RESOLUTION NO. 2015- 364

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FOR RIGHT-OF-WAY ALONG COUNTY ROAD 210 WEST IN CONNECTION WITH STONE CREEK LANDING PUD.

RECITALS

WHEREAS, Avatar Properties, Inc., a Florida corporation, has executed and presented a Deed of Dedication for a strip of right-of-way along County Road 210 West, as described in Exhibit "A," attached hereto incorporated by reference and made a part hereof; and

WHEREAS, this additional right of way was required in connection with the Concurrency and Impact Fee Credit Agreement for Stone Creek Landing PUD; and

WHEREAS, it is in the best interest of the County to accept the Deed of Dedication for the safety of the citizens in the area.

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 Deed of Dedication is hereby accepted by the Board of County Commissioners.

Section 3. To the extent that there are typographical 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 15th 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

INFORMATION DATE September 17, 2015
DEED OF DEDICATION
RIGHT-OF-WAY

THIS DEED OF DEDICATION, made and executed this 14th day of August, 2015, by AVATAR PROPERTIES INC., a Florida corporation d/b/a AV Homes ("Grantor"), whose address is 5323 Millenia Lakes Boulevard, Suite 200, Orlando, Florida 32839, 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.

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

JAX_ACTIVE 3622935.1
IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
(Print Name: Daniel Young)

[Signature]
(Print Name: Tami Delgado)

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this __ day of July, 2015, by Anthony S. Iorio, the Vice President of AVATAR PROPERTIES INC., a Florida corporation d/b/a AV Homes, on behalf of the corporation.

[Signature]
(Print Name: Tami Delgado)

TAMI DELGADO
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088001
Expires 1/30/2018

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Right of Way Parcel

A portion of the Southwest one quarter of the Southeast one quarter of Section 23, Township 5 South, Range 27 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 4029, page 659 of the Public Records of said county, being more particularly described as follows:

For a Point of Beginning, commence at the intersection of the Westerly line of said Southeast one quarter of Section 23 with the Northerly right of way line of County Road No. 210, a public 100 foot right of way as presently established; thence North 01°55'33" West, along said Westerly line, 55.04 feet to a point lying on a line 55 feet Northerly of and parallel to said Northerly right of way line of County Road No. 210; thence North 85°56'06" East, departing said Westerly line and along said parallel line, 1117.17 feet to the point of curvature of a curve concave Northerly having a radius of 372.45 feet; thence Easterly, continuing along said parallel line and along the arc of said curve, through a central angle of 29°44'44", an arc length of 193.36 feet to a point lying on the Easterly line of said Southwest one quarter of the Southeast one quarter of Section 23, said arc being subtended by a chord bearing and distance of North 71°03'44" East, 191.20 feet; thence South 02°10'07" East, along said Easterly line, 63.10 feet to its intersection with said Northerly right of way line of County Road No. 210, said intersection lying on a curve concave Northerly having a radius of 427.45 feet; thence Westerly, departing said Easterly line and along the arc of said curved Northerly right of way line, through a central angle of 25°18'16", an arc length of 188.78 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 73°16'58" West, 187.25 feet; thence South 85°56'06" West, continuing along said Northerly right of way line, 1119.22 feet to the Point of Beginning.

Containing 1.65 acres, more or less.