

RESOLUTION NO. 88-200

A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN CONTRACT FOR THE ACQUISITION OF CERTAIN PROPERTY NECESSARY FOR THE CONSTRUCTION OF A LIMITED ACCESS HIGHWAY AS AN EXTENSION OF STATE ROAD 312; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Johns County, Florida, a political subdivision of the State of Florida, hereinafter called "County," has received an offer to convey certain property necessary for the County's construction of a limited access highway as an extension of State Road 312 from K. S. TONEY, and

WHEREAS, the County is desirous of accepting the proposed Contract offered by the said K. S. TONEY upon the terms and conditions contained therein, a copy of such proposed Contract being attached hereto.

NOW, THEREFORE, be it RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

Section 1. The County accepts the aforementioned Contract as offered by K. S. TONEY upon the terms and conditions contained therein.

Section 2. By its acceptance of such proposed Contract, the County agrees:

a. To pay only the following costs involved in obtaining said property from K. S. TONEY:

- i. Title Insurance.
- ii. Cost of preparation of the Deed.
- iii. Cost of recording the Deed.
- iv. Any other charges which may be levied necessary to the recording of the Deed.

Section 3. That the acquisition of the subject lands pursuant to the Contract with K. S. TONEY eliminates the costs, including payment of the property owner's expert

witness fees and attorney's fees, that would be charged to the County if title were obtained by condemnation. The acceptance of the credit voucher as set forth in said contract thus represents all compensation to be paid to K. S. TONEY, including the purchase price of the property to be acquired by the County, attorney's fees and any other costs not specifically enumerated in Section 2.a. hereof.

Section 4. The Chairman of the Board of County Commissioners, St. Johns County, Florida, and the Clerk of the Circuit Court for St. Johns County, ex-officio Clerk of the Board of County Commissioners, St. Johns County, Florida, or his designated Deputy Clerk, be, and they are hereby, authorized and directed to duly execute the original of such Contract.

Section 5. This Resolution shall become effective immediately upon its adoption.

ADOPTED this 26th day of July, A. D., 1988.

ST. JOHNS COUNTY, FLORIDA

By Lawrence O. Hartley
Chairman of the Board of
County Commissioners of
St. Johns County, Florida

ATTEST:

Paul B. Manfell
Clerk of the Circuit Court for
St. Johns County, ex officio
Clerk of the Board of County
Commissioners, St. Johns
County, Florida

C O N T R A C T

THIS AGREEMENT made and entered into this 7 day of July, A. D., 1988, by and between ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter called "County," and K. S. TONEY, hereinafter called "Owner."

W I T N E S S E T H:

WHEREAS, the County proposes to construct a limited access highway as an extension of State Road 312, a portion of which will cross a portion of the property of the Owner, and

WHEREAS, the County is desirous of obtaining, on a negotiated basis, the property rights necessary for the construction of such limited access highway and Owner is desirous of granting such property rights upon the terms and conditions hereinafter expressed.

NOW, THEREFORE, it is mutually agreed as follows:

1. Seller shall sell and County shall buy, for the purchase price hereinafter set forth, all that real estate described in Exhibit "A" attached hereto and made a part hereof.
2. The purchase price of the property to be acquired by the County shall be \$4,950.00.
3. Conveyance shall be by good and sufficient warranty deed which shall convey the property in fee simple. The County shall have 30 days to make such examination of title as it deems appropriate and shall advise the Seller, in writing, of any defects of title or exceptions thereto and Seller shall have 15 days thereafter to clear such defects or exceptions and to close. The full purchase price shall be paid at the time of closing.
4. It is understood and agreed that the County shall pay for title insurance and for the cost of

preparation of the deed, recording of the deed and any other charges which may be levied necessary to the recording of the deed.

5. The County agrees that it shall award a contract for the construction of such road no later than 4 years from the date of execution hereof and that in the event a contract for the construction of said State Road 312 extension is not awarded by such date, that the County will reconvey the property rights to be acquired hereunder to the Sellers.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first written above.

