

RESOLUTION NO. 94 - 47

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT TO SELL A THIRTY FOOT STRIP OF COUNTY OWNED PROPERTY THAT PROVIDES ACCESS TO ADJOINING LANDOWNERS.

WHEREAS, John L. and Mary Kelz and Jerry R. Beach and Thomas H. Beach and Carl E. and Patricia A. Rang, hereinafter referred to as "Landowners", have requested the County sell a thirty (30) foot strip of County owned property, more fully shown and described in the Agreement attached hereto as Exhibit A, incorporated by reference and made a part hereof; and

WHEREAS, said Landowners hold title to all land adjoining said strip of property and have consented to and requested the sale and shall hold property as tenants in common; and

WHEREAS, pursuant to Florida Statute 125.35(2), the Board of County Commissioners may effect a private sale when the value of a parcel is \$5,000.00 or less and when, due to the size, shape, location and value it is determined by the Board that the parcel is of use only to one or more adjacent property owners; and

WHEREAS, said Landowners have been notified by certified mail of this proposed sale in accordance with F.S. Section 125.35 and Landowners have agreed to come together and enter into aforesaid Agreement to purchase the undivided land as tenants in common; and

WHEREAS, the St. Johns County Property Appraiser values the property at \$960.00 and all adjoining landowners agree to pay a total of \$1,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

1. It is found that all requirements of Section 125.35(2) F.S. for a private sale of the property described in Exhibit A have been met.

2. The sale of the 30' strip of property described in Exhibit A to the Landowners in the amount of \$1,000.00 is hereby approved.

3. The above described Agreement is also approved and the County Administrator is authorized to execute the Agreement on behalf of the Board.

4. A County Deed, attached hereto as Exhibit B, incorporated by reference and made a part hereof, shall be executed by the Chair of the Board of County Commissioners and upon receipt of payment from the Landowners, will convey the property to the Landowners.

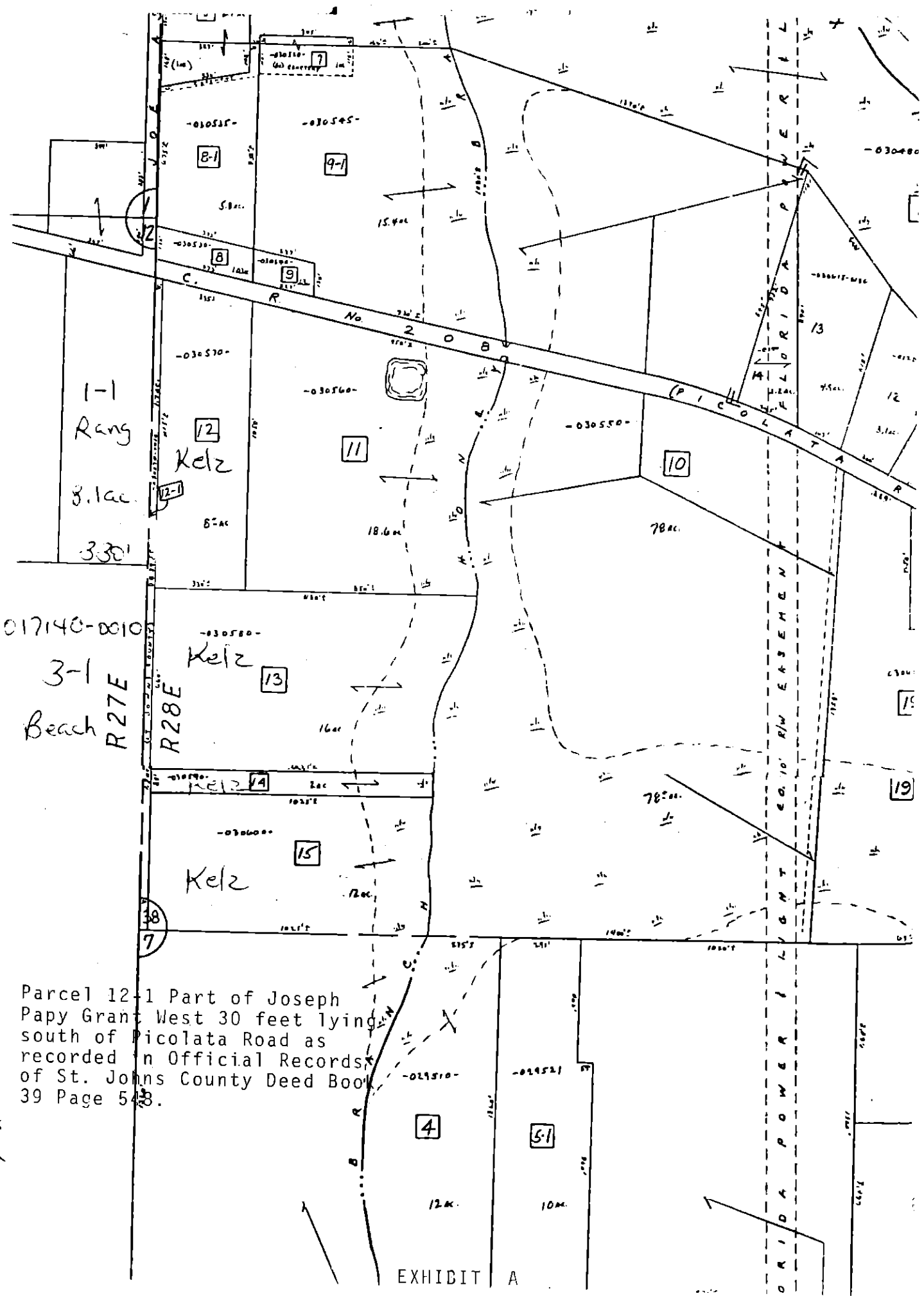
5. The Clerk is instructed to record the Agreement, and County Deed and mail executed copies to all parties.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida this 22 day of March, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Allan Roberts
Its Chair-Allan Roberts

