

ORDINANCE NO. 2006-36

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, EXPANDING THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2005); DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT EXPANSION AREA; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

FILED
2006 APR 10 AM 9:03
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

WHEREAS, Brandy Creek Community Development District ("Petitioner"), a unit of special purpose government, petitioned the Board of County Commissioners of St. Johns County (the "County") to adopt an ordinance expanding the Brandy Creek Community Development District (the "District") pursuant to Chapter 190, Florida Statutes (2002); and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County on April 4, 2006; and

WHEREAS, upon consideration of the record established at that hearing, the County determined that the statements within the Petition were true and correct, that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and facilities to the area served by the District, that the services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities, and that the area to be served by the District is amenable to separate special-district governance; and

WHEREAS, this expansion of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the petition.

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

SECTION 1. The above Recitals are hereby incorporated herein by reference as legislative findings of fact in support of this Ordinance.

SECTION 2. AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2002).

SECTION 3. EXPANSION. The expansion area described in Exhibit A (Parcel B) attached hereto and incorporated herein by reference is hereby added to the previous established Community Development District created by Ordinance 2003-53 pursuant to Section 190.006 - 190.046, Florida Statutes, situated entirely within unincorporated St. Johns County, Florida, which expanded District is known as the "Brandy Creek Community Development District." Said Expansion Area encompasses approximately 92.62 acres.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The total area of the expanded Brandy Creek Community Development District shall encompass approximately 341.01 acres and is described in Exhibit A as Parcel s A and B.

SECTION 5. SEVERABILITY. If any provision of this ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect pursuant to general law.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 4 day of April, 2006.

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

BY: James E. Bryant
James E. Bryant, Chairman

RENDITION DATE 04/06/06

ATTEST: Cheryl Strickland, Clerk of Court

By: Yvonne King
Deputy Clerk

Effective date: _____

LEGAL DESCRIPTION

BRANDY CREEK CDD

PARCEL "A"

A PORTION OF SECTIONS 24 AND 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST, TOGETHER WITH A PORTION OF SECTION 19 AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ALL BEING IN ST JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 19 FROM THE POINT OF REFERENCE THUS DESCRIBED RUN SOUTH 02°34'09" EAST ALONG THE WESTERLY LINE OF SAID SECTION 19, A DISTANCE OF 594.51 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO 210 (FORMERLY STATE ROAD NO. 210) A 100' RIGHT-OF-WAY AS PER STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY SECTION 7851-250; THENCE RUN SOUTH 73°30'56" WEST ALONG THE SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 123.67 FEET TO THE POINT OF BEGINNING; SAID POINT OF BEGINNING BEING THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 25.00 FEET; FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTHWESTERLY ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°30'56" WEST, 35.36 FEET; THENCE RUN SOUTH 16°29'04" EAST, A DISTANCE OF 762.75 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 460.0 FEET; THENCE RUN SOUTHEAST ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 318.75 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 36°20'08" EAST, 312.41 FEET; THENCE RUN SOUTH 56°11'12" EAST A DISTANCE OF 392.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 540.0 FEET; THENCE RUN SOUTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 85.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 51°40'29" EAST, 84.96 FEET; THENCE RUN SOUTH 47°09'46" EAST, A DISTANCE OF 250.63' TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 39.27 FEET TO A POINT; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 87°50'14" EAST, 35.36 FEET; THENCE RUN ON A NON-TANGENT BEARING OF SOUTH 47°09'46" EAST, A DISTANCE OF 60.00 FEET; THENCE RUN NORTH 42°50'14" EAST, A DISTANCE OF 83.98 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 230.0 FEET; THENCE RUN NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 150.09 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 24°08'35" EAST, 147.44 FEET; THENCE RUN NORTH 05°26'55" EAST, A DISTANCE OF 59.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 470.0 FEET, THENCE RUN NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 11.33 FEET TO A POINT; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 06°08'21" EAST, 11.33 FEET; THENCE RUN ON A NON-TANGENT BEARING OF SOUTH 84°37'51" EAST, A DISTANCE OF 215.19 FEET; THENCE RUN SOUTH 28°25'31" EAST, A DISTANCE OF 286.37 FEET; THENCE RUN NORTH 86°28'41" EAST, A DISTANCE OF 281.21 FEET; THENCE RUN SOUTH 02°45'14" EAST, A DISTANCE OF 4152.52 FEET; THENCE RUN NORTH 89°24'01 WEST, A DISTANCE OF 2420.89 FEET TO A POINT IN THE EASTERLY LINE OF SOUTH HAMPTON UNIT ONE AS RECORDED IN MAP BOOK 38, PAGES 32-50, INCLUSIVE, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE RUN ALONG THE SAID EASTERLY LINE OF SOUTH HAMPTON UNIT ONE THE FOLLOWING FOUR COURSES; COURSE NO. 1): RUN NORTH 00°00'00" WEST, A DISTANCE OF 1789.25 FEET; COURSE NO. 2): RUN NORTH 26°34'25" WEST, A DISTANCE OF 1615.36 FEET; COURSE NO. 3): RUN NORTH 47°21'22" EAST, A DISTANCE OF 1260.33 FEET; COURSE NO. 4): RUN NORTH 14°42'52 WEST, A DISTANCE OF 144.31 FEET; THENCE DEPARTING SAID EASTERLY LINE RUN NORTH 67°44'03" EAST, A DISTANCE OF 698.62 FEET; THENCE RUN NORTH 56°11'12" WEST, A DISTANCE OF 58.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 540.0 FEET; THENCE RUN NORTHWESTERLY ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 374.18 FEET; SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 36°20'08" WEST, 366.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE RUN NORTH 16°29'04" WEST, A DISTANCE OF 31.65 FEET; THENCE RUN SOUTH 73°30'56" WEST, A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 16°29'04" WEST, A DISTANCE OF 731.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHWESTERLY ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 39.27 FEET TO A POINT OF TANGENCY OF SAID CURVE; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61°29'04" WEST, 35.36 FEET; SAID POINT LYING IN THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NUMBER 210; THENCE RUN NORTH 73°30'56" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING

LANDS THUS DESCRIBED CONTAIN 248.39 ACRES, MORE OR LESS.

PARCEL "B"

A PORTION OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST AND A PORTION OF SECTIONS 30 AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF JOHNS CREEK AS RECORDED IN MAP BOOK 48, PAGES 76 THROUGH 95 AS RECORDED IN THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 89°23'02" EAST, ALONG THE SOUTHERLY LINE OF SAID JOHNS CREEK, A DISTANCE OF 2420.89 FEET TO THE SOUTHEAST CORNER OF SAID JOHNS CREEK; THENCE SOUTH 02°44'15" EAST, A DISTANCE OF 14.56 FEET TO THE POINT OF CURVATURE OF A CURVE; THENCE SOUTHERLY, ALONG THE ARC OF A CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 3100.00 FEET, AN ARC DISTANCE OF 537.53 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°42'18" EAST, 536.85 FEET; THENCE SOUTH 12°40'21" EAST, A DISTANCE OF 309.20 FEET TO THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF THAT CERTAIN GMC CONSERVATION EASEMENT 3 RECORDED IN OFFICIAL RECORDS 1856, PAGE 953 OF SAID PUBLIC RECORDS; THENCE ALONG SAID GMC CONSERVATION EASEMENT 3 THE FOLLOWING 9 COURSES; COURSE NO. 1) THENCE SOUTH 20°40'41" WEST, A DISTANCE OF 102.24 FEET; COURSE NO. 2) THENCE SOUTH 28°10'49" WEST, A DISTANCE OF 97.19 FEET; COURSE NO. 3) THENCE SOUTH 20°34'06" WEST, A DISTANCE OF 112.39 FEET; COURSE NO. 4) THENCE SOUTH 14°45'23" WEST, A DISTANCE OF 129.22 FEET; COURSE NO. 5) SOUTH 26°34'40" WEST, A DISTANCE OF 132.36 FEET; COURSE NO. 6) THENCE SOUTH 22°37'58" WEST, A DISTANCE OF 85.50 FEET; COURSE NO. 7) THENCE SOUTH 02°52'31" WEST, A DISTANCE OF 131.70 FEET; COURSE NO. 8) THENCE SOUTH 25°43'22" WEST, A DISTANCE OF 197.09 FEET; COURSE NO. 9) THENCE SOUTH 17°56'30" WEST, ALONG SAID WESTERLY LINE AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 308.33 FEET TO A POINT IN THE NORTHERLY LINE OF THAT CERTAIN WCC CONSERVATION EASEMENT 8 AS RECORDED IN OFFICIAL RECORDS 2090, PAGE 566 OF SAID PUBLIC RECORDS; THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID WCC CONSERVATION EASEMENT 8 THE FOLLOWING 11 COURSES; COURSE NO. 1) THENCE NORTH 83°55'22" WEST, A DISTANCE OF 53.75 FEET; COURSE NO. 2) THENCE NORTH 59°43'19" WEST, A DISTANCE OF 21.76 FEET; COURSE NO. 3) THENCE NORTH 43°18'58" WEST, A DISTANCE OF 177.43 FEET; COURSE NO. 4) THENCE NORTH 51°00'21" WEST, A DISTANCE OF 211.01 FEET; COURSE NO. 5) THENCE NORTH 48°44'33" WEST, A DISTANCE OF 198.54 FEET; COURSE NO. 6) THENCE NORTH 52°08'44" WEST, A DISTANCE OF 438.77 FEET; COURSE NO. 7) SOUTH 11°54'20" WEST, A DISTANCE OF 24.44 FEET; COURSE NO. 8) THENCE SOUTH 04°06'26" WEST, A DISTANCE OF 74.62 FEET; COURSE NO. 9) THENCE SOUTH 23°59'03" WEST, A DISTANCE OF 104.72 FEET; COURSE NO. 10) THENCE SOUTH 47°44'53" WEST, A DISTANCE OF 79.03 FEET; COURSE NO. 11) THENCE SOUTH 19°03'55" WEST, A DISTANCE OF 8.27 FEET TO A POINT IN THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF THAT CERTAIN WCC CONSERVATION EASEMENT 9 AS RECORDED IN SAID OFFICIAL RECORDS 2090, PAGE 566; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING 12 COURSES; COURSE NO. 1) THENCE SOUTH 87°37'58" WEST, A DISTANCE OF 327.99 FEET; COURSE NO. 2) THENCE SOUTH 81°53'19" WEST, A DISTANCE OF 150.37 FEET; COURSE NO. 3) THENCE NORTH 81°00'31" WEST, A DISTANCE OF 102.26 FEET; COURSE NO. 4) THENCE NORTH 70°32'29" WEST, A DISTANCE OF 95.84 FEET; COURSE NO. 5) THENCE NORTH 65°12'22" WEST, A DISTANCE OF 76.12 FEET; COURSE NO. 6) THENCE NORTH 61°22'15" WEST, A DISTANCE OF 66.61 FEET; COURSE NO. 7) THENCE NORTH 43°08'01" WEST, A DISTANCE OF 116.60 FEET; COURSE NO. 8) NORTH 57°14'46" WEST, A DISTANCE OF 88.48 FEET; COURSE NO. 9) THENCE NORTH 34°40'36" WEST, A DISTANCE OF 84.06 FEET; COURSE NO. 10) THENCE NORTH 33°40'17" WEST, A DISTANCE OF 57.50 FEET; COURSE NO. 11) THENCE NORTH 32°27'09" WEST, A DISTANCE OF 69.32 FEET; COURSE NO. 12) THENCE NORTH 60°22'03" WEST, A DISTANCE OF 107.69 FEET TO A POINT IN THE EASTERLY BOUNDARY LINE OF SOUTH HAMPTON UNIT ONE AS RECORDED IN MAP BOOK 38, PAGES 32 THROUGH 50 OF THE SAID PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE NORTH 00°00'59" EAST, ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 1223.05 FEET TO THE POINT OF BEGINNING

