

RESOLUTION NO. 2007-188

A RESOLUTION OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS FINDING NO BASIS FOR CLAIMING A COUNTY INTEREST IN THAT PORTION OF OLD DIXIE HIGHWAY DESCRIBED IN SCHEDULE "A" HERETO.

WHEREAS, that portion of land described in Schedule "A" hereto is known as Old Dixie Highway and is under no known use as a public right of way; and

WHEREAS, the St. Johns County Board of County Commissioners upon due inquiry has no known interest in or control over the portions of Old Dixie Highway described in Schedule "A" hereto; and

WHEREAS, Old Brick Road Investment, LLC, has requested the St. Johns County Board of County Commissioners to clarify its position in regard to said portion of Old Dixie Highway described in Schedule "A" hereto; and

WHEREAS, Old Brick Road Investment, LLC, has requested that St. Johns County vacate said portions of Old Dixie Highway, but as the County only has authority to so vacate if it is determined that the County has control of said right of way; and

WHEREAS, it appears that there are no objections and the averments of said petition are true,

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

- (1) The above Recitals are incorporated herein by reference and hereby adopted as Findings in support of this Resolution.
- (2) It is hereby found that promoting clear title to land in St. Johns County is in the public interest.
- (3) That having after due inquiry found no evidence of present or past St. Johns County control or interest in the land known as Old Dixie Highway as described in Schedule "A" hereto, no past or present claim to County control, interest, or ownership in said lands is made by St. Johns County.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 26th day of June, 2007.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY

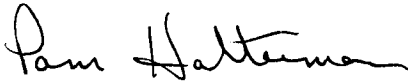
By:



Ben Rich, Chair

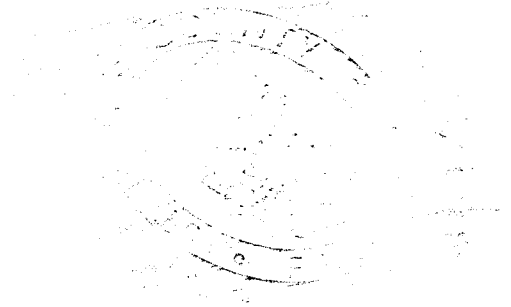
ATTEST: CHERYL STRICKLAND, CLERK

By:



Deputy Clerk

RENDITION DATE 7/10/07



cc: Patrick W. Krechowski, Lewis, Longman & Walker, P.A.
Isabelle Lopez, Lewis, Longman & Walker, P.A.
Richard Lewis, Upchurch, Bailey & Upchurch
St. Johns County Attorney's Office

Schedule A

A PARCEL OF LAND LYING IN SECTION 50, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 51, TOWNSHIP 6 SOUTH, RANGE 29 EAST; THENCE WEST A DISTANCE OF 1438.80 FEET, TO THE EASTERLY SIDE OF THE OLD RIGHT OF WAY LINE OF U.S. HIGHWAY No.1, WHICH IS 150 AT RIGHT ANGLES TO THE CENTERLINE OF THE FLORIDA EAST COAST RAILWAY; THENCE RUN NORTH 37°53'59" WEST, PARALLEL TO THE CENTERLINE OF THE FLORIDA EAST COAST RAILWAY, AND 150 FEET THEREFROM A DISTANCE OF 3153.15 FEET; THENCE NORTH 52°06'01" EAST, A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION WITH THE EXISTING EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 5 (WHICH IS U.S. HIGHWAY No. 1); THENCE NORTH 52°05'22" EAST, ALONG THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2118, PAGE 1825 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 1490.73 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY; THENCE NORTH 29°57'46" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 454.57 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2275, PAGE 127 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 52°05'22" EAST, A DISTANCE OF 66.64 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 891, PAGE 1070 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 29°57'46" EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID OLD DIXIE HIGHWAY, A DISTANCE OF 454.57 FEET TO THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2118, PAGE 1825 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 52°05'22" WEST ALONG SAID NORTH LINE, A DISTANCE OF 66.64 FEET TO THE POINT OF BEGINNING.

THE AFOREDESCRIBED PARCEL CONTAINS 0.69 ACRES MORE OR LESS.