

RESOLUTION NO. 2016- 262

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING PROPERTY FOR THE WIDENING OF COUNTY ROAD 210 AS PROVIDED IN THE HEARTWOOD 23, LLC. IMPACT FEE CREDIT AGREEMENT.**

**RECITALS**

**WHEREAS**, on February 24, 2016, the St. Johns County Board of County Commissioners approved the Heartwood 23, LLC., Impact Fee Credit Agreement ("Agreement"); and

**WHEREAS**, the developer has executed a Special Warranty Deed conveying 1.25 acres of fee simple property to the County for the improvements to CR 210, attached hereto as Exhibit "A," incorporated by reference and made a part hereof; and

**WHEREAS**, the improvements on CR210 will be for construction of the existing two lanes to four lanes on the south side of CR210 and meets the requirements for the road impact fee credits; and

**WHEREAS**, approval of the Special Warranty Deed and acceptance of the subject property serves a public purpose.

**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 Special Warranty Deed and accepts the property conveyed for the improvements to County Road 210 as provided in the Heartwood Impact Fee Credit Agreement.

**Section 3.** To the extent that there are typographical 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 is instructed to record the Special Warranty Deed in the Public Records of St. Johns County, Florida.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 6 day of Sept., 2016.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: [Signature]  
Jeb S. Smith

ATTEST: [Signature] Hunter S. Conrad, Clerk  
By: [Signature]  
Deputy Clerk

RENDITION DATE 9/2/16

EXHIBIT "A" TO RESOLUTION

Instrument Prepared By and Return To:  
Zach Miller, Esq.  
501 Riverside Avenue,  
Suite 901  
Jacksonville, Florida 32250

**SPECIAL WARRANTY DEED**  
**(COUNTY ROAD 210 PARCEL)**

THIS SPECIAL WARRANTY DEED, made this 26<sup>th</sup> day of July, 2016 by **HEARTWOOD 23, LLC**, a Florida limited liability company, whose address is 401 East Las Olas Blvd., Suite 800, Fort Lauderdale, Florida 33301 (the "Grantor") to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 (the "Grantee").

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in St. Johns County, Florida to wit:

SEE Exhibit "A", attached hereto and by reference made a part hereof.

**SUBJECT** to the matters set forth in Exhibit "B" attached hereto (but this reference to same is not intended to reimpose same), and to all taxes and assessments for 2016 and subsequent years, not yet due and payable.

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

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

**AND** the Grantor hereby covenants that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor 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 the Grantor, but against none other.

Signed, sealed and delivered in the presence of:

Witness #1 [Signature]  
Printed Name: BLAZ KOVACIC

Witness #2 [Signature]  
Printed Name: Lisa C. Cathell

**GRANTOR:**

**HEARTWOOD 23, LLC**, a Florida limited liability company

By: [Signature]  
Print Name: BRUCE J. PARKER  
Its: VICE PRESIDENT

STATE OF FLORIDA

COUNTY OF ~~PALM BEACH~~ BROWARD

The foregoing instrument was acknowledged before me this 26 day of July, 2016, Heartwood, LLC, a Florida limited liability company, by Bruce J. Parker, its V.P. on behalf of the company. He is  personally known to me or has \_\_\_\_\_ produced \_\_\_\_\_ as identification.

(NOTARY SEAL)

LISA C. CATHELL  
NOTARY PUBLIC - STATE OF FLORIDA  
COMMISSION # EE836783  
EXPIRES 9/19/2016  
BONDED THRU 1-800-NOTARY1

[Signature]  
Notary Public  
Print Name: Lisa C. Cathell  
My commission expires: \_\_\_\_\_

**EXHIBIT "A"**

A PORTION OF SECTION 9 AND 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH 89°12'49" WEST, ALONG THE SOUTHERLY LINE OF SAID SECTION 9, A DISTANCE OF 479.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°12'49" WEST, ALONG LAST SAID LINE, A DISTANCE OF 16.19 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210 ( A 150 FOOT RIGHT OF WAY, AS NOW ESTABLISHED); THENCE NORTH 51°03'23" EAST, ALONG SAID SOUTHEASTERLY EXISTING RIGHT OF WAY LINE, A DISTANCE OF 5409.91 FEET; THENCE NORTH 58°54'22" EAST, CONTINUING ALONG LAST SAID LINE, A DISTANCE OF 73.22 FEET; THENCE SOUTH 51°03'23" WEST, A DISTANCE OF 5469.71 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.25 ACRES, MORE OR LESS.

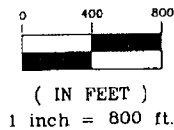
# MAP SHOWING

A PORTION OF SECTIONS 9 AND 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING FOR PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH 89°12'49" WEST, ALONG THE SOUTHERLY LINE OF SAID SECTION 9, A DISTANCE OF 479.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°12'49" WEST, ALONG LAST SAID LINE, A DISTANCE OF 16.19 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210 (A 150 FOOT RIGHT OF WAY, AS NOW ESTABLISHED); THENCE NORTH 51°03'23" EAST, ALONG SAID SOUTHEASTERLY EXISTING RIGHT OF WAY LINE, A DISTANCE OF 5409.91 FEET; THENCE NORTH 58°54'22" EAST, CONTINUING ALONG LAST SAID LINE, A DISTANCE OF 73.22 FEET; THENCE SOUTH 51°03'23" WEST, A DISTANCE OF 5469.71 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.25 ACRES, MORE OR LESS.

## GRAPHIC SCALE



FLORIDA EAST COAST RAILROAD

COUNTY ROAD 210 REALIGNMENT

SHEET 4

(150' R/W)

SHEET 3

COUNTY ROAD 210

SHEET 2

SECTION 9

SECTION 10

SECTION 16

SECTION 15

## LEGEND

- R/W = RIGHT OF WAY
- O.R. = OFFICIAL RECORDS
- PG. = PAGE
- ESMT. = EASEMENT

## GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 210, AS S51°03'23"W.
2. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
3. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY

SHEET 1 OF 4

JOB NO. 2014-308  
 DRAFTER MJC  
 DATE 9-3-15  
 SCALE 1"=800'  
 CHECKED BY *SB*

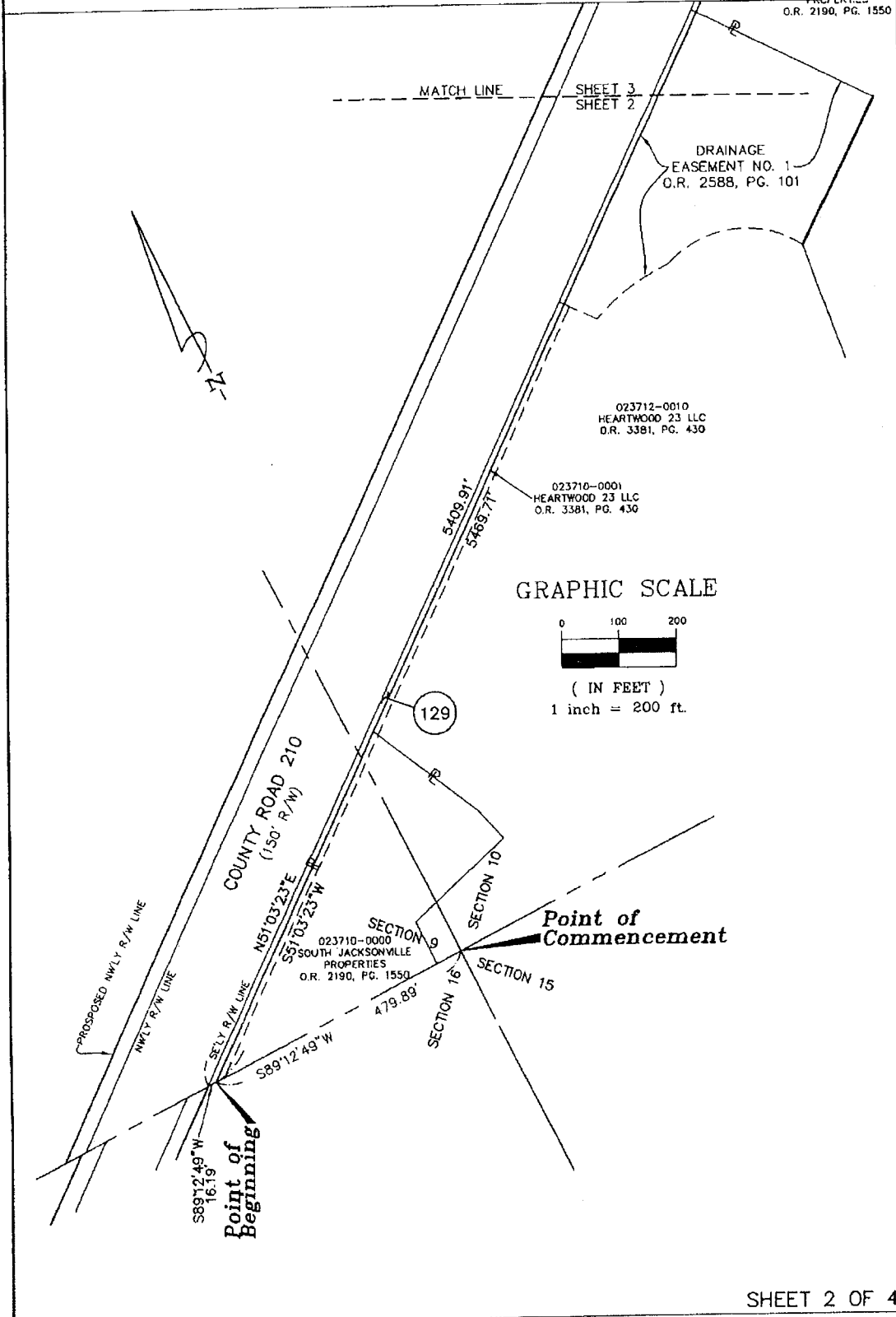
THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

