

**RESOLUTION NO. 99-128**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING AN EXCHANGE OF REAL PROPERTY PURSUANT TO SECTION 125.37, FLORIDA STATUTES, TO CORRECTLY DESCRIBE AND IDENTIFY A PORTION OF THE PUBLICLY USED AND COUNTY MAINTAINED LOCATION OF COUNTY RIGHT-OF-WAY KNOWN AS OLD SPANISH TRAIL ROAD.**

**RECITALS**

**WHEREAS**, Leighton I. Bicknell is the owner of certain property located off Old Spanish Trail Road and has agreed to convey a portion of his property as more particularly described in the Warranty Deed attached hereto as Exhibit "A", incorporated by reference and made a part hereof, to correctly describe and identify a portion of the publicly used and County maintained location of Old Spanish Trail Road; and

**WHEREAS**, in consideration for said right-of-way parcel Bicknell has agreed to accept from St. Johns County an exchange parcel of property as described in the County Deed attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

**WHEREAS**, said exchange parcel is not needed for County purposes and this exchange of property would be in the best interest of the public; and

**WHEREAS**, said proposed exchange has been advertised in accordance with the requirements of Section 125.37, Florida Statutes.

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

1. We incorporate the above Recitals as findings of fact.
2. The Warranty Deed conveying to St. Johns County the right-of-way parcel as attached hereto as Exhibit "A" is hereby accepted and the Clerk is instructed to record the Warranty Deed in the public records of St. Johns County, Florida.
3. The County Deed conveying the exchange parcel to Leighton I. Bicknell as described in County Deed attached hereto as Exhibit "B" is hereby approved for the execution by the Chairman of the Board of County Commissioners and the Clerk is instructed to record the County Deed in the public records of St. Johns County, Florida.

PASSED AND ADOPTED, this 21 day of September, 1999.

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

By: Marc A. Jacalone  
Marc A. Jacalone, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Cheryl Strickland  
Deputy Clerk

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

**WARRANTY DEED**

**THIS WARRANTY DEED** made and executed the \_\_\_\_ day of \_\_\_\_\_, 1999 by **LEIGHTON I. BICKNELL**, conveying his separate non-homestead property, whose address is 89 Mill Road, Durham, NH 03824, hereinafter called the Grantor, to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is P. O. Drawer 349, St. Augustine, Florida 32085-0349, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

**WITNESSETH:** That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate, lying and being in St. Johns County, State of Florida, described as follows:

PROPERTY AS DESCRIBED ON ATTACHED EXHIBIT "A", INCORPORATED BY REFERENCE AND MADE A PART HEREOF.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise 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 and hereby 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 easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 1998.

**IN WITNESS WHEREOF**, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered  
in the presence of :

GRANTOR:

\_\_\_\_\_  
Witness:

\_\_\_\_\_  
LEIGHTON I. BICKNELL

\_\_\_\_\_  
Witness

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 1999,  
by LEIGHTON I. BICKNELL. He is personally known to me or has  
produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

Exhibit "A" to Warranty Deed

DESCRIPTION BY SURVEYOR

PARCEL B

A parcel of land situated in Government Lot 2, Section 24, Township 7 South, Range 29 East, St. Johns County, Florida and being more particularly bounded and described as follows:

Commence at the intersection of the East right-of-way line of the Florida East Coast Railroad and the North line of said Government Lot 2; thence South 82 degrees 29 minutes 00 seconds East along the said North line of Government Lot 2 a distance of 266.73 feet to the West line of those lands described in Official Records Book 340, page 209, of the public records of St. Johns County, Florida; thence South 02 degrees 55 minutes 24 seconds West along the said West line of Official Records Book 340, page 209 a distance of 86.68 feet to the Point of Beginning for the herein described parcel; thence continue along said West line of Official Records Book 340, page 209, South 02 degrees 55 minutes 24 seconds West 45.98 feet; thence South 63 degrees 22 minutes 50 seconds West 91.76 feet to a point of curvature of a curve concave to the Southeast, having a radius of 78.50 feet, a central angle of 37 degrees 14 minutes 01 seconds, an arc length of 51.01 feet and a chord length of 50.12 feet whose bearing bears South 44 degrees 45 minutes 50 seconds West; thence along the arc of said curve 51.01 feet to the East line of that 40 foot strip of land described in Official Records Book 117, page 335, of said public records; thence North 00 degrees 02 minutes 41 seconds East along said East line described in Official Records Book 117, page 335 a distance of 62.66 feet; thence North 63 degrees 22 minutes 50 seconds East 133.80 feet to the Point of Beginning.

The aforescribed parcel contains 5478 square feet more or less.

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

**COUNTY DEED**

**THIS DEED**, made without warranty of title or warranty of method of conveyance, this \_\_\_ day of \_\_\_\_\_, 1999, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095, hereinafter "Grantor", to **LEIGHTON I. BICKNELL**, whose address is 89 Mill Road, Durham, NH 03824, 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 098190-0000

**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 building laws or ordinances, rules, regulations and resolutions;
- d. All acts of the Grantee occurring prior to, or subsequent to the date of this instrument;

- e. Agreements, conditions, covenants, reservations, restrictions, and servitude of record;
- f. 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 the 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: \_\_\_\_\_  
Marc A. Jacalone, Chairman

**ATTEST:** Cheryl Strickland, Clerk

By: \_\_\_\_\_  
Deputy Clerk

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

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 1999, by Marc A. Jacalone, Chairman of the Board of County Commissioners of St. Johns County, Florida, who is personally known to me and who did not take an oath.

