

**RESOLUTION NO. 2023-512**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION RIGHT-OF-WAY FROM MATTAMY JACKSONVILLE LLC TO ST. JOHNS COUNTY FOR THE RIGHT-OF-WAY OF MALLOW COURT IN ENCLAVE AT RIVERTOWN – PHASE TWO-A.**

**RECITALS**

**WHEREAS**, Mattamy Jacksonville LLC, a Delaware limited liability company, has executed and presented to St. Johns County a Deed of Dedication Right-of-Way, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, conveying the right-of-way of Mallow Court in Enclave at Rivertown-Phase Two-A; and

**WHEREAS**, the road has been built to County standards and connects from Lanier Street to Rivertown Main Street, both of which are dedicated public roads; and

**WHEREAS**, it is in the best of the County to accept the Deed of Dedication Right-of-Way for the health, safety and welfare of the citizens of St. Johns County.

**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 accepts the Deed of Dedication Right-of-Way for the purposes mentioned above.

Section 3. The Clerk is instructed to record the original Deed of Dedication Right-of-Way in the public records of St. Johns County, Florida.

Section 4. To the extent that there are typographical and/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.

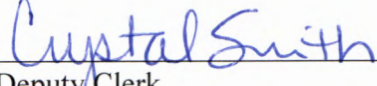
**PASSED AND ADOPTED** by the Board of County Commissioners this 19th day of December, 2023.

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

Rendition Date: DEC 20 2023

By:   
Sarah Arnold, Chair

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

By:   
Deputy Clerk



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

**DEED OF DEDICATION  
RIGHT-OF-WAY  
(Mallow Court)**

**THIS INDENTURE** is made and executed this 27 day of November, 2023, by **MATTAMY JACKSONVILLE LLC**, a Delaware limited liability company, whose address is 4901 Vineland Road, Suite 450, Orlando, Florida 32811 ("**Grantor**"), to and in favor of **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 ("**Grantee**").

**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 the 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.

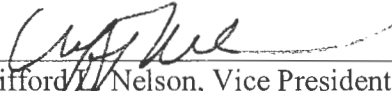
To have and to hold the Property in fee simple forever.

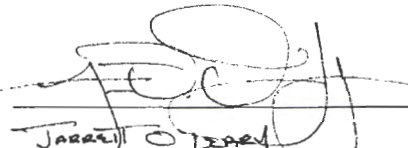
Except as set forth in the Permitted Encumbrances described on **Exhibit "B"** attached hereto, the said Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

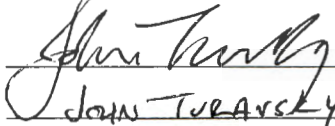
**IN WITNESS WHEREOF**, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of: GRANTOR:

MATTAMY JACKSONVILLE LLC, a Delaware limited liability company


By:   
Clifford L. Nelson, Vice President

  
Jason O'Leary  
Printed Name

  
John Turarsky  
Printed Name

STATE OF FLORIDA  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 27 day of November, 2023, by Clifford L. Nelson as Vice President of Mattamy Jacksonville LLC, a Delaware limited liability company. He (check one) is  personally known to me, or  has proved me on basis of satisfactory evidence to be the person who executed this instrument.

