

RESOLUTION NO. 2022- 218

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, ACCEPTING A WARRANTY DEED FOR PUBLIC PARK PROPERTY DONATED BY WILDLIGHT LLC; PROVIDING CERTAIN FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Wildlight LLC (“Owner”), was the owner of certain property located in the East Nassau Community Planning Area within the master planned community known as Wildlight, as more specifically described in Exhibit “A” to the Warranty Deed, which is attached an Appendix “A” hereto (“Property”); and

WHEREAS, the Property is located within (i) the East Nassau Employment Center Detailed Specific Area Plan of the ENCPA as established in the DSAP Development Order approved by the County by Ordinance 2013-11, as adjusted and as may be further adjusted and amended (the “Employment Center DSAP”), (ii) the Employment Center DSAP Market Street Preliminary Development Plan approved by the County on May 13, 2015, as adjusted and as may be adjusted (the “Market Street PDP”), and (iii) the proposed Employment Center DSAP Wildlight PDP#3 Preliminary Development Plan (“PDP#3”); and

WHEREAS, the County Comprehensive Plan Recreation and Open Space and Capital Improvements Elements, Employment Center DSAP, Market Street PDP, and PDP#3 required that a parcel be conveyed to the County for recreational space, including passive and active recreational uses open to the public (the “Park”); and

WHEREAS, to satisfy the Park donation requirement for a community and/or regional park site, on or about December 14, 2020, the Owner entered into that certain Park Donation Agreement with Nassau County, Florida (“County”) to provide for the donation of the Property to the County for development and use as a Park, along with other recreation and community uses and any related supporting infrastructure; and

WHEREAS, on or about May 19, 2022, the Owner conveyed the Property to the County by the Warranty Deed, which is attached as Appendix “A,” which is recorded as Instrument Number 202245018227 in Book 2564, Page 762 of the Official Records of Nassau County, Florida; and

WHEREAS, the Board of County Commissioners now finds that it is in the best interest of the County to adopt this resolution to document its acceptance of the Warranty Deed from the Owner.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County, Florida, as follows:

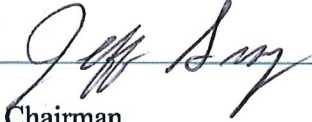
person deems appropriate, and any related documents necessary to the consummation of the Agreements contemplated by the Agreements.

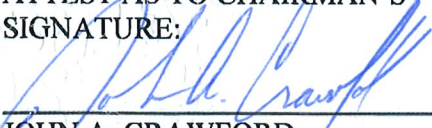
SECTION 4. ADOPTION OF RESOLUTION. The signatures referenced in the Agreements from the designated individuals for the Nassau County Board of County Commissioners evidence the adoption by the Nassau County Board of County Commissioners.

SECTION 5. EFFECTIVE DATE. This Resolution shall become effective immediately upon adoption.

DULY ADOPTED by the Board of County Commissioners of Nassau County, Florida, this 12th day of December, 2022 and made effective upon signature.

**BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA**


Its: Chairman

ATTEST AS TO CHAIRMAN'S
SIGNATURE:


JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



DENISE C. MAY

APPENDIX "A"
WARRANTY DEED

Inst. Number: 202245018227 Book: 2564 Page: 762 Page 1 of 6 Date: 5/20/2022 Time: 9:24 AM
John A. Crawford Clerk of Courts, Nassau County, Florida Doc Mort: 0.00 Int Tax: 0.00 Doc Deed: 9,800.00

PREPARED BY AND RETURN TO:
SPENCER N. CUMMINGS, ESQ.
GUNSTER, YOAKLEY & STEWART, P.A.
1 INDEPENDENT DRIVE, SUITE 2300
JACKSONVILLE, FL 32202

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED is made and executed as of the 19 day of May, 2022, by **WILDLIGHT LLC**, a Delaware limited liability company ("Grantor"), whose address is One Rayonier Way, Yulee, Florida 32097, to **NASSAU COUNTY, FLORIDA**, a political subdivision of the State of Florida ("Grantee").

WITNESSETH:

That in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants, bargains, sells, conveys and confirms to Grantee and its successors and assigns, all of the real property in Nassau County, Florida, more particularly described on **Exhibit "A"** attached hereto and made a part of this Deed (the "Property"), together with all tenements, hereditaments, and appurtenances pertaining to the Property and subject to the restrictions, easements, agreements, reservations and other matters set forth on **Exhibit "B"** attached hereto and made a part hereof and other matters of record (collectively, the "Permitted Exceptions").

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

Grantor hereby covenants with Grantee that Grantor is lawfully seized of said Property in fee simple, that the Grantor has good right and lawful authority to sell and convey said Property, and hereby fully warrants the title to said real 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 for the year 2022 and subsequent years.

Grantee shall occupy and use the Property solely for public park, recreation, and community uses and any related supporting infrastructure.

[Signature on following page]

ACTIVE:14148598.2

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EXHIBIT "A" TO THE DEED

PROPERTY

PARCEL 1:

Wildlight Park

Parcel 5A-2 - PARK, as shown on the plat of East Nassau - Wildlight PDP 3 / POD 5, recorded in Official Records Book 2546, pages 1608 through 1613, inclusive, in the public records of Nassau County, Florida.

PARCEL 2:

Together with the following Trail Easement 1, and Trail Easement 1A, being more particularly described as follows:

25 foot Trail Easement 1:

A Part of Tract 5, as shown on plat of East Nassau - Wildlight Phase 1c-West as recorded in Plat Book 2239, pages 1149 and 1150 of the Public Records of Nassau County, Florida:

Begin at the Southeast corner of Tract 5, as shown on the plat of East Nassau - Wildlight Phase 1c-West, recorded in Plat Book 2239, pages 1149 and 1150 of the public records of Nassau County, Florida said point also being on the Northwesternly Right of Way line of Curiosity Avenue (90 foot Right of Way); thence on the Easterly line of said Tract 5 said line also being the Westerly line of those land described in Official Record Book 1927, page 111 of the public records of Nassau County, Florida, North 47°17'21" West, a distance of 333.90 feet to the Northeast corner of said Tract 5; thence departing said Easterly and on the Northerly line of said Tract 5, South 37°41'20" West, a distance of 25.10 feet; thence departing said Northerly line, South 47°17'21" East, a distance of 325.43 feet to a point on the aforesaid Northwesternly right of way line of Curiosity Avenue, said point being on a curve concave Southeast, having a radius of 1548.00 feet and a central angle of 0°57'14"; thence on said Northwesternly right of way line and on the arc of said curve, a distance of 25.78 feet said arc being subtended by a chord which bears North 56°47'51" East, a distance of 25.78 feet to the Point of Beginning.

Trail Easement 1A:

A Part of Tract 5, as shown on plat of East Nassau - Wildlight Phase 1c-West as recorded in Plat Book 2239, pages 1149 and 1150 of the public records of Nassau County, Florida:

Commence at the Southeast corner of Tract 5, as shown on the plat of East Nassau - Wildlight Phase 1c-West, recorded in Plat Book 2239, pages 1149 and 1150 of the public records of Nassau County, Florida, said point also being on the Northwesternly right of say line of Curiosity Avenue

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(90 foot right of way) said point being on a curve, concave Southeast, having a radius of 1548.00 feet and a central angle of $0^{\circ}57'14''$; thence on said Northwesterly right of way line, and on the arc of said curve a distance of 25.78 feet, said arc being subtended by a chord which bears South $56^{\circ}47'51''$ West, a distance of 25.78 feet to a point on a curve concave Southeast, having a radius of 1548.00 feet, and a central angle of $0^{\circ}55'31''$, and the Point of Beginning; thence continue on said Northwesterly right of way line and on the arc of said curve, a distance of 25.00 feet, said arc being subtended by a chord which bears South $55^{\circ}51'28''$ West, a distance of 25.00 feet; thence departing said Northwesterly right of way line, North $47^{\circ}13'53''$ West, a distance of 201.02 feet to a point on the Northerly line of aforesaid Tract 5; thence on said Northerly line of Tract 5 for the next 3 courses, North $43^{\circ}48'28''$ West, a distance of 55.27 feet; thence North $54^{\circ}09'14''$ West, a distance of 61.52 feet; thence North $37^{\circ}41'20''$ East, a distance of 28.25 feet; thence departing said Northerly line, South $47^{\circ}17'21''$ East, a distance of 325.43 feet to the Point of Beginning.

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EXHIBIT "B" TO THE DEED

PERMITTED EXCEPTIONS

1. All existing building restrictions, zoning regulations, and local laws, governing the Property and the use thereof.
2. Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.
3. Matters contained in that certain Long Term Master Plan Conversion Agreement for East Nassau Comprehensive Planning Area recorded August 9, 2011 Official Records Book 1750, page 809.
4. Matters contained in that certain Nassau County Ordinance No. 2013-11, being a Development Order for the East Nassau Employment Center recorded July 5, 2013 in Official Records Book 1866, page 438, as amended by Adjustment recorded July 23, 2015 in Official Records Book 1993, page 44.
5. East Nassau Community Planning Area Proposed Transportation Improvements and Mobility Fee Agreement recorded July 10, 2013 in Official Records Book 1866, page 1416, and as amended by instrument recorded July 23, 2015 in Official Records Book 1993, page 22.
6. Underground Easement (Business) in favor of Florida Power & Light Company as set out in instrument recorded July 25, 2016 in Official Records Book 2060, page 1557.
7. Notice of Creation and Establishment of the East Nassau Stewardship District as set out in instrument recorded June 30, 2017 in Official Records Book 2130, page 727.
8. Grant of Easement in favor of Comcast of Florida /Georgia / Illinois / Michigan, LLC as set out in instrument recorded February 9, 2018 in Official Records Book 2176, page 356.
9. Deed Conservation Easement Third Party Beneficiary Rights to USACE and Passive Recreational Uses as set out in instrument recorded August 2, 2018 in Official Records Book 2215, page 1508, as affected by Quit Claim Deeds recorded July 5, 2018 in Official Records Book 2207, page 72, and Official Records Book 2207, page 1962.
10. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of East Nassau - Wildlight Phase 1c-West, recorded November 28, 2018 in Official Records Book 2239, page 1149.
11. Terms and conditions of Declaration of Restricted Use and Right of First Offer as set out in instrument recorded December 26, 2018 in Official Records Book 2245, page 1150.
12. Intentionally Deleted.
13. Intentionally Deleted.
14. Intentionally Deleted.
15. Intentionally Deleted.
16. Master Disclosure of Public Financing and Maintenance of Improvements to Real Property Undertaken by the East Nassau Stewardship District recorded May 7, 2019 in Official Records Book 2272, page 1300; Supplemental Disclosure of Public Financing recorded May 7, 2019 in Official Records Book 2272, page 1445.
17. Declaration of Grocery Supermarket Restriction by and between Wildlight LLC, et al, and Public Super Markets, Inc. as set out in instrument recorded September 26, 2019 in Official Records Book 2307, page 1042; First Amendment recorded September 1, 2020 in Official

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Records Book 2388, page 842; Second Amendment recorded December 11, 2020 in Official Records Book 2415, page 1899; Third Amendment recorded March 2, 2021 in Official Records Book 2438, page 592.

18. Intentionally Deleted.

19. Intentionally Deleted.

20. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of East Nassau - Wildlight PDP 3 / POD 5, recorded March 14, 2022 in Official Records Book 2546, page 1608.