ATTEST: Carl "Bud" Markely Clerk
By: James Baer
Deputy Clerk



017140-0010
3-1
Beach R27E
R28E

Parcel 12-1 Part of Joseph Papy Grant West 30 feet lying south of Picolata Road as recorded in Official Records of St. Johns County Deed Book 39 Page 528.

EXHIBIT A

SEE 2E/11X

A G R E E M E N T

THIS AGREEMENT made and entered into this 22 day of March, 1994, by and between THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter designated as "County", and John L. and Mary Kelz and Jerry R. Beach and Thomas H. Beach, and Carl E. and Patricia A. Rang, hereinafter designated as "Landowners".

W I T N E S S E T H :

WHEREAS, Landowners are desirous of purchasing, as tenants in common a 30 foot strip of County owned property more fully shown and described on Exhibit A attached hereto, incorporated by reference and made a part hereof, that provides ingress and egress to their properties; and

WHEREAS, pursuant to Florida Statute 125.35(2), the Board of County Commissioners may effect a private sale to an adjoining property owner when the value of a parcel is \$5,000.00 or less and when, due to the size, shape, location and value it is determined by the Board that the parcel is of use only to one or more adjacent property owners; and

WHEREAS, the St. Johns County Property Appraiser values the property at \$960.00 as stated in his letter attached hereto as Exhibit B, incorporated by reference and made a part hereof, and Landowners agree to purchase the property for \$1,000.00, to be paid as follows: \$333.00 from John L. and Mary Kelz and \$334.00 from Jerry R. and Thomas H. Beach, and \$333.00 from Carl E. & Patricia Rang; and

NOW THEREFORE, in consideration of the mutual benefits, promises and considerations herein set forth, it is agreed as follows:

1. Upon approval of this Agreement by the Board of County Commissioners, a County Deed shall be executed conveying title of the undivided property to the Landowners as tenants in common.

2. The Landowners shall pay \$1,000.00 to St. Johns County in the amounts as stated above.

3. If any provision or provisions of this Agreement shall be held invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

4. This Agreement will be governed by the laws of the State of Florida. It constitutes the complete and exclusive statement of the agreement between the parties which supersedes all proposals, oral or written, and all other communications between the parties relating to the subject matter of this Agreement. Any future change or modification of this Agreement must be in writing and signed by both parties.

5. The executed original of this Agreement shall be filed with the Clerk of the St. Johns County Board of County Commissioners, and each party shall receive a certified copy of the recorded Agreement.

6. Notices or correspondence related to this Agreement shall be sent to the following:

For St. Johns County:
County Administrator
P. O. Drawer 349
St. Augustine FL 32085

For the Landowners:
John L. and Mary Kelz
2905 Joe Ashton Road
St. Augustine FL 32092

Jerry R. and Thomas H. Beach
6400 County Road 214
St. Augustine FL 32092

Carl E. and Patricia A. Rang
6315 County Road 208
St. Aug FL 32092

7. This Agreement shall be effective upon approval of a resolution by the Board of County Commissioners authorizing the execution of the Agreement by the County Administrator, and execution by all parties hereto.

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

Signed, Sealed and Delivered in the presence of:

Patricia DeGrande
Print Name Patricia DeGrande
Irma Piretti
Print Name Irma Piretti

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Nicholas M. Meiszer
Nicholas M. Meiszer
County Administrator

Dated: 3-24-94

Signed, Sealed, and Delivered in the presence of:

Stuart Craig
Print Name STUART CRAIG

Mary Ann Blount
Print Name Mary Ann Blount

Mary Ann Blount
Print Name Mary Ann Blount

Kathleen Nielsen
Print Name KATHLEEN NIELSEN

Edith McNulty
Print Name Edith McNulty

Mary Ann Blount
Print Name Mary Ann Blount

LANDOWNERS

Jerry R. Beach
Jerry R. Beach
6400 County Road 214
St. Augustine FL 32092

Thomas H. Beach
Thomas H. Beach
6400 County Road 214
St. Augustine FL 32092

Dated: 2-16-94

John L. Kelz
John L. Kelz
2905 Joe Ashton Road
St. Augustine FL 32092

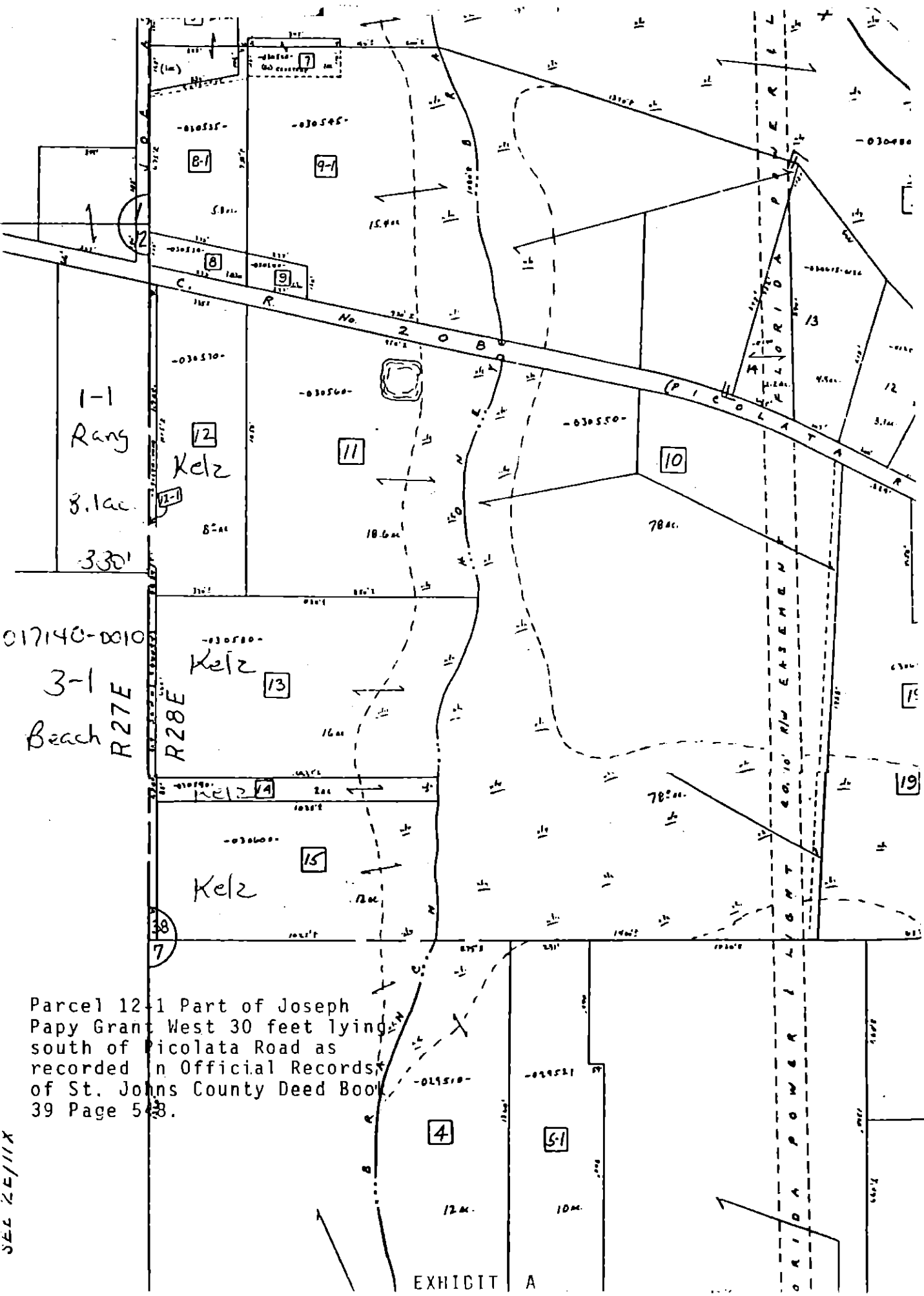
Mary E. Kelz
Mary Kelz
2905 Joe Ashton Road
St. Augustine FL 32092

Dated: 2-16-94

Carl E. Rang
Carl E. Rang
6315 County Road 208
St. Augustine, FL 32092

Patricia A. Rang
Patricia A. Rang
6315 CR 208
St. Augustine FL 32092

2-16-94



017140-0010
 3-1
 Beach R27E
 R28E

Parcel 12-1 Part of Joseph Papy Grant West 30 feet lying south of Picolata Road as recorded in Official Records of St. Johns County Deed Book 39 Page 518.

SEE 2E/11X

EXHIBIT A



St. Johns County Courthouse

ALLEN F. POWERS, CFA
PROPERTY APPRAISER

Historical St. Johns County

P.O. BOX 125
ST. AUGUSTINE, FLORIDA 32085

TELEPHONE
904 / 823-2200

354-4444 — Jax.
892-2199 — Hastings

February 14, 1994

Mrs. Mary Ann Blount
Real Estate Officer
St. Johns County Public Works Department
Post Office Drawer 349
St. Augustine, Florida 32085

RE: Parcel #030570-0010
30Ft. Road

Dear Mrs. Blount:

It is the policy and appraisal decision of the St. Johns County Property Appraiser's office to value private roads and easements at 10% of the market value of the surrounding property. Therefore, it is my opinion that the above-referenced parcel would be valued accordingly.

Considering Florida Statute 193.011, and in accordance with accepted appraisal methodology, it is my opinion the above-referenced 1.7 acre parcel would have a value of \$960.00.

A copy of the assessment card is enclosed for your reference and if further information is desired, please advise.

Sincerely,

Allen F. Powers, C.F.A.
Property Appraiser

AFP/mcd
Enclosure

EXHIBIT B

COUNTY DEED

THIS DEED, made without warranty of title or warranty of method of conveyance, this 22 day of March, 1994, by ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085, Grantor, to John L. and Mary Kelz and Jerry R. Beach and Thomas H. Beach and Carl E. and Patricia A. Rang, 2905 Joe Ashton Road, St. Augustine FL 32092, Grantees: (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 organizations).

W I T N E S S E T H :

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, and releases forever unto said Grantees as tenants in common, all that certain undivided land situate, lying and being in the County of St. Johns, State of Florida and more particularly described on Exhibit "A" attached hereto and made a part hereof.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

IN WITNESS WHEREOF the said grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair of said Board, the day and year aforesaid.

ATTEST: Irma Pacetti
Print Name: IRMA PACETTI
Clerk (or Deputy Clerk)

ST. JOHNS COUNTY, FLORIDA
BY Allan Roberts
Its Chair - Allan Roberts
Print Name Allan Roberts

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 22 day of March, 1994, by Allan Roberts, Chairman, who is personally known to me or ~~who has produced~~ as identification.

Patricia DeGrande
Notary Public in and for the
County and State of Florida
Commission expires: 01-26-96



PATRICIA DEGRANDE
MY COMMISSION # CG 176832 EXPIRES
January 26, 1996
BONDED THROUGH TROY FARM INSURANCE, INC.

Seal

EXHIBIT A

A strip of land thirty (30) feet wide, being the West thirty feet of that part of the Southwest quarter of Section Thirty-eight (38), Township Seven (7) South, Range Twenty-eight (28) East which lies South of the Old Picolata Road, said parcel containing an estimation 1.7 acres, more or less.