  
Notary Public  
My Commission Expires: 4/22/25

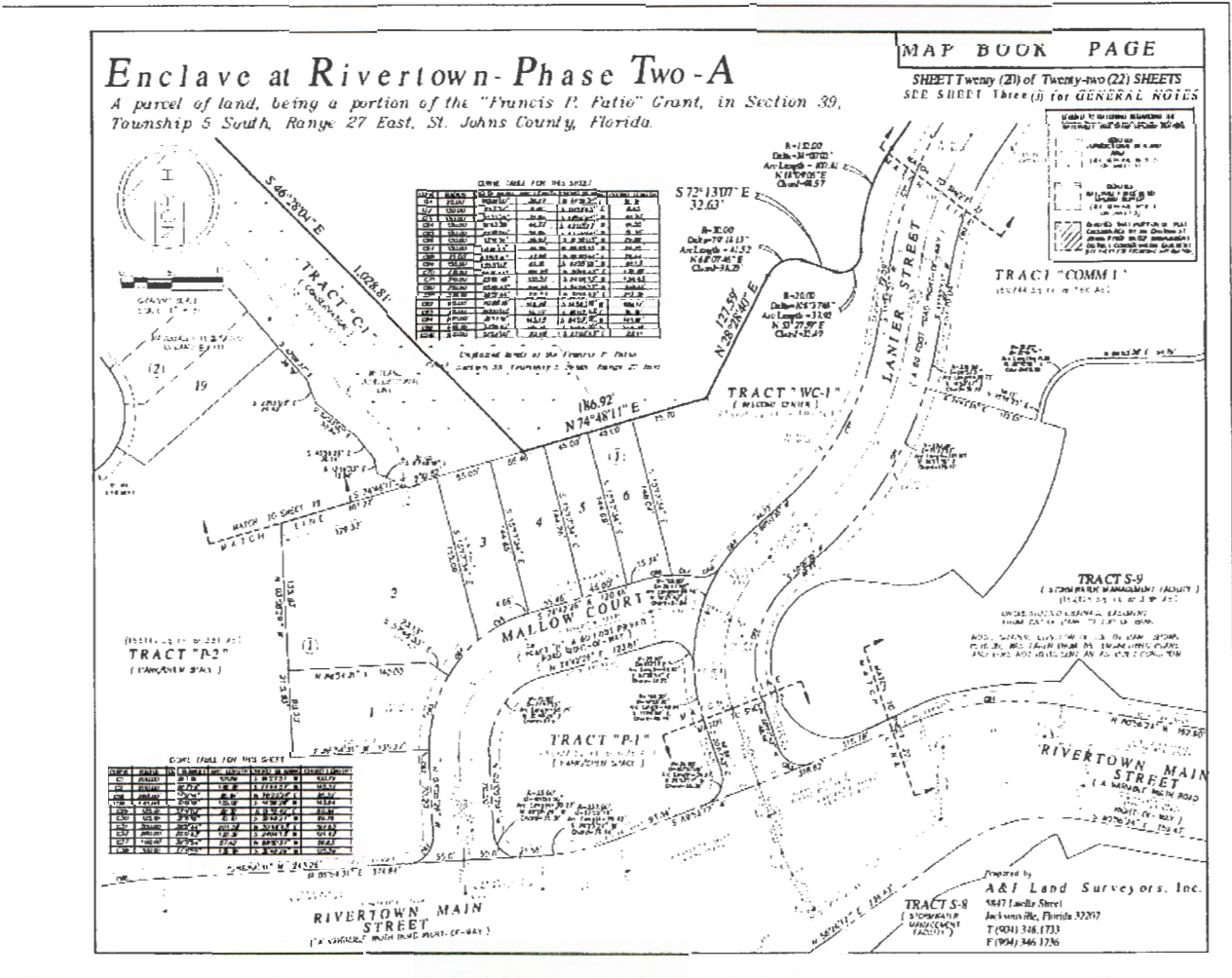


**Naveed Zaerzadeh**  
Notary Public  
State of Florida  
Comm# HH120682  
Expires 4/22/2025

**EXHIBIT "A"**

Legal Description of the Property

TRACT "R" (a 60-foot Road Right-of-Way), known as "MALLOW COURT", as shown on the plat of "ENCLAVE at RIVERTOWN – PHASE TWO-A", as recorded in Map Book 83, Pages 10 through 31, inclusively, of the Public Records of St. Johns County, Florida.



## EXHIBIT "B"

### PERMITTED ENCUMBRANCES

1. Taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable, and taxes and assessments levied and/or assessed subsequent to the date hereof.
2. 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.
3. 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.
4. Notice of DRI Development Order (Rivertown) recorded in Official Records Book 2156, Page 807, together with Notice of DRI/Development Order Modification recorded in Official Records Book 3404, Page 789, Notice of Development Order recorded in Official Records Book 4038, Page 409; Notice of Development Order recorded in Official Records Book 4364, Page 526 and Notice of Development Order recorded in Official Records Book 4458, Page 13.
5. Developer and Utility Service Agreement by and between the St. Joe Company and JEA recorded in Official Records Book 2360, Page 568.
6. Ordinance No. 2005-100 recorded in Official Records Book 2584, Page 547, modified by Small Adjustment to Planned Unit Development Ordinance Number 2005-100 recorded in Official Records Book 2717, Page 449 and Official Records Book 2787, Page 1682 and by Ordinance No. 2006-113, recorded in Official Records Book 2801, Page 1495 and Small Adjustment to Ordinance No. 2005-100 recorded in Official Records Book 2940, Page 628 and Ordinance No. 2007-40, thus modifying Ordinance No. 2005-100 filed in Official Records Book 2956, Page 10, and Small Adjustment recorded in Official Records Book 3313, Page 125, Official Records Book 3376, Page 543 and Official Records Book 3010, Page 1844, and subsequently modified by Ordinance No. 2010-49 being recorded in Official Records Book 3396, Page 144, Official Records Book 3406, Page 788; Official Records Book 3522, Page 1723; Official Records Book 3679, Page 532 and Official Records Book 3713, Page 1413; Small Adjustment recorded in Official Records Book 4266, Page 414; Small Adjustment recorded in Official Records Book 4363, Page 1045, Major Modification recorded in Official Records Book 4369, Page 1809 rerecorded in Official Records Book 4372, Page 1; Major Modification recorded in Official Records Book 4806, Page 110; Small Adjustment recorded in Official Records Book 4867, Page 912; Small Adjustment recorded in Official Records Book 4922, Page 776 and 4960, Page 1590; Small Adjustment recorded in Official Records Book 5069, Page 269; Small Adjustment recorded in Official Records Book 5203, Page 1905; Small Adjustment recorded in Official Records Book 5591, Page 534.