THE ABOVE DESCRIBED LANDS CONTAIN 92.62 ACRES, MORE OR LESS

**PETITION TO AMEND THE
BRANDY CREEK
COMMUNITY DEVELOPMENT
DISTRICT**

Submitted By:

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Attorneys for Petitioner

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

PETITION TO AMEND THE BRANDY CREEK
COMMUNITY DEVELOPMENT DISTRICT

Petitioner, Brandy Creek Community Development District, a local unit of special purpose local government established pursuant to the provisions of Chapter 190, Florida Statutes, and St. Johns County Ordinance No. 2003-53 and located entirely within the boundaries of the County of St. Johns, Florida (hereafter "District"), hereby petitions the Board of County Commissioners of St. Johns County, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, and specifically Section 190.046(1), Florida Statutes (2005), to adopt an amendment to St. Johns County Ordinance No. 2003-53, to add approximately 92.62 acres to the District. In support of this petition, the District states:

1. Location and Size. The District is located entirely within the County of St. Johns, Florida. **Exhibit 1** depicts the general location of the existing District. The District currently covers approximately 248.39 acres of land. It is located on a site which is south of County Road 210 and north of Leo McGuire Parkway. The site is bordered on the west by the South Hampton development, bordered on the north by property owned by Johns Creek, LLC and County Road 210, bordered on the south by property owned by VCP Real Estate Investments, Ltd. and bordered on the east by property owned by White's Ford Timber and Investment Company, Ltd. and property owned by VCP Real Estate Investments, Ltd. The current metes and bounds description of the external boundary of the original District is set forth in **Exhibit 2**. The general location and the metes and

bounds description of the lands to be added into the District are set forth in **Exhibit 3** (the "Expansion Parcel"). After amendment, the District will encompass a total of approximately 341.01 acres resulting in a net increase of approximately 92.62 acres in the total acreage of the District. The metes and bounds of the parcels that will comprise the District are set forth in **Exhibit 4**. There are no parcels of land excluded from the District boundaries.

2. Landowner Consent. Petitioner has written consent to amend the boundaries of the District from the owners of one hundred percent of the lands comprising the Expansion Parcel. Documentation of this consent is contained in **Exhibit 5**. Petitioner has adopted Resolution 2006-08 expressing its consent to the boundary amendment. Resolution 2006-08 is included as **Exhibit 6**.

3. Future Land Uses. The designation of future general distribution, location and extent of the public and private land uses proposed for the area to be added is consistent with the County's approved Future Land Use Plan and local Comprehensive Plan and is identified in **Exhibit 7**. The proposed development within the Expansion Parcel currently contemplates the construction of approximately 183 single family residential units.

4. District Facilities and Services. Portions of the Expansion Parcel will be used for residential development and other common uses. The District has already planned for the infrastructure improvements, systems or facilities for the Expansion Parcel. A map indicating the location of the utilities in relation to the overall project are shown on **Exhibit 8**. The utility location is the same as included in the original petition to establish the District and was previously verified by JEA. The timetable for construction and the additional construction costs expected as a result of the inclusion of the Expansion Parcel within the District are indicated on **Exhibit 9**.

5. Statement of Estimated Regulatory Costs. **Exhibit 10** is the Statement of Estimated Regulatory Costs ("SERC") prepared in accordance with Section 120.541, Florida Statutes. The

SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

6. Certification of Petition. Exhibit 11 is the affidavit of the Chairman of the Board of Supervisors of the District stating that he has reviewed the contents of this Petition and that the contents of this Petition is true and correct to the best of his knowledge.

7. This petition to expand the Brandy Creek Community Development District should be granted for the following reasons:

a. Amendment of the District and all land uses and services planned within the District as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the local Comprehensive Plan.

b. The area of land within the District as amended is part of a planned community. The District, as amended, will continue to be of sufficient size and sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. The amendment to the District will prevent the general body of taxpayers in the County of St. Johns from bearing the burden for installation of the infrastructure and the maintenance of the above-described facilities within the development encompassed by the District. The District is the best alternative for providing the long term maintenance of the infrastructure and other improvements to the Expansion Parcel without imposing an additional burden on the general population of the local general-purpose government. Amendment of the District to include such lands within a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District as amended will not be incompatible with the capacity and use of existing local and regional community development services and facilities.

e. The area to be served by the District as amended is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the Board of County Commissioners of St. Johns County, Florida to:

1. schedule a public hearing in accordance with the requirements of Section 190.046(1)(b), Florida Statutes; and

b. grant this Petition and amend St. Johns County Ordinance 2003-53 to expand the boundaries of the District pursuant to Chapter 190, Florida Statutes.

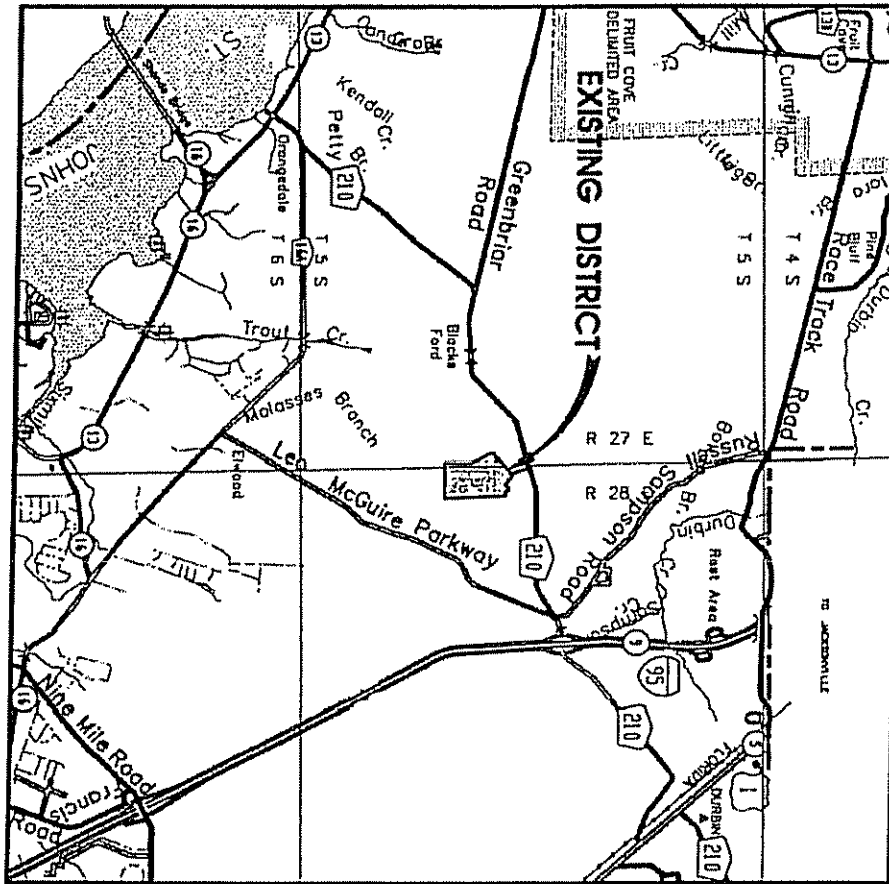
RESPECTFULLY SUBMITTED, this 22nd day of December, 2005.

HOPPING GREEN & SAMS, P.A.

By: 

Cheryl G. Stuart
Florida Bar No. 622699
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Attorneys for Petitioner



<p>England, Thiero, & Miller, Inc. Surveyors - Planners - Engineers - Landscape Architects 1000 N. W. 10th Street, Suite 100, Ft. Lauderdale, FL 33304 Phone: (954) 561-1111</p>	<p>VICINITY MAP</p> <p>BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT ST. JOHNS COUNTY, FLORIDA</p>		<p>DATE: 08-20-08</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO. 08-001</p>
	<p>THIS MAP IS A PART OF THE RECORDING OF THE DEVELOPMENT DISTRICT MAP FOR THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT, ST. JOHNS COUNTY, FLORIDA, AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE RECORDING OF SAID MAP.</p>		<p>DATE: 08-20-08</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO. 08-001</p>

EXHIBIT 1

LEGAL DESCRIPTION

BRANDY CREEK CDD

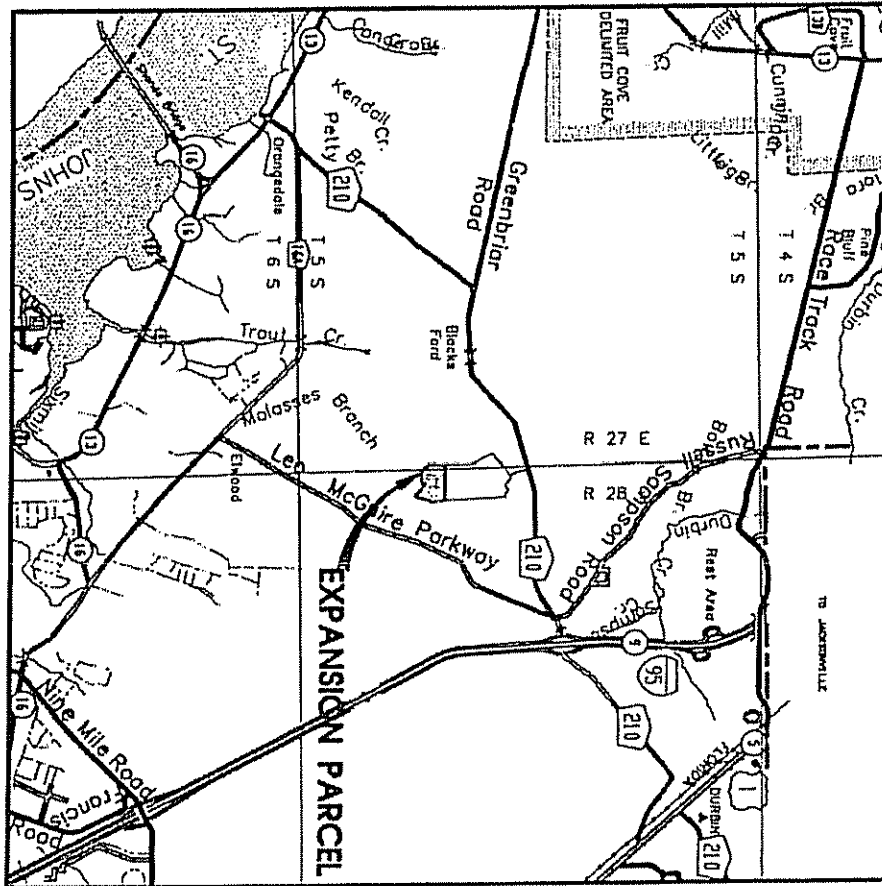
PARCEL "A"

