

RESOLUTION NO 94-12

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AUTHORIZING JANICE M. JOHNSON TO USE A PORTION OF UNIMPROVED COUNTY RIGHT-OF-WAY KNOWN AS SIXTEENTH STREET TO CONSTRUCT A RESIDENTIAL DRIVEWAY.

WHEREAS, St. Johns County has received a request by Janice M. Johnson (hereinafter Owner) to use a portion of unimproved county right-of-way known as Sixteenth Street to construct a residential driveway.

NOW THEREFORE, BE IT RESOLVED, that the St. Johns County Board of County Commissioners hereby grants to said Owner of the following described Property : Lots 14 & 16, Block 77, North Beach Subdivision as recorded in Official Records 845/0922 and 845/0921 ( see Exhibit "A" attached hereto and made a part hereto) and Map Book 3 Page 28 of the Public Records of St. Johns County, Florida, a revocable license to: construct and use a stabilized driveway within the unimproved County owned Right-of-Way known as Sixteenth Street.(see Exhibit "B" attached hereto and made a part hereof by reference).

Subject to the following conditions:

1. The owner holds marketable fee title to the above described property.
2. This right is non- exclusive.
3. There will be only one single family residence constructed on the Property.
4. The stabilized driveway with the 20' driving surface will be constructed within the 60 foot unimproved right-of-way of Sixteenth Street. The driveway will extend from Laurel Street (a county street) easterly 60 feet +- into the unimproved right-of-way of Sixteenth Street and there terminate.
5. This license shall be transferable to the subsequent Owners of the property but, the Owner of the above described property and future Owners must remove and/or relocate the stabilized access at their expense, upon request by the County, for any reason, at any time in the future.
6. The stabilized access located within the County Right-of-Way must be privately maintained to St. Johns County standards by the lot owner at all times. St. Johns County will assume no responsibility for the maintenance of this use.

7. Neither the present Owner or subsequent Owners shall have any right to compensation for their improvements on said Right-of-Way should this license be revoked, nor shall such any improvements entitle such Owners to continuation of this license.

8. This permission from the Board of County Commissioners is granted subject to the issuance of all necessary permits, including the FDEP and U.S. Army Corps of Engineers dredge and fill permits, and approval of construction plans by the County, Engineering Department. Construction of this stabilized driving surface is not authorized until issuance of all required permits for construction.

9. The Owner of the above described property, by acceptance of these conditions and locating the stabilized access within the right-of-way, agree to assume all liability for the permitting, locating, installation and maintenance of the access for as long as it may remain within the unimproved County right-of-way.

10. The Owner of said property shall agree in writing to all conditions in this resolution before its terms shall be effective.

ADOPTED THIS 8th day of February, 1994 by the St. Johns County Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By Alan Roberts  
Chair

ATTEST: CARL "BUD" MARKEL, CLERK

By Arny Burnett  
Deputy Clerk



GRANTEE

Address:

This instrument Prepared by: Lynn Price

Address: ESTATE TITLE & GUARANTY, INC.  
2820-H U.S. 1 South  
St. Augustine, FL 32086

Property Appraisers Parcel I.D. (Folio) Number(s):  
P. A. No. 146003-0140

Grantee(s) S.S.#(s):  
90 2892

FILED AND RECORDED IN  
ST. JOHNS COUNTY, FLA

90 FEB -2 PM 4: 21

*Markol*  
CLERK OF CIRCUIT COURT

O.R. 845 PG 0921

This Warranty Deed Made the 26<sup>th</sup> day of January A.D. 1990 by  
JEANNE C. SPAULDING, a married woman conveying her separate non-homestead property

hereinafter called the grantor, to  
JANICE M. JOHNSON

whose postoffice address is 426 Gerona Rd., St. Augustine, FL 32086  
hereinafter called the grantee:

**Witnesseth:** That the grantor for and in consideration of the sum of \$ 10.00 and other  
valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, re-  
leases, conveys and confirms unto the grantee, all that certain land situate in ST. JOHNS  
County, Florida, viz:

The West 100 feet of the East 400 feet of the South 1/4 of Block 77, NORTH BEACH,  
according to map or plat thereof recorded in Map Book 3, page 28, of the public  
records of St. Johns County, Florida.

