

RESOLUTION NO. 2004- 107

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A QUIT CLAIM DEED FOR ADDITIONAL RIGHT-OF-WAY FOR RELOCATION OF A ROADSIDE DITCH ON OLD DIXIE HIGHWAY.

RECITALS

WHEREAS, Florida Power & Light Company, a Florida Corporation, has executed and presented to St. Johns County a Quit Claim Deed, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, for additional right-of-way for Old Dixie Highway; and

WHEREAS, the additional right-of-way is needed due to construction of a condominium on Old Dixie Highway located across from Florida Power & Light Company's property. Construction of the condominium requires widening of the pavement to accommodate turn lanes to be installed. The construction forced the existing roadside ditch out to the right-of-way line which caused the ditch sides to be very steep and close to the new edge of pavement; and

WHEREAS, this additional right-of-way will allow St. Johns County to relocate the ditch or change the ditch side slopes for a safer roadway section as stated in a memo from the St. Johns County Development Review Department attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, it is in the best interest of the County to accept this Quit Claim Deed for the safety and well being of the citizens traveling on Old Dixie Highway.

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 Board of County Commissioners hereby accepts the Quit Claim Deed for the additional right-of-way and the Clerk of Circuit Court is instructed to record the original Quit Claim Deed in the Public Records of St. Johns County.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, this 25th day of May, 2004.

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

By:


Karen R. Stern, Chair

**ATTEST:
CHERYL STRICKLAND
CLERK OF CIRCUIT COURT**

REVISION DATE 05/27/04

By:



Deputy Clerk



Exhibit "A" to Resolution

Prepared By:
Alene S. Egol, Esq.
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, Florida 33408-0420

Folio No. 023840-0070

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED made this 28th day of April, 2004, by FLORIDA POWER & LIGHT COMPANY, a corporation organized and existing under the laws of the State of Florida, having its mailing address at P.O. Box 14000, Juno Beach, Florida 33408-0420, ("Grantor"), to **St. Johns County, Florida**, a political subdivision of the State of Florida, having its mailing address at 4020 Lewis Speedway, St. Augustine, Florida 32084, ("Grantee").

WITNESSETH:

That the Grantor, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, to it paid by Grantee, the receipt of which is hereby acknowledged, does hereby remise, release, and forever quit-claim to Grantee all its right, title, and interest in and to that certain land, situated in Palm Beach County, Florida and more particularly described as follows:

See Exhibit "A" attached hereto and by this reference expressly made a part hereof (the "Land").

Subject to taxes for the current year and subsequent years, to zoning restrictions and other requirements imposed by governmental authority, and to easements, conditions, reservations, restrictions and limitations of record.

IN WITNESS WHEREOF, Grantor has caused its corporate seal to be affixed hereto, and this instrument to be signed by its duly authorized officer on the date first above written.

Executed in the presence of:

Meier G. Wise
Print Name: Meier G. Wise
Donna M. Rodebaugh
Print Name: Donna M. Rodebaugh

GRANTOR:
FLORIDA POWER & LIGHT COMPANY

By: Nancy A. Swalwell
Nancy A. Swalwell
Director of Corporate Real Estate
and Assistant Secretary
P.O. Box 14000
Juno Beach, FL 33408-0420

ACKNOWLEDGEMENT

STATE OF FLORIDA)
)ss:
COUNTY OF PALM BEACH)

On this 28th day of April, 2004, before me, the undersigned notary public, personally appeared Nancy A. Swalwell, Director of Corporate Real Estate and Assistant Secretary, Florida Power & Light Company, a Florida corporation, personally known to me to be the person who subscribed to the foregoing instrument or who has produced _____, as identification, and acknowledged that she executed the same on behalf of said corporation and that she was duly authorized so to do.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(notary seal)




Donna M. Rodebaugh
NOTARY PUBLIC, STATE OF FLORIDA

Exhibit "A" to Deed

A parcel of land lying in and being a part of the Southeast 1/2 of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows:

Commence at the Southeast corner of Section 11, Township 5 South, Range 28 East; thence North 01 degrees 14 minutes 10 seconds West, along the East line of said Section 11, a distance of 271.03 feet to the intersection of the Northeasterly Right of Way line of U.S. Highway Number 1, and the West Right of Way line of Ray Road; thence North 01 degrees 13 minutes 40 seconds West, along said West Right of Way line, 720.87 feet to the intersection of the southwesterly Right of Way line of Old Dixie Highway and the West Right of Way line of Ray Road; thence North 40 degrees 02 minutes 30 seconds West, along said Southwesterly Right of Way line, 455.43 feet to the Point of Beginning; thence continue North 40 degrees 02 minutes 30 seconds West, along said Southwesterly Right of Way line, 318.25 feet to the Northwesternly line of that Tract described in Official Records Book 1467, Pages 198 through 202, of the Public Records of said county; thence South 48 degrees 44 minutes 34 seconds West, along said Northwesternly line, 10.00 feet; thence South 40 degrees 02 minutes 30 seconds East, parallel to last said Right of Way line, 317.89 feet to the Southeasterly line of said Tract described in Official Records Book 1467; thence North 50 degrees 44 minutes 36 seconds East, along said Southeasterly line 10.00 feet to the Point of Beginning.

MEMORANDUM		
TO:	Nanette Bradbury	
FROM:	Marlin Pryor	
DATE:	05/04/2004	
SUBJECT:	FPL Durbin Substation 10' R/W	

The quit-claim deed for ten (10) feet off the frontage of the substation site is for additional right of way.

What prompted the need for additional right of way is road construction associated with the condominium project across Old Dixie from FPL's site. The pavement was widened to accommodate turn lanes in Old Dixie. This construction forced the existing, westerly roadside ditch out to the right of way line. The reworked roadside ditch sides are now very steep and the ditch is very close to the new edge of pavement.

This additional right of way from FPL will allow us to relocate the ditch or change the ditch side slopes for a safer roadway section.



**GENERAL
LOCATION MAP**

0 275 550
Feet

Map Prepared: 5/10/2004
*Depicts General Project Boundary

**Florida Power & Light
10' strip of
Donated Right-of-Way**

File: BCC May 25, 2004

St. Johns County
Public Works Dept.
Real Estate