A PORTION OF SECTIONS 24 AND 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST, TOGETHER WITH A PORTION OF SECTION 19 AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ALL BEING IN ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 19. FROM THE POINT OF REFERENCE THUS DESCRIBED RUN SOUTH 02°34'09" EAST ALONG THE WESTERLY LINE OF SAID SECTION 19, A DISTANCE OF 594.51 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210 (FORMERLY STATE ROAD NO. 210) A 100' RIGHT-OF-WAY AS PER STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY SECTION 7851-250; THENCE RUN SOUTH 73°30'56" WEST ALONG THE SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 123.67 FEET TO THE POINT OF BEGINNING; SAID POINT OF BEGINNING BEING THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 25.00 FEET; FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTHWESTERLY ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°30'56" WEST, 35.36 FEET; THENCE RUN SOUTH 16°29'04" EAST, A DISTANCE OF 762.75 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 460.0 FEET; THENCE RUN SOUTHEAST ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 318.75 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 36°20'08" EAST, 312.41 FEET; THENCE RUN SOUTH 56°11'12" EAST A DISTANCE OF 392.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 540.0 FEET; THENCE RUN SOUTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 85.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 51°40'29" EAST, 84.96 FEET; THENCE RUN SOUTH 47°09'46" EAST, A DISTANCE OF 250.63' TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 39.27 FEET TO A POINT; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 87°50'14" EAST, 35.36 FEET; THENCE RUN ON A NON-TANGENT BEARING OF SOUTH 47°09'46" EAST, A DISTANCE OF 60.00 FEET; THENCE RUN NORTH 42°50'14" EAST, A DISTANCE OF 83.98 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 230.0 FEET; THENCE RUN NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 150.09 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 24°08'35" EAST, 147.44 FEET; THENCE RUN NORTH 05°26'55" EAST, A DISTANCE OF 59.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 470.0 FEET; THENCE RUN NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 11.33 FEET TO A POINT; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 06°08'21" EAST, 11.33 FEET; THENCE RUN ON A NON-TANGENT BEARING OF SOUTH 84°37'51" EAST, A DISTANCE OF 215.19 FEET; THENCE RUN SOUTH 28°25'31" EAST, A DISTANCE OF 286.37 FEET; THENCE RUN NORTH 86°28'41" EAST, A DISTANCE OF 281.21 FEET; THENCE RUN SOUTH 02°45'14" EAST, A DISTANCE OF 4152.52 FEET; THENCE RUN NORTH 89°24'01" WEST, A DISTANCE OF 2420.89 FEET TO A POINT IN THE EASTERLY LINE OF SOUTH HAMPTON UNIT ONE AS RECORDED IN MAP BOOK 38, PAGES 32-50, INCLUSIVE, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE RUN ALONG THE SAID EASTERLY LINE OF SOUTH HAMPTON UNIT ONE THE FOLLOWING FOUR COURSES; COURSE NO. 1): RUN NORTH 00°00'00" WEST, A DISTANCE OF 1789.25 FEET; COURSE NO. 2): RUN NORTH 26°34'25" WEST, A DISTANCE OF 1615.36 FEET; COURSE NO. 3): RUN NORTH 47°21'22" EAST, A DISTANCE OF 1260.33 FEET; COURSE NO. 4): RUN NORTH 14°42'52" WEST, A DISTANCE OF 144.31 FEET; THENCE DEPARTING SAID EASTERLY LINE RUN NORTH 67°44'03" EAST, A DISTANCE OF 698.62 FEET; THENCE RUN NORTH 56°11'12" WEST, A DISTANCE OF 58.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 540.0 FEET; THENCE RUN NORTHWESTERLY ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 374.18 FEET; SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 36°20'08" WEST, 366.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE RUN NORTH 16°29'04" WEST, A DISTANCE OF 31.65 FEET; THENCE RUN SOUTH 73°30'56" WEST, A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 16°29'04" WEST, A DISTANCE OF 731.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHWESTERLY ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 39.27 FEET TO A POINT OF TANGENCY OF SAID CURVE; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61°29'04" WEST, 35.36 FEET; SAID POINT LYING IN THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NUMBER 210; THENCE RUN NORTH 73°30'56" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING

LANDS THUS DESCRIBED CONTAIN 248.39 ACRES, MORE OR LESS

Revised on January 23, 2006



ORDINANCE BOOK 40 PAGE 216

<p>England-Thorn & Miller, Inc. ENGINEERS - PLANNERS - ARCHITECTS - LANDSCAPE ARCHITECTS 1475 W. JACKSON ROAD, SUITE 100, PALM BEACH, FLORIDA 33480 PHONE: (561) 835-1100 FAX: (561) 835-1101</p>	<p>VICINITY MAP</p>		<p>DATE: 11-20-01</p> <p>SCALE: 1" = 1/4" A.S.L.</p> <p>PROJECT NO. 01-01</p> <p>REVISION NO. 01-01</p> <p>DATE: 11-20-01</p>
	<p>BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT - EXPANSION PARCEL (PHASE II) ST. JOHNS COUNTY, FLORIDA</p>		

LEGAL DESCRIPTION - EXPANSION PARCEL

A PORTION OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST AND A PORTION OF SECTIONS 30 AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF JOHNS CREEK AS RECORDED IN MAP BOOK 48, PAGES 76 THROUGH 95 AS RECORDED IN THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 89°23'02" EAST, ALONG THE SOUTHERLY LINE OF SAID JOHNS CREEK, A DISTANCE OF 2420.89 FEET TO THE SOUTHEAST CORNER OF SAID JOHNS CREEK; THENCE SOUTH 02°44'15" EAST, A DISTANCE OF 14.56 FEET TO THE POINT OF CURVATURE OF A CURVE; THENCE SOUTHERLY, ALONG THE ARC OF A CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 3100.00 FEET, AN ARC DISTANCE OF 517.53 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°42'18" EAST, 536.85 FEET; THENCE SOUTH 12°40'21" EAST, A DISTANCE OF 309.20 FEET TO THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF THAT CERTAIN GMC CONSERVATION EASEMENT 3 RECORDED IN OFFICIAL RECORDS 1856, PAGE 953 OF SAID PUBLIC RECORDS; THENCE ALONG SAID GMC CONSERVATION EASEMENT 3 THE FOLLOWING 9 COURSES: COURSE NO. 1) THENCE SOUTH 20°40'41" WEST, A DISTANCE OF 102.24 FEET; COURSE NO. 2) THENCE SOUTH 28°10'49" WEST, A DISTANCE OF 97.19 FEET; COURSE NO. 3) THENCE SOUTH 20°34'06" WEST, A DISTANCE OF 112.39 FEET; COURSE NO. 4) THENCE SOUTH 14°45'23" WEST, A DISTANCE OF 129.22 FEET; COURSE NO. 5) SOUTH 26°34'40" WEST, A DISTANCE OF 129.22 FEET; COURSE NO. 6) THENCE SOUTH 22°37'58" WEST, A DISTANCE OF 85.50 FEET; COURSE NO. 7) THENCE SOUTH 07°52'31" WEST, A DISTANCE OF 131.70 FEET; COURSE NO. 8) THENCE SOUTH 25°43'22" WEST, A DISTANCE OF 197.09 FEET; COURSE NO. 9) THENCE SOUTH 17°56'30" WEST, ALONG SAID WESTERLY LINE AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 308.33 FEET TO A POINT IN THE NORTHERLY LINE OF THAT CERTAIN WCC CONSERVATION EASEMENT 8 AS RECORDED IN OFFICIAL RECORDS 2090, PAGE 566 OF SAID PUBLIC RECORDS; THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID WCC CONSERVATION EASEMENT 8 THE

FOLLOWING 11 COURSES: COURSE NO. 1) THENCE NORTH 83°55'22" WEST, A DISTANCE OF 53.75 FEET; COURSE NO. 2) THENCE NORTH 59°43'19" WEST, A DISTANCE OF 21.76 FEET; COURSE NO. 3) THENCE NORTH 43°18'58" WEST, A DISTANCE OF 177.43 FEET; COURSE NO. 4) THENCE NORTH 51°00'21" WEST, A DISTANCE OF 211.01 FEET; COURSE NO. 5) THENCE NORTH 48°44'33" WEST, A DISTANCE OF 198.54 FEET; COURSE NO. 6) THENCE NORTH 52°08'44" WEST, A DISTANCE OF 438.77 FEET; COURSE NO. 7) SOUTH 11°54'20" WEST, A DISTANCE OF 24.44 FEET; COURSE NO. 8) THENCE SOUTH 04°06'26" WEST, A DISTANCE OF 74.62 FEET; COURSE NO. 9) THENCE SOUTH 23°59'03" WEST, A DISTANCE OF 104.72 FEET; COURSE NO. 10) THENCE SOUTH 47°44'33" WEST, A DISTANCE OF 79.03 FEET; COURSE NO. 11) THENCE SOUTH 19°03'55" WEST, A DISTANCE OF 8.27 FEET TO A POINT IN THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF THAT CERTAIN WCC CONSERVATION EASEMENT 9 AS RECORDED IN SAID OFFICIAL RECORDS 2090, PAGE 566; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING 12 COURSES: COURSE NO. 1) THENCE SOUTH 87°37'58" WEST, A DISTANCE OF 327.99 FEET; COURSE NO. 2) THENCE SOUTH 81°53'19" WEST, A DISTANCE OF 150.37 FEET; COURSE NO. 3) THENCE NORTH 81°00'31" WEST, A DISTANCE OF 102.26 FEET; COURSE NO. 4) THENCE NORTH 70°32'29" WEST, A DISTANCE OF 95.84 FEET; COURSE NO. 5) THENCE NORTH 65°12'22" WEST, A DISTANCE OF 76.12 FEET; COURSE NO. 6) THENCE NORTH 61°22'15" WEST, A DISTANCE OF 66.61 FEET; COURSE NO. 7) THENCE NORTH 43°08'01" WEST, A DISTANCE OF 116.60 FEET; COURSE NO. 8) NORTH 57°14'46" WEST, A DISTANCE OF 88.48 FEET; COURSE NO. 9) THENCE NORTH 34°40'36" WEST, A DISTANCE OF 84.66 FEET; COURSE NO. 10) THENCE NORTH 33°40'17" WEST, A DISTANCE OF 57.50 FEET; COURSE NO. 11) THENCE NORTH 32°27'09" WEST, A DISTANCE OF 69.32 FEET; COURSE NO. 12) THENCE NORTH 60°22'03" WEST, A DISTANCE OF 107.69 FEET TO A POINT IN THE EASTERLY BOUNDARY LINE OF SOUTH HAMPTON UNIT ONE AS RECORDED IN MAP BOOK 38, PAGES 32 THROUGH 30 OF THE SAID PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE NORTH 00°00'59" EAST, ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 1223.05 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 92.62 ACRES, MORE OR LESS.

