

RESOLUTION NO. 99-89

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 FACILITATE THE CONSTRUCTION AND PROVIDE REQUIRED RIGHT-OF-WAY FOR THE GREENBRIAR ROAD TRANSPORTATION PROJECT.

RECITALS

WHEREAS, the owner of certain property located at the intersection of C.R. 210 and Greenbriar Road has agreed to convey to the County a portion of their property as more particularly described and shown on Exhibit "A", attached hereto incorporated by reference and made a part hereof, for the construction of the intersection improvements planned as part of the Greenbriar Road Transportation Project; and

WHEREAS, in consideration for said land the property owner 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 wetlands and part of the larger parcel on S.R. 13 purchased by the County for mitigation for wetland impacts as part of the Greenbriar Road Transportation Project; 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 of property 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 land as described in Exhibit "A", attached hereto is accepted and the Clerk is instructed to record the Deed in the Public Records of St. Johns County, Florida.
3. The County Deed conveying the exchange parcel as described in the Exhibit to the County Deed is hereby approved for execution by the County Administrator and the Clerk is instructed to record the County Deed in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED, this 25th day of May, 1999.

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

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

ATTEST: Cheryl Strickland, Clerk

By: Wanne King
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 **RAYLAND COMPANY, INC.**, a Delaware corporation, whose address is P. O. Box 1188, Fernandina Beach, FL 32035-1188, 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 :

RAYLAND COMPANY, INC.

Witness:

By: _____
Title: _____

Witness

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 1999,
by _____ of RAYLAND COMPANY, INC., a Delaware corporation,
on behalf of the corporation. He/she is personally known to me or has
produced _____ as identification.

Notary Public

EXHIBIT "A" TO WARRANTY DEED

10/1/98 9:03 AM

PARCEL 9 (RAYLAND)

A PART OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE MOST EASTERLY CORNER OF SECTION 39, TOWNSHIP 5 SOUTH, RANGE 27 EAST; SAID CORNER BEING SHOWN ON SURVEY BY ROBERT M. ANGUS AND ASSOCIATES, DATED FEBRUARY 1954, PREPARED FOR CONTAINER CORPORATION OF AMERICA; SAID CORNER ALSO BEING MONUMENTED WITH A 3" IRON FILLED WITH CONCRETE; THENCE NORTH 41°06'02" WEST, ALONG THE NORTHEASTERLY LINE OF SAID SECTION 39, A DISTANCE OF 498.40 FEET TO A FOUND CONCRETE MONUMENT AND THE SOUTHERLY RIGHT OF WAY LINE OF GREENBRIAR ROAD AS NOW ESTABLISHED AS A 66 FOOT RIGHT OF WAY; THENCE SOUTH 77°13'02"EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 3668.57 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 77°13'02" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 189.79 FEET TO A POINT OF CUSP; SAID POINT LYING ON A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 622.96 FEET; SAID POINT ALSO LYING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NUMBER 210 AS NOW ESTABLISHED AS A 66 FOOT RIGHT OF WAY; THENCE SOUTHWESTERLY, ALONG AND WITH THE ARC OF SAID CURVE, A CHORD BEARING OF SOUTH 54°56'00" WEST AND A CHORD DISTANCE OF 339.11 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 39°16'00" WEST, CONTINUING ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 456.00 FEET; THENCE NORTH 50°44'00" WEST A DISTANCE OF 25.00 FEET; THENCE NORTH 39°16'00" EAST, PARALLELL WITH, 25.00 FEET PERPENDICULAR TO AND NORTHWESTERLY OF THE AFOREMENTIONED NORTHWESTERLY RIGHT OF WAY OF COUNTY ROAD NUMBER 210, A DISTANCE OF 456.00 FEET TO A POINT OF CURVE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 575.00 FEET; THENCE NORTHERLY, ALONG AND WITH THE ARC OF SAID CURVE, A CHORD BEARING OF NORTH 26°50'05" EAST AND A CHORD DISTANCE OF 247.57 FEET TO THE POINT OF BEGINNING. CONTAINING 0.79 ACRES, MORE OR LESS.

GREEN BRICK

3065.57' to P.O.R.

S77°3'02"E
188.78'

PARCEL 9
0.79 Ac.±

1/8" = 50' L.S. AS SHOWN ON SURVEY BY LOREN H. JOSEL
UNLESS INDICATED, PROPERTY LINE AS SHOWN ON SURVEY BY STANLEY WILSON & ASSOC. DATED 08/27/94.

