

RESOLUTION NO. 93- 22

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING TRANSFER OF CERTAIN PROPERTY MORE FULLY DESCRIBED BELOW, TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF IMPROVEMENTS TO STATE ROAD #13 AND RACETRACK ROAD INTERSECTION.

TRANSFER OF A PORTION OF COUNTY PROPERTY FOR IMPROVEMENTS TO THE INTERSECTION OF RACETRACK ROAD AND STATE ROAD #13 TO THE FLORIDA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Florida Department of Transportation proposes to construct and improve the intersection at State Road # 13 and Racetrack Road in St. Johns County, Florida; and

WHEREAS, it is necessary that certain lands now owned by St. Johns County be acquired by the Florida Department of Transportation; and

WHEREAS, said property is not needed for County purposes; and

WHEREAS, the St. Johns County Board of County Commissioners (Board) has determined that it is in the best interest of St. Johns County to deed a portion of county owned property to the Florida Department of Transportation for improvements to Race Track Road and State Road #13 intersection as shown in Exhibit B; and

WHEREAS, the Florida Department of Transportation has made application to St. Johns County to execute and deliver to the Florida Department of Transportation a county deed in favor of the State of Florida, conveying all rights, title and interest to the lands described thereon, which lands are required for the improvements to the above described intersection:

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

Section 1. The application of the Florida Department of Transportation for a county deed is for right-of-way purposes which are in the public or community interest and for the public welfare, and the land needed for right-of-way and other purposes is not needed for County Purposes.

Section 2. A county deed in favor of the Florida Department of Transportation conveying all right, title and interest of St. Johns County, without warranty of title or warranty of method of conveyance, in and to the land described thereon for right-of-way and other road purposes shall be executed by the Chairman or Vice Chairman of the Board of County Commissioners. Consideration shall be \$10.00. A copy of the proposed deed is attached to this resolution as Exhibit A.

Section 3. A certified copy of this resolution shall be forwarded forthwith to the Florida Department of Transportation District Two, Eminent Domain Department, Post Office Box 1089, 1901 South Marion Street, Lake City, Florida 32056-1089.

Section 4. A copy of the county deed transferring the property attached as Exhibit A to the Florida Department of Transportation shall be duly recorded in the official public records of St. Johns County, Florida.

Passed and Adopted this 9 day of February, 1993.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Linda Balvage
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

By: [Signature]
Deputy Clerk



COUNTY DEED

THIS DEED, made without warranty of title or warranty of method of conveyance, made this 9 day of February 1993 by the Board of County Commissioners of St. Johns County, Florida, party of the first part, and Florida Department of Transportation, party of the second part,

WITNESSETH that the said party of the first part for and in consideration of the sum of Ten Dollars (\$10.00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, the following described land lying and being in St. Johns County, Florida.

PART "A"

A parcel of land in Sections 29 and 30, Township 4 South, Range 27 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Section 30, (Southwest corner of Section 29), Township 4 South, Range 27 East, St. Johns County, Florida; thence North $01^{\circ}50'24''$ West along the East line of said Section 30, (West line of said Section 29), a distance of 1,337.21 feet to a point on the Southerly right of way line of Racetrack Road, (a 70.00 foot right of way), said point being also the Point of Beginning; thence South $76^{\circ}23'37''$ East along said Southerly right of way line of Racetrack Road, a distance of 266.67 feet to a point on the Westerly right of way line of Chicasaw Court (60.00 foot right of way); thence South $13^{\circ}36'23''$ West along said Westerly right of way line, a distance of 17.00 feet; thence North $76^{\circ}23'37''$ West, a distance of 38.54 feet; thence South $13^{\circ}36'23''$ West, a distance of 50.00 feet; thence North $76^{\circ}23'37''$ West, a distance of 757.54 feet; (Crossing the West line of said Section 29, into Said Section 30); thence South $04^{\circ}51'21''$ West, a distance of 697.56 feet; thence North $85^{\circ}08'39''$ West, a distance of 60.00 feet to a point on the Easterly right of way line of State Road No. 13, (a 100.00 foot right of way); thence North $04^{\circ}51'21''$ East along said Easterly right of way line of State Road No. 13, a distance of 774.59 feet to a point of intersection of the Easterly right of way line of said State Road No. 13, with the Southerly right of way line of said Racetrack Road; thence South $76^{\circ}23'37''$ East along the Southerly right of way line of said Racetrack Road, a distance of 600.43 feet to the Point of Beginning, containing 2.249 Acres, more or less, and reserving an easement unto the grantor, its successors and assigns, for the construction of bicycle/pedestrian paths, over under and across the Southerly 27.00 feet of that portion of the above described land lying contiguous with the Southerly right of way line of Racetrack Road, as it now exist.

