

RESOLUTION NO. 2009- 320

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 THE IMPROVEMENT OF A COUNTY ROADWAY AND AUTHORIZING THE COUNTY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS.

RECITALS

WHEREAS, St. Johns County, in cooperation with the Florida Department of Transportation (FDOT), is in the process of negotiating for property needed for Phase II of the I-95 at CR210 roadway improvement project; and

WHEREAS, the County and the owners of property located along County Road 210 East and directly adjacent to an Interstate 95 off-ramp have not reached agreement on the County's acquisition of a portion of their property; 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, it is in the best interest of the County's citizens to construct the roadway improvements at the subject property at this time; and

WHEREAS, the County's exercise of the power to condemn real property for the purpose of the improvement of a county roadway is a proper public purpose; and

WHEREAS, to the extent that there are typographical errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

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 improvement 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 improvement of a county roadway from the 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 real property identified in the attached Exhibit "A" and is authorized to join the owners 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 3rd day of November, 2009.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Ken Sanchez
Chair

ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman
Deputy Clerk

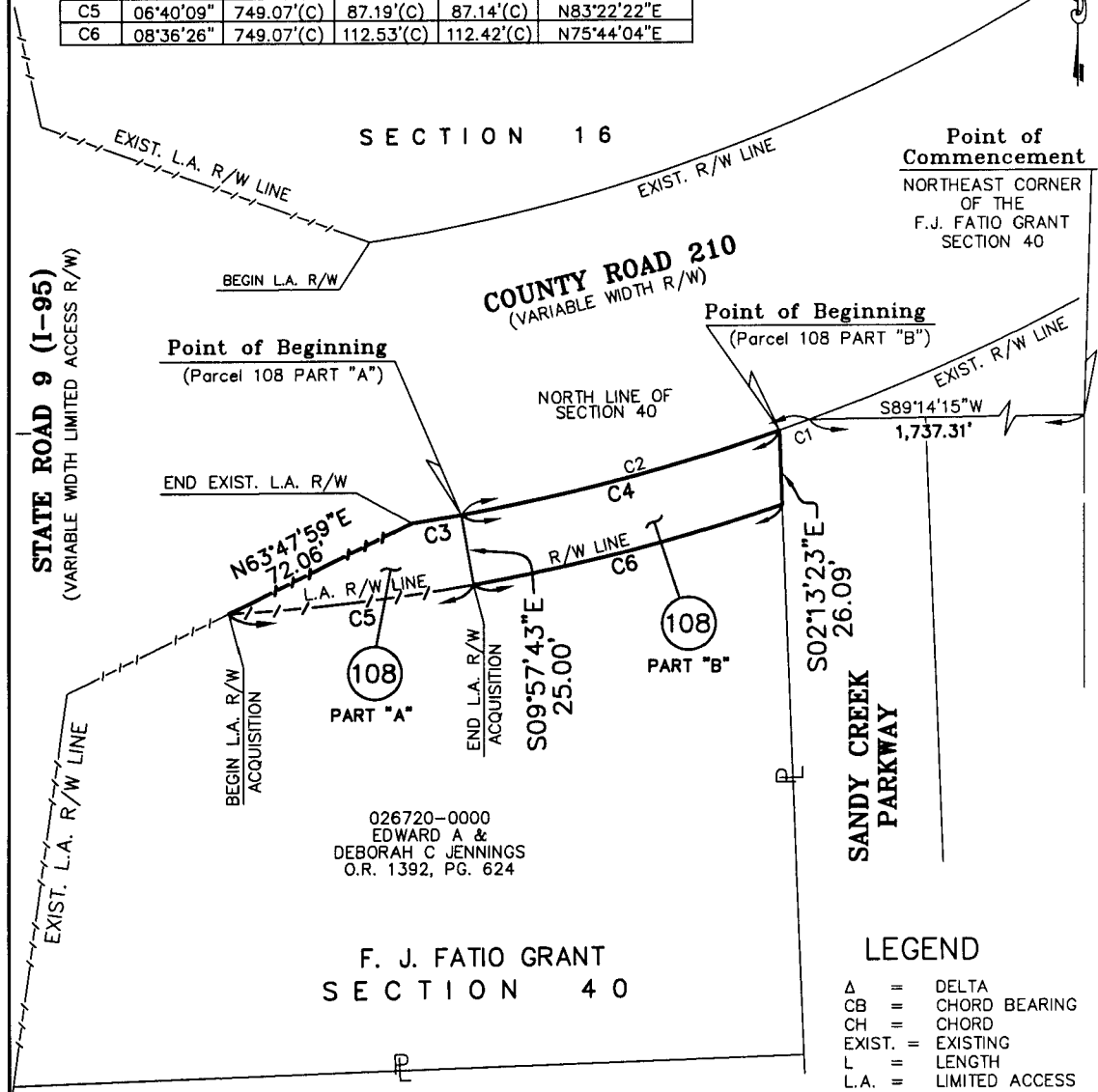
RENDITION DATE 11/5/09



SKETCH AND LEGAL DESCRIPTION OF

A PART OF THE F.J. FATIO GRANT, SECTION 40, TOWNSHIP 5, SOUTH, RANGE 28 EAST
ST. JOHNS COUNTY, FLORIDA

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	00°52'17"	724.07'(C)	11.01'(C)	11.01'(C)	N70°24'51"E
C2	10°03'34"	724.07'(C)	127.13'(C)	126.96'(C)	N75°00'30"E
C3	01°24'34"	724.07'(C)	17.81'(C)	17.81'(C)	N80°44'34"E
C4	09°11'18"	724.07'(C)	116.12'(C)	115.99'(C)	N75°26'38"E
C5	06°40'09"	749.07'(C)	87.19'(C)	87.14'(C)	N83°22'22"E
C6	08°36'26"	749.07'(C)	112.53'(C)	112.42'(C)	N75°44'04"E

