

RESOLUTION NO. 2008- 157

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED FROM E. VIRGINIA HEIN TO ST. JOHNS COUNTY RELEASING RESTRICTIONS AND A REVERTER CLAUSE RESERVED IN A PREVIOUS DEED.**

**RECITALS**

**WHEREAS**, on October 16, 1980, Alex Hein (hereinafter "Hein") conveyed certain real property to St. Johns County (hereinafter "County") by Warranty Deed recorded in Official Records Book 470, page 487, of the public records of St. Johns County, Florida, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

**WHEREAS**, said deed includes restrictions that limit the County's use of the property and a reverter clause reserved by Hein, his heirs or assigns, if the land is not so used; and

**WHEREAS**, the County desires to use the property for other purposes than the restrictions allow and E. Virginia Hein, Hein's surviving spouse and heir at law, has agreed to execute a deed to the County, attached hereto as Exhibit "B", incorporated by reference and made a part hereof, releasing the restrictions and reverter clause for an amount of \$25,000.00; and

**WHEREAS**, County staff has determined that the amount for the release is reasonable and it is in the best interest of the County to have the restrictions and reverter clause released to own the property free and clear.

**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.

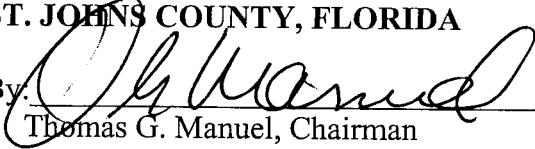
Section 2. The deed attached hereto as Exhibit "B" is hereby accepted by the Board of County Commissioners.

Section 3. The Clerk of Circuit Court is instructed to record the original deed in the public records of St. Johns County, Florida.

PASSED AND ADOPTED this 10 day of June, 2008.

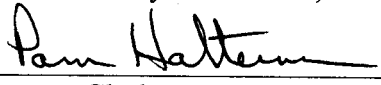
**BOARD OF COUNTY COMMISSIONERS OF  
ST. JOHNS COUNTY, FLORIDA**

By: \_\_\_\_\_

  
Thomas G. Manuel, Chairman

**ATTEST:** Cheryl Strickland, Clerk

By: \_\_\_\_\_

  
Deputy Clerk

**RENDITION DATE** 6/17/08'

Printed for Lawyers' Title Guaranty Fund, Orlando, Florida

This instrument was prepared by:

GEORGE M. McCLURE

of the Law Offices of

MARTZ & McCLURE

Three Palm Row

ST. AUGUSTINE, FLORIDA 32084

80 14033

OFF REC 470 PAGE 487

Warranty Deed (STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 16th day of October 19 80, Between ALEX HEIN, conveying his separate, non-homestead property,

of the County of St. Johns, State of Florida, grantor, and St. Johns County, a political subdivision of the State of Florida,

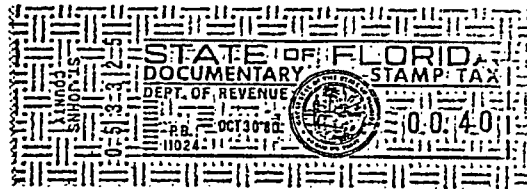
whose post office address is St. Johns County Courthouse, St. Augustine, Florida 32084

of the County of St. Johns, State of Florida, grantee,

Witnesseth, That said grantor, for and in consideration of the sum of Ten and -----

no/100 dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in St. Johns County, Florida, to-wit:

SEE SCHEDULE A ATTACHED HERETO



and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\*"Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presences

Signature of George E. McClure

Signature of Alex Hein (Seal)

Signature line (Seal)

Signature line (Seal)

Signature line (Seal)

STATE OF Florida COUNTY OF St. Johns

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared ALEX HEIN

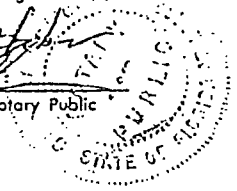
to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 16th day of October 19 80

My commission expires: 12/27/83

George E. McClure

Notary Public



SCHEDULE "A"

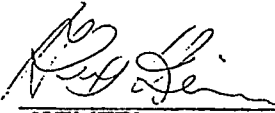
Land situate, lying and being in St. Johns County, Florida, to wit:

A parcel of land in Section 19, Township 7 South, Range 30 East, St. Johns County, Florida, said parcel of land being also a part of those lands as described in Official Record 223, Page 429, of the Public Records of St. Johns County, and being more particularly described as follows:

Beginning at the most northerly corner of those lands as described in Official Record 223, Page 429; thence South 30 degrees 36 minutes 00 seconds East, 307.14 feet; thence South 85 degrees 44 minutes 15 seconds West, 141.93 feet; thence North 03 degrees 05 minutes 00 seconds West, 275.32 feet to the point of beginning; containing 0.45 acres.

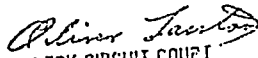
Together with an easement for ingress and egress, 30 feet wide lying south of and adjoining the south line of the above-described parcel of land, said easement being bounded on the east by State Road No. 5 and extending westerly to the east line of County Road C-5A.

PROVIDED, HOWEVER, title shall remain with the said Grantee for so long as the property is used for purposes of emergency rescue and medical services, and if the land is not so used, then, title to said property shall immediately revert to the Grantor, his heirs or assigns, and grantee herein may remove all buildings, structures, fixtures and improvements within a reasonable time thereafter.

  
\_\_\_\_\_  
ALEX HEIN

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

1980 OCT 30 AM 9:19

  
CLERK CIRCUIT COURT

Prepared By:  
Michael D. Hunt  
Deputy County Attorney  
4020 Lewis Speedway  
St. Augustine, Florida 32084

**WARRANTY DEED**

**THIS WARRANTY DEED** made and executed this \_\_\_\_ day of \_\_\_\_\_, 2008, by **E. VIRGINIA HEIN**, surviving spouse of Alex Hein, deceased, conveying her separate non homestead property, whose address is 2224 Shore Drive, St. Augustine, Florida 32086, hereinafter called the Grantor, to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

**WITNESSETH:** That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate, lying and being in St. Johns County, State of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF ("THE PROPERTY")

THIS DEED IS GIVEN FOR THE SOLE PURPOSE OF RELEASING THE RESTRICTIONS AND REVERTER CLAUSE CONTAINED IN THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 470, PAGE 487, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

**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 easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2007.

**IN WITNESS WHEREOF**, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered  
in the presence of:

GRANTOR

\_\_\_\_\_  
Witness: \_\_\_\_\_

\_\_\_\_\_  
E. VIRGINIA HEIN

\_\_\_\_\_  
Witness: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2008, by E. Virginia Hein. She is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_