

RESOLUTION NO. 89- 216
RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS, ST. JOHNS COUNTY, FLORIDA

WHEREAS, Ponce de Leon Resort and Convention Center, Inc. a Florida corporation and Richard L. Woodward and Joan C. Woodward, his wife have tendered a drainage easement dated September 25, 1989, to the Board of County Commissioners of St. Johns County, Florida, conveying to the County an easement for a drainage system,

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

1. The above described easement is hereby accepted by the Board of County Commissioners of St. Johns County, Florida
2. The Clerk is instructed to file the title opinion and to record the easement in the Official Records of St. Johns County at the County's expense.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 26th day of September, 1989.

BOARD OF COUNTY COMMISSIONERS
of ST. JOHNS COUNTY, FLORIDA

BY: *Randy Wall*
Its Chairman

ATTEST: CARL "Bud" MARKEL, CLERK

Connie E. McDaniel
Deputy Clerk

UPCHURCH, BAILEY AND UPCHURCH, P. A.

ATTORNEYS AT LAW
780 NORTH PONCE DE LEON BOULEVARD
POST OFFICE DRAWER 3007
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FRANK D. UPCHURCH
(1894-1986)

FRANK D. UPCHURCH, JR.
OF COUNSEL

HAMILTON D. UPCHURCH
JOHN D. BAILEY, JR.
FRANK D. UPCHURCH, III
TRACY W. UPCHURCH

KEITH R. FOUNTAIN

September 25, 1989

Board of County Commissioners
Historical St. Johns County, Florida
Post Office Drawer 3409
St. Augustine, Florida 32085-0349

RE: Petition to Vacate a Portion of Ocean Boulevard
Filed by Ponce de Leon Resort and Convention
Center, Inc.

Dear Sirs:

This will confirm that I have searched the title to that portion of Ocean Boulevard described in the above petition and the lands which abut same.

Based on such search, it is my opinion that upon the adoption and recording in the St. Johns County public records of a resolution vacating the portion of Ocean Boulevard described in the above petition, title to same will be vested in the Ponce de Leon Resort and Convention Center, Inc., a Florida corporation, as to all such vacated roadway except the northerly one-half of the westerly 252 feet, title to which will be vested in Richard L. Woodward and Joan C. Woodward, his wife. The easement to be granted to St. Johns County following the recording of the vacating resolution, should be executed by both of the above owners.

Respectfully submitted,

UPCHURCH, BAILEY & UPCHURCH, P.A.

BY: John D. Bailey, Jr.

JOHN D. BAILEY, JR.

JDB, JR./gb

This Instrument Prepared By:

JOHN D. BAILEY, JR.
Upchurch, Bailey and Upchurch, P.A.
780 N. Ponce de Leon Boulevard
Post Office Drawer 3007
St. Augustine, Florida 32085-3007

EASEMENT

THIS EASEMENT, made this 25th day of September, 1989, by PONCE DE LEON RESORT AND CONVENTION CENTER, INC., a Florida corporation and RICHARD L. WOODWARD and JOAN C. WOODWARD, his wife, Grantors, to ST. JOHNS COUNTY, a political subdivision of the State of Florida, whose post office address is St. Johns County Administration Building, State Road 16-A, St. Augustine, Florida 32084, Grantee.

W I T N E S S E T H :

THAT Grantors, for and in consideration of the sum of Ten and no/100's Dollars (\$10.00) in hand paid by Grantee, receipt of which is hereby acknowledged, have granted, bargained and sold to Grantee, its successors and assigns forever, a ten feet (10') non-exclusive easement for drainage purposes over and across the following described real property situated in St. Johns County, Florida:

A strip of land 10 feet in width, being the Southern 10 feet of that portion of Ocean Boulevard, vacated and abandoned in that certain Resolution dated September 26, 1989, adopted by the Board of County Commissioners of St. Johns County, Florida, and recorded in Official Records Book _____, Page _____, of the Public Records of St. Johns County, Florida.

The PONCE DE LEON RESORT AND CONVENTION CENTER, INC., or its successors and/or assigns, shall be responsible for maintaining the drainage easement and all drainage facilities located therein.

Provided, the Grantors may relocate the drainage easement within such vacated roadway described herein so long as the drainage flow is not interrupted.

IN WITNESS WHEREOF, Grantors have caused this easement to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

PONCE DE LEON RESORT AND CONVENTION CENTER, INC., a Florida corporation;

BY: Frank Swope
FRANK SWOPE
Its President

[Signature]
Witness

[Signature]
Witness

[Signature]
Witness

[Signature]
Witness

[Signature]
Witness

[Signature]
Witness

Richard L. Woodward
RICHARD L. WOODWARD

Joan C. Woodward
JOAN C. WOODWARD

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared FRANK SWOPE, as President of Ponce de Leon Resort and Convention Center, Inc., a Florida corporation, to me known to be the person described in and who executed the foregoing Assignment, as such officer and he acknowledged before me that he executed the same for the uses and purposes therein expressed as the act and deed of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 25th day of September, 1989.

Patricia E. Kouts
Notary Public
State of Florida
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES OCT. 17, 1990
BONDED THRU AGENT'S NOTARY BROKERAGE

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared RICHARD L. WOODWARD and JOAN C. WOODWARD, his wife, to me known to be the persons described in and who executed the foregoing Assignment, and they acknowledged before me that they executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 25th day of September, 1989.

Patricia E. Kouts
Notary Public
State of Florida
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES OCT. 17, 1990
BONDED THRU AGENT'S NOTARY BROKERAGE