THIS DRAWING, SKETCH, PLAT OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE).

*Gregory B. Clary*  
 GREGORY B. CLARY, P.S.M., CERT. NO. 3377

# MAP SHOWING

O.R. 2190, PG. 1550



SHEET 2 OF 4

JOB NO. 2014-308  
DRAFTER MJC  
DATE 9-3-15  
SCALE 1"=200  
CHECKED BY: *[Signature]*

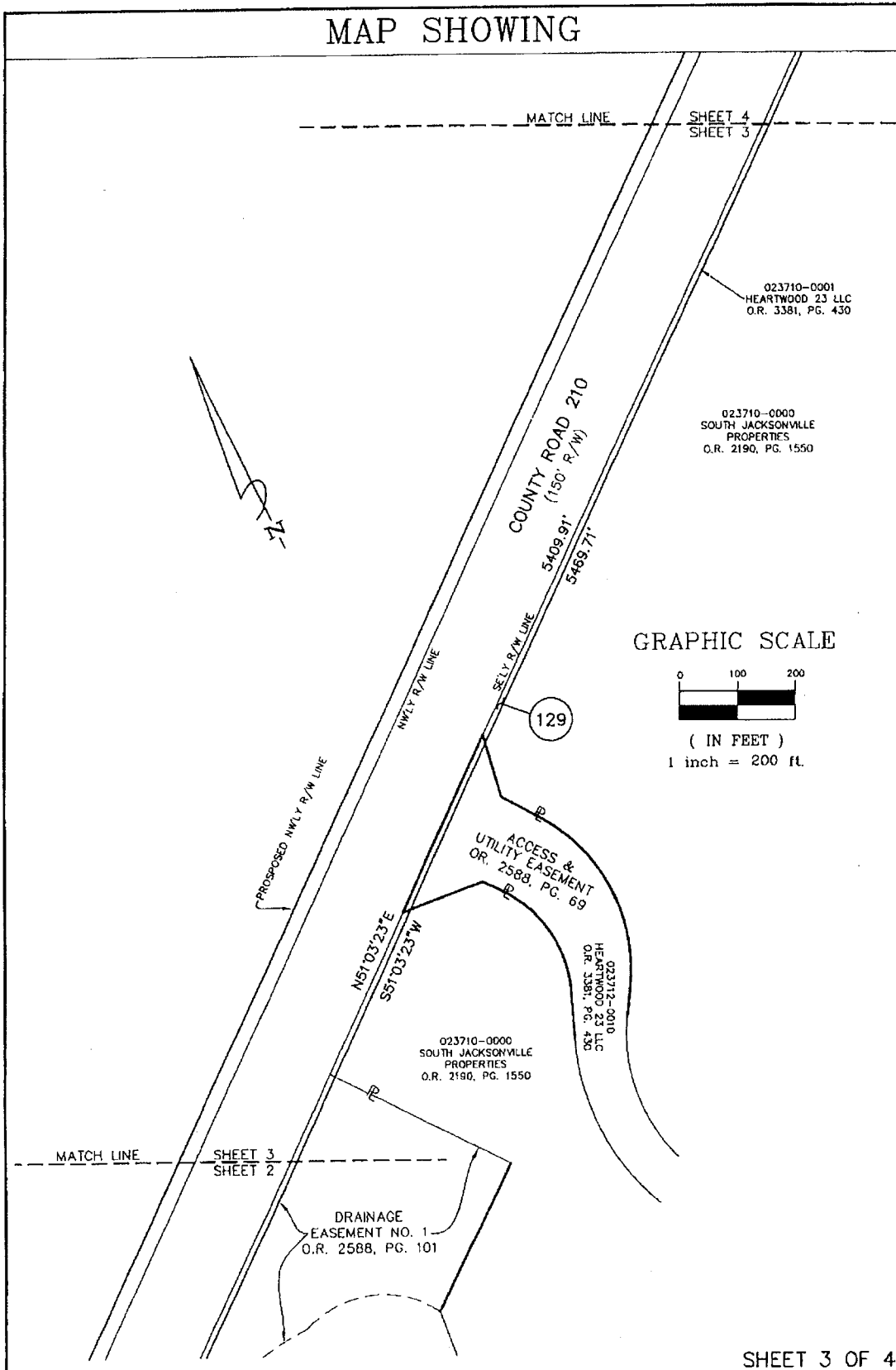
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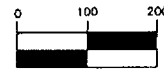
*[Signature]*  
GREGORY B. CLARY, P.S.M., CERT. NO. 3377

