

RESOLUTION NO. 2015- 243

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FOR PALM VALLEY ROAD OFF CROSSWATER PARKWAY IN PONTE VEDRA.

RECITALS

WHEREAS, a portion of Palm Valley Road between Crosswater Parkway and Davis Park Road is needed to construct cul-de-sacs to allow for vehicular turnaround; and

WHEREAS, Hydry Company, LLC, a Delaware limited liability company, has executed and presented a Deed of Dedication for a portion of Palm Valley Road in Ponte Vedra, as more specifically described in Exhibit "A," attached hereto incorporated by reference and made a part hereof; and

WHEREAS, it is in the best interest of the County to accept the Special Warranty Deed for to protect the health, safety and welfare of the citizens in the area.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissions 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 Deed of Dedication is hereby accepted by the Board of County Commissioners.

Section 3. 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.

Section 4. The Clerk of Circuit Court is hereby instructed to record the original Deed of Dedication in the Public Records of St. Johns County.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, this 1 day of September, 2015.

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

By: 
Priscilla L. Bennett Chair

ATTEST: Cheryl Strickland, Clerk of Court

By: 
Deputy Clerk

RENDITION DATE 9/3/2015

PREPARED BY AND RETURN TO:
SPENCER N. CUMMINGS, ESQ.
GUNSTER YOAKLEY & STEWART, P.A.
222 WATER STREET, SUITE 1750
JACKSONVILLE, FLORIDA 32202

Res 2015-243

**DEED OF DEDICATION
RIGHT-OF-WAY**

THIS DEED OF DEDICATION, made and executed this 6th day of July, 2015, by **HYDRY COMPANY, LLC**, a Delaware limited liability company ("Grantor"), whose address is 4310 Pablo Oaks Court, Jacksonville, Florida 32224, to and in favor of **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida ("Grantee"), whose address is 500 San Sebastian View, St. Augustine, Florida 32084.

WITNESSETH: that for and in consideration of the acceptance of this Deed of Dedication by the Grantee, said Grantor does hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, the following described land, situate in St. Johns County, Florida, to wit:

PROPERTY AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF (THE "PROPERTY").

TO HAVE AND HOLD the same unto Grantee, its successors and assigns forever, in fee simple for a public road, including therein the right to construct, maintain, and operate, either above or below the surface of the ground, electric light and power, water, sewer, and drainage lines and other public utilities.

AND the Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property, and hereby warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2014.

[This Space Intentionally Left Blank]

Note to Clerk: Minimum documentary stamp taxes are being paid on this deed as this conveyance was made for no consideration.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

GRANTOR:

Signed, sealed and delivered
in the presence of:

HYDRY COMPANY, LLC
a Delaware limited liability company

Rachel Ackerman
(Print Name Rachel Ackerman)

By: Jed V. Davis
Jed V. Davis
Vice President

Till Whalen
(Print Name Till Whalen)

STATE OF FLORIDA)
)SS
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me this 6 day of July, 2015, by Jed V. Davis, the Vice President of **HYDRY COMPANY, LLC**, a Delaware limited liability company, on behalf of the company.



Tina E Miller
(Print Name Tina E Miller)
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 _____



ROBERT M. ANGAS ASSOCIATES, INC.

www.rmangas.com

tel 904-642-8550 • fax 904-642-4165

14775 Old St. Augustine Road • Jacksonville, Florida 32258

February 22, 2013

Nocatee

EXHIBIT "A"