\_\_\_\_\_  
Notary Public State of Florida  
My Commission Expires: \_\_\_\_\_

Exhibit "A" to County Deed

DESCRIPTION BY SURVEYOR  
PARCEL A

A parcel of land situate in Government Lot 2, Section 24, Township 7 South, Range 29 East, St. Johns County, Florida and being more particularly bounded and described as follows:

Commence at the intersection of the East right-of-way line of the Florida East Coast Railroad and the North line of said Government Lot 2; thence South 82 degrees 29 minutes 00 seconds East along the said North line of Government Lot 2 a distance of 101.40 feet to the Northwest corner of that 40 foot strip of land described in Official Records Book 117, page 335, of the public records of said St. Johns County and the Point of Beginning for the herein described parcel; thence continue South 82 degrees 29 minutes 00 seconds East along said North line of Government Lot 2 a distance of 165.35 feet to the West line of those lands described in Official Records Book 340, page 209, of said public records; thence South 02 degrees 55 minutes 24 seconds West along said West line of Official Records Book 340, page 209, a distance of 40.13 feet; thence North 82 degrees 29 minutes 00 seconds West 122.96 feet; thence South 00 degrees 02 minutes 41 seconds West 122.52 feet; thence South 63 degrees 22 minutes 50 seconds West 44.76 feet; thence North 00 degrees 02 minutes 41 seconds East 188.20 feet to the Point of Beginning.

The aforescribed parcel contains 11,980 square feet more or less.



ROMAN CATHOLIC CHURCH

POB  
PARCEL B

S 02°55'24" W (M) S 02°53'24" W (M)

40.13'(M) 46.55'(M) 45.98'(M)

165.33'(M)  
North Line Government Lot 2

PARCELA

N 82°29'00" W (M) 122.96'(M)

DEED TO COUNTY  
SPANISH TRAIL ROAD

PARCEL B

Subject

Parcel B  
Parcel of land to be  
conveyed from Bicknell  
to County.

41.76'(M)  
91.76'(M)  
133.80'(M)  
122.52'(M)  
82.88'(M)  
41.76'(M)

RODRIGUES STREET  
Not open

S 82°29'00" E (M)

S 00°02'41" W (M) 122.52'(M)

S N 00°02'41" E (M) 82.88'(M)

NOT OPEN

N 00°02'41" E (M) 188.20'(M)

POB  
PARCEL A

Subject

Parcel A  
40' Strip of land to be  
conveyed from County to Bicknell

ORB 1080 PAGE 1257

S 82°29'00" E (M) 101.40'(M) 100.87'(R)

POC  
PARCEL A & B

East R/W Line

100' R/W Florida East Coast Railroad

St. Joseph's Field

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **Linda Y. Murray**  
who on oath says that she is an Accounting Clerk of the St. Augustine Record,  
a daily newspaper published at St. Augustine in St. Johns County, Florida:  
that the attached copy of advertisement, being a

**NOTICE OF PROPOSED EXCHANGE**

In the matter of

**COUNTY PROPERTY**

in the Court, was published in said newspaper in the issues of

**SEPTEMBER 1 & 8, 1999**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **9TH** day of **SEPTEMBER** 1999,

by Linda Y. Murray who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

Zoe Ann Moss  
(Signature of Notary Public)



Zoe Ann Moss  
MY COMMISSION # CC641814 EXPIRES  
August 22, 2006  
BONDED THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss

**NOTICE OF PROPOSED EXCHANGE OF COUNTY PROPERTY**  
On Tuesday, September 14, 1999, the Board of County Commissioners of St. Johns County, Florida, in the St. Johns County Administration Building, #4020 Lewis Speedway (County Road 16-A and U.S. #1 North, St. Augustine, Florida, will consider and may take action on a Resolution approving an exchange of real property between St. Johns County (owner of Spanish Trail as described in Exhibit "A" of the County Deed) and Leighton I. Bicknell (owner of property located on Spanish Trail as described in Exhibit "A" of the Warranty Deed). This exchange of property will correctly describe and identify the publicly used location of a portion of Spanish Trail.  
The proposed legal descriptions and maps of the real property to be exchanged are shown in the Exhibits of the Resolution which is available for inspection by the public in the Office of the Clerk of Courts, Ex-Officio Clerk to the Board of County Commissioners located in the St. Johns County Administration Building, #4020 Lewis Speedway, St. Augustine, Florida.  
**NOTICE OF PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in this proceedings should contact, ADA Coordinator, at 904-823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32099. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770 no later than 5 days prior to the date of the meeting.  
**BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**  
CHERYL STRICKLAND,  
ITS CLERK  
By Yvonne King  
Deputy Clerk  
L812 Sept. 1, 8, 1999