

RESOLUTION NO. 89-94

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN CONTRACT FOR THE ACQUISITION OF CERTAIN PROPERTY NECESSARY FOR THE REALIGNING AND PAVING A SECTION OF DATIL PEPPER ROAD.**

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 realigning and paving of Datil Pepper Rd. and

WHEREAS, The County is desirous of accepting the proposed Contract offered by the said MARVIN N. MANNS and his wife ALICE D. MANNS 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 MARVIN N. MANNS and ALICE D. MANNS 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 cost involved in obtaining said property from MARVIN N. MANNS and ALICE D. MANNS.

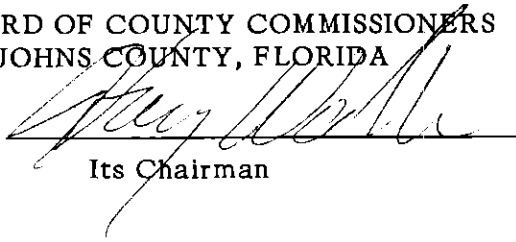
- i. Title Insurance
- ii. Cost of preparation of the Deed
- iii. Cost of recording the deed.
- iv. Any other charges which may be levied necessary to the recording of the deed.
- v. All adjustments of taxes are to be made on a pro rata basis at time of closing.

Section 3. 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.

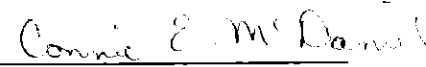
Section 4. This Resolution shall become effective immediately upon its adoption.

ADOPTED this 9th day of May 1989.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

BY:   
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

BY:   
Deputy Clerk

CONTRACT

THIS AGREEMENT made and entered into this 4th day of July A.D., 1989, by and between ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter called "COUNTY", and Marvin N. Manns and his wife Alice D. Manns hereinafter called "OWNERS".

WITNESSETH

WHEREAS, the County proposes to realign and pave a section of Datil Pepper Road, a portion of which will cross a portion of the property of the OWNERS, and

WHEREAS, the COUNTY is desirous of obtaining, on a negotiated basis the property rights necessary for the realigning and paving section of Datil Pepper Road and OWNERS are desirous of granting such property rights upon the terms and conditions hereinafter expressed.

NOW, THEREFORE, it is mutually agreed as follows:

1. The OWNERS shall convey to the County all that real property described in "Exhibit A" attached hereto and made a part hereof, together with all rights of access, and in consideration therefore COUNTY shall pay the assessment, if any levied by the County against the OWNERS property described in Exhibit "B" attached hereto under Ordinance 75-21, as amended from time to time, known as the St. Johns County Road Improvement Assessment Ordinance.
2. 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 OWNERS, in writing, of any defects of title or exceptions thereto and OWNERS shall have 15 days thereafter to clear such defects or exceptions and to close,
3. It is understood and agreed that the COUNTY shall order and pay for title insurance and for the cost of preparation of the deed, recording of the deed, and

EXHIBIT "A"

DESCRIPTION: (By Surveyor)

That part of Section 19, Township 8 South, Range 30 East, St. Johns County County, Florida, being described as follows:

Commence at the Northwest Corner of said Section 19; thence run South 00 degrees 16 minutes 15 seconds East along the West line of said Section 19 for a distance of 33.00 feet to the intersection with the Southerly right-of-way line of Watson Road (66 foot wide right-of-way as now established), and the POINT-OF-BEGINNING of the herein described parcel; thence run North 88 degrees 48 minutes 44 seconds East along said Southerly right-of-way line for a distance of 85.05 feet to the interesection with the Westerly right-of-way line of Datil Pepper Road (40 foot wide right-of-way as now established), also being a point on a circular curve concave to the Southeast and having a radius of 445.30 feet; thence from a tangent being of South 34 degrees 51 minutes 59 seconds West, run Southwesterly along the arc of said curve through a central angle of 22 degrees 15 minutes 14 seconds for an arc distance of 172.96 feet to the point of compound curvature of a circular curve concave to the East and having radius of 600.00 feet; thence run Southerly along the arc of said curve through a central angle of 12 degrees 53 minutes 00 seconds for an arc distance of 134.91 feet to the point of tangency of said curve also being a point on the said West line of Section 19; thence run North 00 degrees 16 minutes 15 seconds West on said West line of Section 19 for a distance of 289.42 feet to the POINT-OF-BEGINNING. Containing 7513 square feet, more or less.