PROPERTY

Work Order No. 13-036.00

File No. 122D-25.00B

Right of Way Addition

A portion of Section 32, Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

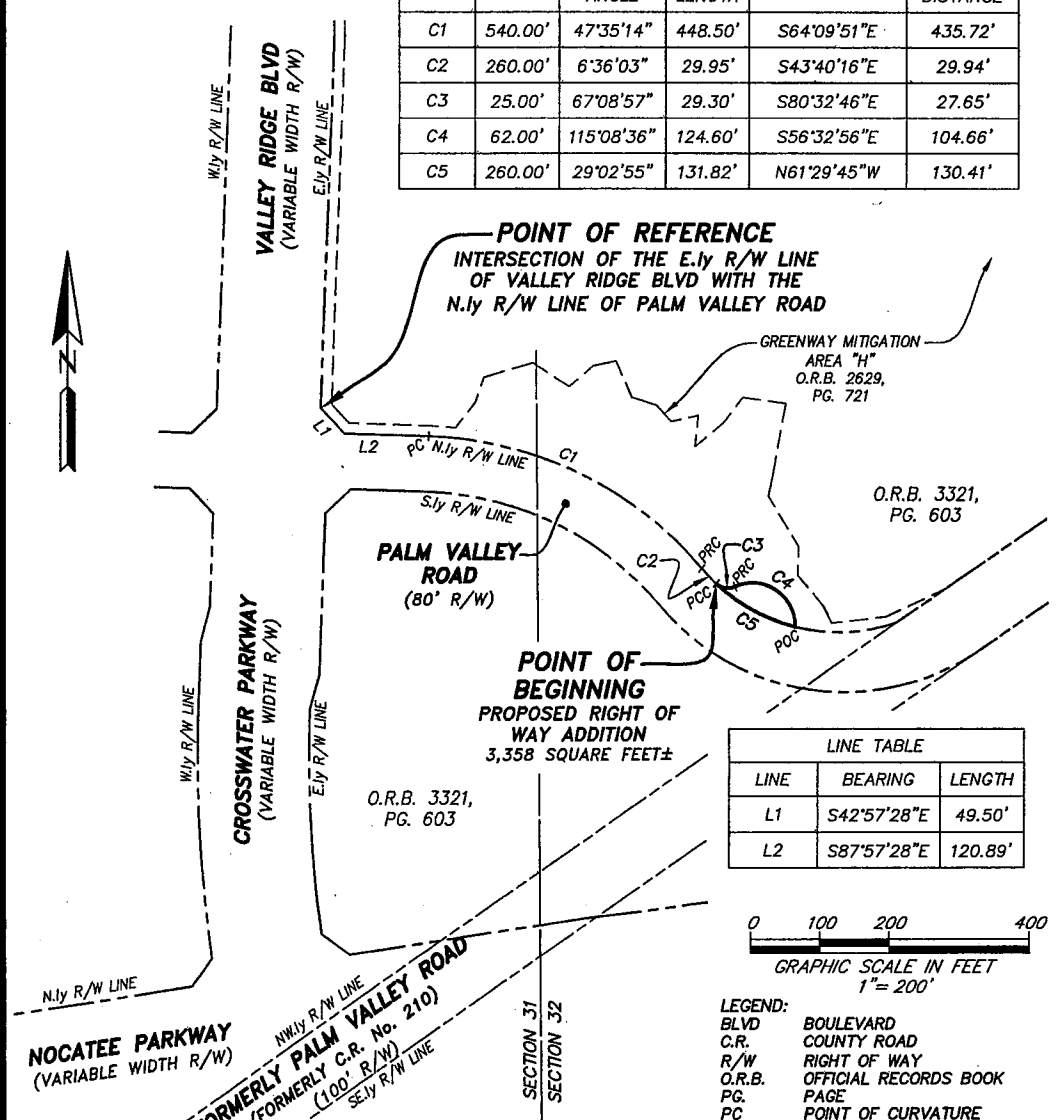
For a Point of Reference, commence at the intersection of the Easterly right of way line of Valley Ridge Boulevard, a variable width right of way as presently established, with the Northerly right of way line of way line Palm Valley Road, an 80 foot right of way as presently established; thence Southeasterly along said Northerly right of way line the following 4 courses: Course 1, thence South $42^{\circ}57'28''$ East, 49.50 feet; Course 2, thence South $87^{\circ}57'28''$ East, 120.89 feet to the point of curvature of a curve concave Southwesterly having a radius of 540.00 feet; Course 3, thence Southeasterly along the arc of said curve, through a central angle of $47^{\circ}35'14''$, an arc length of 448.50 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of South $64^{\circ}09'51''$ East, 435.72 feet; Course 4, thence Southeasterly along the arc of a curve concave Northeasterly having a radius of 260.00 feet, through a central angle of $06^{\circ}36'03''$, an arc length of 29.95 feet to a point of compound curvature and the Point of Beginning, said arc being subtended by a chord bearing and distance of South $43^{\circ}40'16''$ East, 29.94 feet.