SECTION 22 TOWNSHIP 3 SOUTH RANGE 27 EAST

R=575.00
L=249.55
Tan=126.02
Chord Rearl. Pgt.=517.50'
Chord=247.57'

R=622.96
L=343.44
Tan=176.44
Chord Rearl. Pgt.=357.27'
Chord=339.11'

ASPHALT PAVEMENT

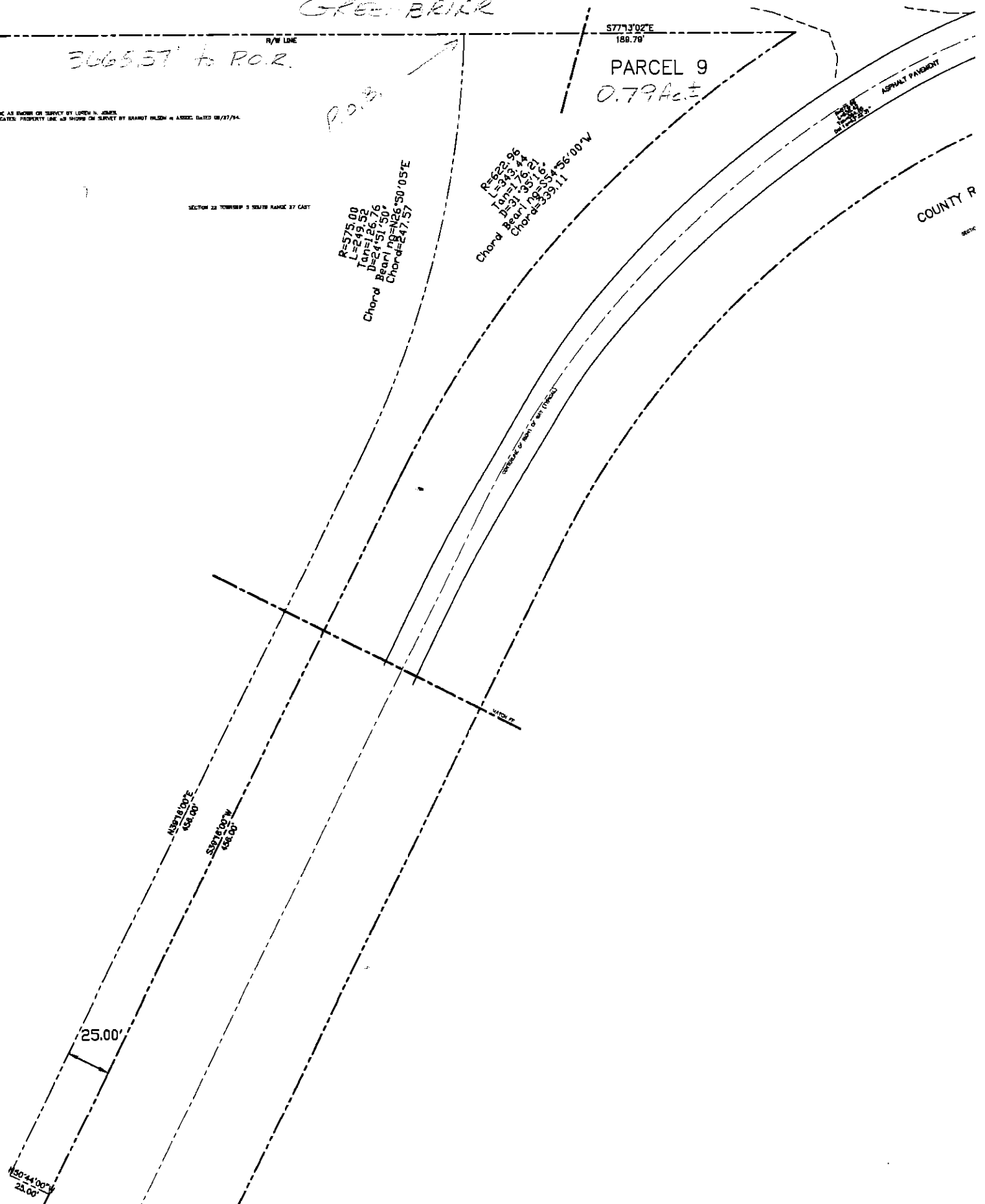
COUNTY R

N38°16'00"E
458.00'

S38°16'00"W
458.00'

25.00'

N50°44'00"W
25.00'



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 **RAYLAND COMPANY, INC.**, a Delaware corporation, whose address is P. O. Box 1188, Fernandina Beach, FL 32035-1188, 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 015930-0000

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. Rights, if any, of the public in any portion of the premises which may fall within any public street, way or alley;
- e. All acts of the Grantee 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.

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

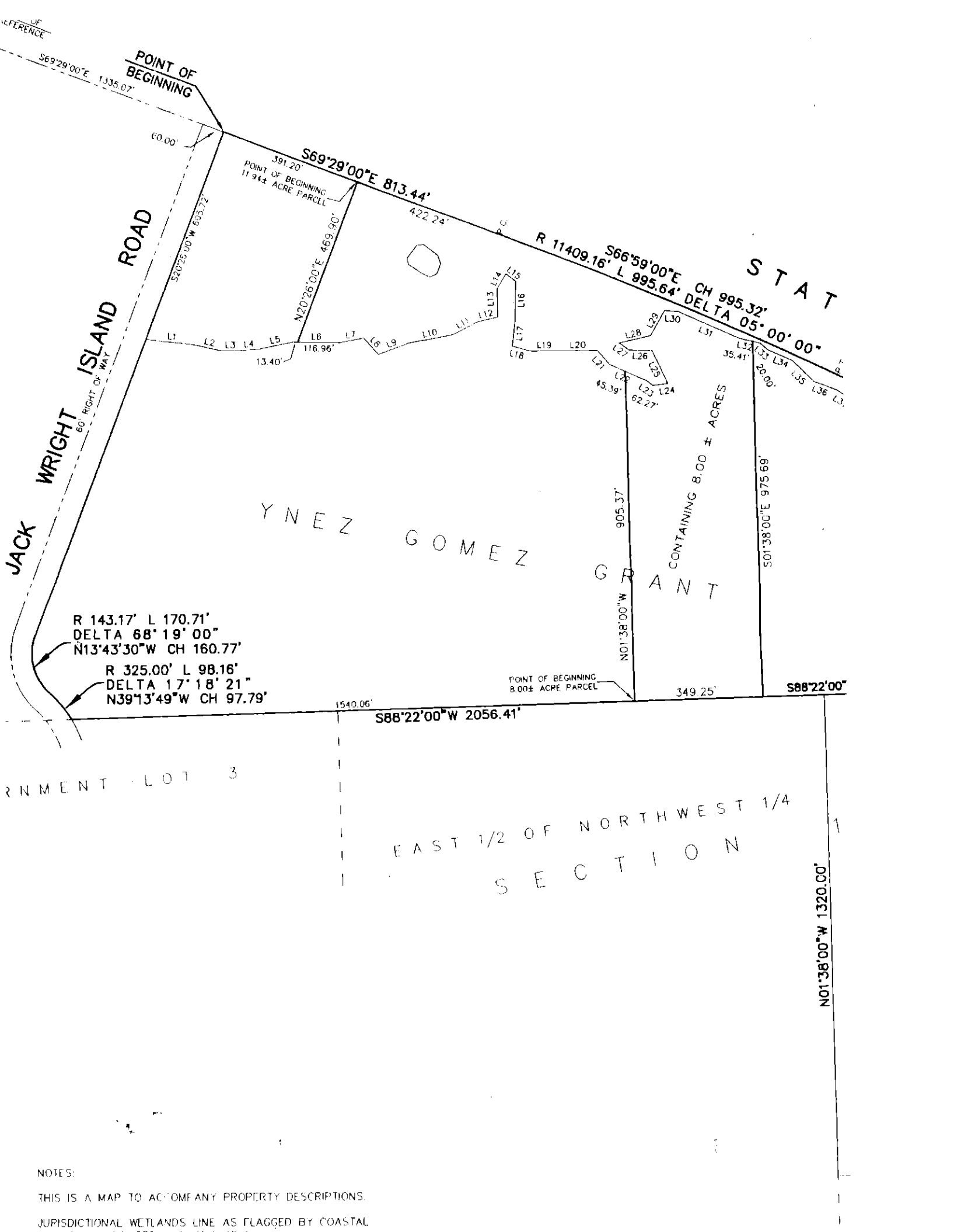
**STATE OF FLORIDA
COUNTY OF ST. JOHNS**

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

A PART OF THE YNEZ GOMEZ GRANT, SECTION 45, TOWNSHIP 6 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF JACK WRIGHT ISLAND ROAD WITH THE SOUTHERLY LINE OF THE YNEZ GOMEZ GRANT, SECTION 45 OF SAID TOWNSHIP AND RANGE (THE SAME BEING THE NORTHERLY LINE OF SAID SECTION 15); THENCE NORTH 88°22'00" EAST, ALONG SAID SAID SOUTHERLY LINE, A DISTANCE OF 1540.06 FEET TO THE POINT OF BEGINNING FOR THE LAND HEREIN DESCRIBED; THENCE NORTH 01°38'00" WEST, A DISTANCE OF 905.37 FEET TO THE JURISDICTIONAL WETLANDS LINE AS FLAGGED BY COASTAL SCIENCE ASSOCIATES, INC., AUGUST 7, 1996; THENCE EASTERLY, ALONG SAID JURISDICTIONAL WETLANDS LINE, THE FOLLOWING 11 COURSES: 1) SOUTH 66°21'29" EAST, A DISTANCE OF 62.27 FEET; 2) SOUTH 54°10'49" EAST, A DISTANCE OF 22.44 FEET; 3) NORTH 83°57'04" EAST, A DISTANCE OF 41.56 FEET; 4) NORTH 25°40'08" WEST, A DISTANCE OF 100.11 FEET; 5) NORTH 88°29'30" EAST, A DISTANCE OF 63.57 FEET; 6) NORTH 53°22'48" WEST, A DISTANCE OF 32.44 FEET; 7) NORTH 77°12'17" EAST, A DISTANCE OF 87.50 FEET; 8) NORTH 29°29'06" EAST, A DISTANCE OF 79.00 FEET; 9) SOUTH 85°07'41" EAST, A DISTANCE OF 37.51 FEET; 10) SOUTH 66°07'37" EAST, A DISTANCE OF 183.10 FEET; 11) SOUTH 76°41'48" EAST, A DISTANCE OF 35.41 FEET; THENCE DEPARTING LAST SAID LINE, SOUTH 01°38'00" EAST, A DISTANCE OF 975.69 FEET TO SAID SOUTHERLY LINE OF THE YNEZ GOMEZ GRANT; THENCE SOUTH 88°22'00" WEST, ALONG LAST SAID LINE A DISTANCE OF 349.25 FEET TO THE POINT OF BEGINNING. CONTAINING 8.00 ACRES, MORE OR LESS.



POINT OF BEGINNING

S69°29'00"E 1335.07'

60.00'

POINT OF BEGINNING
11.94 ± ACRE PARCEL

S69°29'00"E 813.44'

391.20'

422.24'

R 11409.16' S66°59'00"E CH 995.32'
L 995.64' DELTA 05° 00' 00"

STAT

JACK WRIGHT ISLAND ROAD
60' RIGHT OF WAY

L1 L2 L3 L4 L5

13.40'

N20°26'00"E 469.90'

L6 L7 L8 L9 L10

116.96'

L11 L12 L13 L14 L15

L16 L17 L18

L19 L20

L21 L22

L23 L24

L25 L26 L27

L28 L29 L30

L31 L32 L33 L34 L35 L36 L37

35.41'

20.00'

YNEZ GOMEZ GRANT

CONTAINING 8.00 ± ACRES

R 143.17' L 170.71'
DELTA 68° 19' 00"
N13°43'30"W CH 160.77'

R 325.00' L 98.16'
DELTA 17° 18' 21"
N39°13'49"W CH 97.79'

POINT OF BEGINNING
8.00 ± ACRE PARCEL

N01°38'00"W 905.37'

349.25'

S01°38'00"E 975.60'

S88°22'00"

1540.06'

S88°22'00"W 2056.41'

GOVERNMENT LOT 3

EAST 1/2 OF NORTHWEST 1/4 SECTION

N01°38'00"W 1320.00'

NOTES:

THIS IS A MAP TO ACCOMPANY PROPERTY DESCRIPTIONS.

JURISDICTIONAL WETLANDS LINE AS FLAGGED BY COASTAL

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

PUBLIC NOTICE

in the matter of

PROPOSED EXCHANGE OF COUNTY PROPERTY

in the Court, was published in said newspaper in the issues of
May 12 & 19, 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 **19TH** day of **MAY**, 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, 2001
BONDED THRU TROY FAIR INSURANCE, INC.
(Seal)

Zoe Ann Moss

NOTICE OF PROPOSED EXCHANGE OF COUNTY PROPERTY
On Tuesday, May 25, 1999, the Board of County Commissioners of St. Johns County, Florida, in the St. Johns County Auditorium, 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 wellands as described in Exhibit A of the County Deed) and Rayland Company, Inc. (owner of property located at the intersection of CR 210 and Greenbrier Road as described in Exhibit A of the Warranty Deed). This exchange of property will facilitate the construction and provide the right-of-way required for the Greenbrier Road Transportation Project.
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 804-823-2501 or at the County Administration Building, #4020 Lewis Speedway, St. Augustine, Florida 32085. For hearing impaired individuals: Florida Relay Service: 1-800-855-8770 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: Patricia DeGrande,
Deputy Clerk
L854A May 12, 19, 1999