

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING THE PUBLIC PURPOSE OF AND PUBLIC NECESSITY FOR EXERCISING THE RIGHT AND POWER OF EMINENT DOMAIN TO ACQUIRE REAL PROPERTY AS DESCRIBED BELOW FOR THE CONSTRUCTION OF A COUNTY ROADWAY; AUTHORIZING THE COUNTY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS.

WHEREAS, the County of St. Johns ("County") is authorized to exercise the right and power of eminent domain for certain public uses and purposes; and

WHEREAS, the County's exercise of the power of eminent domain to condemn real property for the purpose of the construction of a county roadway is a proper public purpose;

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

Section 1. Declaration of Necessity. The County declares the public purpose of and public necessity for acquiring, through condemnation by right of eminent domain, fee simple title in the real property identified in the attached Exhibit A for the construction of a county roadway.

Section 2. Acquisition of Fee Simple Title. The County is authorized to acquire, through condemnation by right of eminent domain, fee simple title in the real property identified in the attached Exhibit A for the construction of a county roadway from the owner and any other persons required by law to be joined in such proceedings.

Section 3. Institution of Legal Proceedings. The County Attorney is authorized to institute legal proceedings to acquire, through condemnation by right of eminent domain, fee simple title in the real property identified in the attached Exhibit A, and is authorized to join the owner and any other persons required by law to be joined in such proceedings. The County Attorney is authorized to employ outside counsel to assist in the acquisition as necessary.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida this 27th day of August, 2006.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
JAMES E. BRYANT

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande
Patricia DeGrande, Deputy Clerk
Effective Date: 8-22-06

EXHIBIT A

PARCEL "A"

A portion of Section 3, Township 5 South, Range 28 East, St. Johns County, Florida, also being a portion of Tract 9 of Durbin Farms, an unrecorded subdivision, being more particularly described as follows:

For a Point of Beginning, commence at the intersection of the Northerly line of said Tract 9, Durbin Farms, an unrecorded subdivision, with the Northeasterly right of way line of U.S. Highway 1 (State Road No. 5), a 150 foot right of way as presently established at this point; thence North 89° 16' 07" East, along said Northerly line of Tract 9, Durbin Farms, 262.36 feet to the Northwesterly corner of those lands described and recorded in Official Records Book 2655, page 317 of the public records of said St. Johns County; thence South 40°57'20" East, along the westerly line of said Official Records Book 2655, page 317, a distance of 137.93 feet; thence South 49°01'33" West, continuing along said Westerly line 200.01 feet to said Northeasterly right of way line of U.S. Highway 1; thence North 41°00'51" West, departing said Westerly line and along said Northeasterly right of way line, 307.42 feet to the Point of Beginning.

Said lands being the same lands described and recorded in Official Records Book 1906, page 549 of said public records.

Containing 1.02 acres, more or less.

Also described as:

A parcel of land in Tract 9 of Durbin Subdivision in Sections 2 and 3, Township 5 South, Range 28 East, St. Johns County, Florida; said Tract 9 being more fully described in deed recorded in Deed Book 198, page 466, Public Records of said County; and said parcel of land being more fully described as follows:

Beginning at the intersection of the North line of said Tract 9 with the Northeast right of way line for U.S. Highway No. 1 (State Road No. 5, section 7802-110) said right of way at this point being 150 feet in width; thence North 88 degrees 08 minutes East, on said North line of Tract 9, a distance of 262.24 feet; thence South 42 degrees 10 minutes East 138.50 feet; thence South 47 degrees 50 minutes West 200 feet; thence North 42 degrees 10 minutes West, on said Northeast right of way line for U.S. Highway No.1, a distance of 308.20 feet to the Point of Beginning; and containing 1.025 acre more or less.