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RESOLUTION NO. 2002- 84

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CLERK OF COURTS TO FILE THE SURVEY MAP OF RIVERDALE PARK CLAIMING A VESTED INTEREST IN ST. JOHNS COUNTY IN THE PARK DESCRIBED IN THIS SURVEY BY PRESCRIPTIVE RIGHTS OF THE PUBLIC PER CASE LAW DOWNING VS. BIRD AND CITY OF HOMESTEAD 100 SO. 2d 57 (FLA. DIST. CT. APP.- 1958)

RECITALS

WHEREAS, the filing of the survey map with the Clerk of the Courts, the boundaries of the park as shown in this survey, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, will be vested in St. Johns County, a political subdivision of the State of Florida by prescriptive rights of the public, per case law, Downing vs. Bird and City of Homestead 100 So.2d 57 (Fla. Dist. Ct. App.- 1958); and

WHEREAS, the public has been continuously using Riverdale Park without permission of the underlying land owners and Park Maintenance Worker, Dennis Leonard, has stated in an affidavit that the County has been responsible for maintaining Riverdale Park for the last 20 years, copy attached hereto and made a part hereof as Exhibit "B", and

WHEREAS, it is in the best interest of St. Johns County to acquire ownership of Riverdale Park that will benefit the citizens of St. Johns County.

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. The Chair of the Board of County Commissioners and the Clerk of the Courts are hereby authorized to file the attached survey map of Riverdale Park in the Public Records of St. Johns County, Florida.

Section 3. The Clerk is instructed to record this Resolution in the Public Records of St. Johns County, Florida.

See + Ret - P. Degraude  
- Bill CO -

PASSED AND ADOPTED, this 14<sup>th</sup> day of May, 2002.

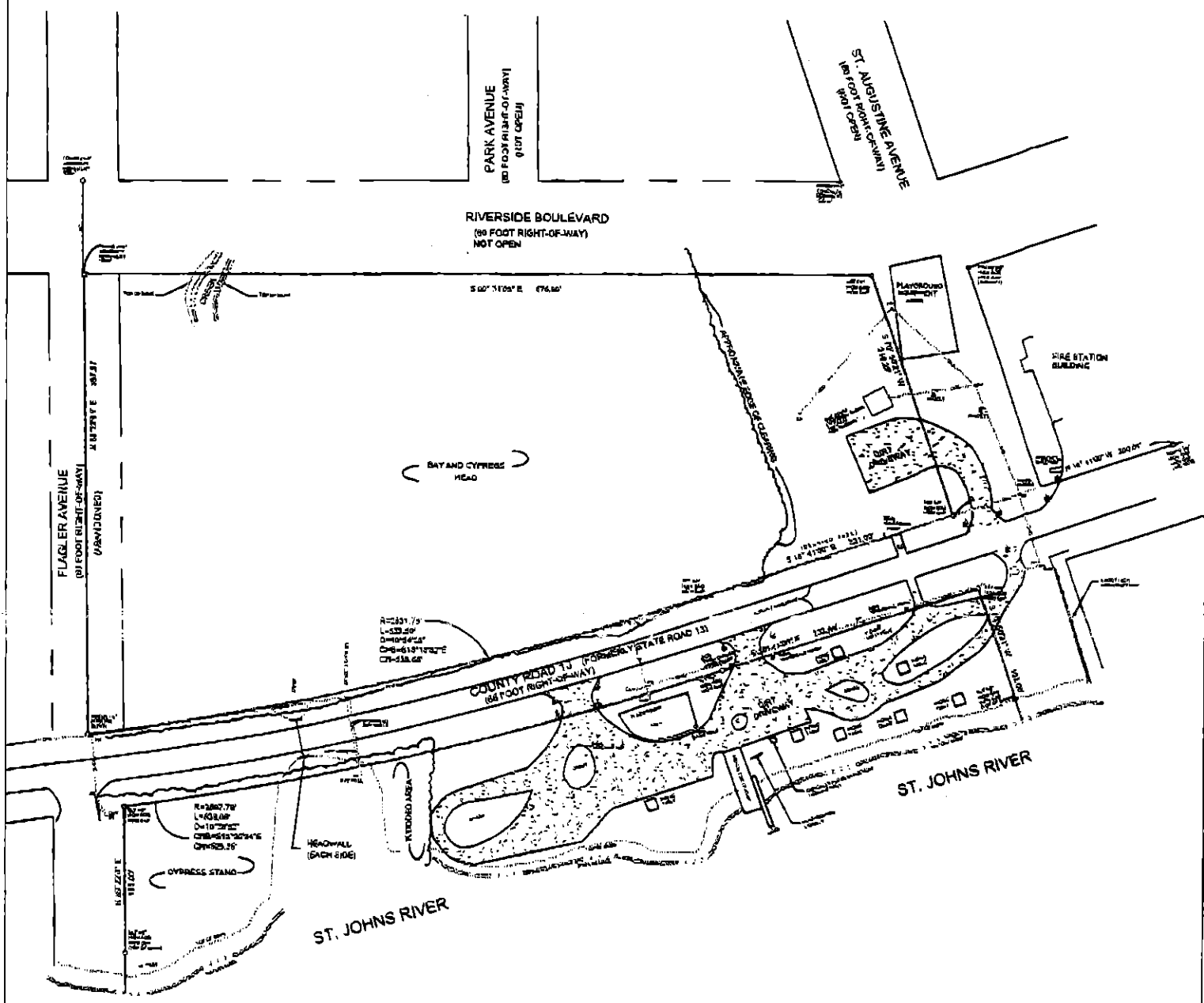
**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA.**