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

- 4. All adjustments of taxes are to be made on a pro rata basis at time of closing.

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

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

Dinda J Pratt  
Witness as to County

By: Mary Miller  
Chairman

Natalie E. Bonker  
Witness as to County

Attest;

Connie E. McCaskey - Deputy Clerk  
Clerk of the Circuit Court  
for St. Johns County, ex.  
officio Clerk of the Board  
of County Commissioners,  
St. Johns County, Florida

Clerk

"COUNTY"

Simon D. Mearns  
Witness as to Owners

Morris N. Mearns

Roger Frye  
Witness as to Owners

Walter D. Duggan  
"OWNERS"

St. Johns County  
Clerk of the Board

EXHIBIT "B"

All that part of the following described lands that lie in Section 24, Township 8 South, Range 29 East:

Part of Section 19 and 24, Township 8 South, Range 29 and 30 East, St. Johns County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 24; thence run South 00 degrees 41 minutes 20 seconds East along the West line of said Section 24 to the intersection of the Southerly right-of-way line of Watson Road, a distance of 33.0 feet to the Point of Beginning; thence run North 88 degrees 47 minutes 11 seconds East along said Southerly right-of-way line of Watson Road to the Westerly right-of-way line of Datil Pepper Road, a distance of 84.37 feet to the beginning of a curve of radius 450.0 feet, concave to the Southeast; then ce Southwesterly along said curve to the left through a central angle of 21 degrees 57 minutes 32 seconds, a distance of 172.46 feet to a point of compound curvature with a curve of a radius of 600.0 feet, concave to the East, said curve being a continuation of the Westerly right-of-way line of said Datil Pepper Road; thence Southwesterly along said curve to the left through a central angle of 12 degrees 53 minutes, a distance of 134.91 feet to a point of tangency; thence run South 00 degrees 13 minutes 42 seconds East along said Westerly right-of-way line, 170.0 feet; thence run South 00 degrees 13 minutes 50 seconds East, a distance of 834.35 feet; thence South 89 degrees 43 minutes 27 seconds West to the Easterly right-of-way line of the F.E.C. Railroad, a distance of 348.51 feet; thence run North 09 degrees 06 minutes 13 seconds West along the Westerly right-of-way line of said railroad, 576.39 feet to the point of curvature of a curve to the right, said curve being concave to the Northeast and having a radius of 5,645.92 feet; thence along the arc of said curve on said Easterly right-of-way line of the railroad an arc distance of 319.43 feet (said arc being subtended by a chord which bears North 07 degrees 29 minutes 57 seconds West, 310.39 feet); thence North 84 degrees 07 minutes 18 seconds East along the right-of-way line, 100.0 feet to the Point of Curvature of a curve to the right, said curve being concave to the Northeast and having a radius of 5,545.92 feet; thence along the arc of said curve being the Easterly right-of-way line of the railroad an arc distance of 230.12 feet (said arc being subtended by a chord which bears North 04 degrees 41 minutes 23 seconds West, 230.10 feet); thence North 03 degrees 30 minutes 03 seconds West along said Easterly right-of-way line 169.12 feet to the Southerly right-of-way line of Watson Road; thence run North 89 degrees 49 minutes 30 seconds East along the said Southerly right-of-way line 405.87 feet to the Point of Beginning.

STATE OF FLORIDA

COUNTY OF ST. JOHNS

I, CARL "BUD" MARKEL, CLERK OF THE CIRCUIT COURT of St. Johns County, Florida,  
DO HEREBY CERTIFY that the foregoing is a true and correct copy of the following:

AGREEMENT

by and between ST. JOHNS COUNTY, FLORIDA, a political subdivision of the state of Florida, hereinafter called "COUNTY",

and Marvin N. Manns and his wife Alice D. Manns hereinafter called "OWNERS"

Re: Realign and pave a section of Datil Pepper Road, a portion of which will cross a portion of the property of the OWNERS

as the same appears in records in the office of the Clerk of the Circuit Court of St. Johns County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office  
this 15th day of May, 19 89.

CARL "BUD" MARKEL  
CLERK OF THE CIRCUIT COURT  
OF ST. JOHNS COUNTY, FLORIDA

(seal)

By: Connie E. McDaniel  
Deputy Clerk-Connie E. McDaniel