

RESOLUTION NO. 2010 - 9

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FROM KEY, LLC CONVEYING ADDITIONAL RIGHT-OF-WAY TO ST. JOHNS COUNTY FOR ROAD IMPROVEMENTS AT THE SOUTHEAST INTERSECTION OF STATE ROAD 207 AND STATE ROAD 312.

RECITALS

WHEREAS, Key, LLC, a Florida limited liability company, has executed and presented to St. Johns County a Special Warranty Deed, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, conveying additional right-of-way for road improvements at the southeast intersection of State Road 207 and State Road 312; and

WHEREAS, this conveyance is given to satisfy a portion of the road improvement requirements contained in that certain Concurrency and Impact Fee Credit Agreement dated May 11, 2006, between Coastal Atlantic Commercial Properties Group, I, LLC, Epic Theaters of St. Augustine, Inc., MA Investment Company, LLC, and RIM Properties, Inc., the development parties and St. Johns County; and

WHEREAS, upon completion of the road improvements, the additional right-of-way will be conveyed from St. Johns County to the State of Florida to be part of State Road 207; and

WHEREAS, it is in the best interest of the County to accept the deed for the purposes mentioned above.

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 accepts the Special Warranty Deed, attached hereto.

Section 3. The Clerk is instructed to record the Special Warranty Deed in the public records of St. Johns County, Florida.

Section 4. To the extent that there are typographical and/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.

PASSED AND ADOPTED by the Board of County Commissioners this 19th
day of January, 2010.

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

By: Ron Sanchez
Ron Sanchez, Chair

ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman
Deputy Clerk

RENDITION DATE 1/20/10

Exhibit "A" to Resolution

This Instrument Prepared By:
Laurie Ford
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, dated this 9th day of December, 2009, by and between KEY, LLC, a Florida limited liability company, whose address is 1506 Roberts Drive, Jacksonville, Florida 32250, hereinafter called the Grantor, and ST. JOHNS COUNTY, FLORIDA a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called the Grantee.

(Whenever used herein the terms "Grantor and Grantee" shall include all of the parties of this instrument and their heirs, legal representatives, successors and assigns.)

WITNESSETH:

Grantor hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms to Grantee, its successors and assigns, all of the real property in St. Johns County, Florida, that is more particularly described on EXHIBIT "A" attached hereto and made a part hereof (the "Property"), together with all tenements, hereditaments and appurtenants thereto belonging or in anywise pertaining to the Property, subject to the restrictions, conditions, covenants, limitations, easements, reservations of record, and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any, and ad valorem taxes accruing subsequent to December 31, 2008.

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

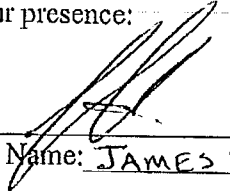
Grantor hereby covenants with Grantee, that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

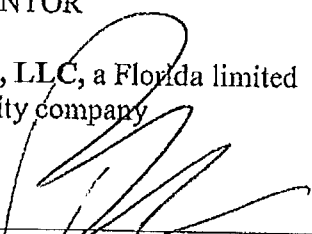
IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed effective the day and year first above written


GRANTOR

Signed, sealed and delivered in our presence:

KEY, LLC, a Florida limited liability company

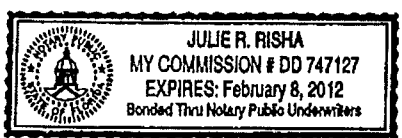

Print Name: JAMES WILK

By: 
Name: BART WACHLE
Its: MEMBER


Print Name: HECTOR RIVERA

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument as acknowledged before me this 9 day of December, 2009, by BART WACHLE, as MEMBER of KEY, LLC, a Florida limited liability company on behalf of the company.



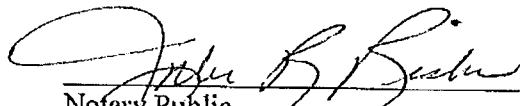

Notary Public
My Commission Expires: 02/08/2012

EXHIBIT "A"
(Property)

*LEGAL DESCRIPTION OF RIGHT OF WAY TO BE DEEDED TO THE STATE OF FLORIDA,
DEPARTMENT OF TRANSPORTATION AT STATE ROAD No. S-207 AND STATE ROAD No. 312*

A PARCEL OF LAND, BEING A PORTION OF GOVERNMENT LOT 1, SECTION 25, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 312 (A VARIABLE WIDTH PUBLIC ROAD RIGHT OF WAY), WITH THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD No. S-207, (AS ESTABLISHED BY THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION No. 78050-2516), AND RUN THENCE SOUTH 43°49'56" WEST, ALONG THE AFORESAID SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD No. S-207, A DISTANCE OF 695.61 FEET, TO A POINT; RUN THENCE NORTH 57°19'14" EAST, A DISTANCE OF 47.16 FEET, TO A POINT LYING 11.00 FEET, SOUTHEASTERLY OF, WHEN MEASURED AT RIGHT ANGLES TO, THE AFORESAID SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD No. S-207; RUN THENCE NORTH 43°49'56" EAST, PARALLEL WITH, AND 11.0 FEET SOUTHEASTERLY OF, WHEN MEASURED AT RIGHT ANGLES, TO THE AFORESAID SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD No. S-207, A DISTANCE OF 652.19 FEET, TO A POINT ON THE AFORESAID SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 312; RUN THENCE, ALONG THE AFORESAID SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 312, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

COURSE No. 1: NORTH 25°47'59" WEST, A DISTANCE OF 1.20 FEET;

COURSE No. 2: NORTH 62°16'51" WEST, A DISTANCE OF 10.28 FEET, TO A POINT ON THE AFORESAID SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD No. S-207, AND TO THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED CONTAINS 7,417 SQUARE FEET, OR 0.170 ACRE, MORE OR LESS, IN AREA.

NOTE: BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF STATE ROAD No. S-207, AS PER STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION No. 78050-2516.

MAP SHOWING SKETCH OF:
ADDITIONAL RIGHT OF WAY TO BE DEEDED TO
THE STATE OF FLORIDA, DEPARTMENT OF
TRANSPORTATION, SITUATED IN SECTION
25, TOWNSHIP 7 SOUTH, RANGE 29 EAST,
ST. JOHNS COUNTY, FLORIDA.

SURVEYOR'S CERTIFICATE:
 THIS IS TO CERTIFY THAT THIS SKETCH WAS MADE UNDER
 MY SUPERVISION AND IN ACCORDANCE WITH THE MINIMUM
 TECHNICAL STANDARDS AS OUTLINED AND SET FORTH BY
 THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS
 AND APPEARS IN CHAPTER SIXTY-FIVE FORMERLY CHAPTER
 2094-6.01, FLORIDA ADMINISTRATIVE CODE PURSUANT TO
 SECTION 422.027, FLORIDA STATUTES.

JONATHAN S. BOWMAN, STATE OF FLORIDA
 REGISTERED LAND SURVEYOR, CERTIFICATE NO. 44800

