

RESOLUTION NO. 2008- 209

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FROM MOULTRIE CROSSING HOMEOWNERS' ASSOCIATION, INC. TO ST. JOHNS COUNTY CONVEYING THE RIGHT-OF-WAY OF MOULTRIE CROSSING LANE.

RECITALS

WHEREAS, Summerhill Developers, LLC, a Florida limited liability company ("Summerhill") was the developer of that certain property platted as Moultrie Crossing recorded in Map Book 52, pages 1 through 4; and

WHEREAS, in the Adoption and Dedication of said plat, the 5' drainage and utility easement along Moultrie Crossing Lane (the "right-of-way") was dedicated to St. Johns County ("County"), but the right-of-way itself was inadvertently dedicated to the Moultrie Crossing Homeowners' Association ("Association"); and

WHEREAS, the right-of-way was built to County standards and has been maintained by the County, but never properly dedicated to the County; and

WHEREAS, since it was the intent of the developer to dedicate the right-of-way to the County on the recorded plat, along with the 5' drainage and utility easement, the Association has executed and presented to the County a Deed of Dedication, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, to properly dedicate and convey the right-of-way to the County; and

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 Board hereby accepts the Deed of Dedication for the purposes mentioned above.

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

PASSED AND ADOPTED this 5th day of August, 2008.



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

By: Thomas G. Manuel
Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman
Deputy Clerk

RENDITION DATE 8/8/08

Exhibit "A" to Resolution

Prepared by:
Laurie Ford
St. Johns County
4020 Lewis Speedway
St. Augustine, Florida 32084

**DEED OF DEDICATION
RIGHT-OF-WAY**

THIS INDENTURE, made this 2nd day of March, 2008, BETWEEN, MOULTRIE CROSSING HOMEOWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation, whose address is c/o 137 Moultrie Crossing Lane, St. Augustine, Florida 32086, 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:

Moultrie Crossing Lane as recorded in Map Book 52, pages 1 through 4, of the public records of St. Johns County, Florida. Together with drainage easements set forth on said recorded plat.

TO HAVE AND HOLD the same unto the Grantees, 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, 2007.

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) Laurie Ford
(print) Laurie Ford

(sign) Amy Meide
(print) Amy Meide

**STATE OF FLORIDA
COUNTY OF ST. JOHNS**

**MOULTRIE CROSSING HOMEOWNERS
ASSOCIATION, INC.**, a Florida not-for-profit corporation

By: [Signature]
William C. Przybylek, Vice President

The foregoing instrument was acknowledged before me this 2nd day of March, 2008, by William C. Przybylek as Vice President of Moultrie Crossing Homeowners Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me or has produced FL Drivers License as identification.

[Signature]
Notary Public
My Commission Expires: 4-17-08