SUBJECT TO COVENANTS AND RESTRICTIONS as recorded in Official Records Book 665,  
page 1706, public records of St. Johns County, Florida, however this reference  
thereto shall not operate to reimpose the same.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any-  
wise appertaining.

**To Have and to Hold,** the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land  
in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the  
grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of  
all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent  
to December 31, 1990.

\$ 8 Intangible Tax Pd.  
Call "dad" Markol, Clerk St. Johns  
County By: *JP* D.C.

**In Witness Whereof,** the said grantor has signed and sealed these presents the day and year  
first above written.

Signed, sealed and delivered in our presence:

2 *Jennie Corriean*  
3 *Deborah Klein*

*Jeanne C. Spaulding* OS  
JEANNE C. SPAULDING OS

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, as  
officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared  
JEANNE C. SPAULDING, a married woman conveying her separate non-homestead property  
to me known to be the person described in and who executed the foregoing instrument and she acknowledged  
before me that she executed the same.

WITNESS my hand and official seal to the County and State last aforesaid this 26<sup>th</sup> day of  
January A. D. 1990.



*Arthur C. Holmes*  
Notary Public, State of Florida  
My commission expires:  
NOTARY PUBLIC, STATE OF FLORIDA  
My commission expires Aug. 21, 1991  
Bonded thru Patterson-Recht Agency

This instrument was prepared as a necessary incident to the fulfillment of conditions  
as set forth in a Title Insurance Commitment issued by Estate Title & Guaranty, Inc.

Exhibit "A"

S-215 F

Return to: (enclose self-addressed stamped envelope)  
Name: GRANTEE

WARRANTY DEED  
INDIVID. TO INDIVID.

BANCO FORM 121

Address:

This instrument Prepared by: Lynn Price  
ESTATE TITLE & GUARANTY, INC.  
2820-H U.S. 1 South  
St. Augustine, FL 32086

90 FEB -2 PM 4:22

Carl "Bud" Markel  
CLERK OF CIRCUIT COURT

Property Appraiser's Parcel I.D. (Folio) Number(s):

P. A. No. 146003-0140

Grantor(s) S.S.#(s):

90 2897

SPACE ABOVE THIS LINE FOR RECORDING DATA

O.R. 845 PG 0922

This Warranty Deed Made the 21<sup>st</sup> day of January A. D. 1990 by  
DONALD L. SPAULDING, a married man conveying his separate non-homestead property

hereinafter called the grantor, to

JANICE M. JOHNSON

whose postoffice address is 426 Gerona Rd., St. Augustine, FL 32086

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alienates, releases, conveys and confirms unto the grantee, all that certain land situate in ST. JOHNS County, Florida, viz:

The West 100 feet of the East 400 feet of the South 1/4 of Block 77, NORTH BEACH, according to map or plat thereof recorded in Map Book 3, page 28, of the public records of St. Johns County, Florida.

SUBJECT TO COVENANTS AND RESTRICTIONS as recorded in Official Records Book 665, page 1706, public records of St. Johns County, Florida, however this reference thereto shall not operate to reimpose the same.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

**To Have and to Hold,** the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 1989.

\$ 0 Intangible Tax Pd.

Carl "Bud" Markel, Clerk St. Johns

County By: Joe D.C.

**In Witness Whereof,** the said grantor has signed and sealed Joe presents the day and year first above written.

Signed, sealed and delivered in our presence:

Lynn Price  
Mary Laguarda

Donald L. Spaulding  
DONALD L. SPAULDING

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, as

officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared

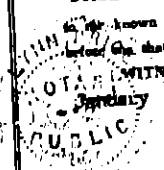
DONALD L. SPAULDING, a married man conveying his separate non-homestead property

to be known to be the person described in and who executed the foregoing instrument and he acknowledged

before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 21<sup>st</sup> day of

A. D. 19 90.



Lynn Price  
Notary Public, State of Florida  
My commission expires:

This instrument was prepared as a necessary incident to the fulfillment of conditions as set forth in a Title Insurance Commitment issued by Estate Title & Guaranty, Inc.



PARTS BAY ST  
 VACATED MKR  
 DR 100/133  
 4/17/71

Exhibit "B"