

RESOLUTION NO. 2009- 295

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

**RECITALS**

**WHEREAS**, acquisition is ongoing for property needed for right-of-way related to Seg. III Four Mile Road/North Volusia St. Road improvement project; and

**WHEREAS**, two separate non-homesteaded properties along No. Volusia St., one titled in the name of the late John R. Cottin (“Cottin”) and the second in the name of the late Claudia Mayes (“Mayes”), have title issues and are delaying acquisition and the time to clear the title is unknown; and

**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 constructing improvements to a county roadway is a proper public purpose; and

**WHEREAS**, with respect to the two parcels along No. Volusia Street noted as “Cottin” and “Mayes,” the County’s exercise of the power to condemn real property for the purpose of constructing improvements to 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 to acquire, through condemnation by right of eminent domain, fee simple title in two separate properties identified on the attached map (Exhibit “A”) as the “Cottin” property and the “Mayes” property, in order to construct improvements to 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 two separate properties identified on the attached map (Exhibit "A") as the "Cottin" property and the "Mayes" property, from the respective owners 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 two separate properties identified on the attached map (Exhibit "A") as the "Cottin" property and the "Mayes" property, and is authorized to join the owner(s) 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 20<sup>th</sup> day of October, 2009.

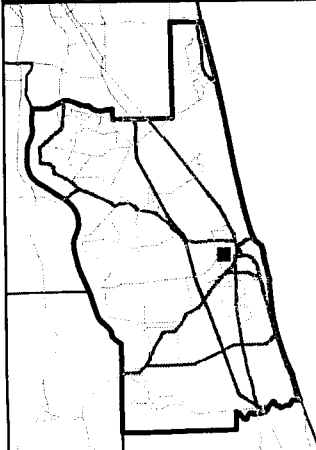
BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson  
Cyndi Stevenson, Chair

ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman  
Deputy Clerk

RENDITION DATE 10/22/09



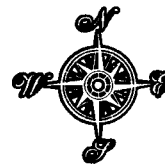
## Segment III/No. Volusia St. Four Mile Rd. Project

0 195 390 780 1,170 1,560 Feet

St. Johns County  
Land Mgmt Systems  
Real Estate Division



Map Prepared:  
September 15, 2009  
(904) 209-0786



2008 Aerial Imagery

**DISCLAIMER.**  
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy.