ST. JOHNS COUNTY
RESOLUTION NUMBER 2004-154

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE MARSHALL CREEK DRI DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON OCTOBER 13, 1998, UNDER RESOLUTION 98-91 AND AS PREVISOULY MODIFIED BY RESOLUTION 98-220 APPROVED DECEMBER 10, 1998; AND RESOLUTION 2002-103 APPROVED JUNE 4, 2002; AND RESOLUTION 2004-24 APPROVED JANUARY 27, 2004; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Marshall Creek, Ltd. has submitted a Notice of Proposed Change (NOPC) to the Marshall Creek Development of Regional Impact (DRI) by letter dated April 23, 2004, requesting modification of Development Order Exhibit 2, Master Plan Map H to reflect adherence to Special Condition 36 of the Development Order (the "Notice of Change"); and

WHEREAS, the Developer submits that the change proposed in the NOPC does not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes and the Developer has provided evidence that such change does not constitute a substantial deviation under any provision of Section 380.06(19) of the Florida Statutes; and

WHEREAS, the Board of County Commissioners has reviewed the NOPC and considered the evidence presented and whether the proposed modification constitutes a substantial deviation to the DRI requiring further DRI review at a public hearing held June 22, 2004, after required notice.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

1. The following facts and conclusions of law are established by clear and convincing evidence to support this Resolution:

   A. The requested change does not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because there is no change in either the number of development rights or increase in impacts from those approved in the original Marshall Creek DRI Development Order as amended prior to this change.

   B. The change requested in the NOPC is consistent with the Land Development Code of St. Johns County, as amended.

   C. The change requested in the NOPC is consistent with and furthers the objectives of the St. Johns County Comprehensive Plan 2015.

2. The Marshall Creek DRI Development Order Exhibit 2, Master Plan Map H is hereby modified by approval of the following specific changes:

   A. Notation of Archeological Preservation Site (Site 8SJ3476) at the project's entryway from U.S. Highway 1.

B. Notation of the April 8, 2004 revision date in the lower right corner.

3. Except as modified by this Resolution, the existing Marshall Creek DRI Development Order shall remain in full force and effect.

4. A certified copy of this Resolution, complete with all exhibits, shall be rendered by St. Johns County within ten (10) days of its adoption by certified mail, return receipt requested to the Developer, the Florida Department of Community Affairs, and the Northeast Florida Regional Council.

5. This Resolution shall take effect upon its adoption.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 22 DAY OF June 2004.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

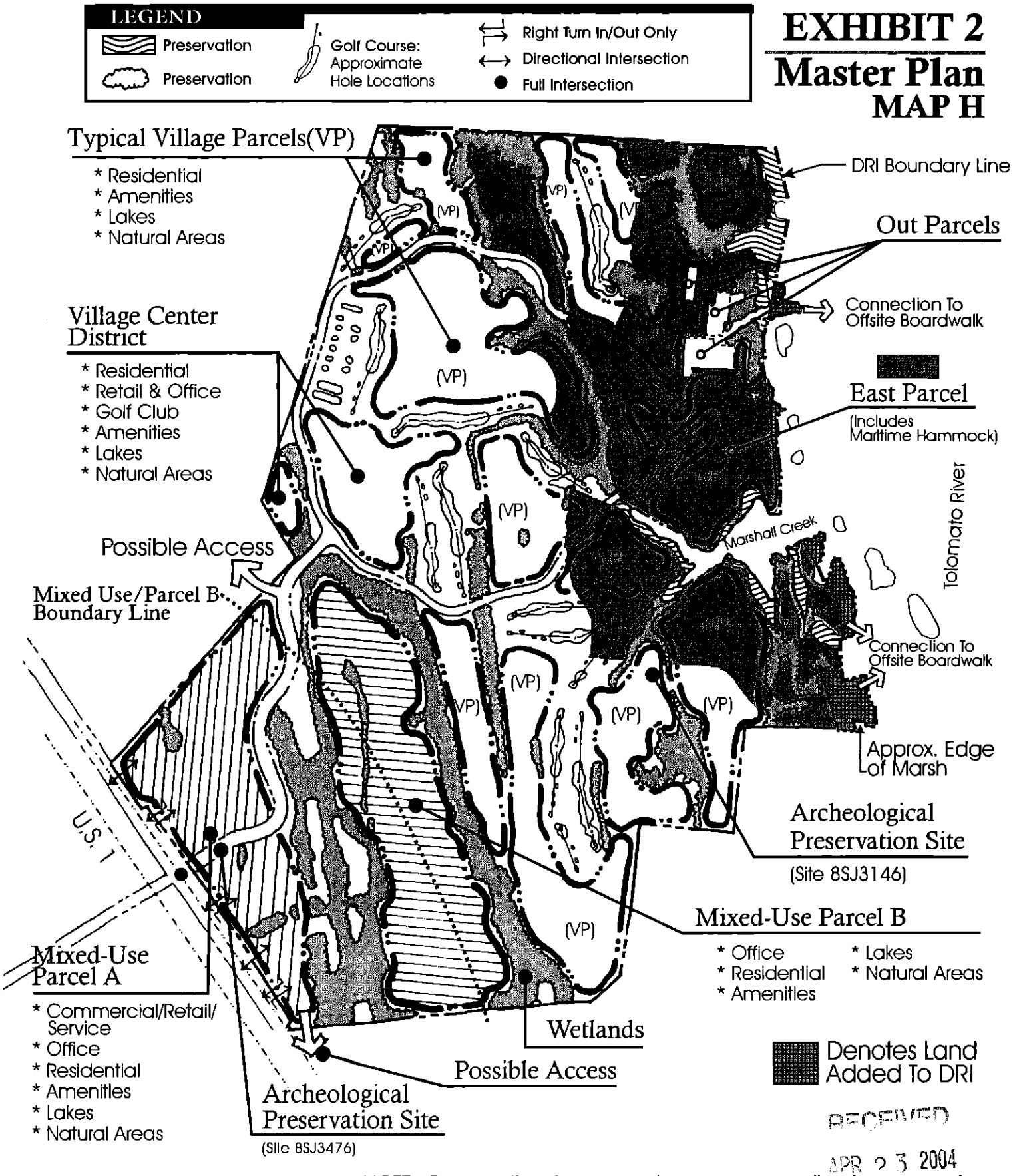
By: Karen R. Stern
Karen R. Stern, Chair

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande
Deputy Clerk

Exhibit A

EXHIBIT 2
Master Plan
MAP H



RECEIVED
APR 23 2004

NOTE: Preservation Areas are shown as generalized areas and are subject to final design, road crossings and final wetland surveys.

Source: Prosser Hallock, Inc.

Revised Apr.8, 2004

Exhibit B

SOUTHEASTERN ARCHAEOLOGICAL RESEARCH, INC.

April 20, 2004

Frederick Gaske
Acting Director, Division of Historical Resources
Attn: Compliance Review Section
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

RECEIVED
APR 22 2004
BY: Tony

RE: Historic Marker for King's Road (8SJ3476) on Palencia (Marshall Creek DRI) for Hines Interests Limited Partnership

Dear Mr. Gaske,

In 1997, SEARCH documented the King's Road (8SJ3476) on the Palencia/Marshall Creek DRI property. A Mitigation Plan was sent to your office and was accepted in a letter dated July 6, 1999 (DHR No. 993805, Attachment A). The mitigation was to include "measured drawings and photographs of the roadbed, additional historic research, and preservation of a portion of the roadbed (50 to 75 feet) where the proposed Marshall Creek entry road will bisect the historic roadbed..... In addition, a historic marker will be erected designating the historic road and discussing its significance." The measured drawing, photographs, and additional historic research were completed as part of HABS/HAER Level 2 documentation of the road in 1999 and forwarded to your office for review. In a letter dated April 11, 2000 (DHR No. 2000-02345, Attachment B), your office agreed that the Level 2 documentation was complete and sufficient.

Palencia has since constructed the entry road and chosen a location where the King's Road crosses the entry road for placement of the historic marker (Attachment C). The proposed text of the marker is attached (Attachment D). Some minor variations to this text may need to be made based on space requirements. The following page contains a photo of the entry road showing where it bisects King's Road (Attachment E). Approximately 91 feet of King's Road is preserved within the entry road median. We are providing this information to advise you that once the marker is installed, we have met the terms of the mitigation agreement. We appreciate all of the input you have given us on managing the important cultural resources present at Palencia.

Sincerely,

Anne V. Stokes, Ph.D.
President/Principal Investigator

xc: Walter O'Shea, Hines
Michael Taylor, Hines
Tony Robbins, Prosser Hallock

315 N.W. 138 Terrace
Jonesville, Florida 32669
Phone: (352) 333-0049
Fax: (352) 333-0069

search@searchinc.com

P.O. Box 2818
Riverview, Florida 33568
Phone: (813) 677-2280
Fax: (813) 671-8416

ATTACHMENT A
DHR NO. 993805, LETTER DESCRIBING MITIGATION PLAN

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Office of Intergovernmental Relations
Division of Elections
Division of Corporations
Division of Cultural Affairs
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
Division of Administrative Services

MEMBER OF THE FLORIDA CABINET
State Board of Education
Trustees of the Internal Improvement Trust Fund
Administration Commission
Florida Land and Water Adjudicatory Commission
Bond Council
Division of Bond Finance
Department of Revenue
Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans' Affairs

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

DIVISION OF HISTORICAL RESOURCES

July 6, 1999

Ms. Anne V. Stokes
Southeastern Archaeological Research, Inc.
P.O. Box 14776
Gainesville, Florida 32604

RE: DHR Project File No. 993805
Marshall Creek DRI
Mitigation Plan for 8SJ3476 - Old King's Road
St. Johns County, Florida

Dear Ms. Stokes

We have reviewed Mitigation Plan for 8SJ3476 (Old King's Road) referenced above. We note that additional documentation including measured drawings and photographs of the roadbed, additional historic research, and preservation of a portion of the roadbed (50 to 75 feet) where the proposed Marshall Creek entry road will bisect the historic roadbed, will be performed. In addition, a historic marker will be erected designating the historic road and discussing its significance. Therefore, if the above referenced mitigation plan is followed, it will be the opinion of this office that the historic resource 8SJ3476 (Old King's Road) will have been sufficiently mitigated.

If you have any questions concerning our comments, please contact Scott Edwards, Historic Preservation Planner, at 850-487-2333 or 800-847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

Laura A. Kammerer

for George W. Percy, Director
Division of Historical Resources and
State Historic Preservation Officer

GWP/Ese

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • http://www.flheritage.com
Director's Office (850) 488-1480 • FAX: 488-3353
Archaeological Research (850) 487-2299 • FAX: 413-2207
Historic Preservation (850) 487-2333 • FAX: 922-1496
Historical Museums (850) 488-1484 • FAX: 921-2503
Historic Pensacola Preservation Board (850) 595-5985 • FAX: 595-5989
Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476
St. Augustine Regional Office (904) 825-5045 • FAX: 825-5044
Tampa Regional Office (813) 272-3843 • FAX: 272-2340

ATTACHMENT B

DHR NO. 2000-02354, LETTER REGARDING LEVEL 2 DOCUMENTATION

9931

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Office of International Relations
Division of Elections
Division of Corporations
Division of Cultural Affairs
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
Division of Administrative Services

MEMBER OF THE FLORIDA CABINET
State Board of Education
Trustees of the Internal Improvement Trust Fund
Administration Commission
Florida Land and Water Adjudicatory Commission
Siting Board
Division of Bond Finance
Department of Revenue
Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans Affairs

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

DIVISION OF HISTORICAL RESOURCES

April 11, 2000

Mr. Geoffrey Mohlman
Southeastern Archaeological research, Inc.
Post Office Box 14776
Gainesville, Florida 32604

RE: DHR Project File No. 2000-02345
Level 2 Documentation of the Old King's Roadbed, Marshall Creek Development of Regional Impact, St. Johns County, Florida

Dear Mr. Mohlman:

In accordance with this agency's responsibilities under Section 380.06, Florida Statutes, we have reviewed your submission. Mr. Walter Marder, Preservation Architect, Division of Historical Resources, has reviewed the proposed documentation. We concur with Mr. Marder's conclusion that the referenced documentation package is complete and sufficient.

If you have any questions concerning our comments, please contact Scott Edwards, Historic Preservation Planner, at 850-487-2333 or 800-847-7278.

Sincerely,

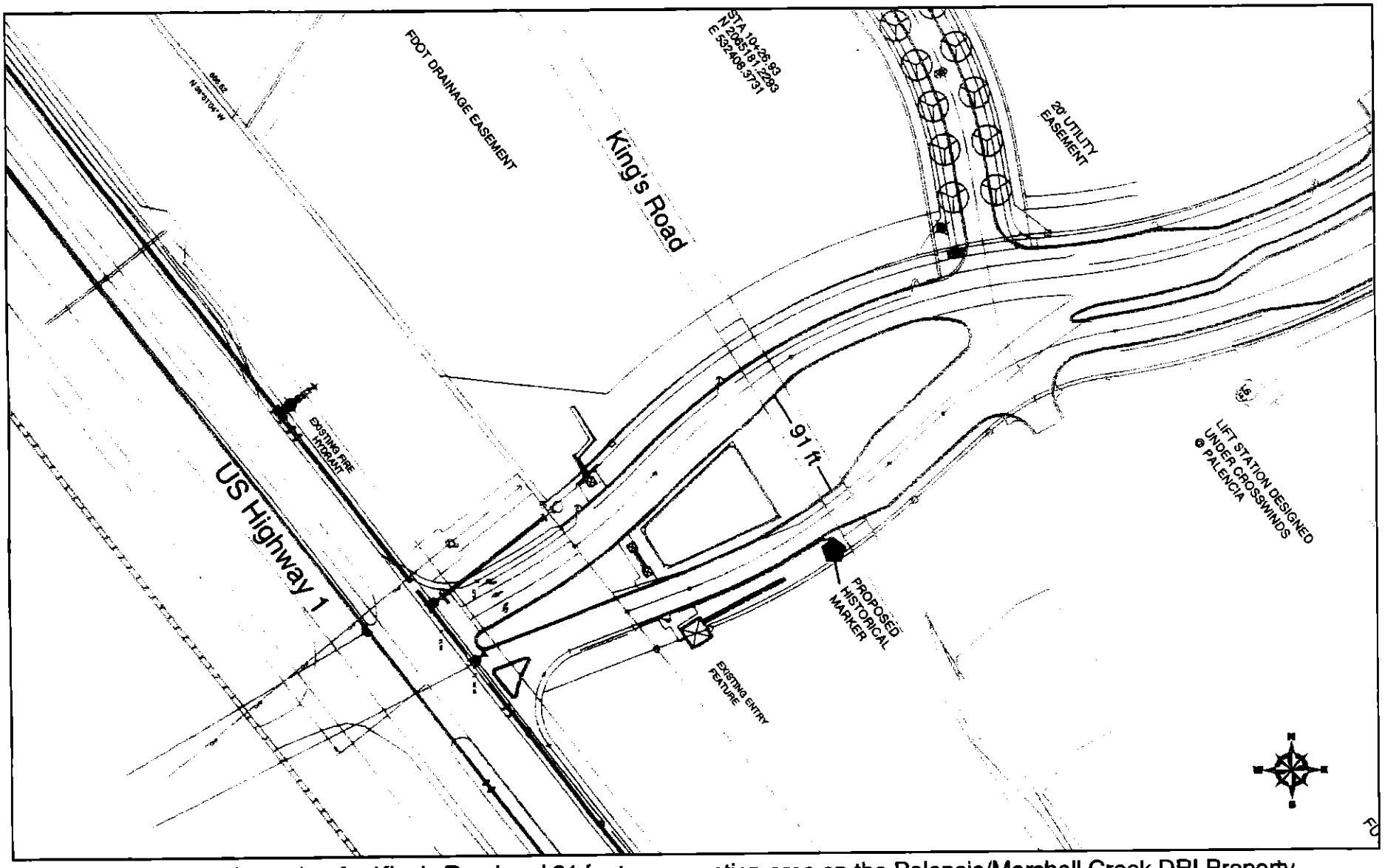
Janet Snyder Matthews

Janet Snyder Matthews, Ph.D., Director
Division of Historical Resources
State Historic Preservation Officer

JSM/Ese

ATTACHMENT C

LOCATION OF PROPOSED HISTORIC MARKER FOR KING'S ROAD



Location of the historic marker for King's Road and 91 foot preservation area on the Palencia/Marshall Creek DRI Property.

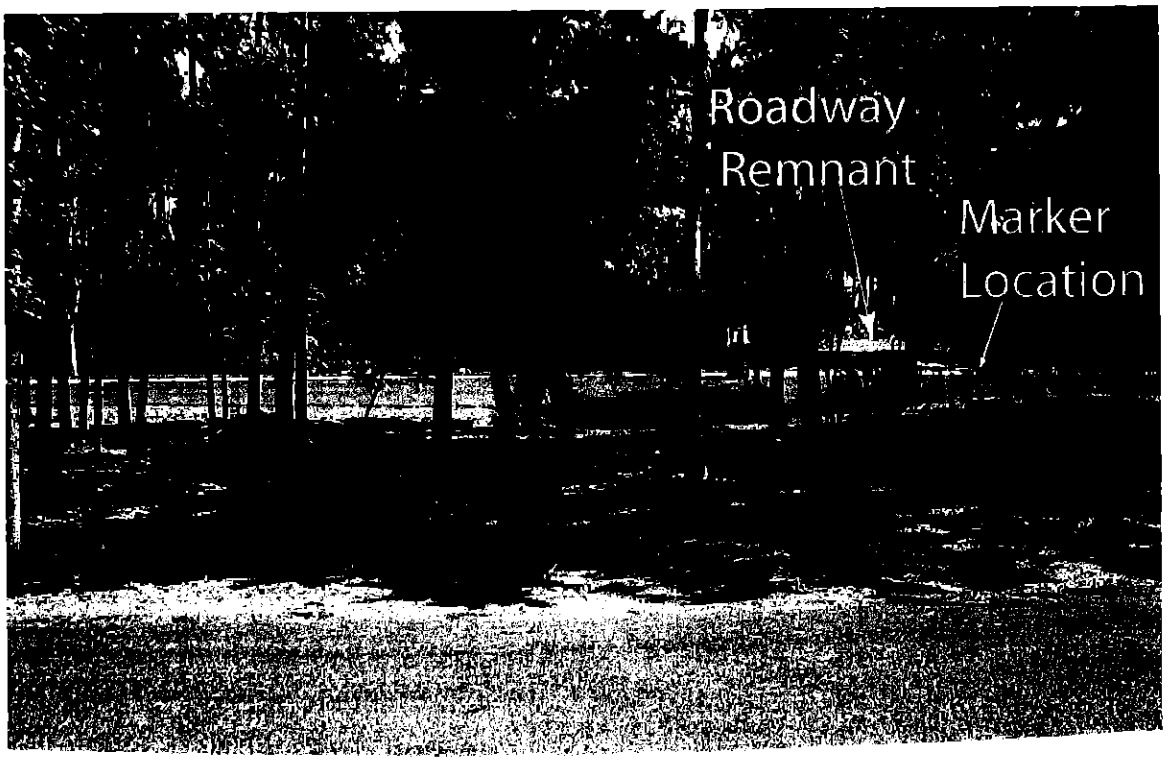
ATTACHMENT D
TEXT FOR KING'S ROAD HISTORIC MARKER

Text for Historic Marker at King's Road

The historic King's Road intersects the entry road into Palencia at this point. If you look to the south, you may be able to see remnants of the elevated road bed and ditches on either side. King's Road was built between 1772 and 1775 by the British after they took possession of Florida as a way to encourage settlement into this area. The road extended from St. Augustine north to St. Mary's, Georgia, and south to New Smyrna where it linked with Andrew Turnbull's Minorcan colony. King's Road was the first road in Florida that was wide enough to accommodate wheeled vehicles. Where it crossed low, swampy areas, pine logs were laid crosswise and ditches cut to drain the area so the carts and draft animals would not bog down. Wooden bridges were built across creeks and wetlands. When the American Colonies declared independence from England in 1776, approximately 7000 Loyalists fled to Florida via this route to seek asylum rather than declare their loyalty to the Revolutionary cause. During the Second Spanish period (1784-1821), the King's Road fell into disrepair. When Florida became part of the United States in 1821, King's Road was improved. Later, during the early 20th century, oyster shell was added to the road bed, and after World War I, some areas were paved with red brick. Presently, sections of the original King's Road have been incorporated into modern roads, particularly US 1, are used as trails, or are abandoned such as the section you see here.

ATTACHMENT E

PHOTOGRAPH OF PRESERVED PORTION OF KING'S ROAD AT PALENCIA



King's Road (8SJ3476) as preserved within the median of the Palencia Entry Road. The historic roadbed can be seen clearly in the cleared, raised area in the back, right-hand side of the photo (this area if not within the median and will not be preserved). The historic marker will be placed approximately where the small white information box is, but on the south side of the entry road. The photo is facing south, taken from the exit side of the Entry Road on April 16, 2004.

DRI - EXHIBIT C

LEGAL DESCRIPTION OF MARSHALL CREEK DEVELOPMENT AREA:

ALL OF SECTION 34; ALL OF THE THERESA MARSHALL GRANT, SECTION 53; ALL OF THE THERESA MARSHALL OR THE JUANNA PAREDES GRANT, SECTION 56 AND A PART OF SECTION 33; A PART OF THE CLARA P. ARNAU GRANT, SECTION 44; A PART OF THE JAMES ARNAU GRANT, SECTION 45; A PART OF THE THERESA MARSHALL OR CLARA P. ARNAU GRANT, SECTION 54; A PART OF THE THERESA MARSHALL OR THE JUANNA PAREDES OR THE CLARA P. ARNAU GRANT, SECTION 55; A PART OF THE JUANNA PAREDES OR THE JAMES ARNAU GRANT, SECTION 57; A PART THE THERESA MARSHALL OR THE JAMES ARNAU GRANT, SECTION 58; A PART OF THE THERESA MARSHALL GRANT SECTION 59; A PART OF THE THERESA MARSHALL OR THE ROQUE LEONARDI GRANT, SECTION 60; A PART OF THE ROQUE LEONARDI GRANT, SECTION 61, ALL IN TOWNSHIP 5 SOUTH, RANGE 29 EAST; TOGETHER WITH A PART OF SECTIONS 3 AND 4 IN TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR THE POINT OF BEGINNING COMMENCE AT A CONCRETE MONUMENT WITH A 1"DISK (WITH NO SURVEYORS IDENTIFICATION) FOUND AT THE INTERSECTION OF THE SOUTHERLY LINE OF LANDS DESCRIBED AS PARCEL "2" IN DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 883, PAGE 0200 WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO.1 (A VARIABLE WIDTH RIGHT-OF-WAY AS NOW ESTABLISHED), THENCE NORTHWESTERLY, ALONG LAST SAID RIGHT-OF-WAY LINE, THE FOLLOWING 7 COURSES, COURSE NO.1: NORTH 37°50'32"WEST, 54.90 FEET TO A SET CONCRETE MONUMENT STAMPED "LB-4622"; COURSE NO.2: NORTH 52°09'28"EAST, 52.80 FEET TO A SET CONCRETE MONUMENT STAMPED "LB-4622"; COURSE NO.3: NORTH 35°19'10"WEST, 1067.29 FEET TO A FOUND "SRD-R/W" CONCRETE MONUMENT; COURSE NO.4: NORTH 37°47'03"WEST, 520.72 FEET TO A FOUND "SRD-R/W" CONCRETE MONUMENT; COURSE NO.5: NORTH 38°30'42" WEST, 1472.43 FEET TO A FOUND "SRD-R/W" CONCRETE MONUMENT; COURSE NO.6: SOUTH 62°29'49"WEST, 84.47 FEET TO A FOUND "SRD-R/W" CONCRETE MONUMENT; COURSE NO.7: NORTH 37°50'32"WEST, 648.41 FEET TO A CONCRETE MONUMENT STAMPED "LB-4622" SET AT THE INTERSECTION OF THE SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO.1 WITH A LINE DESCRIBED AS A BOUNDARY LINE AGREEMENT BETWEEN GRAN CENTRAL CORP. AND GENESIS LIMITED PARTNERSHIP, AS INTENDED TO BE DESCRIBED IN SAID OFFICIAL RECORDS IN BOOK 878, PAGE 1190; THENCE ALONG THE LINE DESCRIBED IN SAID BOUNDARY LINE AGREEMENT, THE SAME BEING THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SHANNON ROAD (A 60-FOOT RIGHT-OF-WAY AS MENTIONED IN SAID BOUNDARY LINE AGREEMENT), THE FOLLOWING 2 COURSES, COURSE NO.1: NORTH 38°53'53"EAST, 3140.74 FEET TO A FOUND 0.5 FOOT DIAMETER CONCRETE MONUMENT STAMPED "FLORIDA EAST COAST RAILWAY CO., LB-169" AT A POINT OF CURVATURE; COURSE NO.2: THENCE IN A NORTHEASTERLY DIRECTION, ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 730.0 FEET, A CHORD BEARING AND DISTANCE OF NORTH 42°38'24"EAST, 95.28 FEET TO A FOUND 0.5 FOOT CONCRETE MONUMENT STAMPED "FLORIDA EAST COAST RAILWAY CO., LB-169"; THENCE CONTINUE ALONG SAID BOUNDARY LINE AGREEMENT, THE FOLLOWING 4 COURSES, COURSE NO.1: NORTH 33°37'31"WEST, 809.97 FEET TO A FOUND CONCRETE MONUMENT WITH A 1" DISK (HAVING NO SURVEYOR IDENTIFICATION); COURSE NO.2: NORTH 14°22'53"EAST, 4585.21 FEET TO A CONCRETE MONUMENT SET AT THE SOUTHWESTERLY CORNER OF PARCEL "B", AS INTENDED TO BE DESCRIBED IN SAID OFFICIAL RECORDS IN BOOK 878, PAGE 1184; COURSE NO.3: SOUTH 89°57'27"EAST, 2024.01 FEET TO A 0.5 FOOT DIAMETER CONCRETE MONUMENT STAMPED "FLORIDA EAST COAST RAILWAY CO., LB-169" FOUND AT THE SOUTHEASTERLY CORNER OF SAID PARCEL "B"; COURSE NO.4: CONTINUE SOUTH 89°57'27"EAST, 2599.30 FEET TO THE U.S. GOVERNMENT LAND OFFICE MEANDER LINE FOR SECTIONS 44, 45, 59 AND 61, SAID TOWNSHIP 5 SOUTH, RANGE 29 EAST, AS RE-SURVEYED BY PHILLIPS SURVEYING, INC. APRIL 30, 1982; THENCE SOUTH 13°51'29"EAST, ALONG SAID GOVERNMENT MEANDER LINE, 674.48 FEET TO A POINT HEREAFTER KNOWN AS POINT "A"; THENCE CONTINUE SOUTH 13°51'29"EAST, 177.79 FEET TO AN ANGLE POINT IN SAID GOVERNMENT MEANDER LINE; THENCE SOUTH 06°08'31"WEST, CONTINUING ALONG LAST SAID MEANDER LINE, 243.93 FEET TO A POINT HEREAFTER KNOWN AS POINT "B"; THENCE CONTINUE SOUTH 06°08'31"WEST, ALONG SAID GOVERNMENT MEANDER LINE, 704.37 FEET TO A POINT KNOWN HEREAFTER AS POINT "C"; THENCE CONTINUE SOUTH 06°08'31"WEST, ALONG SAID MEANDER LINE, 503.70 FEET TO AN ANGLE POINT; THENCE SOUTH 07°10'58"EAST, CONTINUING ALONG SAID GOVERNMENT MEANDER LINE, 1611.76 FEET TO AN ANGLE POINT; THENCE SOUTH 29°11'07"EAST, CONTINUING ALONG SAID MEANDER LINE, 220.28 FEET TO A POINT HEREAFTER KNOWN AS POINT "D"; THENCE CONTINUE SOUTH 29°11'07"EAST, ALONG SAID GOVERNMENT MEANDER LINE, 1231.72 FEET TO AN ANGLE POINT; THENCE CONTINUE ALONG SAID MEANDER LINE, THE FOLLOWING 3 COURSES, COURSE NO.1: SOUTH 11°11'07"EAST, 924.0 FEET; COURSE NO.2: SOUTH 82°48'53"WEST, 163.80 FEET; COURSE NO.3: SOUTH 21°11'07"EAST, 741.73 FEET TO THE NORTHERLY LINE OF LANDS DESCRIBED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 943, PAGE 1057; THENCE SOUTH 87°19'38"WEST, ALONG LAST SAID NORTHERLY LINE, 1171.48 TO A CONCRETE MONUMENT STAMPED "S.J.S.C. LB-4858" FOUND AT THE NORTHWESTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 943, PAGE 1057; THENCE SOUTH 04°00'44"WEST, ALONG THE WESTERLY LINE OF LAST SAID LANDS, 1252.54 FEET TO A CONCRETE MONUMENT WITH A 1/2" IRON PIPE STAMPED "PLS-983" FOUND AT THE SOUTHWESTERLY CORNER OF LAST MENTIONED LANDS; THENCE NORTH 85°54'48"WEST, ALONG THE NORTHERLY LINE OF HILLANDALE ACRES (AN UNRECORDED SUBDIVISION OF LOT 10, WHITE CASTLE FARMS; ALSO UNRECORDED) AS FOUND MONUMENTED, 1070.34 FEET TO A DISTURBED CONCRETE MONUMENT WITH A 1/2" IRON PIPE FOUND AT THE NORTHWESTERLY CORNER OF SAID HILLANDALE ACRES; THENCE SOUTH 04°01'54"WEST, ALONG THE WESTERLY LINE OF SAID HILLANDALE ACRES AND ALONG THE WESTERLY LINE OF SAID WHITE CASTLE FARMS, THE SAME BEING THE EASTERLY LINE OF LANDS DESCRIBED AS PARCEL "2" IN SAID OFFICIAL RECORDS IN BOOK 883, PAGE 0200, 1764.59 FEET TO THE NORTHERLY CORNER OF LANDS DESCRIBED IN SAID OFFICIAL RECORDS IN BOOK 987, PAGE 1306; THENCE SOUTH 42°35'22"WEST, ALONG THE NORTHWESTERLY LINE OF LAST MENTIONED LANDS, 465.98 FEET TO THE SOUTHWESTERLY CORNER OF SAID LANDS, THE SAME BEING THE SOUTHERLY LINE OF SAID LANDS DESCRIBED AS PARCEL "2" IN OFFICIAL RECORDS BOOK 883, PAGE 0200; THENCE SOUTH 81°31'55"WEST, ALONG LAST SAID SOUTHERLY LINE, 3549.69 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 1374.05 ACRES, MORE OR LESS.

LESS AND EXCEPT THE FOLLOWING 1 EXCEPTION PARCEL [illegible]

TOGETHER WITH:

A PORTION OF THE CLARA P. ARNAU GRANT, SECTION 44, A PART OF THE JAMES ARNAU GRANT, SECTION 45; A PART OF THE THERESA MARSHALL GRANT SECTION 59; A PART OF THE ROQUE LEONARDI GRANT, SECTION 61, ALL IN TOWNSHIP 5 SOUTH, RANGE 29 EAST; ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

FOR A POINT OF REFERENCE COMMENCE AT A CONCRETE MONUMENT WITH A 1"DISK (WITH NO SURVEYORS IDENTIFICATION) FOUND AT THE INTERSECTION OF THE SOUTHERLY LINE OF LANDS DESCRIBED AS PARCEL "2" IN DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 883, PAGE 0200 WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO.1 (A VARIABLE WIDTH RIGHT-OF-WAY AS NOW ESTABLISHED), THENCE NORTHWESTERLY, ALONG LAST SAID RIGHT-OF-WAY LINE, THE FOLLOWING 7 COURSES, COURSE NO.1: NORTH 37°50'32"WEST, 54.90 FEET TO A SET CONCRETE MONUMENT STAMPED "LB-4622"; COURSE NO.2: NORTH 52°09'28"EAST, 52.80 FEET TO A SET CONCRETE MONUMENT STAMPED "LB-4622"; COURSE NO.3: NORTH 35°19'10"WEST, 1067.29 FEET TO A FOUND "SRD-R/W" CONCRETE MONUMENT; COURSE NO.4: NORTH 37° 47'03"WEST, 520.72 FEET TO A FOUND "SRD-R/W" CONCRETE MONUMENT; COURSE NO.5: NORTH 38°30'42" WEST, 1472.43 FEET TO A FOUND "SRD-R/W" CONCRETE MONUMENT; COURSE NO.6: SOUTH 62°29'49"WEST, 84.47 FEET TO A FOUND "SRD-R/W" CONCRETE MONUMENT; COURSE NO.7: NORTH 37°50'32"WEST, 648.41 FEET TO A CONCRETE MONUMENT STAMPED "LB-4622" SET AT THE INTERSECTION OF THE SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO.1 WITH A LINE DESCRIBED AS A BOUNDARY LINE AGREEMENT BETWEEN GRAN CENTRAL CORP. AND GENESIS LIMITED PARTNERSHIP, AS INTENDED TO BE DESCRIBED IN SAID OFFICIAL RECORDS IN BOOK 878, PAGE 1190; THENCE ALONG THE LINE DESCRIBED IN SAID BOUNDARY LINE AGREEMENT, THE SAME BEING THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SHANNON ROAD (A 60-FOOT RIGHT-OF-WAY AS MENTIONED IN SAID BOUNDARY LINE AGREEMENT), THE FOLLOWING 2 COURSES, COURSE NO.1: NORTH 38° 53'53"EAST, 3140.74 FEET TO A FOUND 0.5 FOOT DIAMETER CONCRETE MONUMENT STAMPED "FLORIDA EAST COAST RAILWAY CO., LB-169" AT A POINT OF CURVATURE; COURSE NO.2: THENCE IN A NORTHEASTERLY DIRECTION, ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 730.0 FEET, A CHORD BEARING AND DISTANCE OF NORTH 42°38'24"EAST, 95.28 FEET TO A FOUND 0.5 FOOT CONCRETE MONUMENT STAMPED "FLORIDA EAST COAST RAILWAY CO., LB-169"; THENCE CONTINUE ALONG SAID BOUNDARY LINE AGREEMENT, THE FOLLOWING 4 COURSES, COURSE NO.1: NORTH 33°37'31"WEST, 809.97 FEET TO A FOUND CONCRETE MONUMENT WITH A 1" DISK (HAVING NO SURVEYOR IDENTIFICATION); COURSE NO.2: NORTH 14 °22'53"EAST, 4585.21 FEET TO A CONCRETE MONUMENT SET AT THE SOUTHWESTERLY CORNER OF PARCEL "B", AS INTENDED TO BE DESCRIBED IN SAID OFFICIAL RECORDS IN BOOK 878, PAGE 1184; COURSE NO.3: SOUTH 89° 57'27"EAST, 2024.01 FEET TO A 0.5 FOOT DIAMETER CONCRETE MONUMENT STAMPED "FLORIDA EAST COAST RAILWAY CO., LB-169" FOUND AT THE SOUTHEASTERLY CORNER OF SAID PARCEL "B"; COURSE NO.4: CONTINUE SOUTH 89°57'27"EAST, 2599.30 FEET, MORE OR LESS, TO THE U.S. GOVERNMENT LAND OFFICE MEANDER LINE FOR SECTIONS 44, 45, 59 AND 61, SAID TOWNSHIP 5 SOUTH, RANGE 29 EAST, AS SURVEYED BY A.M. RANDOLPH AND R.W. NORRIS IN 1850; THENCE SOUTH 13°51'29"EAST, ALONG SAID GOVERNMENT MEANDER LINE, 852.28 FEET, MORE OR LESS, TO AN ANGLE POINT IN SAID GOVERNMENT MEANDER LINE; THENCE SOUTH 06°08'31"WEST, CONTINUING ALONG LAST SAID MEANDER LINE, 700 FEET, MORE OR LESS, TO IT'S INTERSECTION WITH THE EDGE OF MARSH AND THE POINT OF BEGINNING FOR PARCEL "E":

PARCEL "E"

FROM THE POINT OF BEGINNING THUS DESCRIBED THENCE IN A SOUTHEASTERLY AND A SOUTHERLY DIRECTION ALONG SAID EDGE OF MARSH AND THE MEANDERING THEREOF, 300 FEET MORE OR LESS TO ITS INTERSECTION WITH SAID GOVERNMENT LAND OFFICE MEANDER LINE, SAID POINT BEING HEREINAFTER DESCRIBED AS POINT "E"; THENCE NORTH 06°08'31" EAST, ALONG SAID MEANDER LINE, 230 FEET MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL "F"

BEGINNING AT A POINT WHERE THE AFOREMENTIONED GOVERNMENT LAND OFFICE MEANDER LINE INTERSECTS THE EDGE OF MARSH AND BEARS SOUTH 06°08'31" WEST, 38 FEET, MORE OR LESS, FROM AFOREMENTIONED POINT "E"; THENCE GENERALLY IN AN EASTERLY AND SOUTHWESTERLY DIRECTION ALONG THE EDGE OF MARSH AND THE MEANDERING THEREOF, 1100 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE AFOREMENTIONED GOVERNMENT LAND OFFICE MEANDER LINE, SAID POINT BEING HERINAFTER DESCRIBED AS POINT "F"; THENCE NORTH 06°08'31" EAST, ALONG SAID MEANDER LINE, 300 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL "G"

FOR A POINT OF REFERENCE COMMENCE AT AFOREMENTIONED POINT "F": THENCE SOUTH 06°08'31" WEST, ALONG AFOREMENTIONED GOVERNMENT LAND OFFICE MEANDER LINE, 280 FEET, MORE OR LESS, TO AN ANGLE POINT IN SAID MEANDER LINE; THENCE IN SOUTH 07°10'58" EAST, CONTINUING ALONG SAID MEANDER LINE, 70 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE EDGE OF MARSH AND THE POINT OF BEGINNING FOR PARCEL "G";

FROM THE POINT OF BEGINNING THUS DESCRIBED, THENCE GENERALLY IN A SOUTHERLY DIRECTION ALONG SAID EDGE OF MARSH AND THE MEANDERING THEREOF, 1900 FEET, MORE OR LESS, TO IT'S INTERSECTION WITH THE AFOREMENTIONED GOVERNMENT LAND OFFICE MEANDER LINE, SAID POINT BEING HEREINAFTER REFERRED TO AS POINT "G" THENCE NORTH 29°11'07" WEST, ALONG AFOREMENTIONED GOVERNMENT LAND OFFICE MEANDER LINE, 140 FEET, MORE OR LESS TO AN ANGLE POINT IN SAID MEANDER LINE; THENCE NORTH 07°10'58" WEST, CONTINUING ALONG SAID MEANDER LINE, 1540 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL "H"

