

RESOLUTION NO. 2022-273

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD, ON BEHALF OF THE COUNTY, TO EXECUTE A RELEASE OF PHOSPHATE, MINERALS, METALS AND PETROLEUM RESERVATIONS AND RELEASE OF RELATED RIGHTS OF ENTRY AND EXPLORATION SET FORTH IN COUNTY DEED.

RECITALS

WHEREAS, St. Johns County ("County") conveyed Lots 16 through 21 and Lots 26 through 35, Block 22, Woodland Heights as recorded in Map Book 3, Page 78 to Doug Burnette, in County Deed dated July 1, 2005 and recorded in Official Records Book 2482, page 1359, of the public records of St. Johns County, Florida; and

WHEREAS, County conveyed Lots 2 through 6, Block 23, Woodland Heights as recorded in Map Book 3, Page 78 to Douglas G. Burnette, in County Deed dated February 18, 2011 and recorded in Official Records Book 3410, page 760, of the public records of St. Johns County, Florida; and

WHEREAS, pursuant to Florida Statute 270.11 (2) (b) there has been a written request from current owner, Woodland Heights, LLC, a Florida limited liability company, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, to release the reservations reserved in said County Deeds; and

WHEREAS, said reservations, and in particular the right to mine and develop, is a cloud on the title which could prohibit the ability for the owner to obtain financing or convey clear title; and

WHEREAS, the execution of a Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release of Related Rights of Entry and Exploration document, attached hereto

as Exhibit "B", incorporated by reference and made a part hereof, would remove the cloud on the title as requested by the owner.

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 into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby authorizes the Chair of the Board to execute a Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release of Related Rights of Entry and Exploration document, on behalf of the County.

Section 3. The Clerk is instructed to record the original Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release of Related Rights of Entry and Exploration document in the public records of St. Johns County, Florida.

Section 4. 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.

PASSED AND ADOPTED this 2 day of August, 2022.

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

By: Henry Dean
Henry Dean, Chair

**ATTEST: Brandon J. Patty, Clerk of
the Circuit Court & Comptroller**

Pam Halterman

Deputy Clerk

Rendition Date 8/4/22



Exhibit "A" to Resolution

June 22, 2022

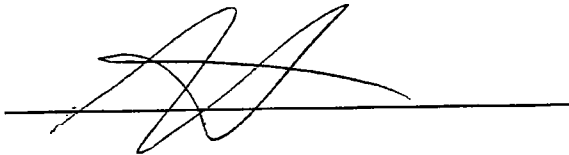
Gail Oliver, Land Management Systems Director
St. Johns County
500 San Sebastian View
St. Augustine, FL 32084

RE: Reservations in County Deeds

Dear Mrs. Oliver:

Please consider this letter a request that St. Johns County release the phosphate, minerals, metals and petroleum reservation and release related rights of entry and exploration included in the County Deed dated July 1st, 2005 and recorded in Official Records Book 2482, Page 1359, as well as a request to release the same in the County Deed dated February 18th, 2011 and recorded in Official Records Book 3410, Page 760, of the public records of St. Johns County, Florida. Said reservations create a cloud on the title which could prohibit the ability to obtain financing or convey a clear title. Thank you for your consideration to these two release requests.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom, positioned above a solid horizontal line.

Woodland Heights LLC

Prepared by:
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

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

**RELEASE OF
PHOSPHATE, MINERALS, METALS AND PETROLEUM RESERVATIONS
AND
RELEASE OF RELATED RIGHTS OF ENTRY AND EXPLORATION**

THIS RELEASE is made and given this ____ day of _____, 2022, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida ("County").

WITNESSETH:

WHEREAS, St. Johns County ("County") conveyed conveyed Lots 16 through 21 and Lots 26 through 35, Block 22, Woodland Heights as recorded in Map Book 3, Page 78 to Doug Burnette, in County Deed dated July 1, 2005 and recorded in Official Records Book 2482, page 1359, and Lots 2 through 6, Block 23, Woodland Heights as recorded in Map Book 3, Page 78 to Douglas G. Burnette, in County Deed dated February 18, 2011 and recorded in Official Records Book 3410, page 760, of the public records of St. Johns County, Florida; and

WHEREAS, pursuant to Section 270.11(1), F.S. the County reserved certain phosphate, mineral, metals and petroleum rights; and

WHEREAS, pursuant to Section 270.11(2) (b), F.S. Woodland Heights, LLC, a Florida Limited Liability Company petitioned the County for release of said reservation which petition the County has approved.

KNOWN ALL MEN BY THESE PRESENTS: That the County, for and in consideration of mutual benefits, has released and by these presents does release unto the fee simple owners of record, their successors, heirs and assigns, the following reservation reserved in Official Records Book 2482, page 1359 and Official Records Book 3410, page 760, to wit:

"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 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 County has caused this Release to be executed in its name by its Board of County Commissioners acting by the Chair of the Board, the day and year aforesaid.