LEGAL DESCRIPTION

BRANDY CREEK CDD

PARCEL "A"

A PORTION OF SECTIONS 24 AND 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST, TOGETHER WITH A PORTION OF SECTION 19 AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ALL BEING IN ST JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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LANDS THUS DESCRIBED CONTAIN 248.39 ACRES, MORE OR LESS.

Revised on January 23, 2006

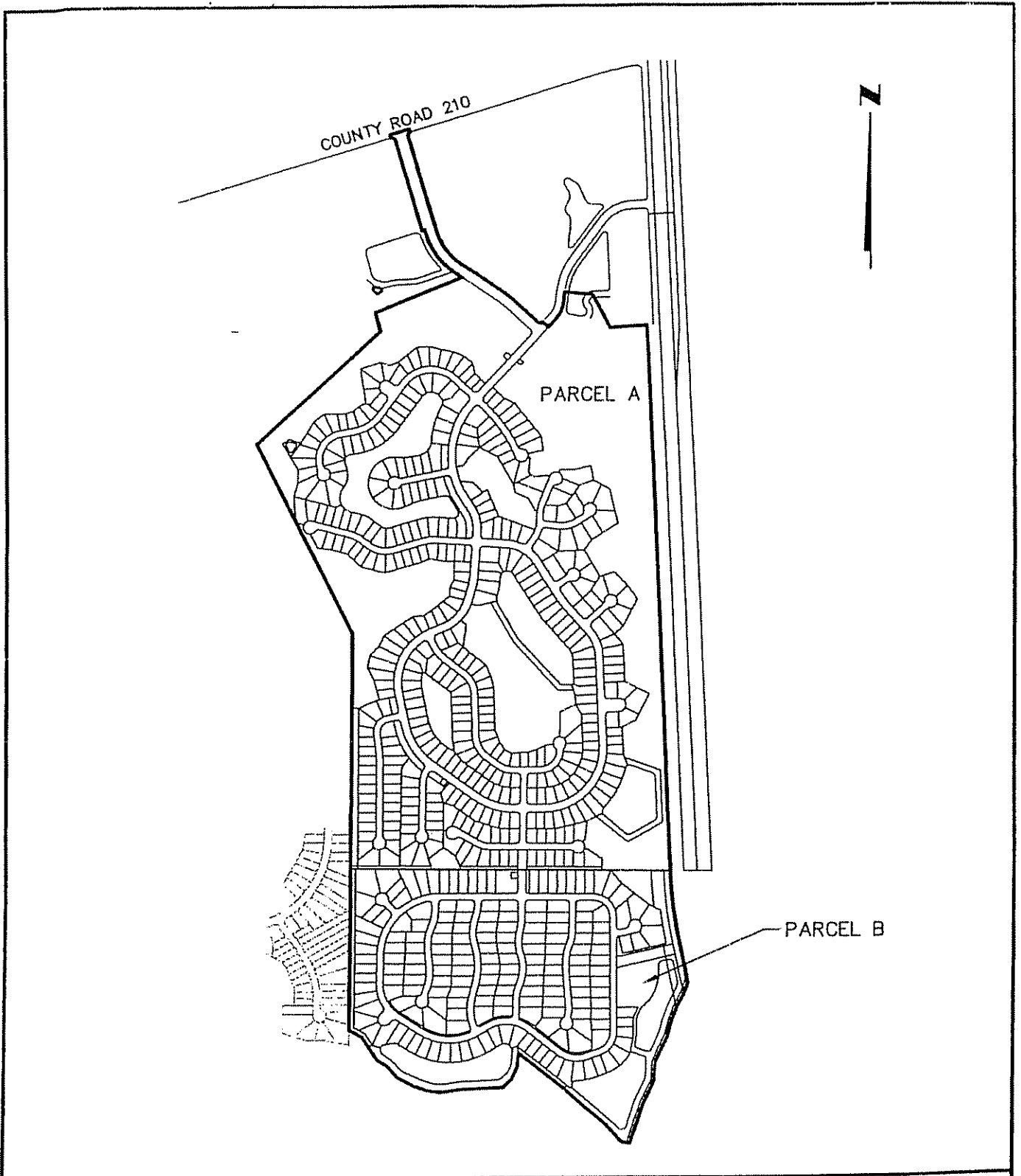
PARCEL "B"

A PORTION OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST AND A PORTION OF SECTIONS 30 AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THE ABOVE DESCRIBED LANDS CONTAIN 92.62 ACRES, MORE OR LESS.

Revised on January 23, 2006



**England-Thims
& Miller, Inc.**
 ENGINEERS - PLANNERS
 SURVEYORS - LANDSCAPE ARCHITECTS
 14775 St. Augustine Road
 Jacksonville, Florida 32258
 Certificate of Authorization No.:2584
 Phone No. (904) 642-8990
 Fax No. (904) 646-9485

PARCEL MAP
BRANDY CREEK
ST. JOHNS COUNTY, FLORIDA
COMMUNITY DEVELOPMENT DISTRICT

ETM NO. 05-096-01
 DATE: 12-13-05
 DRAWN BY: RC
 SHEET NO. EXHIBIT 4

**Consent and Joinder of Landowners
for the Addition of Lands to the
Brandy Creek Community Development District**

The undersigned is the owner of certain lands more fully described on Exhibit A attached hereto and made a part hereof (the "Property").

The undersigned understands and acknowledges that the Brandy Creek Community Development District ("District" or "Petitioner"), intends to submit a petition to amend its boundaries in accordance with the provisions of Chapter 190 of the Florida Statutes.

As an owner of lands that are intended to be added to the Petitioner, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.046, Florida Statutes, Petitioner is required to include the written consent of one hundred percent (100%) of the owners of the lands to be added to the District.

The undersigned hereby consents to the amendment of the boundaries of the District in the manner set forth in the Petition and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the petition process for the amendment of the boundaries of the District.

The undersigned acknowledges that the consent will remain in full force and effect until the District's boundaries are amended or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, consent to amendment of the District's boundaries in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

Executed this 21 day of December, 2005.

Witnessed:

Deborah H. Dunbar
Print Name: Deborah H. Dunbar

Jennifer Wilder
Print Name: Jennifer Wilder

White Ford Timber and Investment
Company, Ltd. by WFTI, LLC its General Partner
Sh. Wilson
Print Name: Erin Wilson
Its: Vice President

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 21 day of December, 2005,
by Erik Wilson, of Whiteford Timberland Inv. Co. Ltd. he/she is
known personally to me, and ~~did~~ did not take an oath.

Deborah H. Dunbar
Signature of person taking acknowledgment

Deborah H Dunbar
Name of officer taking acknowledgment
(typed, printed or stamped)

DEBORAH H. DUNBAR
Notary Public, State of Florida
My comm. exp. June 10, 2009
Comm. No. DD 398548

Title or rank

POND SITE "A":

PARCEL No. 2:

A PARCEL OF LAND LYING IN AND BEING PART OF SECTION 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF JOHNS CREEK, AS RECORDED IN MAP BOOK 48, PAGES 76 THROUGH 95, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE, ON THE SOUTH LINE THEREOF, SOUTH 89 DEGREES 22 MINUTES 38 SECONDS EAST, 2420.89 FEET; THENCE, SOUTH 02 DEGREES 44 MINUTES 26 SECONDS EAST, 14.56 FEET TO A POINT OF CURVATURE; THENCE, AROUND AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 3100.00 FEET AND A CENTRAL ANGLE OF 08 DEGREES 40 MINUTES 10 SECONDS, AN ARC DISTANCE OF 469.06 FEET (SOUTH 07 DEGREES 03 MINUTES 56 SECONDS EAST, 468.61 FEET, CHORD BEARING AND DISTANCE) TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING; THENCE, CONTINUING AROUND AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01 DEGREE 15 MINUTES 56 SECONDS, AN ARC DISTANCE OF 68.47 FEET (SOUTH 12 DEGREES 01 MINUTE 59 SECONDS EAST, 68.47 FEET, CHORD BEARING AND DISTANCE) TO A POINT OF TANGENCY; THENCE, SOUTH 12 DEGREES 39 MINUTES 57 SECONDS EAST, 315.10 FEET; THENCE, NORTH 89 DEGREES 22 MINUTES 39 SECONDS WEST, 506.66 FEET; THENCE, NORTH 00 DEGREES 37 MINUTES 21 SECONDS EAST, 373.46 FEET; THENCE, SOUTH 89 DEGREES 22 MINUTES 39 SECONDS EAST, 422.68 FEET TO THE POINT OF BEGINNING.

**Consent and Joinder of Landowners
for the Addition of Lands to the
Brandy Creek Community Development District**

The undersigned is the owner of certain lands more fully described on Exhibit A attached hereto and made a part hereof (the "Property").

The undersigned understands and acknowledges that the Brandy Creek Community Development District ("District" or "Petitioner"), intends to submit a petition to amend its boundaries in accordance with the provisions of Chapter 190 of the Florida Statutes.

As an owner of lands that are intended to be added to the Petitioner, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.046, Florida Statutes, Petitioner is required to include the written consent of one hundred percent (100%) of the owners of the lands to be added to the District.

The undersigned hereby consents to the amendment of the boundaries of the District in the manner set forth in the Petition and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the petition process for the amendment of the boundaries of the District.

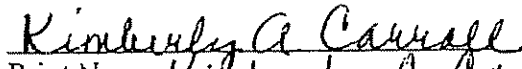
The undersigned acknowledges that the consent will remain in full force and effect until the District's boundaries are amended or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, consent to amendment of the District's boundaries in substantially this form.

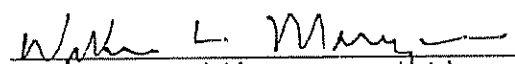
The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

Executed this 20th day of December, 2005.

