

RESOLUTION NO. 2014-253

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, GRANTING AUTHORITY TO THE SIX MILE CREEK COMMUNITY DEVELOPMENT DISTRICT TO EXERCISE SPECIAL POWERS RELATED TO RECREATION AND SECURITY; MAKING FINDINGS IN SUPPORT THEREOF; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Six Mile Creek Community Development District (“District”) is a local unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, Florida Statutes (“Uniform Act”), and by Rule 42GGG-1, Florida Administrative Code, adopted by the Florida Land and Water Adjudicatory Commission; and

WHEREAS, the District is located within the jurisdiction of St. Johns County, Florida (“County”); and

WHEREAS, the District is authorized to exercise general powers pursuant to section 190.011, Florida Statutes; and

WHEREAS, the District is authorized, pursuant to section 190.012(1) and (3), Florida Statutes, to provide a variety of services and facilities, including, but not limited to, water management, roads and landscaping; and

WHEREAS, the District has identified the need for recreation and security facilities or services within the boundaries of the District that it wishes to provide; and

WHEREAS, the District is required to obtain the consent of the local general purpose government prior to the exercise of powers related to the provision of recreation and security facilities or services, as provided in Section 190.012(2)(a) and (d), Florida Statutes; and

WHEREAS, pursuant to Resolution 2014-05 passed by the Board of Supervisors of the District on February 26, 2014, which Resolution is attached hereto as **Exhibit A**, the Board of Supervisors of the District has requested that the Board of County Commissioners of St. Johns County, Florida, grant consent to the District to exercise the powers provided in Section 190.012(2)(a) and (d), Florida Statutes; and

WHEREAS, the County hereby resolves to grant this consent; provided, however, that the granting of such consent shall in no way abrogate, absolve, reduce or otherwise amend the obligations imposed by the ordinances or regulations of St. Johns County, Florida, regarding the provision of recreation or security facilities or services.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of St. Johns County, Florida, that:

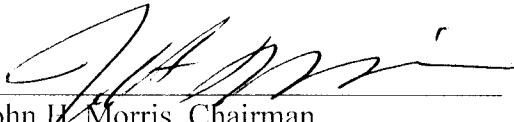
SECTION 1. CONSENT TO EXERCISE SPECIAL POWERS. The County hereby grants consent to the District to exercise the powers provided in Section 190.012(2)(a) and (d), Florida Statutes.

SECTION 2. CONDITIONS OF CONSENT. The granting of such consent shall in no way abrogate, absolve, reduce or otherwise amend the obligations imposed by ordinances or regulations of St. Johns County, Florida, regarding the provision of recreation or security facilities or services. Nothing in this resolution shall be deemed as acceptance by St. Johns County of any financial, operational, or maintenance responsibilities of the District.

SECTION 3. EFFECTIVE DATE. This resolution shall be effective immediately upon adoption.

ADOPTED THIS 16 DAY OF September, 2014.

ST. JOHNS COUNTY, FLORIDA
By: Board of County Commissioners


By: John H. Morris, Chairman
St. Johns County Board of Commissioners

ATTEST:

By: Pam Halterman
Deputy Clerk to the Board of County Commissioners

RENDITION DATE 9/18/14

EXHIBIT A
Real Property

PARCEL ONE:

A PARCEL OF LAND IN GOVERNMENT LOT 3 AND IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 1 OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 45 MINUTES 10 SECONDS WEST, ON THE SOUTH LINE OF GOVERNMENT LOTS 1 AND 2 AND ON A WESTERLY EXTENSION OF THAT LINE, 4161.26 FEET TO THE POINT OF BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL OF LAND; THENCE CONTINUING SOUTH 89 DEGREES 45 MINUTES 10 SECONDS WEST 568.79 FEET; THENCE NORTH 02 DEGREES 29 MINUTES 50 SECONDS WEST 2722.83 FEET TO THE NORTH LINE OF SAID SECTION 5; THENCE SOUTH 59 DEGREES 17 MINUTES 10 SECONDS EAST ON SAID NORTH LINE OF SECTION 5, A DISTANCE OF 777.64 FEET; THENCE SOUTH 00 DEGREES 28 MINUTES EAST 2320.58 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTH 60 FEET OF THE ABOVE DESCRIBED PROPERTY.

