; Course 10, thence Westerly along the arc of said curve, through a central angle of $59^{\circ}18'03''$, an arc length of 15.52 feet to a point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $88^{\circ}44'14''$ West, 14.84 feet; Course 11, thence South $59^{\circ}05'13''$ West, 18.87 feet; Course 12, thence North $06^{\circ}01'18''$ West, 23.76 feet; Course 13, thence North $01^{\circ}12'52''$ East, 50.48 feet to a point of curvature of a curve concave Southwesterly, having a radius of 15.00 feet; Course 14, thence Northwesterly along the arc of said curve, through a central angle of $42^{\circ}21'20''$, an arc length of 11.09 feet to a

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File No. 120C-7(A)

Parcel A (cont.)

point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $19^{\circ}57'48''$ West, 10.84 feet; Course 15, thence North $41^{\circ}08'28''$ West, 61.96 feet to a point of curvature of a curve concave Southwesterly, having a radius of 15.00 feet; Course 16, thence Northwesterly along the arc of said curve, through a central angle of $51^{\circ}20'15''$, an arc length of 13.44 feet to a point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $66^{\circ}48'35''$ West, 13.00 feet; Course 17, thence South $87^{\circ}31'17''$ West, 29.47 feet; Course 18, thence North $27^{\circ}12'49''$ East, 113.00 feet to a point of curvature of a curve concave Southwesterly, having a radius of 15.00 feet; Course 19, thence Northwesterly along the arc of said curve, through a central angle of $136^{\circ}04'12''$, an arc length of 35.62 feet to a point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $40^{\circ}49'17''$ West, 27.82 feet; Course 20, thence South $71^{\circ}08'37''$ West, 54.60 feet to an intersection with the Southeasterly right of way line of County Road No. 223, a 150 foot right of way as presently established; thence North $13^{\circ}37'06''$ East, departing said Northerly line, and along said Southeasterly right of way line, 91.66 feet; thence South $76^{\circ}22'54''$ East, departing said Southeasterly right of way line, 70.00 feet; thence South $60^{\circ}32'33''$ East, 364.93 feet to an intersection with the Westerly line of Julington Creek Plantation Parcel 59, as recorded in Map Book 44, pages 56 through 61 of said public records; thence South $01^{\circ}38'22''$ East, along said Westerly line, 176.96 feet to the Point of Beginning.



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Revised August 28, 2008
July 23, 2008
Braash Tract

Work Order No. 08-145.00
File No. 120C-7(B)

Parcel C

A portion of Tract 1, as shown on Durbin Crossing North Phase 1-Unit 1, as recorded in Map Book 58, pages 49 through 53 of the public records of St. Johns County, Florida, said lands lying in a portion of Section 35, Township 4 South, Range 27 East, said St. Johns County, being more particularly described as follows:

For a Point of Reference, commence at the Southeast corner of said Section 35, thence South $89^{\circ}12'15''$ West, along the Southerly line of said Section 35, a distance of 660.26 feet to the Easterly most Southeast corner of said Tract 1; thence North $01^{\circ}38'22''$ West, departing said Southerly line, along the Easterly line of said Tract 1, and along the Westerly line of Julington Creek Plantation Parcel 59, as recorded in Map Book 44, Page 56 through 61 of said public records, a distance of 1001.57 feet; thence South $88^{\circ}21'38''$ West, departing said Westerly line, 388.95 feet to the Point of Beginning.

From said Point of Beginning, thence North $76^{\circ}22'54''$ West, 42.13 feet to an intersection with the Southeasterly right of way line of County Road No. 223, a 150 foot right of way as presently established; thence North $13^{\circ}37'06''$ East, along said Southeasterly right of way line, 96.70 feet to a point lying on the Northerly line of said Tract 1; thence along said Northerly line the following three (3) courses: Course 1, thence North $71^{\circ}08'37''$ East, departing said Southeasterly right of way line, 54.60 feet to a point of curvature of a curve concave Southwesterly, having a radius of 15.00 feet; Course 2, thence Southeasterly along the arc of said curve, through a central angle of $136^{\circ}04'12''$, an arc length of 35.62 feet to a point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $40^{\circ}49'17''$ East, 27.82 feet; Course 3, thence South $27^{\circ}12'49''$ West, 113.00 feet to the Point of Beginning.

Exhibit B

(Permitted Exceptions)

1. Ad Valorem Taxes for the year 2008 and subsequent years which are not yet due and payable.

2. Conservation Easement recorded at Official Records Book 2688, page 1077 of the St. Johns County public records.

3. Terms and conditions of Plat of Durbin Crossing North, Phase 1-Unit 1, recorded at Map Book 58, page 49 of the St. Johns County public records.

4. Easements reserved in Special Warranty Deed recorded at Official Records Book _____, page _____ of the St. Johns County public records.