Witnessed:


Print Name: WANDA MCREYNOLDS


Print Name: Kimberly A. Carroll

VCP-Real Estate Investments, Ltd.
VCP-Real Estate Investments, Inc., Its
General
Partner

Print Name: William L. Morgan
Its: Vice President

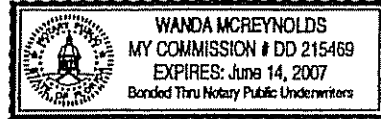
STATE OF FLORIDA
COUNTY OF Deval

The foregoing instrument was acknowledged before me this 20th day of December, 2005,
by WILLIAM L. MORGAN, Vice President, of VIP-Real Estate Investment He who is
known personally to me, and ~~did~~ did not take an oath.

Wanda McReynolds
Signature of person taking acknowledgment

WANDA MCREYNOLDS

Name of officer taking acknowledgment
(typed, printed or stamped)



Title or rank

LEGAL DESCRIPTION

PARCEL "B"

A PORTION OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST AND A PORTION OF SECTIONS 30 AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF JOHNS CREEK AS RECORDED IN MAP BOOK 48, PAGES 76 THROUGH 95 AS RECORDED IN THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 89°23'02" EAST, ALONG THE SOUTHERLY LINE OF SAID JOHNS CREEK, A DISTANCE OF 2420.89 FEET TO THE SOUTHEAST CORNER OF SAID JOHNS CREEK; THENCE SOUTH 02°44'15" EAST, A DISTANCE OF 14.56 FEET TO THE POINT OF CURVATURE OF A CURVE; THENCE SOUTHERLY, ALONG THE ARC OF A CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 3100.00 FEET, AN ARC DISTANCE OF 537.53 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°42'18" EAST, 536.85 FEET; THENCE SOUTH 12°40'21" EAST, A DISTANCE OF 309.20 FEET TO THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF THAT CERTAIN GMC CONSERVATION EASEMENT 3 RECORDED IN OFFICIAL RECORDS 1856, PAGE 953 OF SAID PUBLIC RECORDS; THENCE ALONG SAID GMC CONSERVATION EASEMENT 3 THE FOLLOWING 9 COURSES; COURSE NO. 1) THENCE SOUTH 20°40'41" WEST, A DISTANCE OF 102.24 FEET; COURSE NO. 2) THENCE SOUTH 28°10'49" WEST, A DISTANCE OF 97.19 FEET; COURSE NO. 3) THENCE SOUTH 20°34'06" WEST, A DISTANCE OF 112.39 FEET; COURSE NO. 4) THENCE SOUTH 14°45'23" WEST, A DISTANCE OF 129.22 FEET; COURSE NO. 5) SOUTH 26°34'40" WEST, A DISTANCE OF 132.36 FEET; COURSE NO. 6) THENCE SOUTH 22°37'58" WEST, A DISTANCE OF 85.50 FEET; COURSE NO. 7) THENCE SOUTH 02°52'31" WEST, A DISTANCE OF 131.70 FEET; COURSE NO. 8) THENCE SOUTH 25°43'22" WEST, A DISTANCE OF 197.09 FEET; COURSE NO. 9) THENCE SOUTH 17°56'30" WEST, ALONG SAID WESTERLY LINE AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 308.33 FEET TO A POINT IN THE NORTHERLY LINE OF THAT CERTAIN WCC CONSERVATION EASEMENT 8 AS RECORDED IN OFFICIAL RECORDS 2090, PAGE 566 OF SAID PUBLIC RECORDS; THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID WCC CONSERVATION EASEMENT 8 THE FOLLOWING 11 COURSES; COURSE NO. 1) THENCE NORTH 83°55'22" WEST, A DISTANCE OF 53.75 FEET; COURSE NO. 2) THENCE NORTH 59°43'19" WEST, A DISTANCE OF 21.76 FEET; COURSE NO. 3) THENCE NORTH 43°18'58" WEST, A DISTANCE OF 177.43 FEET; COURSE NO. 4) THENCE NORTH 51°00'21" WEST, A DISTANCE OF 211.01 FEET; COURSE NO. 5) THENCE NORTH 48°44'33" WEST, A DISTANCE OF 198.54 FEET; COURSE NO. 6) THENCE NORTH 52°08'44" WEST, A DISTANCE OF 438.77 FEET; COURSE NO. 7) SOUTH 11°54'20" WEST, A DISTANCE OF 24.44 FEET; COURSE NO. 8) THENCE SOUTH 04°06'26" WEST, A DISTANCE OF 74.62 FEET; COURSE NO. 9) THENCE SOUTH 23°59'03" WEST, A DISTANCE OF 104.72 FEET; COURSE NO. 10) THENCE SOUTH 47°44'53" WEST, A DISTANCE OF 79.03 FEET; COURSE NO. 11) THENCE SOUTH 19°03'55" WEST, A DISTANCE OF 8.27 FEET TO A POINT IN THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF THAT CERTAIN WCC CONSERVATION EASEMENT 9 AS RECORDED IN SAID OFFICIAL RECORDS 2090, PAGE 566; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING 12 COURSES; COURSE NO. 1) THENCE SOUTH 87°37'58" WEST, A DISTANCE OF 327.99 FEET; COURSE NO. 2) THENCE SOUTH 81°53'19" WEST, A DISTANCE OF 150.37 FEET; COURSE NO. 3) THENCE NORTH 81°00'31" WEST, A DISTANCE OF 102.26 FEET; COURSE NO. 4) THENCE NORTH 70°32'29" WEST, A DISTANCE OF 95.84 FEET; COURSE NO. 5) THENCE NORTH 65°12'22" WEST, A DISTANCE OF 76.12 FEET; COURSE NO. 6) THENCE NORTH 61°22'15" WEST, A DISTANCE OF 66.61 FEET; COURSE NO. 7) THENCE NORTH 43°08'01" WEST, A DISTANCE OF 116.60 FEET; COURSE NO. 8) NORTH 57°14'46" WEST, A DISTANCE OF 88.48 FEET; COURSE NO. 9) THENCE NORTH 34°40'36" WEST, A DISTANCE OF 84.06 FEET; COURSE NO. 10) THENCE NORTH 33°40'17" WEST, A DISTANCE OF 57.50 FEET; COURSE NO. 11) THENCE NORTH 32°27'09" WEST, A DISTANCE OF 69.32 FEET; COURSE NO. 12) THENCE NORTH 60°22'03" WEST, A DISTANCE OF 107.69 FEET TO A POINT IN THE EASTERLY BOUNDARY LINE OF SOUTH HAMPTON UNIT ONE AS RECORDED IN MAP BOOK 38, PAGES 32 THROUGH 50 OF THE SAID PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE NORTH 00°00'59" EAST, ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 1223.05 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT LANDS DESCRIBED IN POND SITE "A" ATTACHED HERETO

PARCEL No. 2:

A PARCEL OF LAND LYING IN AND BEING PART OF SECTION 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF JOHNS CREEK, AS RECORDED IN MAP BOOK 48, PAGES 76 THROUGH 95, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE, ON THE SOUTH LINE THEREOF, SOUTH 89 DEGREES 22 MINUTES 38 SECONDS EAST, 2420.89 FEET; THENCE, SOUTH 02 DEGREES 44 MINUTES 26 SECONDS EAST, 14.56 FEET TO A POINT OF CURVATURE; THENCE, AROUND AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 3100.00 FEET AND A CENTRAL ANGLE OF 08 DEGREES 40 MINUTES 10 SECONDS, AN ARC DISTANCE OF 469.06 FEET (SOUTH 07 DEGREES 03 MINUTES 58 SECONDS EAST, 468.61 FEET, CHORD BEARING AND DISTANCE) TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING; THENCE, CONTINUING AROUND AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01 DEGREE 15 MINUTES 56 SECONDS, AN ARC DISTANCE OF 68.47 FEET (SOUTH 12 DEGREES 01 MINUTE 59 SECONDS EAST, 68.47 FEET, CHORD BEARING AND DISTANCE) TO A POINT OF TANGENCY; THENCE, SOUTH 12 DEGREES 39 MINUTES 57 SECONDS EAST, 315.10 FEET; THENCE, NORTH 89 DEGREES 22 MINUTES 39 SECONDS WEST, 506.66 FEET; THENCE, NORTH 00 DEGREES 37 MINUTES 21 SECONDS EAST, 373.46 FEET; THENCE, SOUTH 89 DEGREES 22 MINUTES 39 SECONDS EAST, 422.68 FEET TO THE POINT OF BEGINNING.

RESOLUTION 2006-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE CHAIRMAN AND ALL DISTRICT STAFF TO FILE A PETITION WITH THE COUNTY OF ST. JOHNS, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Brandy Creek Community Development District ("District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, Florida Statutes ("Uniform Act"), by the County of St. Johns, Florida ("County") by passage of Ordinance No. 2003-53 ("Ordinance"); and

WHEREAS, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, roadways, drainage collection and water management systems, bridges, water supply and distribution systems, wastewater and reuse systems and conservation areas; and

WHEREAS, the District presently consists of 248.4 acres, more or less, as more fully described in the Ordinance; and

WHEREAS, AHDG, LLC, a Florida limited liability company ("Developer"), and its affiliates are presently developing real property within and adjacent to the District; and

WHEREAS, the Developer has approached the District and requested the District petition the County to amend its boundaries to include the area described in the attached Exhibit A, in an effort to facilitate development of the overall lands as a functionally interrelated community and to promote compact and economical development of the lands sought to be added to the District; and

WHEREAS, the proposed amendment to the District's boundaries by the addition would result in a net addition of 92.4 acres, more or less, and is within the amendment size restrictions contained within Section 190.046(1), Florida Statutes; and

WHEREAS, the proposed boundary amendment is in the best interests of the District and the area of land within the proposed amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

WHEREAS, for the area of land that will lie in the amended boundaries of the District, the District is the best alternative available for delivering community development services and facilities; and

WHEREAS, the area of land that will lie in the amended boundaries of the District is amenable to separate special district government; and

WHEREAS, the Board has determined that the proposed addition would increase the developable/assessable acreage of the District and would therefore spread costs and expenses associated maintenance of planned infrastructure improvements and services, thereby reducing the cost to future individual homeowners; and

WHEREAS, in order to seek a boundary amendment pursuant to Chapter 190, Florida Statutes, the District desires to authorize District Staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the boundary amendment process; and

WHEREAS, the retention of any necessary consultants and the work to be performed by District Staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board; and

WHEREAS, the Developer has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

WHEREAS, the District desires to petition to amend its boundaries in accordance with the procedures and processes described in Chapter 190, Florida Statutes, which processes include the preparation of a petition to the County, the holding of a local public hearing in accordance with Section 190.046(1), Florida Statutes, and such other actions as are necessary in furtherance of the boundary amendment process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT:

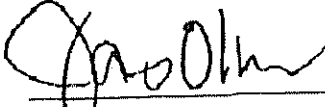
SECTION 1. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

SECTION 2. The Board hereby authorizes the Chairman and District Staff to proceed in an expeditious manner with the preparation and filing of a petition and related materials with the County to seek the amendment of the District's boundaries to include the lands described in Exhibit A, pursuant to Chapter 190, Florida Statutes, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, Florida Statutes, for the amendment of the District's boundaries.


