

RESOLUTION NO. 2011- 103

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE CONVEYANCE OF A SMALL STRIP OF PROPERTY TO THE TOLOMATO COMMUNITY DEVELOPMENT DISTRICT AND AUTHORIZING THE CHAIR TO EXECUTE A COUNTY DEED.

RECITALS

WHEREAS, transportation facility improvements related to the Nocatee development in the Ponte Vedra area are currently in process; and

WHEREAS, a County owned 1,687 square-foot vacant strip of land located along the eastern side of US 1 North, south of the new Nocatee Parkway construction is needed for the roadway improvement project; and

WHEREAS, as part of the Nocatee Development of Regional Impact the developer will pay costs related to this conveyance; and

WHEREAS, the County hereby agrees to convey the subject parcel to the Tolomato Community Development District, by County Deed, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, it is in the best interest of the County to execute the County Deed and convey the subject parcel as set forth 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 approves the conveyance of the parcel described herewith and authorizes the Chair of the Board to execute a County Deed conveying ownership of the subject parcel to the Tolomato Community Development District the.

Section 3. The Clerk of Courts is instructed to record the original County Deed in the Public Records of St. Johns County, Florida.

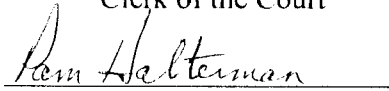
Section 4. To the extent that there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 30th day of May, 2011.

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

By: 
J. Ken Bryan, Chair

ATTEST: Cheryl Strickland
Clerk of the Court

By: 
Deputy Clerk

RENDITION DATE 5/5/11

Exhibit "A" to the Resolution

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

COUNTY DEED

THIS DEED, made without warranty of title or warranty of method of conveyance, this _____ day of _____, 2011, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is County Administration Building, 500 San Sebastian View, St. Augustine, Florida, 32084, hereinafter "Grantor", to **TOLOMATO COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes "Grantee", whose address is 14785-4 St. Augustine Road, Jacksonville, Florida 32258. (Wherever used herein the term "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and their successors, and assigns of organizations).

WITNESSETH;

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, forever unto said Grantee, all that certain land, situate, lying and being in the County of St. Johns, State of Florida and more particularly described below. Pursuant to Florida law Section 125.411(3) F.S., this deed conveys only the interest in said land the Grantor has of the date of this conveyance, to wit:

SEE EXHIBIT "A", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF (THE "PROPERTY")

Parcel Account Number 023420-0020

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

THIS COUNTY DEED is subject to the following non-exclusive list of exceptions:

- a. Special taxes and assessments, confirmed or unconfirmed, for improvements not yet completed, if any;
- b. Any state of facts which a good and accurate survey or inspection of the premises might reveal;
- c. Federal, State, local government (County or City), development, construction, zoning and building laws or ordinances, rules, regulations and resolutions;
- d. Rights, if any, of the public in any portion of the premises which may fall within any public street,

way or alley;

- e. All acts of the Grantee occurring prior to, or subsequent to the date of this instrument;
- f. Agreements, conditions, covenants, reservations, restrictions, and servitude of record;
- g. Easements and rights of way of record.

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 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.

IN WITNESS WHEREOF the said Grantor has caused the presents to be executed in its name by its Board of County Commissioners acting by the Chairman of the Board, the day and year aforesaid.

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

BY: _____
J. Ken Bryan, Chair

ATTEST: Cheryl Strickland, Clerk

By: _____
Deputy Clerk

**STATE OF FLORIDA
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by J. Ken Bryan, Chair of the Board of County Commissioners of St. Johns County, Florida, on behalf of the County. Who is personally known to me.