EXHIBIT A

PART "B"

A parcel of land in Section 29, Township 4 South, Range 27 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 29, Township 4 South, Range 27 East, St. Johns County, Florida; thence North 01°50'24" West along the West line of said Section 29, a distance of 1,371.45 feet; thence South 76°23'37" East, a distance of 762.25 feet; thence South 13°36'23" West, a distance of 33.00 feet to a point on the Southerly right of way line of Racetrack Road, and the Point of Beginning; thence continue South 13°36'23" West, a distance of 17.00 feet; thence North 76°23'37" West, a distance of 426.46 feet to a point on the Easterly right of way line of Chicasaw Court (a 60.00 foot right of way); thence North 13°36'23" East along said Easterly right of way line, a distance of 17.00 feet to a point on the said Southerly right of way line of Racetrack Road; thence South 76°23'37" East along said Southerly right of way line, a distance of 426.46 feet to the Point of Beginning,

Containing 7,250 square feet, more or less.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the date and year aforesaid.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Lucrecia Balbavage*
Chairman

ATTEST: CARL "BUD" MARKEL CLERK

BY: *Amy Bennett*
Deputy Clerk

(OFFICIAL SEAL)

COUNTY DEED

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Shirley - C. Kent
Rec - 9.00
Jur - 1.50
Doc - .70¢ Bill Co.

EXHIBIT A

RES 93 22

PART "B"

O.R. 980 PG 0633

A parcel of land in Section 29, Township 4 South, Range 27 East, St. Johns County, Florida, being more particularly described as follows:

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Containing 7,250 square feet, more or less.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the date and year aforesaid.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Simon Balavage*
Chairman