SECTION 3. This Resolution shall become effective upon its passage.

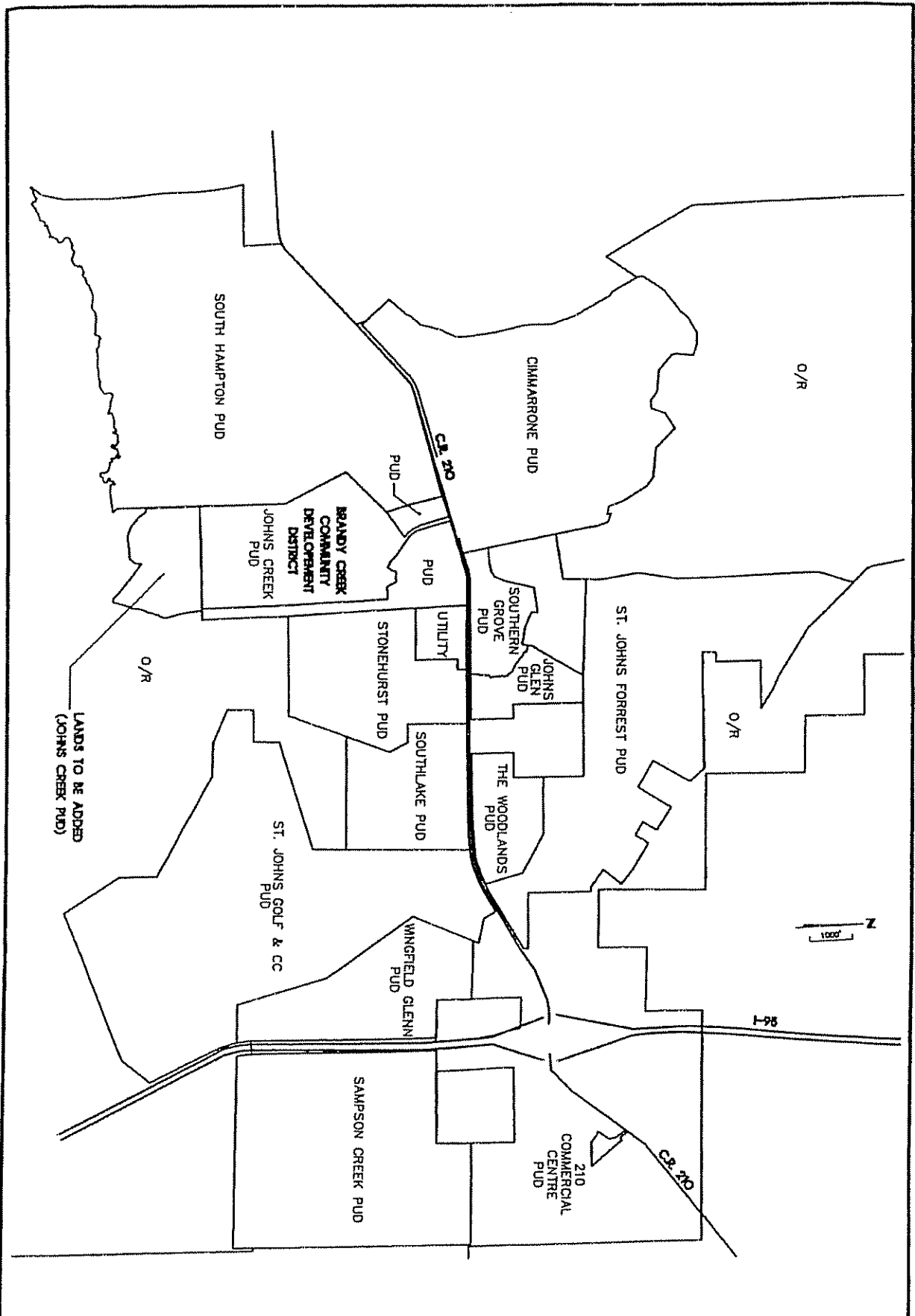
PASSED AND ADOPTED this 9th day of November, 2005.

ATTEST:


Secretary

BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT

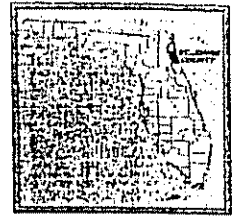

Donald P. Hanson VICE CHAIRMAN
VICE - Chairman, Board of Supervisors



	England-Thompson & Miller, Inc.		EXISTING & FUTURE LAND USE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT - EXPANSION PARCEL (PHASE II) ST. JOHNS COUNTY, FLORIDA	TITLE NO. 20-000-001 DATE OF PLAN NUMBER OF SHEETS NUMBER OF PAGES DATE OF REVISION
	1000 N. UNIVERSITY AVENUE, SUITE 100 ORLANDO, FLORIDA 32801 PHONE (407) 253-1111 FAX (407) 253-1112			SHEET NO. 20-000-001 OF 1
	1000 N. UNIVERSITY AVENUE, SUITE 100 ORLANDO, FLORIDA 32801 PHONE (407) 253-1111 FAX (407) 253-1112			DATE OF PLAN NUMBER OF SHEETS NUMBER OF PAGES DATE OF REVISION
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	1000 N. UNIVERSITY AVENUE, SUITE 100 ORLANDO, FLORIDA 32801 PHONE (407) 253-1111 FAX (407) 253-1112			DATE OF PLAN NUMBER OF SHEETS NUMBER OF PAGES DATE OF REVISION

ST. JOHNS COUNTY 2015 FUTURE LAND USE MAP

DUVAL COUNTY



AMENDMENT DATES	
1	1/1/15
2	1/1/15
3	1/1/15
4	1/1/15
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LEGEND

- Residential Density Districts
- County Zone Districts
- PROPERTY A 1A-12 1A-22
- PROPERTY B 1A-12 1A-22
- PROPERTY C 1A-12 1A-22
- PROPERTY D 1A-12 1A-22
- COMMERCIAL
- COMMUNITY COMMERCIAL
- NEIGHBORHOOD COMMERCIAL
- RETAIL COMMERCIAL
- INTENSIVE COMMERCIAL
- URBAN-USE DISTRICT
- INDUSTRIAL
- AIRPORT DISTRICT
- PUBLIC
- PARKS AND OPEN SPACE
- DEVELOPMENT OF REGIONAL IMPACT
- ADOPTED FROM TO 1996 COMPREHENSIVE PLAN
- CITY AND TOWN
- RURAL DEVELOPMENT
- SMALL AGRICULTURE OWNED BY ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
- AGRICULTURAL-INTENSIVE
- CONSERVATION
- NEW TOWN
- LOW DENSITY MIXED USE DISTRICT
- WATER HOMES
- WETLANDS
- MARITIME WETLANDS (FRONTIER)
- SECTION EDGE
- DEVELOPMENT AREA BOUNDARY
- COASTAL CORRIDOR BOUNDARY
- INTERSTATE FREEWAY
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- MAJOR COLLECTOR
- LOCAL COLLECTOR
- LOCAL ROAD
- PROPOSED ROAD
- SUBWAY LINE
- MUNICIPAL BOUNDARY

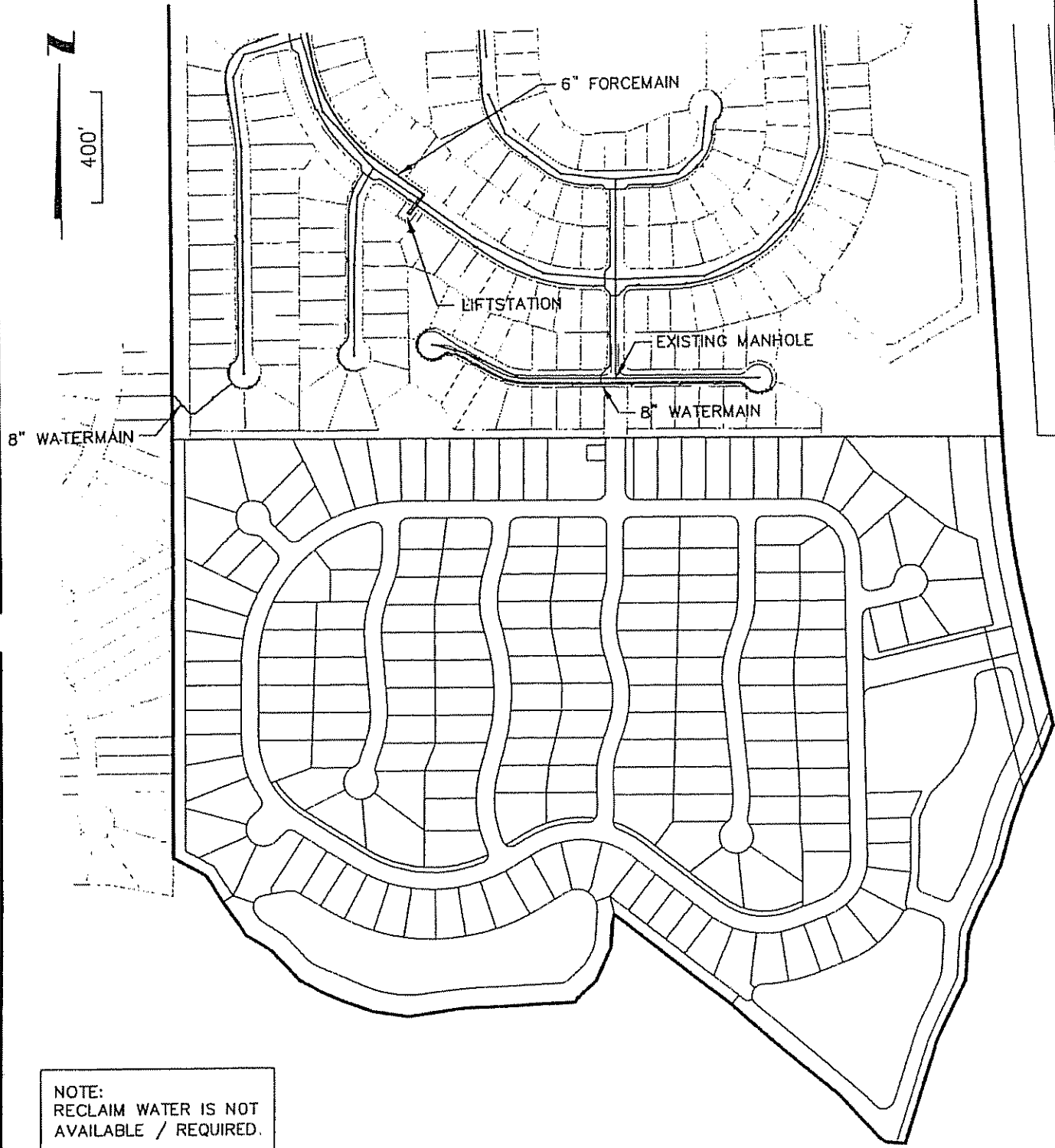
LAND USE NOTES

COMMERCIAL
 A zone designated Commercial is intended to be used for commercial purposes and is intended to be used for commercial purposes and is intended to be used for commercial purposes.