Notary Public State of Florida
My Commission Expires: _____

EXHIBIT A

A portion of Section 3, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

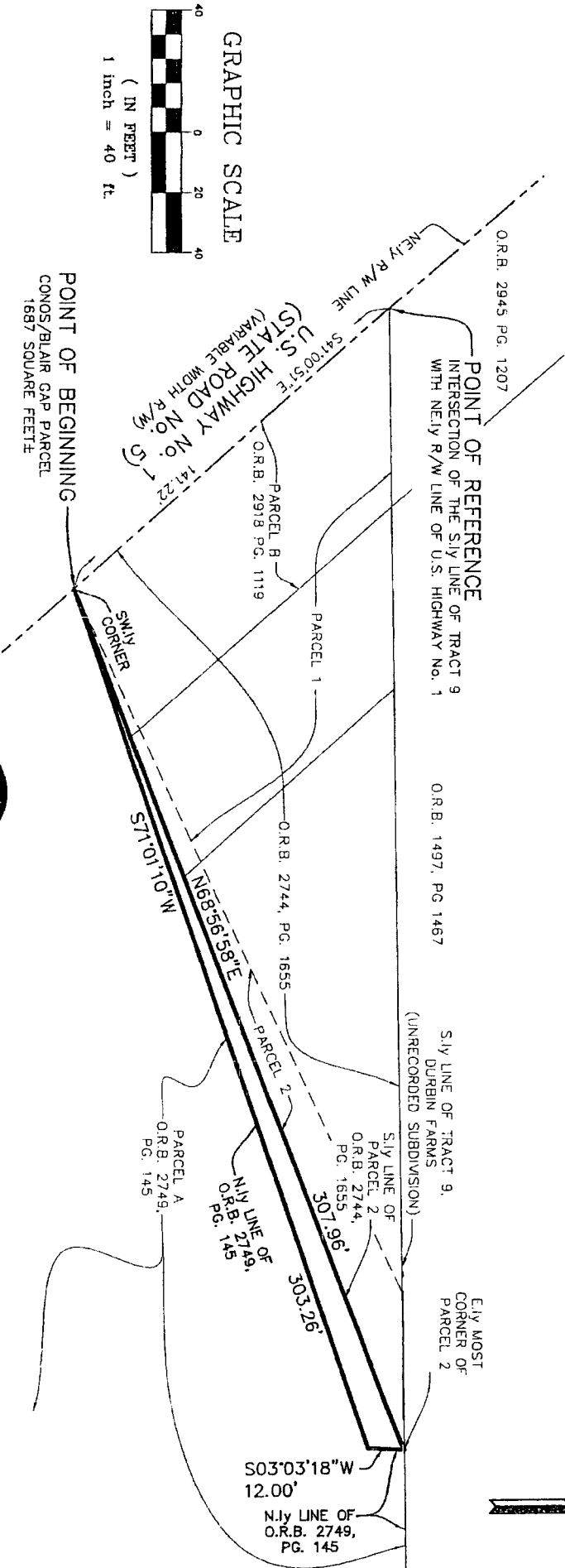
For a Point of Reference, commence at the intersection of the Southerly line of Tract 9, Durbin Farms, an unrecorded subdivision, with the Northeasterly right of way line of U.S. Highway No. 1 (State Road No. 5), a variable width right of way as presently established, thence South $41^{\circ}00'51''$ East, along said Northeasterly right of way line, 141.22 feet to the Southwesterly corner of Parcel 2 as described and recorded in Official Records Book 2744, page 1655, of the public records of said county and the Point of Beginning.

From said Point of Beginning, thence North $68^{\circ}56'58''$ East, departing said Northeasterly right of way line and along the Southerly line of said Parcel 2, a distance of 307.96 feet to the Easterly most corner thereof, said corner also being an angle point in the Northerly line of Parcel A of those lands described and recorded in Official Records Book 2749, page 145 of said public records; thence Southwesterly, along said Northerly line the following two (2) courses: Course 1, thence South $03^{\circ}03'18''$ West, 12.00 feet; Course 2, thence South $71^{\circ}01'10''$ West, 303.26 feet to the Point of Beginning.

Containing 1687 square feet, more or less.

SKETCH TO ACCOMPANY DESCRIPTION OF

A PORTION OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA,
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



LEGEND:
NO. NUMBER
O.R.B. OFFICIAL RECORDS BOOK
PG. PAGE
R/W RIGHT OF WAY

NOTES:
1) THIS IS NOT A SURVEY.
2) BEARINGS BASED ON THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5) AS BEING SOUTH 41°00'51" EAST.