ATTEST: CARL "BUD" MARKEL CLERK

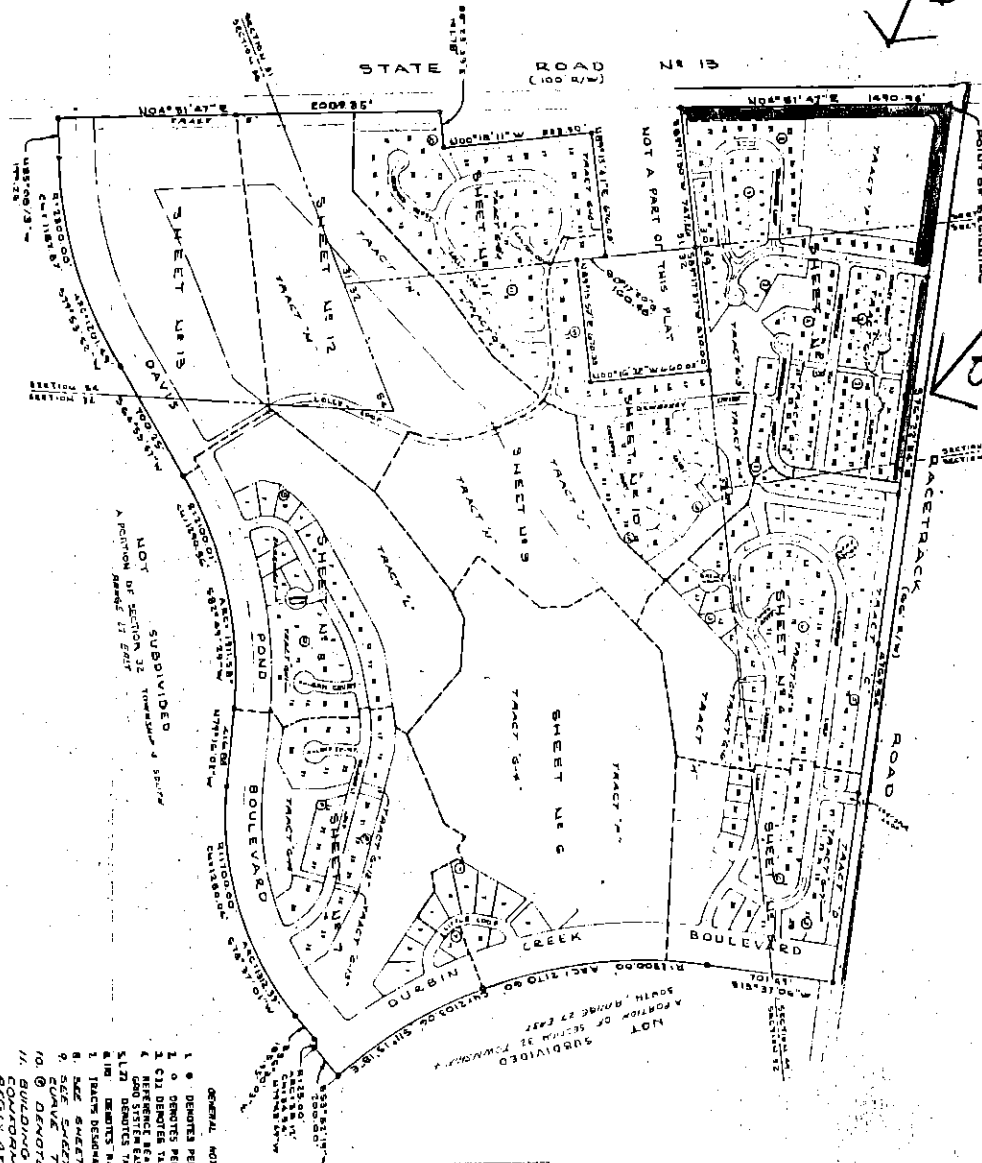
BY: *Amy Bennett*
Deputy Clerk

(OFFICIAL SEAL)

JULINGTON CREEK UNIT ONE

A PART OF SECTIONS 29, 30, 31, 32, THE JAMES JAMES DONATION, SECTION 49 AND THE COUSANCE MCFEE GRANT, SECTION 5A, ALL IN TOWNSHIP 4 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA.

380 Lots



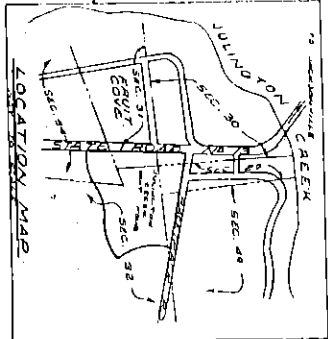
1946

MAP BOOK 116 PAGE 36

SHEET 2 OF 11 SHEETS
380 LOTS THIS UNIT



BOUNDARY AND
KEY MAP



- GENERAL NOTES
1. DENOTES PERMANENT REFERENCE POINT
 2. DENOTES PERMANENT CONTROL POINTS
 3. C/D DENOTES TABULATED CURVE DATA
 4. H/P DENOTES TABULATED POINTS FROM TRANSVERSE MERCHANT
 5. H/P DENOTES TABULATED POINTS FROM TRANSVERSE MERCHANT
 6. H/P DENOTES TABULATED POINTS FROM TRANSVERSE MERCHANT
 7. DENOTES TABULATED LINE DATA
 8. DENOTES RADIAL LINE
 9. TRACTS DESIGNATED 01, 02, ETC ARE PERMANENT
 10. SEE SHEET 14 FOR TABULATION
 11. SEE SHEET 15 FOR TABULATION
 12. SEE SHEET 16 FOR TABULATION
 13. DENOTES BLOCK NUMBER
 14. BUILDING RESTRICTION LINES SHALL CONFORM TO CURRENT ZONING REGULATIONS OF ST. JOHNS COUNTY, FLORIDA.