**Clary & Associates**  
PROFESSIONAL SURVEYORS & MAPPERS  
L.S. NO. 3731  
3830 CROWN POINT ROAD  
JACKSONVILLE, FLORIDA 32257  
(904) 280-2703  
WWW.CLARYASSOC.COM

# MAP SHOWING



GRAPHIC SCALE



( IN FEET )  
1 inch = 200 ft.

SHEET 3 OF 4

JOB NO. 2014-308  
 DRAFTER MJC  
 DATE 9-3-15  
 SCALE 1"=200'  
 CHECKED BY: [Signature]

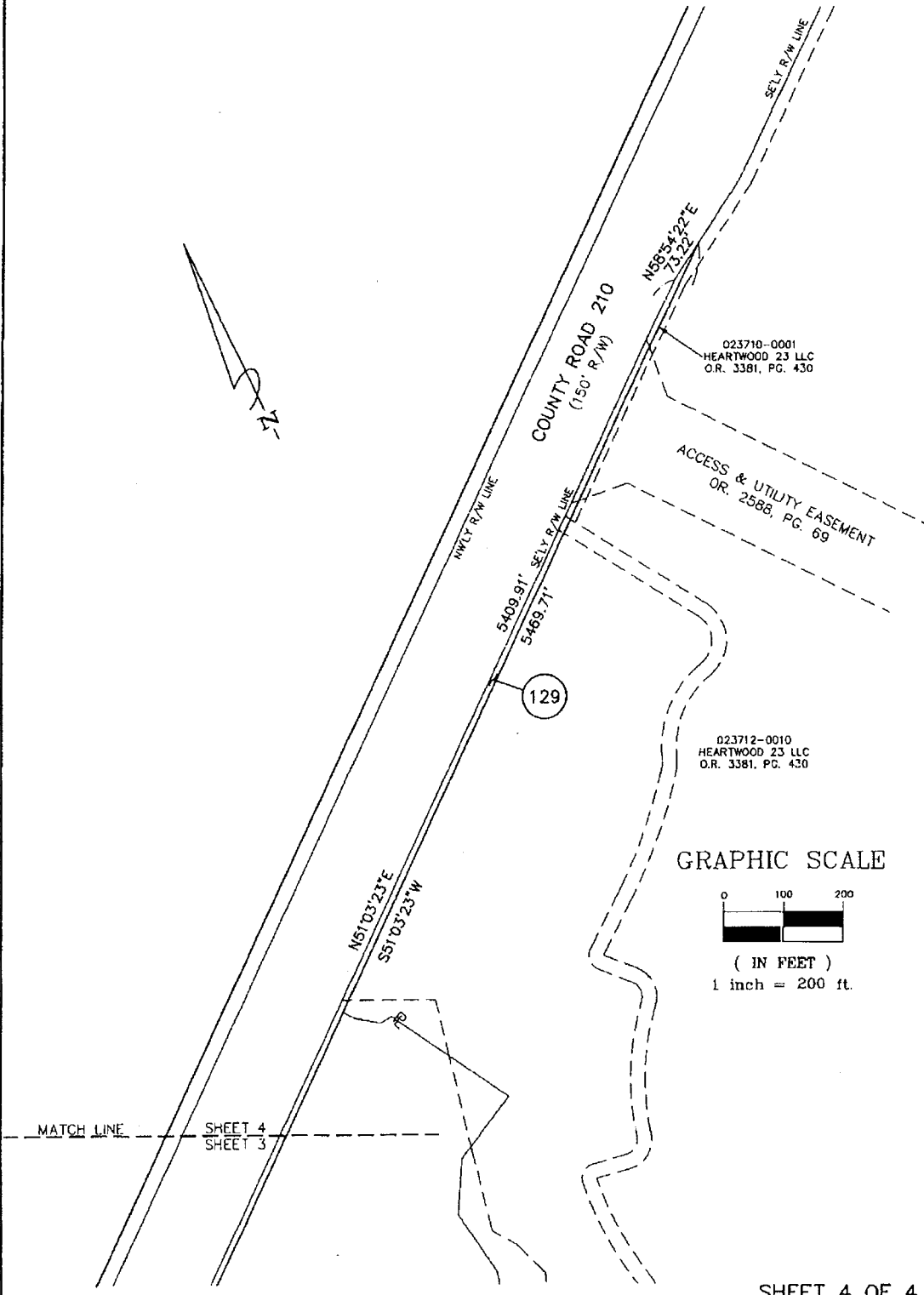
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[Signature]  
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# MAP SHOWING



SHEET 4 OF 4

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 DRAFTER MJC  
 DATE 9-3-15  
 SCALE 1"=200'  
 CHECKED BY *[Signature]*

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## EXHIBIT B

1. Grant of Easement For Drainage (Ponds 1 and 2) by and between South Jacksonville Properties, LLC and Touse Homes, Inc., recorded November 21, 2005 in Official Records Book 2588, Page 101, as affected by Quitclaim Deed to the State of Florida Department of Transportation recorded in Official Records Book 3535, Page 1901, and as amended by Amendment to Grant of Easement For Drainage recorded in Official Records Book 4127, Page 319, of the Public Records of St. Johns County, Florida.
2. Grant of Easements For Wetlands Mitigation by and between South Jacksonville Properties, LLC, and Heartwood 23, LLC, recorded May 7, 2015 in Official Records Book 4024, Page 1332, as affected by Partial Releases of Grant of Easements For Wetlands Mitigation recorded in Official Records Book 4124, Page 740 and Official Records Book 4144, Page 903, of the Public Records of St. Johns County, Florida.
3. Resolution No. 2014-157 by the St. Johns County Board of County Commissioners regarding the Amended and Restated Development Order, Development of Regional Impact and Establishing Mitigation Requirements for Regional Impacts recorded June 4, 2015 in Official Records Book 4037, Page 1000, of the Public Records of St. Johns County, Florida.
4. Terms and conditions set forth in Grant of Drainage Easement (Portion of Pond 4) between South Jacksonville Properties, LLC, St. Johns County, Florida and Heartwood 23, LLC, recorded December 22, 2015 in Official Records Book 4127, Page 333, of the Public Records of St. Johns County, Florida.
5. Heartwood Impact Fee Credit Agreement by the Board of County Commissioners of St. Johns County, Florida and Heartwood 23, LLC, recorded March 8, 2016 in Official Records Book 4159, Page 462, of the Public Records of St. Johns County, Florida.
6. Taxes and assessments for the year 2016 and subsequent years, which are not yet due and payable.
7. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.
8. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.



2013 Aerial Imagery  
  
 July 27, 2016

**HEARTWOOD 23, LLC.**  
*Impact Fee Agreement ROW*

Land Mgmt. Systems  
 Real Estate Division  
 209-0796  
 Disclaimer:  
 This map is for reference use only.  
 Data provided are derived from multiple  
 sources with varying levels of accuracy.  
 The St. Johns County Real Estate Division  
 disclaims all responsibility for the accuracy  
 or completeness of the data shown hereon.

