RESOLUTION NO. 2005

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION RIGHT-OF-WAY FOR ADDITIONAL RIGHT-OF-WAY ON CAPO ISLAND ROAD.

RECITALS

WHEREAS, Art Museum Drive, LLP, has executed and presented to the County a Deed of Dedication of Right-Of-Way for additional right-of-way on Capo Island Road attached hereto as Exhibit “A” incorporated by reference and made a part hereof; and

WHEREAS, the additional right way is required for a turnaround in connection with the Istoria Development; and

WHEREAS, St. Johns County Development Review has reviewed and approved the location of the additional right-of-way; and

WHEREAS, it is in the best interest of the County to accept the Deed of Dedication Right-of-Way for the health, safety and welfare of 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. 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 Deed of Dedication of Right-of-Way is hereby accepted, conveying the property free and clear of any encumbrances.

Section 3. The Clerk is instructed to record the original Deed of Dedication of Right-of-Way in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 14th 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 6-16-05
EXHIBIT "A" TO RESOLUTION

Return to:
St. Johns County
4020 Lewis Speedway
St. Augustine, Florida 32084

DEED OF DEDICATION
RIGHT-OF-WAY

THIS INDENTURE, made this 14th day of May, 2005, between, ART MUSEUM DRIVE, LLP, whose address is 2021 Art Museum Drive, Suite 210, Jacksonville, Florida, 32207, hereinafter called Grantor, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called Grantee.

WITNESSETH: that for and in consideration of the acceptance of this Dedication by the Grantee, said Grantor does hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, the following described land, situate in St. Johns County, Florida, to wit:

PROPERTY AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

TO HAVE AND HOLD the same unto the Grantee, its successors and assigns forever, in fee simple for a public road, including therein the right to construct, maintain, and operate, either above or below the surface of the ground, electric light and power, water, sewer, and drainage lines and other public utilities.

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 taxes accruing subsequent to December 31, 2004.

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

Signed and Sealed
in Our Presence:

(sign) Catherine Smith
(print) Catherine Smith

(sign) James Schneider
(print) James Schneider

GRANTOR

Michael Antonopoulos
Managing Partner
Art Museum Drive, LLP

{00085058.DOC}
STATE OF FLORIDA  
COUNTY OF ST. JOHNS  

The foregoing instrument was acknowledged before me this 19th day of MAY, 2005, by Michael Antonopoulos, Managing Partner of Art Museum Drive, LLP. He is personally known to me or has/have produced ____________________ as identification.

Bonnie H. Fiedinger  
Notary Public  
My Commission Expires: 8/28/08
ADDITIONAL RIGHT OF WAY

A portion of Section 50, Township 5 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the Northeast corner of Section 51, said Township and Range; thence North 59°56'47" West along the North line of said Section 51, the same being the South line of said Section 50, a distance of 1,438.80 feet to the former Easterly right of way line of U.S. Highway No. 1, said right of way line being parallel to and 150 feet Easterly of the centerline of the main track of the Florida East Coast Railroad, when measured at right angles thereto; thence North 38°04'47" West, parallel to said main track of the Florida East Coast Railroad and along said former Easterly right of way line of U.S. Highway No. 1, a distance of 224.99 feet; thence North 51°50'18" East, 1146.25 feet to a point situate in the Westerly right of way line of Capo Island Road (formerly known as Old Brick Road and Old Dixie Highway), a 66 foot right of way as locally recognized and accepted; thence North 28°10'22" West, along last said line, 219.80 feet to the POINT OF BEGINNING; thence continue North 28°10'22" West, along last said line, 195.63 feet to the point of curve of a curve concave Westerly having a radius of 100.00 feet; thence Southerly along the arc of said curve a distance of 83.53 feet, said arc being subtended by a chord bearing and distance of South 09°26'23" East, 62.47 feet to a point of reverse curvature of a curve concave Northeasterly having a radius of 65.00 feet; thence Southeasterly along the arc of said curve a distance of 82.59 feet, said arc being subtended by a chord bearing and distance of South 28°10'22" East, 77.14 feet to a point of reverse curvature of a curve concave Southwesterly having a radius of 100.00 feet; thence Southeasterly along the arc of said curve a distance of 63.53 feet, said arc being subtended by a chord bearing and distance of South 46°22'21" East, 62.47 feet to the POINT OF BEGINNING.

Containing 0.0568 acres, more or less.