From said Point of Beginning, thence Easterly, departing said Northerly right of way line and along the arc of a curve concave Northerly having a radius of 25.00 feet, through a central angle of $67^{\circ}08'57''$, an arc length of 29.30 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of South $80^{\circ}32'46''$ East, 27.65 feet; thence Southeasterly along the arc of a curve concave Southwesterly having a radius of 62.00 feet, through a central angle of $115^{\circ}08'36''$, an arc length of 124.60 feet to a point on said Northerly right of way line of Palm Valley Road, said arc being subtended by a chord bearing and distance of South $56^{\circ}32'56''$ East, 104.66 feet; thence Northwesterly along said Northerly right of way line and along the arc of a curve concave Northeasterly having a radius of 260.00 feet, through a central angle of $29^{\circ}02'55''$, an arc length of 131.82 feet to the Point of Beginning, said arc being subtended by a chord bearing and distance of North $61^{\circ}29'45''$ West, 130.41 feet.

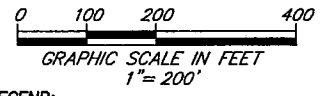
Containing 3358 square feet, more or less.

**SKETCH TO ACCOMPANY DESCRIPTION OF
A PORTION OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 29 EAST,
ST. JOHNS COUNTY, FLORIDA,
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.**

CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	540.00'	47°35'14"	448.50'	S64°09'51"E	435.72'
C2	260.00'	6°36'03"	29.95'	S43°40'16"E	29.94'
C3	25.00'	67°08'57"	29.30'	S80°32'46"E	27.65'
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LINE TABLE		
LINE	BEARING	LENGTH
L1	S42°57'28"E	49.50'
L2	S87°57'28"E	120.89'



- LEGEND:**
- BLVD BOULEVARD
 - C.R. COUNTY ROAD
 - R/W RIGHT OF WAY
 - O.R.B. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - PC POINT OF CURVATURE
 - PCC POINT OF COMPOUND CURVATURE
 - POC POINT ON CURVE
 - PRC POINT OF REVERSE CURVATURE
 - L1 TABULATED CURVE DATA
 - C1 TABULATED LINE DATA

- NOTES:**
- 1) THIS IS NOT A SURVEY.
 - 2) BEARINGS BASED ON THE NORTHERLY RIGHT OF WAY LINE OF PALM VALLEY ROAD AS BEING SOUTH 87°57'28" EAST.

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



ROBERT M. ANGAS ASSOCIATES, INC.
 SURVEYORS - PLANNERS - CIVIL ENGINEERS
 14775 Old St. Augustine Road, Jacksonville, FL 32258
 Tel: (904) 642-8550 Fax: (904) 642-4165
 Certificate of Authorization No.: LB 3624

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

DATE: FEBRUARY 22, 2013 SCALE: 1"=200'

Prepared by and return to:
Spencer N. Cummings, Esq.
Gunster, Yoakley & Stewart, P.A.
225 Water Street, Suite 1750
Jacksonville, Florida 32202

PARTIAL RELEASE OF MORTGAGE

Res 2015-243

THIS PARTIAL RELEASE OF MORTGAGE (“Partial Release”) dated July 6, 2015 is by **U.S. BANK NATIONAL ASSOCIATION**, a national banking association (the “Mortgagee”).

RECITALS

A. Mortgagee is the owner and holder of that certain Mortgage, Fixture Filing, Assignment of Leases and Rents and Security Agreement dated August 23, 2012 (the “Mortgage”), executed by **SONOC COMPANY, LLC**, a Delaware limited liability company and **HYDRY COMPANY, LLC**, a Delaware limited liability company (collectively, the “Mortgagor”) and recorded in Official Records Book 16068, page 1808 of the public records of Duval County, Florida and also recorded in Official Records Book 3608, page 3 of the public records of St. Johns County, Florida.

B. Mortgagor has requested that Mortgagee confirm the release of the property described on the attached **Exhibit “A”** (the “Released Property”) from the lien and effect of the Mortgage.

NOW THEREFORE, in consideration of the sum of Ten and no/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby confirm the release and hereby forever release, exonerate and discharge the Released Property from the lien, operation, force and effect of the Mortgage.

PROVIDED, HOWEVER, that nothing herein contained shall be held or construed to release, exonerate or discharge any property other than the Released Property from the lien, operation, force or effect of the Mortgage.

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IN WITNESS WHEREOF, the Mortgagee has caused this instrument to be executed in its name by its proper officers and its corporate seal to be affixed as of the date first written above.

Witnesses:

Rachel Ackerman
Print Name: Rachel Ackerman

Jill Whalen
Print Name Jill Whalen

MORTGAGEE:

U.S. BANK NATIONAL ASSOCIATION,
a national banking association

By: Tolomato Community Development
District, as authorized agent

By: Richard T. Ray
Richard T. Ray
Chairman

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 6 day of July, 2015, by Richard T. Ray, the Chairman of the Tolomato Community Development District, as authorized agent of U.S. BANK NATIONAL ASSOCIATION, a national banking association, on behalf of the bank.



Tina E Miller
Name Printed: Tina E Miller
Notary Public
State of Florida at Large
Commission No.: _____
My Commission Expires: _____
Personally Known or
Produced _____ Identification
(check one of the above)
Type of Identification produced

EXHIBIT "A"

RELEASED PROPERTY

February 22, 2013
Nocatee

Work Order No. 13-036.00
File No. 122D-25.00B

Right of Way Addition

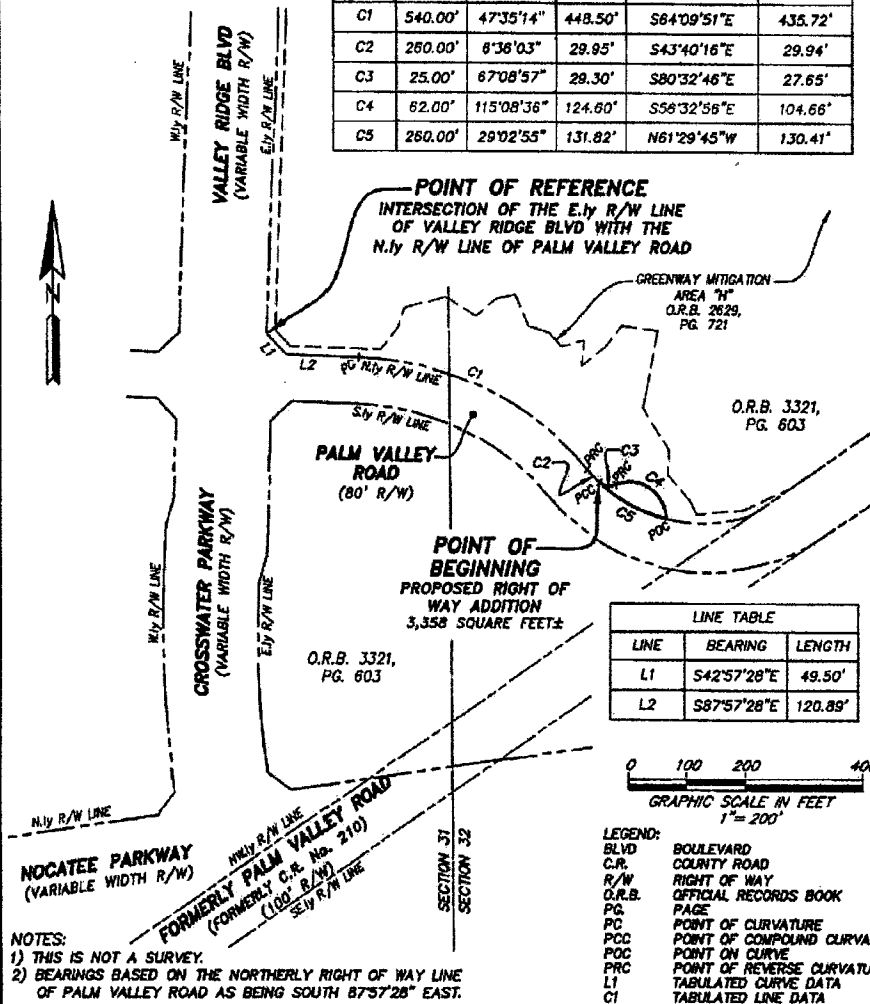
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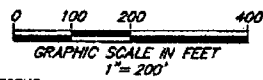
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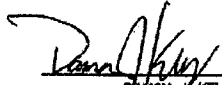
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NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



ROBERT M. ANGAS ASSOCIATES, INC.
 SURVEYORS - PLANNERS - CIVIL ENGINEERS
 14775 Old St. Augustine Road, Jacksonville, FL 32258
 Tel: (904) 642-8550 Fax: (904) 642-4165
 Certificate of Authorization No.: LB 3624


DAWON KELLY
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA LS No. 6284

DATE: FEBRUARY 22, 2013 **SCALE:** 1"=200'

ORDER NO.: 13-036.00 FILE NO.: 1220-23.008 CAD FILE: P:\Survey\RMAppro\Nocatee\Sketches\Palm Valley Road RW Addition.dwg

AFFIDAVIT REGARDING AFFILIATES

Res 2015-243

STATE OF FLORIDA)
) SS
COUNTY OF DUVAL)

Before me, the undersigned authority, this day personally appeared **JED V. DAVIS** (“Affiant”), who being by me first duly sworn, deposes and says:

1. Affiant is the Vice President of SONOC COMPANY, LLC, a Delaware limited liability company (“SONOC”) and HYDRY COMPANY, LLC, a Delaware limited liability company (“HyDry”), and is authorized to make this Affidavit on behalf of SONOC and HyDry.

2. Affiant states that HyDry is the owner of the real property located in St. Johns County, Florida which is more particularly described on **Exhibit “A”** attached hereto (the “Property”).

3. In connection with the conveyance of the Property from SONOC to St. Johns County, Florida, a political subdivision of the State of Florida (“SJC”), Affiant certifies to Gunster, Yoakley & Stewart, P.A., as agent for Commonwealth Land Title Insurance Company, and U.S. Bank National Association, a national banking association, that SJC is not owned or controlled by SONOC or HyDry or under common control with SONOC or HyDry (with ownership or control being defined as ownership of 51% or more of such entity’s ownership interests). Therefore, SJC is not an Affiliate of SONOC or HyDry as defined in the Mortgage, Fixture Filing, Assignment of Leases and Rents and Security Agreement dated August 23, 2012, executed by SONOC and HyDry, and recorded in Official Records Book 16068, page 1808 of the public records of Duval County, Florida and also recorded in Official Records Book 3608, page 3 of the public records of St. Johns County, Florida.

[Signatures on Following Page]

Dated as of the 6th day of July, 2015.

AFFIANT:

Jed V
Jed V. Davis

Sworn to and subscribed before me this 6 day of July, 2015, by Jed V. Davis.



Tina E Miller
Name Printed: Tina E Miller
Notary Public
State of Florida at Large
Commission No.: _____
My Commission Expires: _____
Personally Known or
Produced Identification
(check one of the above)
Type of Identification produced

EXHIBIT "A"