PARCEL TWO:

A PARCEL OF LAND IN GOVERNMENT LOT 3 AND IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 1 OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 45 MINUTES 10 SECONDS WEST, ON THE SOUTH LINE OF GOVERNMENT LOTS 1 AND 2 AND ON A WESTERLY EXTENSION OF THAT LINE, 4730.05 FEET TO THE POINT OF BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL OF LAND; THENCE CONTINUING SOUTH 89 DEGREES 45 MINUTES 10 SECONDS WEST 335.50 FEET TO THE WEST LINE OF SAID SECTION 5; THENCE NORTH 02 DEGREES 29 MINUTES 50 SECONDS WEST 3052.11 FEET TO THE NORTHWEST CORNER OF SAID SECTION 5; THENCE SOUTH 59 DEGREES 17 MINUTES 10 SECONDS EAST, ON THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 639.56 FEET; THENCE SOUTH 02 DEGREES 29 MINUTES 50 SECONDS EAST, 2722.83 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTH 60 FEET OF THE ABOVE DESCRIBED PROPERTY.

PARCEL THREE:

THE SOUTH 60 FEET OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM THE EAST 1560.46 FEET OF THE NORTH HALF (N 1/2) OF SAID SECTION 5, AS FOUND IN OFFICIAL RECORDS BOOK 391, PAGE 489, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL 1:

A portion of Section 38, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a point of reference, commence at the Southwest corner of The Andrew Pacetti Donation, Section 37, Township 6 South, Range 28 East; thence South 89 degrees 41 minutes 09 seconds East, along the Southerly line of said Section 37, a distance of 1,179.79 feet to an intersection with the Southwesterly line of a 40 foot wide drainage easement recorded in Deed Book 182, Page 133 of the public records of aforesaid county; thence South 37 degrees 05 minutes 54 seconds East, along last said line, a distance of 930.18 feet to the POINT OF BEGINNING; thence continue along last said line South 37 degrees 05 minutes 54 seconds East, a distance of 65.77 feet to an intersection with the Westerly Right-Of-Way line of County Road 13A (also known as Pacetti Road, a 100 foot Right-Of-Way, as now established); thence South 12 degrees 22 minutes 53 seconds West, along last said line, a distance of 257.23 feet; thence North 77 degrees 37 minutes 07 seconds West, a distance of 50.00 feet; thence North 12 degrees 22 minutes 53 seconds East, parallel with said Westerly Right-Of-Way line, a distance of 299.96 feet to the POINT OF BEGINNING.

Less and Except those lands described in that certain Special Warranty Deed dated April 1, 2009, recorded in Official Records Book 3180, Page 158, Public Records of St. Johns County, Florida.

PARCEL 2:

Non-exclusive easements, set forth in that certain Special Warranty Deed dated in April 1, 2009, recorded in Official Records Book 3180, Page 158, Public Records of St. Johns County, Florida.

PARCEL 3:

A part of Sections 31 and 38, Township 6 South, Range 28 East, together with a part of Sections 6, 38 and 41, Township 7 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 said Section 41, Township 7 South, Range 28 East, with the Westerly right-of-way line of County Road No. 13A (a 100.00 foot right-of-way as now established); thence North 71 degrees 03 minutes 40 seconds West, along the said South line of Section 41, a distance of 1065.59 feet to the POINT OF BEGINNING; thence continue North 71 degrees 03 minutes 40 seconds West, along the Southerly line of said Section 41, a distance of 3030.75 feet; thence North 60 degrees 13 minutes 49 seconds West, continuing along said Section line, a distance of 1734.02 feet to the common corner to Sections 41, 5 and 6; thence South 03 degrees 24 minutes 47 seconds East, along the Easterly line of said Section 6, a distance of 3052.10 feet; thence South 03 degrees 20 minutes 35 seconds East, along the Easterly line of said Section 38, a distance of 2086.25 feet; thence North 86 degrees 59 minutes 59 seconds West, a distance of 863.15 feet to the waters of Six Mile Creek; thence North 46 degrees 05 minutes 12 seconds West, along the waters of said Six Mile Creek, a distance of 1430.00 feet; thence North 45 degrees 06 minutes 48 seconds West, along the waters of Six Mile Creek, a distance of 1973.08 feet; thence North 15 degrees 52 minutes 42 seconds West, along the waters of said Six Mile Creek, a distance of 639.84 feet; thence North 07 degrees 18 minutes 17 seconds East, a distance of 540.00 feet to a point in the division line between Section 6 and 38; thence North 89 degrees 07 minutes 35 seconds West, along said division line.

a distance of 540.00 feet; thence North 01 degrees 20 minutes 11 seconds West, along the Westerly line of the North 28 acres of the Northeast One Quarter and Northwest One Quarter of said Section Six, a distance of 2665.80 feet to a point in said Six Mile Creek; thence with the waters of said Six Mile Creek, the following fourteen (14) courses: Course No. 1) North 21 degrees 46 minutes 57 seconds West, a distance of 115.71 feet; Course No. 2) North 04 degrees 03 minutes 00 seconds West, a distance of 471.70 feet; Course No. 3) North 15 degrees 30 minutes 16 seconds West, a distance of 530.00 feet; Course No. 4) North 74 degrees 15 minutes 52 seconds West, a distance of 160.00 feet; Course No. 5) North 31 degrees 54 minutes 28 seconds West, a distance of 147.65 feet; Course No. 6) North 14 degrees 54 minutes 52 seconds West, a distance of 655.70 feet; Course No. 7) North 58 degrees 35 minutes 33 seconds West, a distance of 336.17 feet; Course No. 8) North 38 degrees 53 minutes 09 seconds West, a distance of 291.63 feet; Course No. 9) North 07 degrees 47 minutes 32 seconds East, a distance of 480.55 feet; Course No. 10) North 31 degrees 04 minutes 47 seconds West, a distance of 88.74 feet; Course No. 11) North 20 degrees 38 minutes 46 seconds East, a distance of 219.13 feet; Course No. 12) North 32 degrees 56 minutes 28 seconds West, a distance of 141.49 feet; Course No. 13) North 08 degrees 25 minutes 22 seconds East, a distance of 515.92 feet; Course No. 14) North 15 degrees 06 minutes 25 seconds West, a distance of 651.10 feet; thence North 77 degrees 45 minutes 24 seconds East, leaving the waters of Six Mile Creek, a distance of 2251.55 feet; thence South 40 degrees 06 minutes 20 seconds East, a distance of 3560.03 feet; thence South 85 degrees 45 minutes 56 seconds East, a distance of 4260.63 feet to a point in the division line between said Section 38 and Section 37; thence South 01 degrees 06 minutes 48 seconds East, along said Westerly line of Section 37, a distance of 258.39 feet to the Southwest corner of said Section 37; thence South 89 degrees 40 minutes 57 seconds East, along the South line of said Section 37, a distance of 1179.79 feet to the Northwest corner of a 30.00 foot wide drainage easement, as recorded in Deed Book 182, Page 133; thence South 37 degrees 05 minutes 42 seconds East, a distance of 930.18 feet; thence South 12 degrees 23 minutes 05 seconds West, along a line parallel with and lying 50.00 foot Westerly of when measured at right angles to the Westerly right-of-way line of State Road No. 13A (a 100.00 foot right-of-way as now established), a distance of 1482.90 feet to the point of a curve of a curve, concave Easterly, having a radius of 2392.01 feet; thence Southwesterly, continuing along said parallel line and along the arc of said curve, an arc distance of 604.31 feet, said arc being subtended by a chord bearing of South 05 degrees 08 minutes 51 seconds West and a chord distance of 602.70 feet to the point of tangency of said curve; thence South 02 degrees 05 minutes 24 seconds East, continuing along said parallel line, a distance of 868.99 feet; thence South 87 degrees 54 minutes 35 seconds West, leaving said parallel line, a distance of 944.62 feet; thence South 02 degrees 05 minutes 25 seconds East, a distance of 759.38 feet to the POINT OF BEGINNING.