BEGINNING AT A POINT WHERE THE GOVERNMENT LAND OFFICE MEANDER LINE INTERSECT THE EDGE OF MARSH AND BEARS SOUTH 29°11'07" EAST, 670 FEET, MORE OR LESS, FROM AFOREMENTIONED POINT "G": THENCE GENERALLY IN A NORTHEASTERLY AND A SOUTHERLY DIRECTION, ALONG SAID EDGE OF MARSH AND THE MEANDERING THEREOF, 710 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE AFOREMENTIONED GOVERNMENT LAND OFFICE MEANDER LINE AND A POINT HEREINAFTER REFERRED TO AS POINT "H"; THENCE NORTH 29°11'07" WEST, ALONG SAID MEANDER LINE, 340 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL "I"

BEGINNING AT A POINT WHERE THE GOVERNMENT LAND OFFICE MEANDER LINE INTERSECT THE EDGE OF MARSH AND BEARS SOUTH 29°11'07" EAST, 110 FEET, MORE OR LESS FROM AFOREMENTIONED POINT "H": THENCE GENERALLY IN A NORTHERLY, SOUTHERLY AND A WESTERLY DIRECTION, ALONG SAID EDGE OF MARSH AND THE MEANDERING THEREOF, 1700 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE AFOREMENTIONED GOVERNMENT MEANDER LINE, SAID POINT BEING HEREINAFTER REFERRED TO AS POINT "I"; THENCE NORTH 11°11'07" WEST, ALONG SAID MEANDER LINE, 440 FEET, MORE OR LESS TO AN ANGLE POINT IN SAID MEANDER LINE; THENCE NORTH 29°11'07" WEST, CONTINUING ALONG SAID MEANDER LINE, 120 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL "J"

BEGINNING AT A POINT WHERE THE GOVERNMENT LAND OFFICE MEANDER LINE INTERSECT THE EDGE OF MARSH AND BEARS SOUTH 11°11'07" EAST, 220 FEET, MORE OR LESS FROM AFOREMENTIONED POINT "I": THENCE GENERALLY IN A SOUTHERLY, EASTERLY AND A SOUTHERLY DIRECTION, ALONG SAID EDGE OF MARSH AND THE MEANDERING THEREOF, 1840 FEET, MORE OR LESS, TO A 4"X4" CONCRETE MONUMENT FOUND ON THE NORTHERLY LINE OF LANDS DESCRIBED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 943, PAGE 1057; THENCE SOUTH 87°19'38" WEST, ALONG LAST SAID NORTHERLY LINE 150 FEET MORE OR LESS TO ITS INTERSECTION WITH THE AFOREMENTIONED GOVERNMENT OFFICE MEANDER LINE; THENCE NORTH 21°11'07" WEST, 741.73 FEET, MORE OR LESS, TO AN ANGLE POINT IN SAID MEANDER LINE; THENCE NORTH 82°48'53" EAST, ALONG SAID MEANDER LINE, 163.80 FEET, MORE OR LESS, TO AN ANGLE POINT IN SAID MEANDER LINE; THENCE NORTH 11°11'07" WEST, ALONG SAID MEANDER LINE, 290 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

PREPARED BY:
DATE: 9-28-01

PRIVETT & ASSOC.
OF FLORIDA, INC.
SURVEYORS AND LAND PLANNERS
2732 TOWNSEND BOULEVARD
JACKSONVILLE, FLORIDA, 32211
(904) 743-7658

NOTE: REFER TO PRIVETT AND ASSOCIATES
DWG. NO. B-001-033, DATED: 9-28-01
FOR SKETCH OF DESCRIBED LANDS

COPY OF ADVERTISMENT

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **AMANDA N. BRUNK**

who on oath says that she is an Accounting Clerk of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a **NOTICE OF PROPOSED CHANGE**

In the matter of **NOPO 0402**

in the Court, was published in said newspaper in the issues of

JUNE 2, 2004

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 2ND day of **JUNE 2004**

by Amanda N. Brunk who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist

(Signature of Notary Public) (Seal)

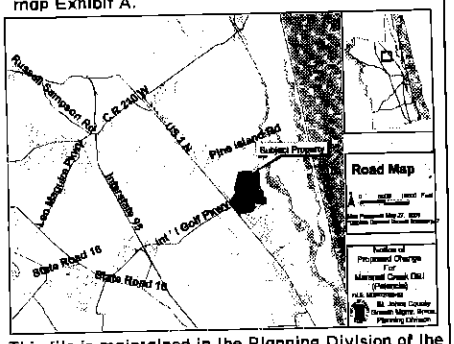
Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

PATRICIA A BERGQUIST

A NOTICE OF A PROPOSED CHANGE (NOPC) TO THE MARSHALL CREEK DEVELOPMENT OF REGIONAL IMPACT (DRI)

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, June 17, 2004 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and Tuesday, June 22, 2004 at 1:30 p.m. by the Board of County Commissioners in the County Audiitorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to consider a Notice of Proposed Change to the Marshall Creek DRI in accordance with Special Condition 36 to Preserve a portion of an archaeological site and revise Map H.

The subject property is located at 152 Palencia Village within St. Johns County, Florida. See attached map Exhibit A.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084. For hearing impaired individuals, call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
KAREN STERN, CHAIR
PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
ROBERT TAYLOR, CHAIR

FILE NUMBER: NOPC 2004-02 Marshall Creek DRI
L1298-4 June 2, 2004