

RESOLUTION NO. 2003- 240

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING THREE ACRES OF COUNTY OWNED PROPERTY ON MIZELL ROAD AS SURPLUS PROPERTY AND AUTHORIZING SALE TO THE CITY OF ST. AUGUSTINE BEACH PURSUANT TO FLORIDA STATUTE 125.38.**

**RECITALS**

**WHEREAS**, the City of St. Augustine Beach has made an application to St. Johns County for acquisition of three additional acres located westerly and behind the existing City of St. Augustine Beach Public Works Complex off Mizell Road, as explained in letter, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

**WHEREAS**, St. Johns County has no expansion plans for the utility site on Mizell Road or other proposed uses of the property for County purposes; and

**WHEREAS**, the City of St. Augustine Beach plans to expand their Public Works Complex; and

**WHEREAS**, the City of St. Augustine Beach has agreed to purchase said property for the amount of \$134,400; and

**WHEREAS**, pursuant to Florida Statute 125.38, the Board of County Commissioners is authorized to enter into a private sale of said property to the City of St. Augustine Beach.

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

**Section 1.** The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

**Section 2.** The County property, as described in Exhibit "B" is hereby declared surplus property.

**Section 3.** The County Deed in favor of the City of St. Augustine Beach shall be executed by the Chairman of the Board of County Commissioners.

**Section 4.** The Clerk is instructed to record the original County Deed in the Official Records of St. Johns County, Florida and a certified copy of this Resolution shall be forwarded forthwith to the City of St. Augustine Beach, 2200 A1A South, St. Augustine Beach, FL 32080.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 9 day of December, 2003.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Karen R. Stern, Chair

ATTEST: Cheryl Strickland, Clerk  
By:   
Deputy Clerk

RENDITION DATE 12-9-03





# City of St. Augustine Beach

2200 A1A SOUTH  
ST. AUGUSTINE BEACH, FLORIDA 32080

CITY MGR. (904) 471-2122  
FAX (904) 471-4108

BLDG. & ZONING (904) 471-8758  
FAX (904) 471-4470

November 17, 2003

Ms. Mary Ann Blount, Real Estate Director  
St. Johns County  
P.O. Drawer 300  
St. Augustine, FL 32085

Subject: Offer to Purchase County Land

Dear Ms. Blount:

The City of St. Augustine Beach is interested in purchasing three acres of County-owned land west of the City's public works facility on Mizell Road. A survey of the property was recently completed by Mr. Ron Pacetti, MAI and submitted to Mr. Tony Cubbedge of the County. Mr. Pacetti established the value of the three acres at \$168,000. A copy of that appraisal was sent to Mr. Cubbedge.

We note in the first page of Mr. Pacetti's cover letter for the appraisal his statement that about 20% of the land the City is interested in purchasing is wetland area. Given this fact, the City would like to make an offer of \$134,400 to the County for this property. This figure is determined as follows:

Three acres at 43,560 square feet per acre is a total of  
\$130,680 square feet.

Cost per square foot based on the appraisal (\$168,000  
divided by 130,680): \$1.285583

Twenty percent, or 26,136 square feet of the property  
is wetland area.

26,136 x cost per square foot (\$1.285583): \$33,599

\$168,000  
- 33,600  
\$134,400

Exhibit A to Resolution

Ms. Mary Ann Blount  
November 17, 2003  
Page Two

As the City has no desire to build on the wetland area, even if a permit to do so was provided, would the County consider reasonable an offer of \$134,400 for the three acres?

Sincerely,

A handwritten signature in black ink, appearing to read 'Max Royle', written in a cursive style.

Max Royle  
City Manager

MR:sw

Exhibit B to Resolution

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

**COUNTY DEED**

**THIS DEED**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by St. Johns County, party of the first part, and City of St. Augustine Beach, party of the second part,

**WITNESSETH** that the said party of the first part, for and in consideration of the sum of \$10.00 to it in hand paid by the party of the second party, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, three acres located westerly and behind the existing City of St. Augustine Beach Public Works Complex to be further defined by survey and being in St. Johns County, Florida:

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

**IN WITNESS WHEREOF** the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

**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;

Exhibit B to Resolution

- 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 Chair of the Board, the day and year aforesaid.

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

BY: \_\_\_\_\_  
Karen R. Stern, Chair

**ATTEST:** Cheryl Strickland, Clerk

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

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2003, by Karen R. Stern, Chair 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 B to Resolution

“Exhibit A”

The exact configuration and boundaries of “The Property” will be mutually agreed to by the SELLER and BUYER, and will be further defined by Boundary Survey to be provided by the City of St. Augustine Beach and by reference made a part hereof. In the event, the SELLER and BUYER cannot mutually agree upon the exact configuration and boundaries of “The Property” this contract will be deemed null and void, and SELLER and BUYER shall be relieved of and from any and all further obligation to one another.



St. Augustine Beach  
Public Works Complex

Proposed 3 Ac

SR 312

W Pope Rd

Mizell Rd

W 16 St

Prepared By  
St. Johns County  
Real Estate Division

# St. Augustine Beach Parcel of Interest

Disclaimer: This map is provided to the St. Johns County Real Estate Division and is for advisory purposes only. The Real Estate Division disclaims all responsibility for the accuracy or completeness of data shown herein. Data are from various sources with varying degrees of accuracy. This map should not be used for land use specific legal or technical purposes.





**Pat DeGrande**

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**From:** Tony Cubbedge  
**Sent:** Tuesday, May 18, 2004 3:22 PM  
**To:** Pat DeGrande  
**Cc:** Mary Ann Blount; Cecelia T. Aldrich  
**Subject:** St. Augustine Beach Exchange

Pat,

Resolution 03-240 was passed in Dec of 2003 to sell 3 ac on Mizell Rd. to St. Augustine Beach. After further negotiations and discussions, this transaction has become an exchange between St. Johns County and St. Augustine Beach, which was Res. 04-72. There will not be a deed forthcoming for Res. 03-240. Thank you.

Tony Cubbedge  
Land Management Coordinator  
St. Johns County Real Estate Division  
904-823-4445 (phone)  
904-823-2585 (fax)  
tcubbedge@co.st-johns.fl.us

5/18/2004