

RESOLUTION NO. 2002- 200

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, IN CONNECTION WITH THE SCAFF ROAD EXTENSION FOR ACCESS TO TURNBULL PARK.

WHEREAS, Larry W. Pacetti is the owner of a 30 foot strip of property located off Scaff Road and has agreed to convey a portion of his property, more particularly described in the Warranty Deed attached hereto Exhibit "A", incorporated by reference and made a part hereof, for the purpose of extending Scaff Road for access to Turnbull Park; and

WHEREAS, in consideration for said parcel Larry W. Pacetti has agreed to accept from St. Johns County an exchange parcel of property which is an unusable and irregular triangle and as described in the County Deed attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, approval of this exchange will ultimately be beneficial to the County for the extension of Scaff Road for access to Turnbull Park and passage of this Resolution will deem the County's parcel not needed for County purposes; and

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

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

1. The above recitals are incorporated into the body of this Resolution and such recitals are adopted as findings of fact.
2. The Warranty Deed conveying to St. Johns County the parcel attached Hereto as Exhibit "A" is hereby accepted and the Clerk of the Circuit Court 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 Larry W. Pacetti 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 of Circuit Court is instructed to record the County Deed in the public records of St. Johns County, Florida.

PASSED AND ADOPTED, this 1st day of October, 2002.

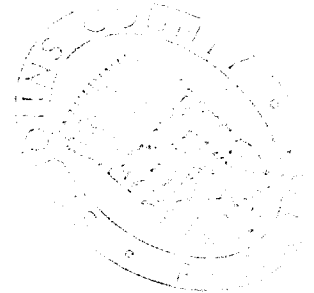
**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia Sybrade
Deputy Clerk

RENDITION DATE 10-14-02



Prepared By:
St. Johns County
4020 Lewis Speedway
St. Augustine, Florida 32084

Exhibit "A" to Resolution

WARRANTY DEED

THIS WARRANTY DEED made and executed the ____ day of _____, 2002,
By Larry W. Pacetti, Trustee, a married man conveying non homestead property, whose address is
366 Jardine Ave., St. Augustine FL 32095, hereinafter called the Grantor, to **ST. JOHNS
COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis
Speedway, St. Augustine, Florida 32084, 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:

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

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, 2002.

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: _____

Larry W. Pacetti

Witness: _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by Larry W. Pacetti. Who is personally known to me or has produced _____ as identification.

Notary Public
My Commission Expires: _____

Exhibit "A" to Warranty Deed

A part of Government Lot 17, Section 38, Township 6 South, Range 28 East, St. Johns County, Florida being more particularly described as follows:

For a point of reference commence at the intersection of the west line of said Government lot 17, with the southerly right-of-way line of Scaff Road, as described in Official Records Book 845, page 1083 of the public records of said County; thence north 19 degrees 05 minutes 30 seconds east along said west line of Government lot 17, a distance of 30.14 feet to a point on the south line of those lands described in Official Records Book 778, page 47 of said public records; thence south 76 degrees 29 minutes 14 seconds east along said south line, a distance of 2703.45 feet; thence south 19 degrees 07 minutes 16 seconds west, a distance of 30.14 feet; thence north 76 degrees 29 minutes 14 seconds west, a distance of 2703.44 feet to the point of beginning.

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

Exhibit "B" to Resolution

COUNTY DEED

THIS DEED, made without warranty of title or warranty of method of conveyance, this ____ day of _____, 2002, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is County Administration Building, 4020 Lewis Speedway, hereinafter "Grantor", to Larry W. Pacetti, Trustee, whose address is 366 Jardine Ave., St. Augustine FL 32095, 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 028900-0000

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.

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 may be in, on, or under the said land and an undivided one-half interest in all petroleum that is or may be in, or 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: _____
James E. Bryant, 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 _____, 2002, by James E. Bryant, Chairman of the Board of County Commissioners of St. Johns County, Florida, on behalf of the Board. Who is personally known to me.

Notary Public State of Florida
My Commission Expires: _____

Exhibit "A" to County Deed

A part of Government Lot 17, Section 38, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a point of reference commence at the intersection of the west line of said Government Lot 17, with the southerly right-of-way line of Scaff Road, as described in Official Records book 845, Page 1083 of the public records of said County; thence south 76 degrees 29 minutes 14 seconds east along an easterly projection of said southerly right-of-way line, a distance of 2703.44 feet; thence north 19 degrees 07 minutes 16 seconds east, leaving said easterly projection, a distance of 30.14 feet to the point of beginning; thence continue north 19 degrees 07 minutes 16 seconds east, a distance of 147.75 feet to a point on the north line of said Government lot 17; thence south 72 degrees 08 minutes 34 seconds east along said north line, a distance of 1941.01 feet; thence north 76 degrees 29 minutes 14 seconds west, leaving said north line, a distance of 1949.87 feet to the point of beginning.

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 14th day of October, 2002, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is County Administration Building, 4020 Lewis Speedway, hereinafter "Grantor", to Larry W. Pacetti, Trustee, whose address is 366 Jardine Ave., St. Augustine FL 32095, 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 028900-0000

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;

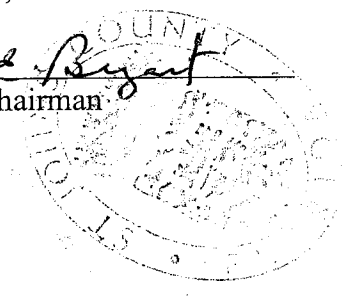
- e. All acts of the Grantee occurring prior to, or subsequent to the date of this instrument;
- f. Agreements, conditions, covenants, reservations, restrictions, and servitude of record;
- g. Easements and rights of way of record.

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 may be in, on, or under the said land and an undivided one-half interest in all petroleum that is or may be in, or 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: *James E. Bryant*
James E. Bryant, 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 14th day of October, 2002, by James E. Bryant, Chairman of the Board of County Commissioners of St. Johns County, Florida, on behalf of the Board. Who is personally known to me.

Patricia De Grande
Notary Public State of Florida
My Commission Expires: _____

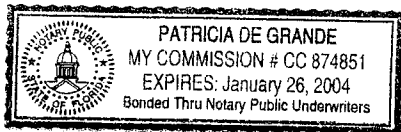


Exhibit "A" to County Deed

A part of Government Lot 17, Section 38, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a point of reference commence at the intersection of the west line of said Government Lot 17, with the southerly right-of-way line of Scaff Road, as described in Official Records book 845, Page 1083 of the public records of said County; thence south 76 degrees 29 minutes 14 seconds east along an easterly projection of said southerly right-of-way line, a distance of 2703.44 feet; thence north 19 degrees 07 minutes 16 seconds east, leaving said easterly projection, a distance of 30.14 feet to the point of beginning; thence continue north 19 degrees 07 minutes 16 seconds east, a distance of 147.75 feet to a point on the north line of said Government lot 17; thence south 72 degrees 08 minutes 34 seconds east along said north line, a distance of 1941.01 feet; thence north 76 degrees 29 minutes 14 seconds west, leaving said north line, a distance of 1949.87 feet to the point of beginning.