

RESOLUTION NO. 2001-90

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE FILING OF A MAP OF RANCH ROAD WITH THE CLERK OF COURTS IN ACCORDANCE WITH FLORIDA STATUTE NO. 95.361 ROADS PRESUMED TO BE DEDICATED WHEN CONSTRUCTED BY THE COUNTY AND MAINTAINED BY THE COUNTY FOR 4 YEARS THE ROAD SHALL BE VESTED IN ST. JOHNS COUNTY, FLORIDA.

WHEREAS, Florida Statute 95.361 Roads presumed to be dedicated, copy attached hereto and made a part hereof as Exhibit "A", clearly states the process whereby a road constructed by a County has been maintained or repaired continuously and uninterruptedly for 4 years by the County, the road shall be deemed to be dedicated to the public to the extent in width that has been actually maintained for the prescribed period, whether or not the road has been formerly established as a public highway. The dedication shall vest all right, title, easement and appurtenances in and to the road in St. Johns County by filing a map in the office of the Clerk of the Court; and

WHEREAS, that portion of Ranch Road as shown on map attached hereto as Exhibit "B", incorporated by reference and made a part hereof, is one of the roads considered to be a County road; and

WHEREAS, Road and Bridge Supervisor, Johnny Newsome, has stated in a Memo, attached hereto as Exhibit "C", that St. Johns County has been responsible for constructing and maintaining Ranch Road for the past 15 years; and

WHEREAS, it is in the best interest of St. Johns County to acquire ownership of Ranch Road that will benefit the citizens of St. Johns County. St. Johns County already owns the Northerly 3,172.06 feet of the road by virtue of deed recorded in Official Records Book 418, page 455.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. All the above recitals are finds of fact.

Section 2. Per Florida Statute 95.361 Section (1) the Chair of the Board of County Commissioners and the Clerk of the Board are hereby authorized to execute the attached map of Ranch Road to be filed in the Public Records of St. Johns County and hereby vesting ownership of Ranch Road in St. Johns County in accordance with Florida Statute 95.361 Roads presumed to be dedicated. Said Map recorded in Map Book _____, page _____.

PASSED AND ADOPTED, this 8th day of May, 2001.

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

By: Mary F. Kohnke
Mary F. Kohnke, Chair

ATTEST: Cheryl Strickland, Clerk

Jeanne King
Deputy Clerk

Exhibit "A" to Resolution

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Title VIII

LIMITATIONS

Chapter 95

Limitations Of Actions; Adverse Possession

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95.361 Roads presumed to be dedicated.--

(1) When a road, constructed by a county, a municipality, or the Department of Transportation, has been maintained or repaired continuously and uninterruptedly for 4 years by the county, municipality, or the Department of Transportation, jointly or severally, the road shall be deemed to be dedicated to the public to the extent in width that has been actually maintained for the prescribed period, whether or not the road has been formally established as a public highway. The dedication shall vest all right, title, easement, and appurtenances in and to the road in:

- (a) The county, if it is a county road;
- (b) The municipality, if it is a municipal street or road; or
- (c) The state, if it is a road in the State Highway System or State Park Road System,

whether or not there is a record of a conveyance, dedication, or appropriation to the public use.

(2) The filing of a map in the office of the clerk of the circuit court of the county where the road is located showing the lands and reciting on it that the road has vested in the state, a county, or a municipality in accordance with subsection (1) or by any other means of acquisition, duly certified by:

- (a) The secretary of the Department of Transportation, or the secretary's designee, if the road is a road in the State Highway System or State Park Road System;
- (b) The chair and clerk of the board of county commissioners of the county, if the road is a county road; or
- (c) The mayor and clerk of the municipality, if the road is a municipal road or street,

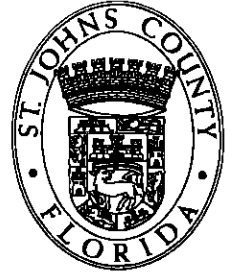
shall be prima facie evidence of ownership of the land by the state, county, or municipality, as the case may be.

History.--s. 110, ch. 29965, 1955; ss. 23, 35, ch. 69-106; s. 23, ch. 74-382; s. 1, ch. 77-174; s. 3, ch. 88-168; s. 529, ch. 95-147.

Note.--Former s. 337.31.

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MEMORANDUM



TO: Mary Ann Blount, Real Estate Manager
FROM: Johnny Newsome, Road & Bridge Supervisor
DATE: February 21, 2001
SUBJECT: Ranch Road Maintenance

St. Johns County opened and constructed Ranch Road at least 15 years ago and has been responsible maintaining it. This includes digging ditches, road grading and stabilization.

Please call if you have any questions.