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

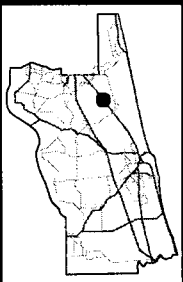
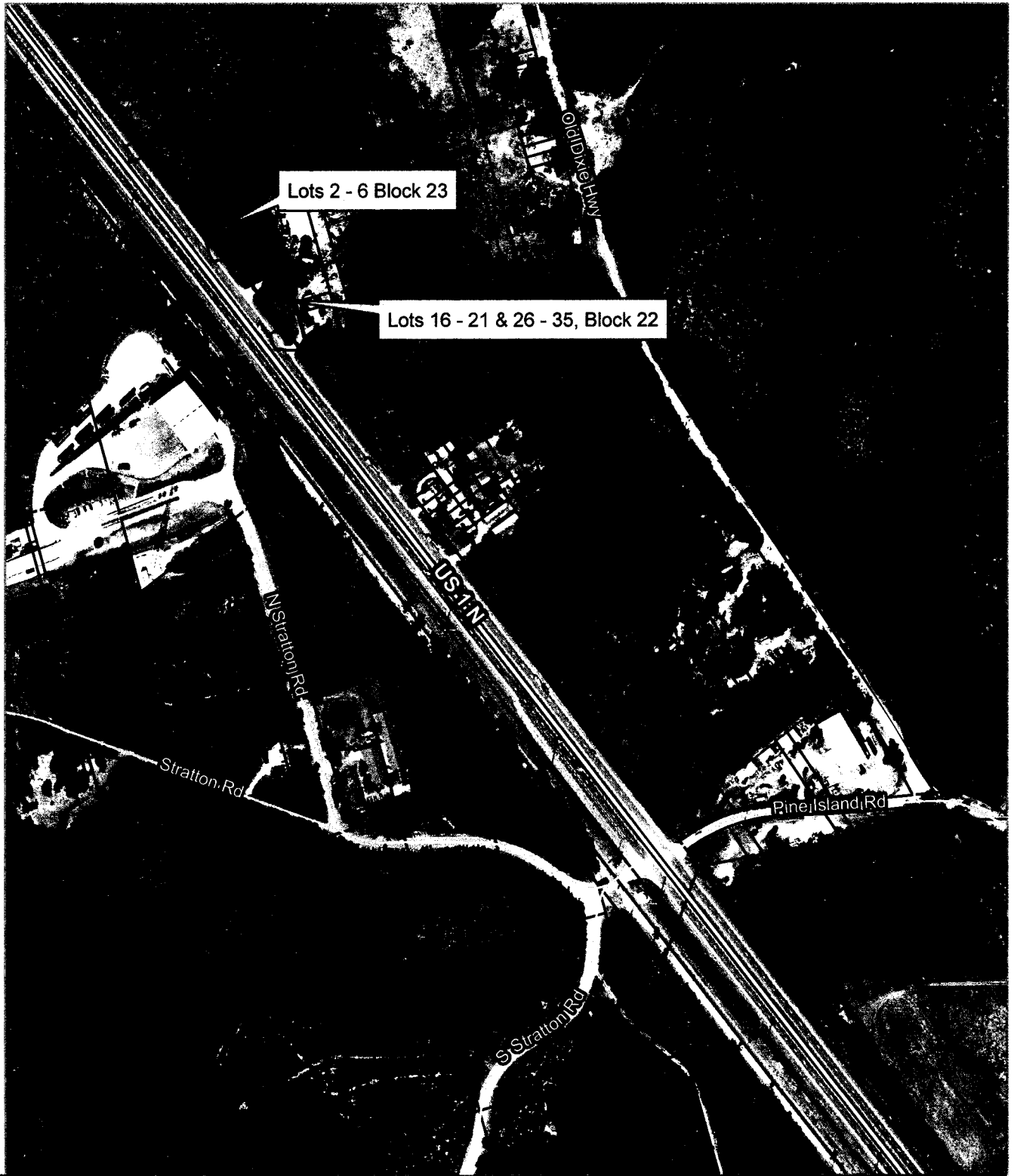
By: _____
Henry Dean, Chair


**ATTEST: Brandon J. Patty, Clerk of
the Circuit Court & Comptroller**

Deputy Clerk

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2022, by Henry Dean, Chair of the Board of County Commissioners of St. Johns County, Florida, on behalf of the Board, who is personally known to me.

Notary Public
My Commission Expires: _____




 Aerial Photography 2021
 0 33,750 67,500 135,000
 Feet
 Date: 7/1/2022

Release of Mineral
 Reservations

 Woodland Heights

Land Management
 Systems
 Real Estate
 Division
 (904) 209-0782

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.