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

ATTEST: Cheryl Strickland, Clerk

Patricia DeGrande  
Deputy Clerk

RENDITION DATE 5-16-02



MAINTENANCE MAP OF RIVERDALE PARK  
ST. JOHNS COUNTY

FOR

**RIVERDALE PARK**

WEIDENER SURVEYING AND MAPPING, P.A

LEGAL DESCRIPTION:

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**RIVERDALE COUNTY PARK**

**SECTION 38, TOWNSHIP 8 SOUTH, RANGE 27 EAST  
ST. JOHNS COUNTY, FLORIDA**


**A PARK AS SHOWN ON THE MAP OF RIVERDALE LAND COMPANY, A MAP OR PLAT THEREOF RECORDED IN MAP BOOK 1, PAGE 149 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA BEING BOUNDED ON THE NORTH BY FLAGLER AVENUE (60 FOOT RIGHT-OF-WAY), NOW PARTIALLY ABANDONED, ON THE EAST BY RIVERSIDE BOULEVARD (80 FOOT RIGHT-OF-WAY), ON THE SOUTH BY ST. AUGUSTINE AVENUE (80 FOOT RIGHT-OF-WAY), AND ON THE WEST BY THE ST. JOHNS RIVER, LESS AND EXCEPT THAT PART LYING WITHIN THE RIGHT-OF-WAY OF COUNTY ROAD 13, FORMERLY STATE ROAD 13, (66 FOOT RIGHT-OF-WAY).**

**AFFIDAVIT**

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

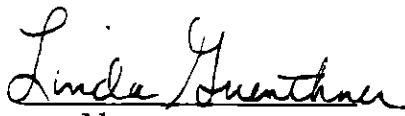
On this day before me, the undersigned authority, personally appeared Dennis Leonard, Park Maintenance Worker, who being first by me duly sworn, deposes and says that the County has been maintaining Riverdale Park for the last 20 years and the public has continuously used the park during this time. This maintenance includes the mowing, road grading, cleaning and stabilization.

**FURTHER AFFIANT SAYETH NAUGHT.**

  
Dennis Leonard

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

The foregoing instrument was acknowledged before me this 3 day of May 2002, by Dennis Leonard, Park Maintenance Worker, who is personally known to me.

  
Notary



Linda Guenther  
MY COMMISSION # DDD46471 EXPIRES  
August 14, 2005  
BONDED THRU TROY FARM INSURANCE INC.