2015 COMPREHENSIVE PLAN
 ST. JOHNS COUNTY
 FUTURE LAND USE MAP

St. Johns County Planning Department
 401 E. Lewis Street
 St. Johns, FL 32086
 904-322-8771

ST. JOHNS COUNTY
 2015 COMPREHENSIVE PLAN
 FUTURE LAND USE MAP



NOTE:
RECLAIM WATER IS NOT
AVAILABLE / REQUIRED.

**England-Thims
& Miller, Inc.**
ENGINEERS - PLANNERS
SURVEYORS - LANDSCAPE ARCHITECTS
14775 St. Augustine Road
Jacksonville, Florida 32258
Certificate of Authorization No.:2584
Phone No. (904) 542-8990
Fax No. (904) 646-9485

EXISTING UTILITIES

**BRANDY CREEK
ST JOHNS COUNTY, FLORIDA
COMMUNITY DEVELOPMENT DISTRICT**

ETM NO	05-096-01
DATE:	12-13-05
DRAWN BY:	RC
SHEET NO.	EXHIBIT 8

10-10-05 030

**SUMMARY OF COST ESTIMATES
BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT**

<u>System of Improvements</u>	<u>Estimated Cost</u>
I. Community Recreation, Entry Monumentation, Landscape & Signage	\$ 750,000
II. Lift Station & Force Main	\$ 200,000
III. Subdivision Improvements (includes street lighting and conduit, water, sewer, roads and stormwater facilities).	\$ 3,347,500
TOTAL	\$ 4,297,500

Note: The costs are anticipated to be incurred within 24 months from the commencement of construction of the improvements.

BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF ESTIMATED REGULATORY COSTS
BOUNDARY AMENDMENT

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to amend boundaries of the **Brandy Creek Development District** (“District” or “CDD”). The District proposes to add approximately 92.62 acres of land to the current 248.39 acres of land in the District located in St. Johns County, Florida. The amended boundaries of the District would total 341.01 acres. The limitations on the scope of this SERC are explicitly set out in Section 190.002 (2) (d), Florida Statutes (governing district formation or alteration) as follows:

“That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant.”

1.2 Overview of the Brandy Creek Community Development District

The Brandy Creek Community Development District is able to provide community infrastructure, services, and facilities along with their operations and maintenance to the land proposed to be added to the District. The development plan with the additional acreage will include a total of 583 single family detached housing units.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541 (2), Florida Statutes (2005), defines the elements, a statement of estimated regulatory costs must contain:

(a) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(b) A good faith estimate of the cost to the agency (1), and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

(c) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this paragraph, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting.

(d) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.

(e) Any additional information that the agency determines may be useful.

(f) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

(1) For the purposes of this SERC the term "agency" means St. Johns County and the term "rule" means the ordinance(s) which St. Johns County will enact in connection with the amendment of the District.

2.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

As noted above, the proposal is to add 92.62 acres to the existing 248.39 acres of the District for a total area of 341.01 acres. The State of Florida and St. Johns County will likely be affected by the rule.

A. THE STATE OF FLORIDA

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District and will only be affected to the extent that the State incurs those nominal administrative costs outlined below. The cost of any additional administrative services provided by the State as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

B. ST. JOHNS COUNTY

St. Johns County ("County") and its residents not residing within the boundaries of the District will not incur any compliance costs related to the on-going administration of the CDD other than any one-time administrative costs as outlined below. Since the District is already established, these residents will not be affected by adoption of the ordinance for amending the District. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

3.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

3.1 Costs of Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed boundary amendment of the District. Since the District already exists and is operating, there are no additional ongoing costs to the various State Government entities to implement and enforce the proposed boundary amendment.

Local Governments

The proposed boundary amendment for the District is located within the unincorporated limits of St. Johns County and consists of less than 1,000 acres.

Any costs to St. Johns County will be modest for a number of reasons. First, review of the petition to amend the District does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, St. Johns County already possess the staff needed to conduct the review without the need for new staff. Fourth, there is minimal capital required to review the petition. Fifth, potential costs are offset by the required filing fee. Finally, St. Johns County routinely processes similar petitions for land uses and zoning changes that are far more complex than is the petition to amend a CDD.

The annual costs to St. Johns County, because of the existence of the District, are also very small. The District is an independent unit of local government. The only annual costs St. Johns County faces are the minimal costs of receiving and reviewing the various reports that the District is already required to provide to the local governments. The proposed boundary amendment will not affect the number or type of reports.

3.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on State and local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the Development. It has its own sources of revenue. No state or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State of Florida or any unit of local government. In accordance with State law, debts of the District are strictly its own responsibility.

4.0 A good faith estimate of the transactional costs that are likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the District may provide. The CDD has financed a portion of the overall master infrastructure improvements.

Table 1. Brandy Creek Community Development District Proposed Facilities and Services

FACILITY	FUNDED BY	O&M	OWNERSHIP
Stormwater Infrastructure	CDD	CDD	CDD
Entrances and Landscaping	CDD	CDD	CDD
Water and Sewer Utilities	CDD	JEA	JEA
Recreation	CDD	CDD	CDD
Transportation	CDD	SJC	SJC

SJC : St. Johns County

The petitioner has estimated the design and development costs for providing the capital facilities as outlined in Table 2. As it has for its existing infrastructure, the District may issue special assessment revenue bonds to fund these facilities as well. These bonds will be repaid through non-ad valorem assessments levied on properties in the District that may benefit from the District's capital improvement program as outlined in Table 1.

Future landowners in the District will be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District also imposes a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

Furthermore, the decision to purchase lands in the District by new residents is completely voluntary. Ultimately all owners and users of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

A CDD provides residents with the option of having higher levels of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, County provision, or through developer equity and/or bank loans.

In considering these costs it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents and businesses in the District will receive a higher level of public services and amenities sooner than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Amendment of the District's boundaries will ensure that the landowners in the District pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the County's overall requirements.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.

Table 2. Cost Estimate for District Facilities

District infrastructure for the boundary amendment area based upon current cost estimates is anticipated as follows:

Table 2

<u>Category</u>	<u>Cost</u>
Community Recreation, Entry Monumentation, Landscape & Signage	\$500,000
Lift Station and Forcemain	\$200,000
Subdivision Improvements (includes roads, street Lighting & conduit, water, sewer & stormwater facilities)	<u>\$3,347,500</u>
Total	<u>\$4,047,500</u>

5.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.

There will be no impact on small businesses because of the amendment of the District. If anything, the impact may be positive because of the expansion of the District boundaries. This is because the District must competitively bid all of its contracts. This affords small businesses the opportunity to bid on District work.

St. Johns County, Florida has an estimated population (not incarcerated) in 2005 that is greater than 75,000. Therefore, the County is not defined as a "small county" according to Section 120.52 (17), Florida Statutes.

5.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the District's Engineer and other professionals associated with the Developer.

Prepared By:
Governmental Management Services, LLC.
December 19, 2005

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

IN RE: PETITION TO AMEND THE BOUNDARY)
OF THE BRANDY CREEK COMMUNITY)
DEVELOPMENT DISTRICT)
_____)

AFFIDAVIT OF PETITION


STATE OF FLORIDA
COUNTY OF Duval

I, Donald Hinson, Chairman of the Brandy Creek Community Development District, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is Donald Hinson and I am the Chairman of the Brandy Creek Community Development District.
3. Pursuant to Resolution 2006-08 of the Board of Supervisors of the Brandy Creek Community Development District, I am authorized to act on behalf of the Board to take all action necessary in relation to the petition to amend the boundary of the Brandy Creek Community Development District.
4. In my capacity as Chairman, I have reviewed the contents of the Petition to amend the boundary of the Brandy Creek Community Development District, and its exhibits, and find it to be true and correct.

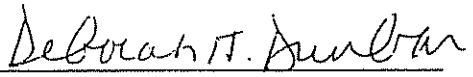
Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 21 day of December, 2005.


Donald Hinson

STATE OF FLORIDA
COUNTY OF Duval

SWORN TO and SUBSCRIBED before me by the Affiant, on this 21 day of December, 2005.


Notary Public

(SEAL)

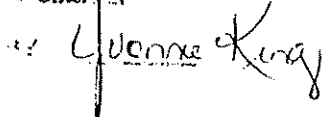
Deborah H. Dunbar
Typed Name

Personally known
Type of Identification produced _____

DEBORAH H. DUNBAR
Notary Public, State of Florida
My comm. exp. June 10, 2009
Comm. No. DD 398548

THIS IS TO CERTIFY THAT
ON THIS 27th day of
APRIL 2006
I have signed the
Ordinance

April 27 2006



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 **SARAH SELFRIDGE**
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 **PUBLIC NOTICE**
in the matter of **BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT**
was published in said newspaper in the issues of

MARCH 10, 2006

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 10TH day of MARCH 2006

by Sarah Selfridge who is personally known to me
or who has produced PERSONALLY KNOWN as identification.-

Patricia A. Bergquist

(Signature of Notary Public)

PATRICIA A BERGQUIST

Patricia A Bergquist
My Commission DD275991
Expires December 18, 2007

I HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND
ON RECORD
WITNESS
THIS 17th April 06
CHERYL STR
Ex-Officio Clerk

BY: L. Venne Kung



NOTICE OF LOCAL PUBLIC HEARING

St. Johns County Board of County Commissioners to Consider an Amendment of the Boundary of the Brandy Creek Community Development District

DATE: April 4, 2006

TIME: 9:00 a.m.