7. Notice of Establishment of the Mainstreet Community Development District as set forth in instrument recorded in Official Records Book 2700, Page 775 as amended in Official Records Book 2741, Page 61 and Notice of Establishment of the Rivers Edge Community Development District as set forth in instrument recorded in Official Records Book 2819, Page 138, Interlocal Agreement as set forth in instrument recorded in Official Records Book 2959, Page 346, Interlocal Agreement as set forth in instrument recorded in Official Records 4095, Page 1444; Notice of Merger recorded in Official Records Book 3473, Page 1648 and Notice of Amendment recorded in Official Records Book 4400, Page 690 as further amended in Official Records Book 4435, Page 1742..
8. Impact Fee Agreement by and between Board of County Commissioners of St. Johns County, Florida, and The St. Joe Company, a Florida corporation, recorded in Official Records Book 2928, Page 1146 as effected by Memorandum of Agreement recorded in Official Records Book 3863, Page 1678.
9. Community Charter for RiverTown recorded in Official Records Book 2992, Page 568, as supplemented by instruments recorded in Official Records Book 3022, Page 356,
10. 3455, Page 352; Official Records Book 3763, Page 175; Official Records Book 3763, Page 183; Official Records Book 3925, Page 1858; Official Records Book 4355, Page 1027; Official Records Book 4421, Page 1365; Official Records Book 4597, Page 552; Official Records Book 4641, Page 1141, Official Records Book 4672, Page 1, Official Records Book 4715, Page 1928;
11. Official Records Book 4813, Page 458; Official Records Book 4884, Page 717, Official Records Book 4901, Page 1384; Official Records Book 4932, Page 1727; Official Records Book 5090, Page 1085; Official Records Book 5179, Page 1373; Official Records Book 5232, Page 396; Official Records Book 5267, Page 556; Official Records Book 5276, Page 1643; Official Records Book 5352, Page 1974; Official Records Book 5496, Page 693; Official Records Book 5520, Page 104 and Official Records Book 5559, Page 133 together with First Amendment recorded in Official Records Book 3455, Page 349; Second Amendment recorded in Official Records Book 3701, Page 783; Third Amendment recorded in Official Records Book 4106, Page 1577; Fourth Amendment recorded in Official Records Book 4118, Page 704; Fifth Amendment recorded in Official Records Book 4198, Page 879; Sixth Amendment recorded in Official Records Book 4334, Page 1134; Seventh Amendment recorded in Official Records Book 4773, Page 1030; Eighth Amendment recorded in Official Records Book 4912, Page 1186 and Notice of Amendment to By-Laws recorded in Official Records Book 4106, Page 1574.
12. Assignment of Development Rights and Permits as set forth in instrument recorded in Official Records Book 3863, Page 1658.
13. Assignment and Assumption of Agreements as set forth in instrument recorded in Official Records Book 3863, Page 1673.

14. Interlocal Agreement as set forth in instrument recorded in Official Records Book 4095, Page 1444.
15. Recorded Notice of Environmental Resource Permit as set forth in instruments recorded in Official Records Book 4143, Page 365, Official Records Book 4165, Page 1484, Official Records Book 4414, Page 487 and Official Records Book 4391, Page 1768, Official Records Book 4458, Page 1721 in Official Records Book 4576, Page 31 and Official Records Book 5533, Page 1057.
16. Cost Share Agreement recorded in Official Records Book 4291, Page 1378.
17. Maintenance Agreement as set forth in agreement recorded in Official Records Book 4386, Page 75.
18. Tri Party Interlocal and Cost Share Agreement recorded in Official Records Book 4832, Page 854.
19. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Enclave at Rivertown - Phase Two A, recorded in Map Book 83, Page 10.

All of the Public Records of St. Johns County, Florida.





2023 Aerial Imagery

Date: 11/30/2023

Mallow Court  
Deed of Dedication Right-of-Way  
Enclave at Rivertown-Phase Two-A



Land Management  
Systems  
(904) 209-0790

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.