

RESOLUTION NO. 2005- 145

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT ON RUSSELL SAMPSON ROAD.

RECITALS

WHEREAS, Charles L. Wacker and Marsha A. Wacker, owners on Russell Sampson Road have executed an Agreement for a Temporary Construction Easement, attached hereto as Exhibit "A", incorporated and made a part hereof; and

WHEREAS, the Temporary Construction Easement will allow the construction of the road to tie into the owners driveway for the improved Russell Sampson Road; and

WHEREAS, this Agreement allows compensation to the owners in the amount of \$200.00, the appraised value of the Temporary Construction Easement; and

WHEREAS, this project is part of the Capital Improvement Project that was funded as part of the 2004 Transportation Trust Fund Budget.

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 approves the terms and authorizes the County Administrator to execute the Agreement for compensation for the Temporary Construction Easement in the amount of \$200.00 to Charles L. Wacker and Marsha A. Wacker.

Section 3. The Clerk is instructed to file the original Agreement in the Clerks Office and record the Temporary Construction Easement in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 1st day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Bruce A. Maguire, Chairman

ATTEST: Cheryl Strickland, Clerk
By: 
Deputy Clerk

RENDITION DATE 6-6-05

EXHIBIT "A" TO RESOLUTION

AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2005, by and between CHARLES L. WACKER and MARSHA A. WACKER, his wife whose address is 10085 Russell Sampson Road, Jacksonville, Florida 32259-2002, and ST. JOHNS COUNTY, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida, 32084.

RECITALS:

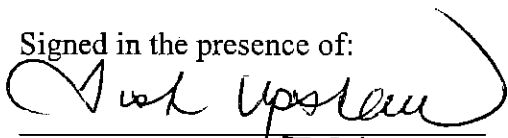
- A. St. Johns County has design plans prepared by Connelly & Wicker, Consulting Engineers to improve Russell Sampson Road from CR210 for a distance of approximately 1.1 miles north. This will bring this section of road up to the County standards for classification as a Minor Collector roadway.
- B. The owners of this property need to execute a Temporary Construction Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, allowing the construction of the road to be tied into their driveway.
- C. In executing the Temporary Construction Easement, Charles L. Wacker and Marsha C. Wacker will be compensated \$200.00 the appraised value for the easement.

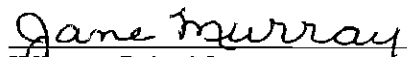
NOW THEREFORE, in consideration of the mutual agreement made herein, St. Johns County and Charles L. Wacker and Marsha A. Wacker agree as follows:

- 1. RECITALS. The parties agree that the matters set forth in the Recitals are true and correct.
- 2. PAYMENT. St. Johns County will compensate Charles L. Wacker and Marsha A. Wacker, \$200.00 for the Temporary Construction Easement.

IN WITNESS WHEREOF, St. Johns County and Charles L. Wacker and Marsha A. Wacker have each caused this Agreement to be executed and delivered by their duly appointed officers, the day and year first above written.

Signed in the presence of:


Witness Print Name: TISH UPSHAW


Witness Print Name: JANE MURRAY


CHARLES L. WACKER


MARSHA A. WACKER

ST. JOHNS COUNTY

Witness Print Name: _____

Ben W. Adams, Jr.
County Administrator

Witness Print Name: _____

EXHIBIT "A" TO AGREEMENT

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

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this ____ day of _____, 2005, by and between **CHARLES L. WACKER and MARSHA A. WACKER** whose address is 10085 Russell Sampson Road, Jacksonville, Florida 32259 grantor and **ST. JOHNS COUNTY**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, grantee.

WITNESSTEH, that for and in consideration of the sum of **TWO HUNDRED DOLLARS (\$200.00)** and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property to tie their driveway back into Russell Sampson Road when the improvements are made to the road, more particularly described as follows:

ATTACHED EXHIBIT "A" HERETO

It is understood and agreed by the parties hereto that the rights granted herein should terminate when the construction is complete to Russell Sampson Road.

IN WITNESS WHEREOF, grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in
Our presence as Witnesses:

GRANTOR:

Print Name: _____

CHARLES L. WACKER

Print Name: _____

MARSHA A. WACKER

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this ____ day of _____, 2005 by **CHARLES L. WACKER and MARSHA A. WACKER**, who is personally known to me.

Notary Public

EXHIBIT "A" TO TCE

Wacker

TEMPORARY CONSTRUCTION
EASEMENT

PROJECT NO. 03/175
SHEET NO. 3

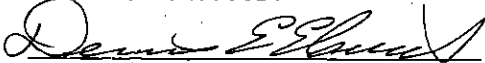
A part of Section 17, Township 5 South, Range 28 East, St. Johns County, Florida, (also being a part of those lands described in Official Records Volume 35, Page 313 of the current public records of said county), and being more particularly described as follows:

COMMENCE at the intersection of the existing Northwesterly Right of Way line of County Road 210, (a variable width Right of Way), with the existing Southwesterly Right of Way line of Russell Sampson Road, (a variable width Right of Way as now established); Thence North 50°54'12" West, along said existing Southwesterly Right of Way line of Russell Sampson Road, a distance of 1179.55 feet to the POINT OF BEGINNING; Thence continue North 50°54'12" West, along said existing Southwesterly Right of Way line of Russell Sampson Road, a distance of 36.00 feet; Thence South 39°02'52" West, a distance of 10.84 feet; Thence South 50°57'08" East, a distance of 36.00 feet; Thence North 39°02'52" East, a distance of 10.81 feet to the POINT OF BEGINNING.