11/71 JC-1

Name: JJ
Co. Name:
Acct. No.:
Prints: 1
Total Pages: 2
Cost: \$2.00

Sec 36 Twp 6S Rge 29E
Lewis-Tolomato
Parcel Nos. 45 and 48A

Prepared by: C.E. Carrington, Jr.
Florida Power & Light Company
P.O. Box 2851
Daytona Beach, Florida 32115-2851

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS that ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida whose address is 2040 Lewis Speedway St. Augustine, Florida 32084 of the County of St. Johns and State of Florida (hereinafter, Grantor) in consideration of the sum of 1.00 Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, does hereby grant to Florida Power and Light Company, a corporation organized and existing under the laws of the State of Florida, whose address is P.O. Box 14000, Juno Beach, Florida 33408, and to its successors and assigns (the term "assigns" meaning any person, firm or corporation owning by way of assignment all rights under this Agreement or a portion of such rights with the Grantee or its other assigns retaining and exercising the other rights (hereinafter, Grantee) an easement forever for a right-of-way, as described in Exhibit "A" to be used for construction, operation and maintenance of one or more overhead and underground electric transmission and distribution lines including, but not limited to wires, poles, "H" frame structures, towers, cables, conduits, anchors, guys and road and trails and equipment associated therewith, attachments and appurtenant equipment for communication purposes and one or more pipelines, and appurtenant equipment for transmission of substances of any kind (all of the foregoing hereinafter referred to as "facilities"), over, under, in, on, upon and across the lands of the Grantor situated in the County of St. Johns and State of Florida being more particularly described as follows:

Exhibits "A", "B" and "C" attached hereto and made a part hereof

together with the right and privilege from time to time to reconstruct, inspect, alter, improve, enlarge, add to, change the voltage of, as well as the nature or physical characteristics of, replace, remove or relocate such facilities or any part of them upon, across, over, or under the above described right-of-way with all rights and privileges necessary or convenient for full enjoyment or the use thereof for the herein described purposes, including, but not limited to, the right to cut and keep clear all trees and undergrowth and other obstructions within said right-of-way on lands of Grantor adjoining said right-of-way that may interfere with the proper construction, operation and maintenance of such facilities or any part of them, the right to mark the location of any underground facilities by above ground and other suitable markers and the right of ingress and egress for personnel and equipment of Grantee, its contractors, agents, successors or assigns, over the adjoining lands of the Grantor, for the purposes of exercising and enjoying the rights granted by this easement and any or all rights granted hereunder.

The Grantor, however, reserves the right and privilege to use the above-described right-of-way for agricultural and other such purposes except as herein granted or as might interfere or be inconsistent with the use, occupation, maintenance or enjoyment thereof by Grantee or its successors or assigns, or as might cause hazardous conditions; provided, however, and by the execution and delivery hereof Grantor so expressly agrees that no portion of the right-of-way shall be excavated, altered, obstructed, improved, surfaced or paved without the prior written permission of Grantee, or its successors or assigns, and no building, well, irrigation system, structure, obstruction or improvements (including any improvements for recreational activities) shall be located, constructed, maintained or operated over, under, upon or across said right-of-way by Grantor, or the heirs personal representatives, successors or assigns of Grantor.

Upon acceptance hereof, Grantee agrees that it will relocate its facilities to be installed herein upon receiving a written request from the Grantor to do so. The facilities will be relocated to a mutually agreed upon location on the Grantor's property and will be accomplished within 180 days of the Grantor providing Grantee an easement in the same form as herein granted to cover the relocated facilities. Once the relocation is completed, Grantee will cause to be recorded in the Public Records of St. Johns County a release of the easement. See Exhibits "A", "B" and "C".

By the execution hereof Grantor covenants that it has the right to convey this easement and that the Grantee and its successors and assigns shall have peaceful possession, use and enjoyment of the easement and the rights granted hereby. However, nothing in this grant of easement shall be interpreted to excuse the Grantee from complying with all applicable St. Johns County land development regulations in the improvements of the easement.

IN WITNESS WHEREOF, the undersigned Grantor has executed this Grant of Easement, this 9th day of February 1993.

