

RESOLUTION NO. 2007- 303

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

**RECITALS**

**WHEREAS**, per Chapter 127, Florida Statutes, 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 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. Findings.** The above Recitals are incorporated herein by reference and are hereby adopted as Findings in support of this Resolution.

**Section 2. Declaration of Necessity.** The County declares the public purpose and the necessity for that purpose of 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.

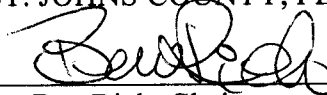
**Section 3. Acquisition of Fee Simple Title.** The County is authorized to acquire, through condemnation by right of eminent domain, fee simple title in the real property identified in the attached Exhibit "A" for the construction of a county roadway from the owner and any other persons required by law to be joined in such proceedings.

**Section 4. 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 16<sup>th</sup> day of October, 2007.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

**RENDITION DATE** 10/18/07

By:   
Ben Rich, Chairman

ATTEST: Cheryl Strickland, Clerk

By:   
Deputy Clerk



**Exhibit "A"**

**PARCEL 4:**

A part of Sections 2 and 3, Township 5 South, Range 28 East, St. Johns County, Florida, more particularly described as follows:

For a point of reference commence at the intersection of the Northeasterly right of way line of U.S. Highway No. 1 (State Road No. 5) with the West line of said Section 2; thence North 41 degrees 01 minutes 01 seconds West along said Northeasterly right of way line, a distance of 1921.04 feet to the Northwest corner of Tract 9 of an unrecorded subdivision known as "Durbin Subdivision", the same being a point where said right of way line jogs; thence North 89 degrees 16 minutes 00 seconds East along the North line of said Tract 9, a distance of 32.77 feet to the Point of Beginning; thence North 41 degrees 01 minutes 01 seconds West along the Northeasterly right of way line of said U.S. Highway No. 1, a distance of 78.65 feet; thence North 89 degrees 16 minutes 00 seconds East, 60 feet Northerly of and parallel with the North line of said Tract 9, the same being the Southerly line of lands described in Deed Book 204, page 330 of the public records of said St. Johns County, a distance of 1557.93 feet to a point on the Northwesterly projection of the Northeasterly right of way line of a 50 foot right of way known as "Old Dixie Highway"; thence South 23 degrees 06 minutes 04 seconds East along said Northwesterly projection of the Northeasterly right of way line, a distance of 64.88 feet; thence South 89 degrees 16 minutes 00 seconds West along the Northerly line of said Tract 9 and its Easterly projection, a distance of 1531.77 feet to the Point of Beginning.