

RESOLUTION NO. 98-132

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING AN EXCESS PARCEL OF LAND LEFT OVER FROM THE REALIGNMENT OF MICKLER ROAD AT CR 203 AS SURPLUS PROPERTY AND APPROVING THE SALE TO AN ADJOINING PROPERTY OWNER.

WHEREAS, there has been a written request from an adjoining property owner to declare certain County owned property as surplus. Said property being identified as excess property left over from the realignment of Mickler Road at CR 203 and more particularly described in Exhibit "A", incorporated by reference and made a part hereof.

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, an appraisal prepared by Robert D. Crenshaw, MAI, dated April 24, 1998, values the property at \$4,300.00 and the adjoining property owners, Mark and Mitra P. Schoenborn have offered to pay that amount.

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

1. It is hereby found that the value of the property is \$4,300.00 based on the appraisal prepared by Robert D. Crenshaw and as so stated in his letter attached hereto as Exhibit "B", incorporated by reference and made a part hereof.
2. It is found that all requirements of Section 125.35(2) F.S. for a private sale of the property described above have been met.
3. The sale of the property to Mark and Mitra P. Schoenborn in the amount of \$4,300.00 is hereby approved and the County Deed in substantially the form attached as Exhibit "C", incorporated and by reference made a part hereof, shall be executed by the Chairman of the Board of County Commissioners and upon receipt of payment from the Schoenborns, will convey the property to them.
4. The Clerk is instructed to record the County Deed and mail the recorded original along with an executed copy of this Resolution to Mark and Mitra P. Schoenborn, P. O. Box 1054, Ponte Vedra Beach, FL 32004-1054.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 14 day of July, 1998.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: Moses A. Floyd
Moses A. Floyd, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande
Deputy Clerk

Exhibit "A"

A part of Section 14, Township 4 South, Range 29 East, St. Johns County, Florida, more particularly described as follows: For a point of reference, commence at the Northwesterly corner of Lot 1N, as shown on the plat of Ocean Front Dunes at Ponte Vedra Beach, as recorded in Map Book 13, pages 69 and 70, of the public records of said County. Said also being in the Easterly right-of-way line of County Road No. 203 (a 66 foot right-of-way as now established); thence South 13 degrees 05 minutes 00 seconds East along said Easterly right-of-way line, a distance of 1897.14 feet to the Point of Beginning; thence continue South 13 degrees 05 minutes 00 seconds East along said Easterly right-of-way line of County Road 203 a distance of 206.40 feet; thence South 65 degrees 18 minutes 51 seconds West a distance of 87.79 feet to a point in the Northerly right-of-way line of Mickler Road (a 100 foot right-of-way as now established); thence South 68 degrees 35 minutes 41 seconds West along said Northerly right-of-way line a distance of 48.08 feet to a point on a curve, concave Northwesterly having a radius of 513.50 feet; thence Northeasterly along the arc of said curve, an arc distance of 269.96 feet, said arc being subtended by a chord bearing of North 16 degrees 57 minutes 11 seconds East and a chord distance of 266.86 feet to the Point of Beginning.

Less and except any portion of the above described land lying West of Lot 13N, Ocean Front Dunes at Ponte Vedra Beach, as recorded in Map Book 13, pages 69 and 70, of the public records of St. Johns County, Florida.

St. Johns County
Board of County Commissioners
Saint Augustine Fla. 32085

June 15, 1998

Dear Sir / Madam

We live at 1109 Ponte Vedra Blvd., the property just north of the Micklers Beach Access.

Ever since the County relocated P.V. Blvd. and constructed the new public parking, the piece of land in front of our house, between us and the new road, has been abandoned by the County.

The unfinished appearance of this land makes it more prone to public littering and illegal and unsafe U turns. Trash is often left on P.V. Blvd., right in front of our house and the adjacent property and we have a lot of tire marks on the grass.

We would very much like the opportunity to landscape and beautify this area. Beautification of this area could only help the property value of the home owners around us and have a positive effect on property tax revenues for the County, and at the same time be a deterrent to unsafe and illegal U turns and public littering.

We are asking the County to sell the property to us at the appraised value of \$4300, so we can proceed with landscaping improvements.

Please keep in mind that we are desiring to acquire this property for the purpose of area beautification only.

Sincerely, Mark & Milva Schwenborn

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Public Records of
St. Johns County, FL
Clerk# 98032656
O.R. 1335 PG 1320
03:04PM 07/22/1998
REC \$13.00 SUR \$2.00

Exhibit "C"

This Instrument Prepared By:
Daniel J. Bosanko, Esq.
Assistant County Attorney
P. O. Box 1533
St. Augustine, Florida 32085-1533

COUNTY DEED

THIS DEED, made without warranty of title or warranty of method of conveyance, this 16 day of July, 1998, by ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32095, hereinafter "Grantor", to MARK SCHOENBORN and MITRA P. SCHOENBORN, his wife, whose address is P. O. Box 1054, Ponte Vedra, FL 32004-1054, hereinafter "Grantee". (Wherever used herein the term "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and their successors, and assigns of organizations).

WITNESSETH;

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, forever unto said Grantee, all that certain land, situate, lying and being in the County of St. Johns, State of Florida and more particularly described below. Pursuant to Florida law Section 125.411(3)F.S., this deed conveys only the interest in said land the Grantor has of the date of this conveyance, to wit:

SEE EXHIBIT "A", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF (THE "PROPERTY")

Parcel Account Number: 06 7070-CCSO

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

THIS COUNTY DEED is subject to the following non-exclusive list of exceptions:

- a. Special taxes and assessments, confirmed or unconfirmed, for improvements not yet completed, if any;
- b. Any state of facts which a good and accurate survey or inspection of the premises might reveal;
- c. Federal, State, local government (County or City), development, construction, zoning and buildings laws or ordinances, rules, regulations and resolutions;
- d. Rights, if any, of the public in any portion of the premises which may fall within any public street, way or alley;

*Un-let P. Dequade
Rec 1300
Sur 300
- Bill Co -*

- e. All acts of Purchases occurring prior to, or subsequent to, the date of this instrument;
- f. Agreements, conditions, covenants, reservations, restrictions, and servitude of record;
- g. Easements and rights of way of record.

RESERVING UNTO THE GRANTOR, its successors and/or assigns an undivided three-fourths interest in, and title in and to an undivided three-fourths interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half interest in all the petroleum that is or may be in, on, or under said land with the privilege to mine and develop the same.

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 Chairman of the Board, the day and year aforesaid.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

BY: Moses A. Floyd
Moses A. Floyd, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Cheryl Strickland
Deputy Clerk

**STATE OF FLORIDA
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this 16th day of July, 1998, by Moses A. Floyd, Chairman of the Board of County Commissioners of St. Johns County, Florida, who is personally known to me or who has produced _____, as identification and who did (did not) take an oath.

Yvonne Carter
Notary Public State of Florida
My Commission Expires: February 3, 2000



Yvonne Carter
MY COMMISSION # CC516022 EXPIRES
February 3, 2000
BONDED THRU TROY PAW INSURANCE, INC.

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