PROPERTY

February 22, 2013
Nocatee

Work Order No. 13-036.00
File No. 122D-25.00B

Right of Way Addition

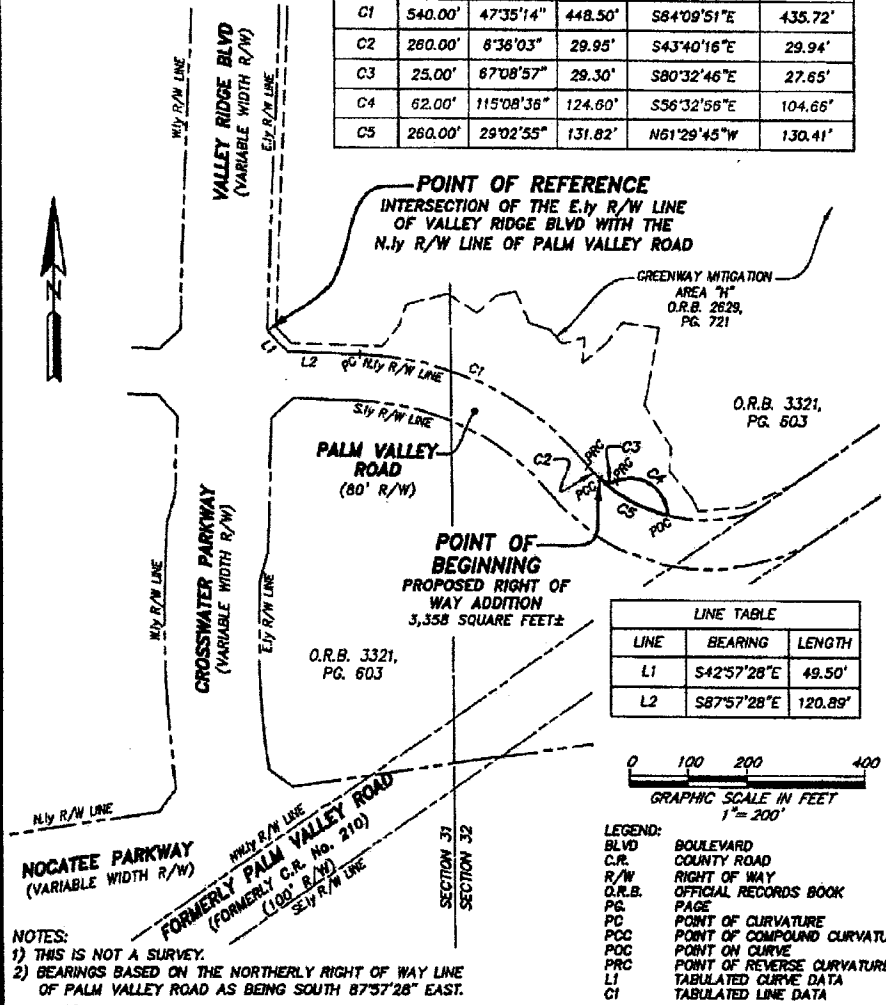
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[Signature]
 DANIEL J. KELLY
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA LS No. 6284

ORDER NO.: 13-036.00 FILE NO.: 1220-25.000 CAD FILE: F:\Survey\RMAppro\Wocatee Sketches\Palm Valley Road RW Addition.dwg

**TOLOMATO COMMUNITY DEVELOPMENT DISTRICT
ESTOPPEL CERTIFICATE**

Res 2015-243

July 6, 2015

Public Records of St. Johns County, FL
Clerk number: 2015056003
BK: 4080 PG: 966
9/3/2015 8:42 AM
Recording \$10.00

To: Gunster, Yoakley & Stewart, P.A.,
as Agent for Commonwealth Land Title
Insurance Company