Signed, sealed and delivered ST. JOHNS COUNTY, FLORIDA
in the presence of:

Lynn M. McDonald
Witness as to County

By: *Laurance O. Hartley*
Chairman

Connie E. McDaniel
Witness as to County

ATTEST:
Paul B. Markel
Clerk of the Circuit Court for
St. Johns County, ex officio
Clerk of the Board of County
Commissioners, St. Johns
County, Florida

Radna Shaw
Witness as to Owner

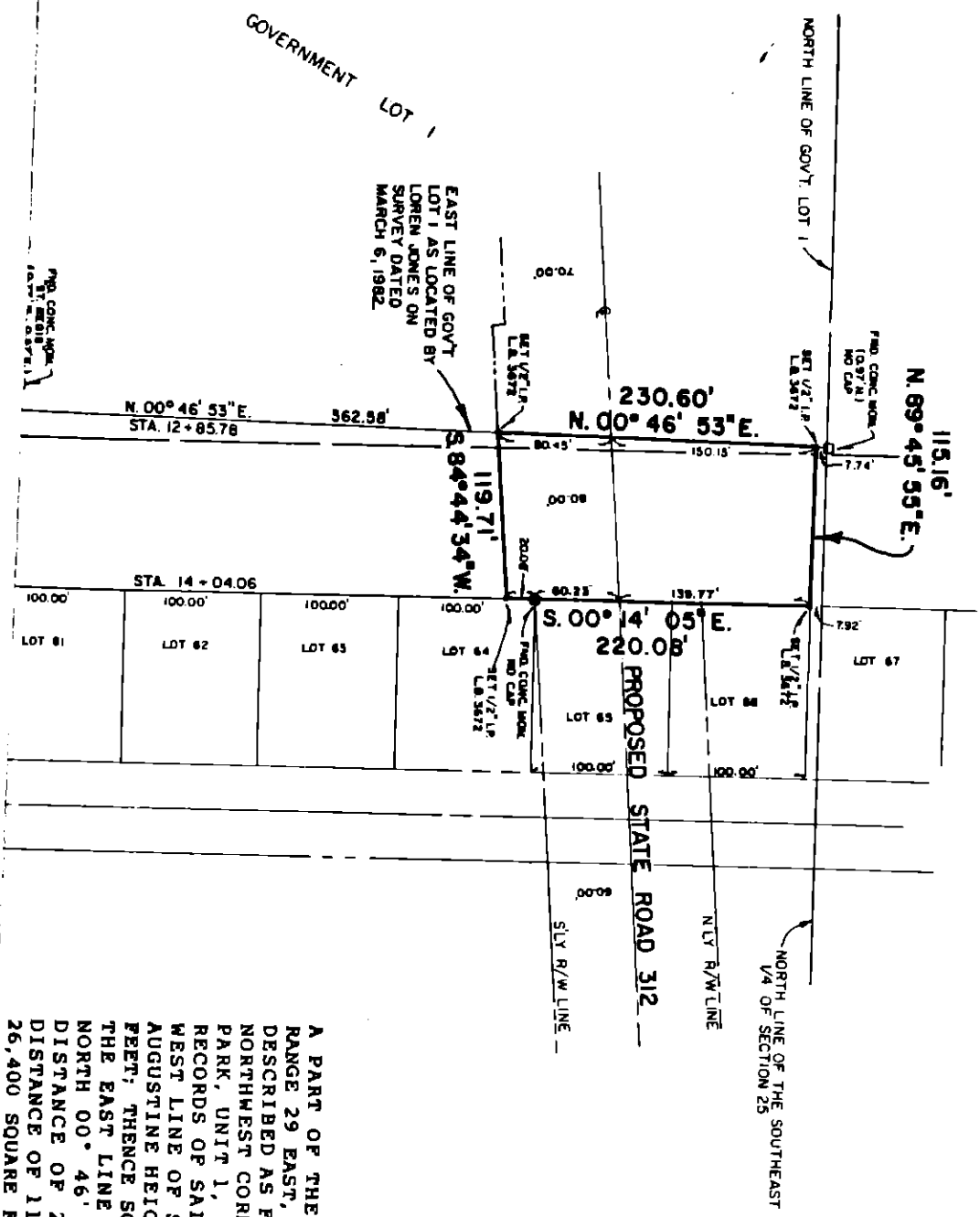
"County"
R. S. Toney
R. S. TONEY

Lynda P. Davis
Witness as to Owner

"Owner"