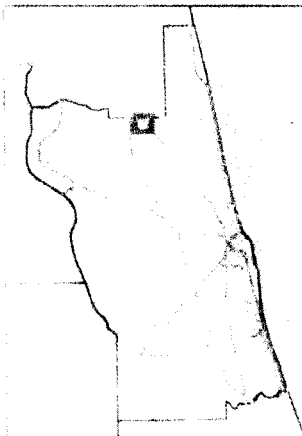
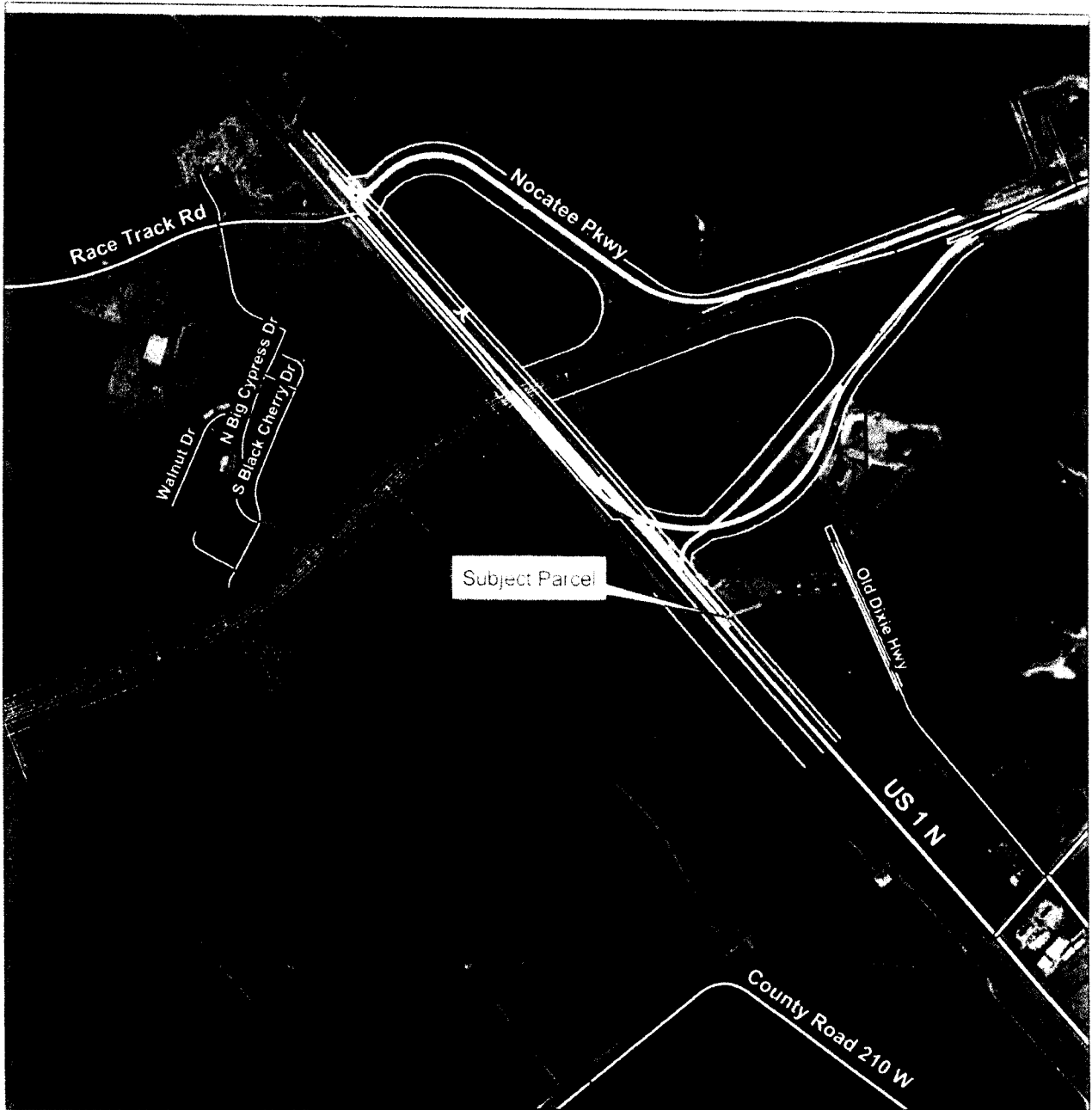
Robert M. Angus Associates, Inc.
LAND SURVEYORS, PLANNERS AND CIVIL ENGINEERS
SINCE 1924

14775 Old St. Augustine Road, Jacksonville, FL 32258 Tel: (904) 842-8550
Certificate of Authorization No.: LB 3624

DATE: SEPTEMBER 29, 2008 SCALE: 1" = 40'

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Damon J. Kelly
DAMON J. KELLY
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LS No. 6284



Gap Parcel

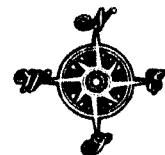
Nocatee Parkway Connection

0 200 400 600 800 1 000 1 200 1 400 1 600
 Feet



St. Johns County
 Land Mgmt Systems
 Real Estate Division

Map Prepared
 April 11, 2011
 (904) 209-0786



2009 Aerial Imagery

DISCLAIMER
 This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy.