

RESOLUTION NO. 93-182

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AUTHORIZING THE EXECUTION OF A CERTAIN TEMPORARY EASEMENT TO THE FLORIDA INLAND NAVIGATION DISTRICT

WHEREAS, the Florida Inland Navigation District, as local sponsor for the Intracoastal Waterway in Florida, is required to coordinate waterway dredging with the U.S. Army Corps of Engineers; and

WHEREAS, a critical navigation problem exists in the Intracoastal Waterway at the Matanzas Inlet and a continuing condition also exists from beach erosion at Summer Haven and Matanzas Inlet Beach; and

WHEREAS, the material that must be removed to maintenance dredge the Waterway is beach compatible and can be used to renourish the beach; and

WHEREAS, St. Johns County, as owner of the property more fully described in the Temporary Easement attached hereto as Exhibit A, incorporated by reference and made a part hereof, has been presented for approval and execution.

WHEREAS, the purpose of this easement is in the public interest and welfare of the citizens of St. Johns County.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners as follows:

1. That the County approves the aforementioned Temporary Easement upon the terms and conditions contained therein.

2. That the County Administrator is hereby authorized to execute in duplicate the Easement on behalf of the Board of County Commissioners of St. Johns County, Florida.

3. That the Clerk is instructed to retain a copy of the executed Easement and mail the originals in the provided envelope and request return of a recorded copy for file.

PASSED AND ADOPTED this 23rd day of November, 1993.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Allan Roberts  
Chair - Allan Roberts

ATTEST: Carl "Bud" Markel, Clerk

By: Wenne Carter  
Deputy Clerk

TEMPORARY EASEMENT

THIS INDENTURE, made this 23rd day of Nov. 1993, between ST. JOHNS COUNTY, a political subdivision of the Party(ies) of the State of Florida, First Part as Grantor(s) and the FLORIDA INLAND NAVIGATION DISTRICT, 1314 Marcinski Road, Jupiter, Florida 33477, Party of the Second Part as Grantee.

WITNESSETH, that said Party of the First Part, for and in consideration of the sum of ONE DOLLAR (\$1.00), and other valuable consideration the receipt of which is hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell unto said Party of the Second Part, its successors and assigns a temporary and assignable easement and right-of-way, in, on, over and across the lands herein described, for a period not to extend beyond ten (10) years, beginning with date possession of the land is granted to the Florida Inland Navigation District for use by the District, its representatives, agents and contractors to prepare, plan, construct, operate, maintain, repair, replace and remove pipelines and other equipment used in connection with the pumping, transmission and placement of dredge materials to or across lands lying and being within St. Johns County, Florida, and more particularly described as follows:

1-155 Summer Haven, Blks 4, 5, 6, 7 & vacated streets vacated North Blk 4 between 4 thru 7 & South Blk 7. OR 690-732

And for the further purposes of depositing dredged material, or other excavated materials as well as equipment on said land, requiring for the construction and maintenance of the dredging and beach nourishment project reserving, however, to the landowners and their assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements and public roads and highways, public utilities, railroads and pipelines.

The said Party(ies) of the First Part does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Party of the First Part has/have hereunto set his/her/their hand and seal on the day and year first above written.

SIGNED, SEALED AND DELIVERED

TWO WITNESSES PER OWNER

\_\_\_\_\_  
1st Witness

\_\_\_\_\_  
2nd Witness

\_\_\_\_\_  
1st Witness

\_\_\_\_\_  
2nd Witness

\_\_\_\_\_  
County Administrator  
Nicholas M. Meiszer  
P. O. Drawer 349  
St. Augustine FL 32085-0349

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

PERSONALLY appeared before me, the undersigned authority in and for the State and County aforesaid, the within named Nicholas M. Meiszer, a ~~single~~/married person, who acknowledged that he/she/they signed, sealed and delivered the above and foregoing instrument as the day and year mentioned as his/her/their voluntary act and deed.

WITNESS MY HAND AND OFFICIAL SEAL, and this \_\_\_\_\_ day of \_\_\_\_\_ 1993.

My Commission Expires:

\_\_\_\_\_

NOTARY PUBLIC