A PART OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF LOT 66 OF ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK, UNIT 1, AS RECORDED IN MAP BOOK 10, PAGE 77 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 00° 14' 05" EAST ALONG THE WEST LINE OF SAID LOT 66, AND ALONG THE WEST LINE OF SAID ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK, UNIT 1, A DISTANCE OF 220.08 FEET; THENCE SOUTH 84° 44' 34" WEST, A DISTANCE OF 119.71 FEET TO THE EAST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 25; THENCE NORTH 00° 46' 53" EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 230.60 FEET; THENCE NORTH 89° 45' 55" EAST, A DISTANCE OF 115.16 FEET TO THE POINT OF BEGINNING, CONTAINING 26,400 SQUARE FEET, OR, 0.606 ACRE, MORE OR LESS.

Exhibit "A"



**MAP SHOWING SURVEY OF
SEARCH PARCEL 12 - AREA OF TAKE**

A PART OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF LOT 66 OF ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK, UNIT 1, AS RECORDED IN MAP BOOK 10, PAGE 77 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 00° 14' 05" EAST ALONG THE WEST LINE OF SAID LOT 66, AND ALONG THE WEST LINE OF SAID ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK, UNIT 1, A DISTANCE OF 220.08 FEET; THENCE SOUTH 84° 44' 34" WEST, A DISTANCE OF 119.71 FEET TO THE EAST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 25; THENCE NORTH 00° 46' 53" EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 230.60 FEET; THENCE NORTH 89° 45' 55" EAST, A DISTANCE OF 115.16 FEET TO THE POINT OF BEGINNING, CONTAINING 26,400 SQUARE FEET, OR, 0.606 ACRE, MORE OR LESS.

FLORIDA DEPARTMENT OF REVENUE
RETURN FOR TRANSFERS OF INTEREST IN FLORIDA REAL PROPERTY

PART I

A. Grantor (Seller): K. S. Toney
Individual/Agent Name Corporate Name (if applicable)
7 Rhode Ave, St. Augustine, Florida 32084 904-824-9091
Mailing Address City State Zip Code Phone No.

B. Grantee (Buyer): St. Johns County, Florida, a political subdivision of the State of Florida
Individual/Agent Name Corporate Name (if applicable)
P. O. Drawer 349, St. Augustine, Florida 32085-0349 904-824-8131
Mailing Address City State Zip Code Phone No.

C. Description of Property:
Lot No. Block No. Name of Subdivision
See attached survey, Property is for Road right of way
Other Description (if applicable)

D. Date of Sale: _____ Type of Document: Warrenty Deed

E. Recorded in St. Johns County County(s).

PART II

Total Consideration Paid Or To Be Paid \$ 4,950.00

PART III

FOR USE BY TAXPAYER IN DETERMINING CONSIDERATION NOT REQUIRED FOR FILING * (SEE REVERSE SIDE)	
1. Cash Or Down Payment	\$ _____
2. New Or Existing Mortgages	\$ _____
3. Any Other Consideration	\$ _____
4. Total Consideration Paid Or To Be Paid	\$ _____
5. If taxable consideration is \$100 or less or if the transaction is exempt, please explain briefly. _____	

I hereby certify that this return has been examined by me and to the best of my knowledge and belief is a true and complete return.

Stuart Craig
Signature of Grantee or Agent Contracting Agent for St. Johns County _____
Date

To be completed by the Clerk of the Circuit Court's Office.	
File Number _____ or O. R. Book _____ Page _____ or	
Clerk's Date Stamp _____ Date Recorded _____	

SEND TO LOCAL DEPARTMENT OF REVENUE AREA OFFICE