St. Johns County, Florida,
a political subdivision of the State of Florida

U.S. Bank National Association,
a national banking association

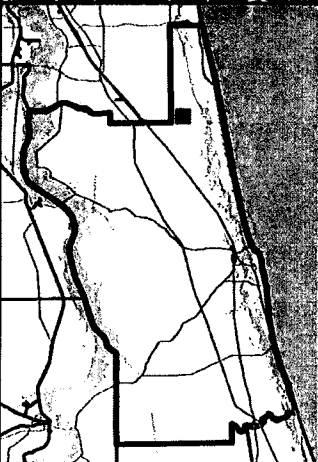
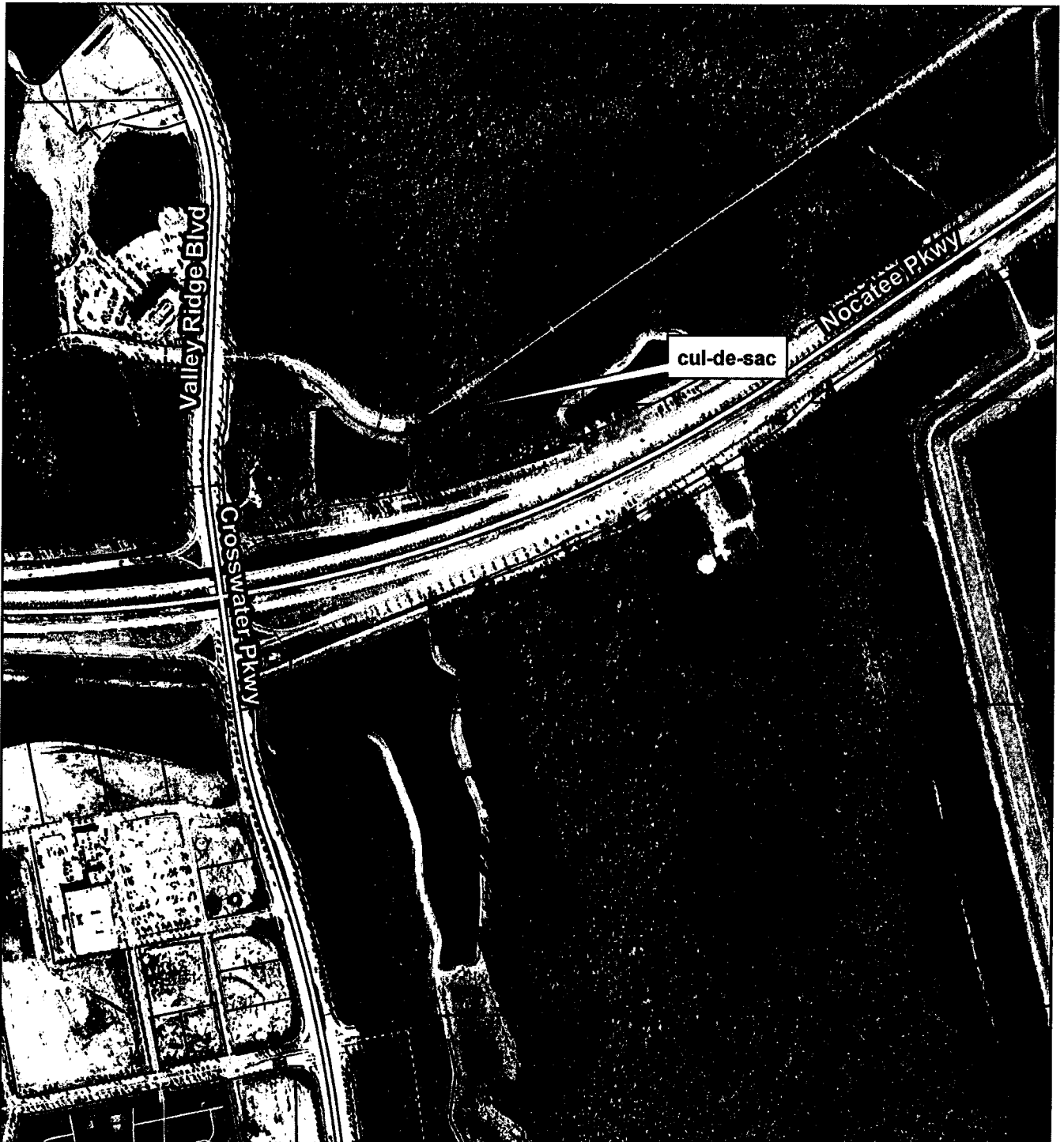
RE: Mortgage, Fixture Filing, Assignment of Leases and Rents and Security Agreement dated August 23, 2012 (the "Mortgage"), executed by SONOC Company, LLC, a Delaware limited liability company, and HyDry Company, LLC, a Delaware limited liability company (collectively, the "Mortgagor"), and recorded in Official Records Book 16068, page 1808 of the public records of Duval County, Florida and also recorded in Official Records Book 3608, page 3 of the public records of St. Johns County, Florida

Per Section 4.2 of the Mortgage, the undersigned, being the Chairman of the Tolomato Community Development District (the "CDD"), hereby certifies to the parties listed above that, as of the date hereof, there are no delinquent CDD operations and maintenance assessments or special assessments securing the CDD's Series 2012A-2, A-3 or A-4 Bonds as to property encumbered by the Mortgage that is owned by Mortgagor.

TOLOMATO COMMUNITY DEVELOPMENT DISTRICT, a special purpose unit of local government established pursuant to Chapter 190, Florida Statutes

By: _____


Richard T. Ray
Chairman



Deed of Dedication Palm Valley Road

0 215 430 860 1,290 1,720 Feet

St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
Date: July 28, 2015
(904) 209-0788



2008 Aerial Imagery

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