Containing 390 Square Feet (0.009 Acres), more or less.

I hereby certify that to the best of my knowledge and belief that this legal description is true, accurate, and was prepared under my direction.

I further certify that said legal description is in compliance with the minimum technical standards as set forth by the Florida Board Of Professional Surveyors and Mappers, pursuant to section 472.027, Florida statutes.



Dennis E. Elswick, PSM
Professional Surveyor and Mapper No 3190
3830 Crown Point Road, Suite A
Jacksonville, Florida 32257

Date: April 18, 2005

NOT VALID UNLESS SIGNED AND SEALED

MAP SHOWING SKETCH & DESCRIPTION

OF A PORTION OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 28 EAST,
ST. JOHNS COUNTY, FLORIDA

SECTION 17

Charles L. and Marsha A. Wacker
OR549, page 392

EXIST. R/W LINE

RUSSELL SAMPSON ROAD
(VARIABLE WIDTH R/W)

EXIST. R/W LINE

EXIST. R/W LINE

SECTION 17

PARCEL 705 - TEMPORARY CONSTRUCTION EASEMENT

A part of Section 17, Township 5 South, Range 28 East, St. Johns County, Florida, (also being a part of those lands described in Official Records Volume 35, Page 313 of the current public records of said county), and being more particularly described as follows:

COMMENCE at the intersection of the existing Northwestern Right of Way line of County Road 210, (a variable width Right of Way), with the existing Southwesterly Right of Way line of Russell Sampson Road, (a variable width Right of Way as now established); Thence North 50°54'12" West, along said existing Southwesterly Right of Way line of Russell Sampson Road, a distance of 1179.55 feet to the **POINT OF BEGINNING**; Thence continue North 50°54'12" West, along said existing Southwesterly Right of Way line of Russell Sampson Road, a distance of 36.00 feet; Thence South 39°02'52" West, a distance of 10.84 feet; Thence South 50°57'08" East, a distance of 36.00 feet; Thence North 39°02'52" East, a distance of 10.81 feet to the **POINT OF BEGINNING**.

Containing 390 Square Feet (0.009 Acres), more or less.

S39°02'52"W
10.84'

705
S50°57'08"E
36.00'

36.00'
N50°54'12"W

Point of Beginning

PARCEL 705

Point of Commencement
PARCEL 705

INTERSECTION OF THE EXISTING NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 210, WITH THE EXISTING SOUTHWESTERLY RIGHT OF WAY LINE OF RUSSELL SAMPSON ROAD.

COUNTRY ROAD 210
EXIST. R/W LINE
(VARIABLE WIDTH R/W)

10.81'

N39°02'52"E

EXIST. R/W LINE

1179.55'

N50°54'12"W

LEGEND

EXIST. = EXISTING
R/W = RIGHT OF WAY
O.R. = OFFICIAL RECORDS
PG. = PAGE

NOTE: REFER TO ST. JOHNS COUNTY RIGHT OF WAY MAP AS FILED WITH CLARY & ASSOCIATES FILE NO. T55-297

NO.	DATE	DESCRIPTION	BY
1	4-18-05	REVISED LEGAL	MJB

GENERAL NOTES

- Bearings shown hereon are based on an assumed bearing on the Southwesterly Right-of-way line of Russell Sampson Road being N50°54'12"W.
- Improvements not located except as shown hereon.
- This map does not represent a Boundary Survey.
- This survey was made without benefit of an abstract or title. Therefore, there could be additional easements, covenants and restrictions or other matters of Public Record that may or may not affect this parcel.
- Interior trail roads, fences, wells, utilities, improvements or other jurisdictional areas, if any exist, were not located, other than shown hereon.

PARTY CHIEF: N/A

F.B. N/A PG. N/A

CADD FILE: PAR-705.DWG

Drafter: M.BRENT

Checked By: JES

UNLESS OTHERWISE SHOWN AND STATED HEREON, THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, IN CHAPTER 61G17-8, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.927, FLORIDA STATUTES, AND DOES NOT NECESSARILY MEET ANY OTHER NATIONAL OR REGIONAL STANDARDS.

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID. (CHAPTER 61G17-8, FLORIDA ADMINISTRATIVE CODE)

DATED September 7, 2004

SCALE 1" = 40'

Clary & Associates, Inc.
PROFESSIONAL LAND SURVEYORS
3630 CROWN POINT ROAD SUITE "A"
JACKSONVILLE, FLORIDA 32257
(904) 260-2703



Dennis E. Elswick
DENNIS E. ELSWICK, P.L.S. CERT. NO. 3190

LEGEND

- SET 4" X 4" CLARY CONCRETE MONUMENT FOUND
- CONCRETE MONUMENT FOUND
- 1/2" IRON PIPE SET WITH CLARY CAP
- IRON PIPE FOUND
- ∇ CROSS CUT
- x- FENCE

Job No.