Less and Except those lands as described in Official Records Book 250, Page 693, of the Public Records of said County.

Together with easement rights as set out in Access Easement recorded in Official Records Book 2450, Page 112, by and between SJ Land Associates, L.L.C, a Delaware limited liability company and Six Mile Creek Ventures, L.L.C, a Delaware limited liability company over the following described land:

A part of Section 38, Township 6 South, Range 28 East, together with a part of Section 41, Township 7 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 said Section 41, Township 7 South, Range 28 East, with the Westerly line of County Road Number 13A (a 100 foot right-of-way as now established); thence North 02 degrees 05 minutes 24 seconds West along the Westerly right of way line of said Road Number 13A, a distance of 1141.76 feet to the POINT OF BEGINNING; thence South 87 degrees 54

minutes 35 seconds West leaving said Westerly right-of-way line, a distance of 50.00 feet; thence North 02 degrees 05 minutes 24 seconds West, a distance of 868.99 feet to the point of curve of a curve, concave Easterly, having a radius of 2392.01 feet; thence Northerly along the arc of said curve, an arc distance of 604.31 feet, said arc being subtended by a chord bearing of North 05 degrees 08 minutes 51 seconds East and a chord distance of 607.70 feet to the point of tangency of said curve; thence North 12 degrees 23 minutes 05 seconds East, a distance of 1482.90 feet; thence South 37 degrees 05 minutes 42 seconds East, a distance of 65.77 feet to a point in the aforesaid Westerly right-of-way line of County Road Number 13A; thence South 12 degrees 23 minutes 05 seconds West along the said Westerly right-of-way line, a distance of 1440.16 feet to the point of a curve of a curve, concave Easterly, having a radius of 2342.01 feet; thence Southerly along said Westerly right-of-way line and along the arc of said curve; an arc distance of 591.67 feet, said arc being subtended by a chord bearing of South 05 degrees 08 minutes 51 seconds West and a chord distance of 590.10 feet to the point of tangency of said curve; thence South 02 degrees 05 minutes 24 seconds East continuing along said Westerly right-of-way line, a distance of 868.99 feet to the POINT OF BEGINNING.

Except to the extent said easement may have merged by virtue of the conveyance of a portion of the easement premises to Six Mile Creek Ventures, L.L.C., by Special Warranty Deed recorded in Official Records Book 2866, Page 1, Public Records of St. Johns County, Florida.

Together with easement rights as set out in that certain Irrigation Line Easement recorded in Official Records Book 2450, Page 120, by and between SFL and Associates, L.L.C., a Delaware limited liability company and Six Mile Creek Ventures, L.L.C., a Delaware limited liability company over the following described land:

Being a part of the Antonio Huertas Grant, Section 38, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a point of reference commence at the most Westerly corner of St. Johns Six Mile Creek North Unit 2, as recorded in Map Book 37, Pages 45 through 61, inclusive, of the Public Records of said County, said point also being the Southwest corner of Conservation Parcel No. 14, a 41.82 acre tract of land as shown on said PLAT OF ST. JOHNS SIX MILE CREEK NORTH UNIT TWO; thence South 49 degrees 17 minutes 17 seconds West, a distance of 966.84 feet to a point on the Westerly right-of-way line of a 110.00 feet wide Florida Power and Light Easement, as recorded in Official Records Book 46, Page 647 of the Public Records of said County; thence South 02 degrees 24 minutes 18 seconds East, along the Westerly line of said Florida Power and Light Easement, a distance of 505.22 feet; thence South 28 degrees 37 minutes 33 seconds East, continuing along said Westerly line, a distance of 2689.21 feet to the POINT OF BEGINNING, said point being the Southeast corner of a 10.00 foot Florida Power and Light Easement, as recorded in Official Records Book 1490, at Page 1534 of said Public Records and the Southwest corner of the King and the Bear Golf Course Irrigation Line Easement, as recorded in Official Records Book 1540, Page 918; thence South 28 degrees 37 minutes 13 seconds East, continuing along the Westerly line of said 110.00 foot Florida Power and Light Easement, a distance of 596.21 feet to a point in the Northerly line of Saint Johns South Tract; thence South 77 degrees 45 minutes 24 seconds West, along the North line a distance of 10.42 feet; thence North 28 degrees 37 minutes 13 seconds West, a distance of 593.55 feet to a point in the Southerly line of the aforesaid 10.00 foot Florida Power and Light Easement; thence North 63 degrees 00 minutes 00 seconds East, along the South line of said 10.00 foot Florida Power and Light Easement and the King and the Bear Golf Course Irrigation Line Easement, a distance of 10.00 feet to the POINT OF BEGINNING.

Also Less and Except from the fee simple part of Parcel 3, those lands described in that certain Special Warranty Deed dated April 1, 2009, recorded in Official Records Book 3180, Page 158, Public Records of St.

Johns County, Florida.

Together with easement rights as set out in that certain Construction Easement for Utilities Six Mile Creek South, recorded in Official Records Book 2662, Page 1471, by and between SJ Lund Associates, LLC, a Delaware limited liability company, and Six Mile Creek Ventures, LLC, a Delaware limited liability company, over the following described land:

A part of the Antonio Huertas Grant, Section 38, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: For a point of reference, commence at the most Westerly corner of St. Johns Six Mile Creek North Unit 2, as recorded in Map Book 37, Pages 45 through 61, inclusive of the Public Records of said County, said point also being the Southwest corner of Conservation Parcel No. 14 (a 41.82 acre Tract of Land as shown on said Plat of St. Johns Six Mile Creek North Unit 2); thence South 49 degrees 17 minutes 28 seconds West, a distance of 826.67 feet to a point on the Easterly right-of-way line of a 110.00 foot-wide Florida Power and Light Easement, as recorded in Official Records Book 46, Page 647 of the Public Records of said County; thence South 02 degrees 24 minutes 18 seconds East, along the Easterly line of said Florida Power and Light Easement, a distance of 566.49 feet; thence South 28 degrees 37 minutes 13 seconds East, continuing along said Easterly line, a distance of 2260.56 feet; thence South 61 degrees 22 minutes 47 seconds West, crossing said Florida Power and Light Easement, a distance of 120.00 feet to the Southeastly corner of a Utility Easement, recorded in Official Records Book 2241, Page 327 of the Public Records of St. Johns County, Florida, and the Point of Beginning; thence South 28 degrees 37 minutes 13 seconds East, along a line parallel with and lying 10 feet Westerly of when measured at right angles to the Westerly line of said Florida Power and Light Easement, a distance of 996.11 feet; thence South 77 degrees 45 minutes 24 seconds West, a distance of 15.63 feet; thence North 28 degrees 37 minutes 13 seconds West, along a line lying 25 feet Westerly of when measured at right angles to the Westerly line of said Florida Power and Light Easement, a distance of 991.91 feet to the Southwesterly corner of said Utility Easement, recorded in Official Records Book 2241, Page 327 of said Public Records; thence North 61 degrees 22 minutes 47 seconds East, along the South line of said Utility Easement, a distance of 15.00 feet to the Point of Beginning.