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return to:  
**UNIVERSAL LAND TITLE, INC.**  
1555 Palm Beach Lakes Blvd.  
Suite 500  
West Palm Beach, FL 33401  
0403 3264

Prepared by ~~and return to:~~  
Grant T. Downing  
Godbold, Downing, Sheahan, & Bill, P.A.  
222 W. Comstock Avenue, Suite 101  
Winter Park, Florida 32789

### **SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** made and executed this 1 day of NOVEMBER 2004, by **BPKT, LLC**, a Florida limited liability company, whose address is 1914 Art Museum Drive, Jacksonville, Florida 32207, hereinafter called "**Grantor**," to **JACKSONVILLE LANDCO, LLC**, a Florida limited liability company, whose address is 200 S. Orange Avenue, Suite 1900, Orlando, Florida 32801, hereinafter called "**Grantee**";

#### **WITNESSETH:**

That Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situated in Clay County, Florida as shown and more particularly described on **Exhibit A** attached hereto and incorporated herein (the "**Property**").

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto of Grantor belonging or in anyway appertaining to the Property, subject to the permitted encumbrances identified on **Exhibit B** attached hereto and incorporated herein (the "**Permitted Encumbrances**"), with this reference not serving to re-impose any of said Permitted Encumbrances.

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

**AND** Grantor, for itself and its successors, hereby covenants with said Grantee and the Grantee's successors and assigns that Grantor is lawfully seized of the Property in fee simple; that Grantor has good, right and lawful authority to sell and convey the Property; that Grantor hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none others; and that the Property is free of all encumbrances, except the Permitted Encumbrances.

**AND** Grantee, its successors and assigns agree not to replat any of the Property, or develop or construct any of the Property any more intensively than one single family residential unit per lot. Grantee agrees the Property shall forever be limited to 180 lots. Further, Grantee agrees that no one (1) entity shall own more than one (1) home rented or available for rent without the prior written consent of AFI Associates, Inc., which consent may be withheld in its sole discretion.

**IN WITNESS WHEREOF** Grantor has caused this Special Warranty Deed in favor of Grantee to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers hereunto duly authorized, the day, month and year first above written.

Signed, sealed and delivered  
in the presence of:

**BPKT, LLC**, a Florida limited liability  
company

By: The Alterra Group, LLC, a Florida  
limited liability company, its Manager

Sign: Victoria D. Towers  
Print: Victoria D. Towers

By: [Signature]  
Print Name: KEVIN L. TROUP  
Its: VICE PRESIDENT

Sign: Charles D. Raley Jr.  
Print: CHARLES D. RALEY, JR.

STATE OF FLORIDA

COUNTY OF DUVAL

This instrument was acknowledged before me this 1 day of NOVEMBER, 2004, by KEVIN L. TROUP as VICE PRESIDENT of The Alterra Group, LLC, a Florida limited liability company, Manager of BPKT, LLC, a Florida limited liability company, on behalf of said company.

Charles D. Raley Jr.  
Notary Public, State of Florida

(Print, Type or Stamp Commission Seal)  
Name) CHARLES D. RALEY, JR.  
MY COMMISSION # DD 280521  
EXPIRES: May 11, 2008  
Bonded Thru Budget Notary Services

Personally Known OR Produced Identification  
Type of Identification Produced \_\_\_\_\_

**EXHIBIT "A"**

LOTS 1, 2, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 74, 75, 76, 77, 78, 79, 80, 81, 82, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 139, 140, 141, 142, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 155, 156, 157, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 171, 172, 173, 174, 176, 177, 178, 179, 180, 182, 183, 184, 185, 186, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239 and 240, WHITFIELD OAKLEAF PLANTATION, according to the Plat recorded in Plat Book 46, Pages 58 through 67, inclusive, as recorded in the Public Records of Clay County, Florida.

**EXHIBIT "B"**  
**PERMITTED EXCEPTIONS**

Taxes for the year 2005 and any taxes and assessments levied or assessed subsequent to the effective date hereof. Said taxes become a lien as of January 1, 2005, but are not due and payable until November 2005.

Restrictions, reservations, covenants, conditions, easements, lien rights, assessment rights, pursuant to that certain instrument recorded in Official Records Book 1834, Page 2194, as re-recorded in Official Records Book 1841, Page 806, as amended in Official Records Book 1849, Page 1344; Corrected in Official Records Book 1900, Page 1472.

Restrictions, reservations and easements, as reserved and shown on that certain Plat of Subdivision as recorded in Plat Book 46, at Pages 58 through 67.

Agreement recorded in Official Records Book 2111, at Page 20, as re-recorded in Official Records Book 2121, page 1997.

Right of Way Easement as reserved in that certain instrument recorded in Official Records Book 1479, Page 941, as amended in Official Records Book 1510, page 853.

Covenant and Condition contained in that certain Quit Claim Deed recorded in Official Records Book 14, page 114., pertaining to the prohibition of the taking-off and landing of aircraft.

Allocation of Development Rights recorded in Official Records Book 2306, page 798.

Partial Assignment and Assumption of Grant of Construction Easement recorded in Official Records Book 2306, page 782.

Declaration of Consent to Jurisdiction of Community Development District and to Imposition of 2004A AND 2004-C Special Assessments recorded in Official Records Book 2331, page 667.

Right of Way Easement as reserved in that certain instrument recorded in Official Records Book 2414, Page 63.

Right of Way Easement as reserved in that certain instrument recorded in Official Records Book 2443, Page 1747.

Development Order Modification recorded in Official Records Book 1849, page 1381, and Supplement recorded in Official Records Book 1911, page 1521.

Covenants, restrictions and easements contained in the Special Warranty Deed dated 12/16/2003, and recorded in Official Records Volume 2306, page 760, in Clay County, Florida by AFI Associates, Inc. to BPKT, LLC.