Signed, Sealed and Delivered in the presence of:

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

Linda Balsavage
Yvonne Carter
Witness

By: *Linda Balsavage*
Its Chairman


ATTEST: CARL "BUD" MARKEL, CLERK

By: *Amy Bennett*
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I am a notary public of the State of Florida, and my commission expires: February 3, 1996.

THE FOREGOING INSTRUMENT was acknowledged before me on February 9, 1993, by Linda Balsavage, as Chairman, who is personally known to me ~~or who has produced~~ as identification and ~~(did)~~ (did not) take an oath.


 YVONNE CARTER
MY COMMISSION # CC 177554 EXPIRES
February 3, 1996
BONDED THRU TROY FAIR INSURANCE, INC.

Yvonne Carter
Notary Public, State of Florida
Print Name: Yvonne Carter

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I am a notary public of the State of Florida, and my commission expires: February 3, 1996.

THE FOREGOING INSTRUMENT was acknowledged before me on February 17, 1993, by Amy Bennett, Deputy Clerk who is personally known to me ~~or who has produced~~ as identification and (did) ~~(did not)~~ take an oath.

 YVONNE CARTER
MY COMMISSION # CC 177554 EXPIRES
February 3, 1996
BONDED THRU TROY FAIR INSURANCE, INC.

Yvonne Carter
Notary Public, State of Florida
Print Name: Yvonne Carter

Government Lot 15
Sec 11 Twp 7S Rge 29E
Tolomato-Mill Creek-St. Johns
Parcel Nos. 45 and 48A

EXHIBIT "A"

Part 1: Parcel No. 45

A parcel of land lying in Government Lot 15 of Section 11, Township 7 South, Range 29 East, St. Johns County, Florida; said parcel being more particularly described as follows:

Commence at a concrete monument found at the Southeast corner of a parcel of land described in Official Record Book 127, Page 358 of the public records of said County (said monument being located at an intersection of the Easterly boundary of said Section 11 with the Northerly boundary of the right of way of Pacific Boulevard) for the Point of Beginning and run North 85 degrees, 36 minutes and 45 seconds West, along the Southerly boundary of said parcel and along said Northerly boundary, 487.39 feet; thence North 84 degrees, 22 minutes and 37 seconds East, 81.27 feet; thence North 00 degrees, 37 minutes and 04 seconds West, 60.44 feet; thence North 89 degrees, 22 minutes and 56 seconds East, 10.00 feet; thence South 00 degrees, 37 minutes and 04 seconds East, 60.44 feet; thence South 85 degrees, 36 minutes and 45 seconds East, parallel with said Southerly and Northerly boundaries, 396.09 feet to an intersection with the Easterly boundary of said parcel (also being the Easterly boundary of said Section 11); thence South 00 degrees, 34 minutes and 15 seconds East, along last said Easterly boundary, 15.06 feet to the Point of Beginning.
Containing 7,266 square feet or 0.167 of an acre, more or less.

Part 2: Parcel No. 48A

A parcel of land lying within the right of way of San Pedro Avenue in Section 12, Township 7 South, Range 29 East, St. Johns County, Florida; said parcel being more particularly described as follows: Commence at a concrete monument found at the Southeast corner of a parcel of land designated as "Park" in Ravenswood Forest, Unit One, as per map recorded in Map Book 20, Page 2 of the public records of said County; thence North 85 degrees, 36 minutes and 54 seconds West, along the Southerly boundary of said "Park", 34.67 feet to the Point of Beginning. From Point of Beginning thus described run South 39 degrees, 28 minutes and 38 seconds East, parallel with the Westerly boundary of the right of way of said San Pedro Avenue, 4536.36 feet; thence South 81 degrees, 41 minutes and 44 seconds West, 29.22 feet to an intersection with said Westerly boundary; thence North 39 degrees, 28 minutes and 38 seconds West, along said Westerly boundary, 4475.92 feet to an intersection with the Southerly boundary of the right of way of Pacific Boulevard; thence North 10 degrees, 35 minutes and 42 seconds West, 51.76 feet to the Point of Beginning.
Containing 112,654 square feet or 2.586 acres.