LOCATION: County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 9:00 a.m. on April 4, 2006, in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida, to consider an ordinance granting a petition to amend the boundary of the "Brandy Creek Community Development District" (the "District"). The title of the proposed ordinance is as follows:

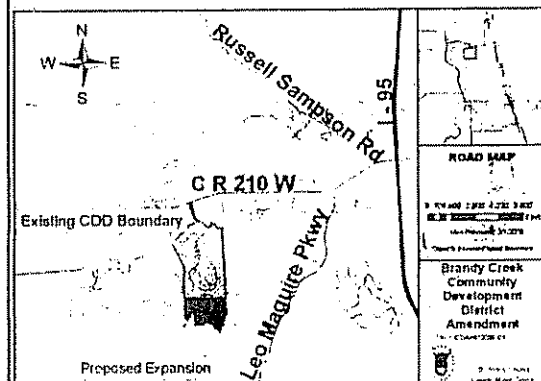
AN ORDINANCE AMENDING ORDINANCE NUMBER 2003-53 THAT ESTABLISHED THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; AMENDING THE EXTERNAL BOUNDARY OF THE DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The Brandy Creek Community Development District is comprised of approximately 248.4 acres, more or less, generally located approximately two miles west of I-95 on the south side of C.R. 210, located entirely within St. Johns County, Florida. Petitioner has proposed to amend the boundary of the District by expanding the existing boundary to include approximately 92.62 acres currently not within but contiguous to the District boundary, the property of which is identified, along with the names and addresses of the owners, in the petition, for a total after expansion of 341.1 acres. Petitioner plans to finance, acquire, construct, operate and maintain certain infrastructure and community facilities on the expansion parcel as authorized under Florida law, including, Chapter 190, Florida Statutes.

Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North).

All interested persons and affected units of general - purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general - purpose local government, who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general - purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 209-0651 or at the County Administration Building 4020 Lewis Speedway, St. Augustine, FL 32095 (for hearing impaired individuals call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearing).



BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JAMES E BRYANT, CHAIRMAN
File Number: CDD AMD 2006-01 Brandy Creek Community
Development District Expansion

COPY OF ADVERTISEMENT

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 SARAH SELFRIDGE
who on oath says that he 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 PUBLIC HEARING
in the matter CONSIDER AMENDMENT OF THE BOUNDARY OF BRANDY CREEK
was published in said newspaper in the issues of
MARCH 17, 2006.

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
he 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 17TH day of MARCH, 2006.

by Sarah Selfridge who is personally known to me
or who has produced PERSONALLY KNOWN as identification.

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD275991
Expires December 18 2007

PATRICIA A. BERGQUIST

HEREBY CERTIFY THAT THIS DOCUMENT
(Seal) IS TRUE AND CORRECT COPY AS APPEARS
ON RECORD IN ST. JOHNS COUNTY FLORIDA
WITNESS MY OFFICIAL SEAL
THIS 17TH DAY OF April 2006
CHERYL STRICKLAND, CLERK

Ex-Officio Clerk of the Board of County Commissioners
BY: Cheryl Strickland CC



NOTICE OF LOCAL PUBLIC HEARING
St. Johns County Board of County Commissioners to
Consider an Amendment of the Boundary of the Brandy
Creek Community Development District

DATE: April 4, 2006

TIME: 9:00 a.m.

LOCATION: County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 9:00 a.m. on April 4, 2006, in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida, to consider an ordinance granting a petition to amend the boundary of the "Brandy Creek Community Development District" (the "District"). The title of the proposed ordinance is as follows:

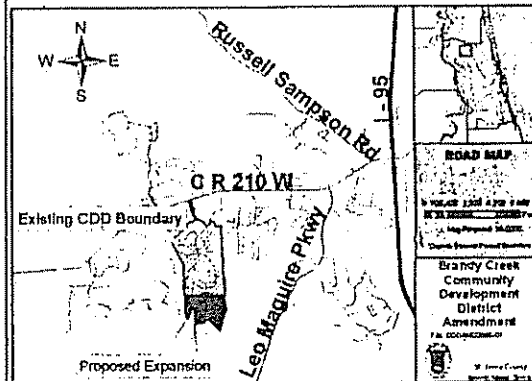
AN ORDINANCE AMENDING ORDINANCE NUMBER 2003-53 THAT ESTABLISHED THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; AMENDING THE EXTERNAL BOUNDARY OF THE DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The Brandy Creek Community Development District is comprised of approximately 248.4 acres, more or less, generally located approximately two miles west of I-95 on the south side of C.R. 210, located entirely within St. Johns County, Florida. Petitioner has proposed to amend the boundary of the District by expanding the existing boundary to include approximately 92.62 acres currently not within but contiguous to the District Boundary, the property of which is identified, along with the names and addresses of the owners, in the petition, for a total after expansion of 341.1 acres. Petitioner plans to finance, acquire, construct, operate and maintain certain infrastructure and community facilities on the expansion parcel as authorized under Florida law, including Chapter 190, Florida Statutes.

Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North).

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general-purpose local government, who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 209-0651 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095 (for hearing impaired individuals call Florida Relay Service at 1-800-955-8770 no later than 5 days prior to the date of the hearing).



BOARD OF COUNTY COMMISSIONERS
 ST. JOHNS COUNTY, FLORIDA
 JAMES E. BRYANT, CHAIRMAN
 File Number: CDD AMD 2006-01 Brandy Creek Community
 Development District Expansion

COPY OF ADVERTISEMENT

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 **CHARLES BARRETT**
who on oath says that he 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 **NOTICE OF LOCAL PUBLIC HEARING**
in the matter **BRANDY CREEK CDD AMENDMENT**
was published in said newspaper in the issues of
MARCH 24, 2006.

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
he 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 24TH day of MARCH, 2006.

by *Charles Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)

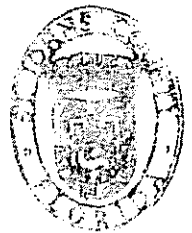
PATRICIA A. BERGQUIST



Notary Public
Patricia A. Bergquist
Notary Commission DD275981
Expires December 18, 2007

HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS APPEARS
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 17th DAY OF April, 2006
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: *L. Venne King* DC



NOTICE OF LOCAL PUBLIC HEARING
St. Johns County Board of County Commissioners to
Consider an Amendment of the Boundary of the Brandy
Creek Community Development District

DATE: April 4, 2006

TIME: 9:00 a.m.

LOCATION: County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 9:00 a.m. on April 4, 2006, in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida, to consider an ordinance granting a petition to amend the boundary of the "Brandy Creek Community Development District" (the "District"). The title of the proposed ordinance is as follows:

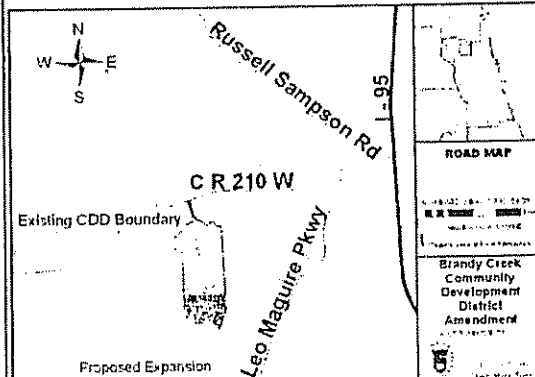
AN ORDINANCE AMENDING ORDINANCE NUMBER 2003-53 THAT ESTABLISHED THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; AMENDING THE EXTERNAL BOUNDARY OF THE DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

The Brandy Creek Community Development District is comprised of approximately 248.4 acres, more or less, generally located approximately two miles west of I-95 on the south side of C.R. 210, located entirely within St. Johns County, Florida. Petitioner has proposed to amend the boundary of the District by expanding the existing boundary to include approximately 92.62 acres currently not within but contiguous to the District Boundary, the property of which is identified, along with the names and addresses of the owners, in the petition, for a total after expansion of 341.1 acres. Petitioner plans to finance, acquire, construct, operate and maintain certain infrastructure and community facilities on the expansion parcel as authorized under Florida law, including Chapter 190, Florida Statutes.

Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North).

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general-purpose local government, who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 209-0651 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095 (for hearing impaired individuals call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearing).



BOARD OF COUNTY COMMISSIONERS
 ST. JOHNS COUNTY, FLORIDA
 JAMES E BRYANT, CHAIRMAN
 File Number: CDD AMD 2006-01 Brandy Creek Community
 Development District Expansion

COPY OF ADVERTISEMENT

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 **CHARLES BARRETT**
who on oath says that he 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 **DISPLAY ADVERTISEMENT**
in the matter **NOTICE OF PUBLIC HEARING BRANDY CREEK CDD**
was published in said newspaper in the issues of
MARCH 31, 2006.

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
he 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 31ST day of MARCH, 2006.

by *Charles Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)

PATRICIA A. BERGQUIST



Patricia A. Bergquist
My Commission DD275991

EXP. 03/03/2007 THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS APPEARS
(Said) RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 31st DAY OF April 2006
BERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: *Luanne King* DC



NOTICE OF LOCAL PUBLIC HEARING

St. Johns County Board of County Commissioners to Consider an Amendment of the Boundary of the Brandy Creek Community Development District

DATE: April 4, 2006

TIME: 9:00 a.m.

LOCATION: County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 9:00 a.m. on April 4, 2006, in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida, to consider an ordinance granting a petition to amend the boundary of the "Brandy Creek Community Development District" (the "District"). The title of the proposed ordinance is as follows:

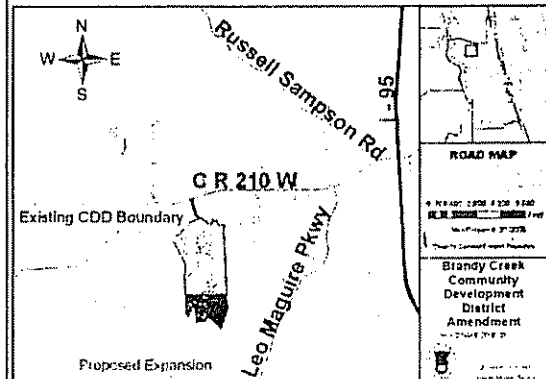
AN ORDINANCE AMENDING ORDINANCE NUMBER 2003-53 THAT ESTABLISHED THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; AMENDING THE EXTERNAL BOUNDARY OF THE DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The Brandy Creek Community Development District is comprised of approximately 248.4 acres, more or less, generally located approximately two miles west of I-95 on the south side of C.R. 210, located entirely within St. Johns County, Florida. Petitioner has proposed to amend the boundary of the District by expanding the existing boundary to include approximately 92.62 acres currently not within but contiguous to the District Boundary, the property of which is identified, along with the names and addresses of the owners, in the petition, for a total after expansion of 341.1 acres. Petitioner plans to finance, acquire, construct, operate and maintain certain infrastructure and community facilities on the expansion parcel as authorized under Florida law, including, Chapter 190, Florida Statutes.

Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North)

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general-purpose local government, who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 209-0651 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095 (for hearing impaired individuals call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearing)



BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JAMES E BRYANT, CHAIRMAN
File Number: CDD AMD 2006-01 Brandy Creek Community
Development District Expansion

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STATE OF FLORIDA DEPARTMENT OF STATE

Division of Library and Information Services

I, Sue M. Cobb, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of St. Johns County Ordinance No. 2006-36, which was filed in this office on April 10, 2006, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
12th., day of April, A.D., 2006.



Sue M. Cobb
Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.