

RESOLUTION NO. 2010- 237

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF A RELEASE OF PHOSPHATE, MINERALS, METALS AND PETROLEUM RESERVATIONS AND RELEASE OF RELATED RIGHTS OF ENTRY AND EXPLORATION IN CONNECTION WITH PROPERTIES CONVEYED TO THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY.

RECITALS

WHEREAS, St. Johns County, Florida, conveyed multiple lots by Deed to the Housing Finance Authority of St. Johns County and conveyed multiple lots by Deed to the St. Johns County Community Redevelopment Agency, which were subsequently conveyed by said Agency to said Authority, for construction of affordable housing in connection with the Community Workforce Housing Innovation Pilot Program, which upon completion of the construction, the homes will be sold to income eligible families; and

WHEREAS, pursuant to Florida Statute Section 270.11(3) there has been a written request from the Housing Finance Authority of St. Johns County, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, to release the mineral reservations reserved in said Deeds; and

WHEREAS, said mineral reservations, and in particular the right to mine and develop, is a cloud on the title to the property which could prevent income eligible families from obtaining financing for the property; and

WHEREAS, the execution of a Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release of Related Rights of Entry and Exploration document, attached hereto as Exhibit "B", would remove the cloud on the title; and

WHEREAS, to the extent that there are typographical, scrivener or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

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

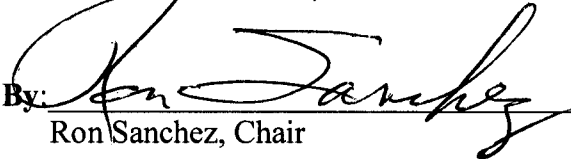
Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby approves the form to Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release of Related Rights of Entry and Exploration and authorizes the Chair of the Board to execute the Release.

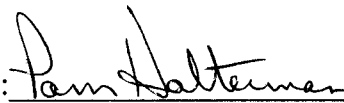
Section 3. The Clerk of Court is instructed to record the original Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release of Related Rights of Entry and Exploration in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 19th day of October, 2010.

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

By: 
Ron Sanchez, Chair

ATTEST: Cheryl Strickland, its Clerk

By: 
Deputy Clerk





St. Johns County Board of County Commissioners

Housing Finance Authority

September 17, 2010

St. Johns County Board of County Commissioners and
St. Johns County Community Redevelopment Agency
500 San Sebastian View
St. Augustine, Florida 32084

RE: Mineral Reservations

To Whom It May Concern:

The Housing Finance Authority of St. Johns County, Florida, respectfully request that the all reserved interests relating to phosphate, minerals, metals and petroleum, contained in the Deeds recorded in Official Records Book 3060 Page 470, Official Records Book 3066 Page 1862, Official Records Book 3293 Page 105 and Official Records Book 2208 Page 566, all within St. Johns County, Florida, be released due to the fact that it creates a cloud on the title to the property.

Thank you for your consideration of this request.

Sincerely,

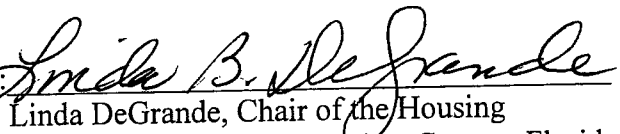
By: 
Linda DeGrande, Chair of the Housing
Finance Authority of St. Johns County, Florida

Exhibit "B" to Resolution

Prepared by:
Nanette Bradbury
St. Johns County Land Management Systems
500 San Sebastian View
St. Augustine, Florida 32084

**RELEASE OF
PHOSPHATE, MINERALS, METALS AND PETROLEUM RESERVATIONS AND
RELEASE OF RELATED RIGHTS OF ENTRY AND EXPLORATION
BY
ST. JOHNS COUNTY, FLORIDA
AND
ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY**

THIS RELEASE is made and given this ___ day of _____, 2010, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida (the "County"), and **ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY**, a public community redevelopment agency created and existing under and by virtue of the laws of the State of Florida (the "Agency").

WITNESSETH:

WHEREAS, (a) the County conveyed to the Agency by Deed dated May 21, 2004, and recorded in the Official Records Book 2208 Page 566, and (b) the County conveyed to the **HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY**, a public body corporate and politic of the State of Florida (the "Authority"), by Deed dated April 4, 2008, and recorded in the Official Records Book 3066 Page 18, and (c) the Agency conveyed to the Authority by Deed dated March 20, 2008, and recorded in the Official Records Book 3060 Page 470, and Deed dated March 4, 2010, and recorded in Official Records Book 3293 Page 105 (which conveyed to the Authority properties previously conveyed to the Agency by the County by the above-referenced Deed dated May 21, 2004), certain properties within St. Johns County, Florida, as further described on attached Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, pursuant to Section 270.11(1), Florida Statutes, as amended, the County and the Agency reserved in said Deeds certain phosphate, mineral, metals and petroleum rights; and

WHEREAS, pursuant to Section 270.11(6), Florida Statutes, as amended, the Authority has petitioned the County and the Agency for a release of said reservation which petition the County and the Agency have approved.

KNOWN ALL MEN BY THESE PRESENTS: That the County and the Agency, for and in consideration of mutual benefits, have released and by these presents does release unto the fee simple owners of record, their successors, heirs and assigns, the following reservation, to wit:

“RESERVING UNTO THE GRANTOR, its successors and/or assigns an undivided three-fourths interest in, and title in and to an undivided three-fourths interest in, all the phosphate, minerals and metals that are or may be in, on, or under the said land and an undivided one-half interest in all petroleum that is or may be in, or on, or under said land with the privilege to mine and develop the same.”

Insofar as said reservation affects the properties described on attached Exhibit “A”.

IN WITNESS WHEREOF, the County has caused this Release to be executed in its name by the Chair of its Board of County Commissioners and the Agency has caused this Release to be executed in its name by its Chair, all as of the day and year first above written.

ST. JOHNS COUNTY, FLORIDA

By: _____
Ron Sanchez, Chair of its Board of County
Commissioners

ATTEST: Cheryl Strickland, Clerk

By: _____
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ___ day of _____, 2010, by Ron Sanchez, Chair of the Board of County Commissioners of St. Johns County, Florida, on behalf of said County, who is personally know to me.

Notary Public
My Commission Expires: _____

**ST. JOHNS COUNTY COMMUNITY
REDEVELOPMENT AGENCY**

By: _____
Ron Sanchez, its Chair

ATTEST: Cheryl Strickland, its Clerk

By: _____
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ___ day of _____, 2010,
by Ron Sanchez, Chair of the St. Johns County Community Redevelopment Agency, on behalf
of said Agency, who is personally know to me.

Notary Public
My Commission Expires: _____

Exhibit "A" to Mineral Release

Parcel#115750-0050

Afro American Subdivision of Block 71 Dancy Tract Lot 5 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115750-0060

Afro American Subdivision of Block 71 Dancy Tract Lot 6 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel# 115750-0070

Afro American Subdivision of Block 71 Dancy Tract, Lot 7 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0000

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 1 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0020

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 2 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0070

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 7 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0100

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 10 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0110

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 11 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0120

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 12 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0130

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 13 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0140

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 14 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0170

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 17 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#115780-0190

Afro American Subdivision of Lots 2, 3, 5, & 6 Block 72 Dancy Tract Lot 19 as recorded in Map Book 4, Page 28 of the Public Records of St. Johns County, Florida.

Parcel#116630-0040

Afro American Subdivision of Block 81 Dancy Tract Lot 4 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#116630-0050
Afro American Subdivision of Block 81 Dancy Tract Lot 5 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#116640-0130
Afro American Subdivision of Block 81 Dancy Tract Lot 13 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#116640-0140
Afro American Subdivision of Block 81 Dancy Tract Lot 14 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#116640-0150
Afro American Subdivision of Block 81 Dancy Tract Lot 15 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117310-0020
Afro American Subdivision of Block 90 Dancy Tract Lot 2 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117310-0030
Afro American Subdivision of Block 90 Dancy Tract Lot 3 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117310-0040
Afro American Subdivision of Block 90 Dancy Tract Lot 4 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117310-0050
Afro American Subdivision of Block 90 Dancy Tract Lot 5 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117310-0060
Afro American Subdivision of Block 90 Dancy Tract Lot 6 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117310-0070
Afro American Subdivision of Block 90 Dancy Tract Lot 7 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117310-0080
Afro American Subdivision of Block 90 Dancy Tract Lot 8 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117320-0070
Afro American Subdivision of Block 91 Dancy Tract Lot 7 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117320-0080
Afro American Subdivision of Block 91 Dancy Tract Lot 8 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117320-0090
Afro American Subdivision of Block 91 Dancy Tract Lot 9 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117320-0100
Afro American Subdivision of Block 91 Dancy Tract Lot 10 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117320-0110
Afro American Subdivision of Block 91 Dancy Tract Lot 11 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117320-0120
Afro American Subdivision of Block 91 Dancy Tract Lot 12 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117340-0170
Afro American Subdivision of Block 91 Dancy Tract Lot 17 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117340-0180
Afro American Subdivision of Block 91 Dancy Tract Lot 18 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117340-0190
Afro American Subdivision of Block 91 Dancy Tract Lot 19 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117340-0200
Afro American Subdivision of Block 91 Dancy Tract Lot 20 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117340-0210
Afro American Subdivision of Block 91 Dancy Tract Lot 21 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#117790-0000
Afro American Subdivision of Block 98 Dancy Tract Lot 1 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117790-0020
Afro American Subdivision of Block 98 Dancy Tract Lot 2 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117790-0280
Afro American Subdivision of Block 98 Dancy Tract Lot 28 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117790-0290
Afro American Subdivision of Block 98 Dancy Tract Lot 29 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117790-0300
Afro American Subdivision of Block 98 Dancy Tract Lot 30 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117800-0260
Afro American Subdivision of Block 99 Dancy Tract Lot 26 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117800-0270

Afro American Subdivision of Block 99 Dancy Tract Lot 27 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117800-0280

Afro American Subdivision of Block 99 Dancy Tract Lot 28 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117800-0290

Afro American Subdivision of Block 99 Dancy Tract Lot 29 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#117800-0300

Afro American Subdivision of Block 99 Dancy Tract Lot 30 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#118240-0000

Afro American Subdivision of Block 107 Dancy Tract Lots 1 thru 7 & 24 thru 26 (Ex West 50 ft. for County Road) as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#118250-0150

Afro American Subdivision of Block 108 Dancy Tract Lot 15 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#118250-0160

Afro American Subdivision of Block 108 Dancy Tract Lot 16 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#118250-0170

Afro American Subdivision of Block 108 Dancy Tract Lot 17 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#118250-0240

Afro American Subdivision of Block 108 Dancy Tract Lot 24 as recorded in Map Book 4 Page 28 of the Public Records of St. Johns County, Florida.

Parcel#118370-0000

Afro American Subdivision of Block 116 Dancy Tract Lots 1 thru 7 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#118370-0160

Afro American Subdivision of Block 116 Dancy Tract Lot 16 and 17 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#118470-0000

Afro American Subdivision of Block 122 Dancy Tract Lots 24 thru 27 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.

Parcel#118472-0080

Afro American Subdivision of Block 124 Dancy Tract Lot 8, 9, 10 and 11 as recorded in Map Book 4 Page 8 of the Public Records of St. Johns County, Florida.