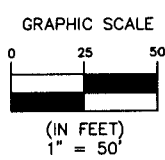


F. J. FATIO GRANT
SECTION 40

026720-0000
EDWARD A &
DEBORAH C JENNINGS
O.R. 1392, PG. 624

LEGEND

- Δ = DELTA
- CB = CHORD BEARING
- CH = CHORD
- EXIST. = EXISTING
- L = LENGTH
- L.A. = LIMITED ACCESS
- O.R. = OFFICIAL RECORDS
- PG. = PAGE
- R = RADIUS
- R/W = RIGHT OF WAY



GENERAL NOTES

- BEARINGS SHOWN HEREON ARE BASED ON THE NORTHERLY LINE OF THE F. J. FATIO GRANT, SECTION 40, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AS S 89°14'15" W. (STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NAD 1983 1990 NGS ADJUSTMENT.)
- THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY. ITS SOLE PURPOSE IS TO GRAPHICALLY ILLUSTRATE THE ABOVE DESCRIPTION.

SHEET 1 OF 2

JOB NO. 2008-811-2
DRAFTER JES
P.C. N/A
F.B. N/A PG. N/A
SCALE 1"=50'
DATE April 06, 2009
CHECKED BY:

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

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NO.	DATE	DESCRIPTION	BY
2	04-06-09	ADD PART A & B/ ADD SHEET	JES
1	04-01-09	ADD BEGIN/END LARW	JES



DENNIS E. ELSWICK, P.L.S. CERT. NO. 3190

SKETCH AND LEGAL DESCRIPTION OF

A PART OF THE F.J. FATIO GRANT, SECTION 40, TOWNSHIP 5, SOUTH, RANGE 28 EAST
ST. JOHNS COUNTY, FLORIDA

PARCEL 108

A PART OF THE F.J. FATIO GRANT, SECTION 40, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, (ALSO BEING A PART OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 1392, PAGE 624, OF THE CURRENT PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART "A" (FEE SIMPLE LIMITED ACCESS RIGHT OF WAY)

COMMENCE AT THE NORTHEAST CORNER OF THE F.J. FATIO GRANT, SECTION 40, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 89°14'15" WEST, ALONG THE NORTHERLY LINE OF SAID F.J. FATIO GRANT, SECTION 40, A DISTANCE OF 1,737.31 FEET TO THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, AND A POINT ON A CURVE; THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, AND ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 724.07 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 10°03'34", AN ARC DISTANCE OF 127.13 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 75°00'30" WEST, 126.96 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 09°57'43" EAST, A DISTANCE OF 25.00 FEET TO A POINT ON A CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 749.07 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 06°40'09", AN ARC DISTANCE OF 87.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 83°22'22" WEST, 87.14 FEET TO THE SOUTHEASTERLY EXISTING LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 9 (I-95) (A VARIABLE WIDTH LIMITED ACCESS RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP NO. 78080-2403); THENCE NORTH 63°47'59" EAST, ALONG SAID SOUTHEASTERLY EXISTING LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 9 (I-95), A DISTANCE OF 72.06 FEET TO THE SAID SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, AND A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, AND ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 724.07 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 01°24'34", AN ARC DISTANCE OF 17.81 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 80°44'34" EAST, 17.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,347 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

PART "B" (FEE SIMPLE RIGHT OF WAY)

COMMENCE AT THE NORTHEAST CORNER OF THE F.J. FATIO GRANT, SECTION 40, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 89°14'15" WEST, ALONG THE NORTHERLY LINE OF SAID F.J. FATIO GRANT, SECTION 40, A DISTANCE OF 1,737.31 FEET TO THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, AND A POINT ON A CURVE; THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, AND ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 724.07 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 00°52'17", AN ARC DISTANCE OF 11.01 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 70°24'51" WEST, 11.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°13'23" EAST, A DISTANCE OF 26.09 FEET TO A POINT ON A CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 749.07 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 08°36'26", AN ARC DISTANCE OF 112.53 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 75°44'04" WEST, 112.42 FEET; THENCE NORTH 09°57'43" WEST, A DISTANCE OF 25.00 FEET TO THE SAID SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, AND A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, AND ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 724.07 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 09°11'18", AN ARC DISTANCE OF 116.12 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 75°26'38" EAST, 115.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,858 SQUARE FEET, MORE OR LESS.

SHEET 2 OF 2

2			
1	04-06-09	ADD PART A & B/ ADD SHEET	JES
NO.	DATE	DESCRIPTION	BY

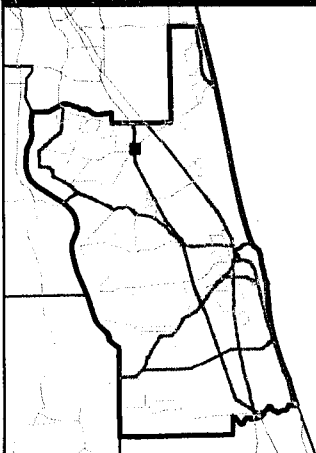
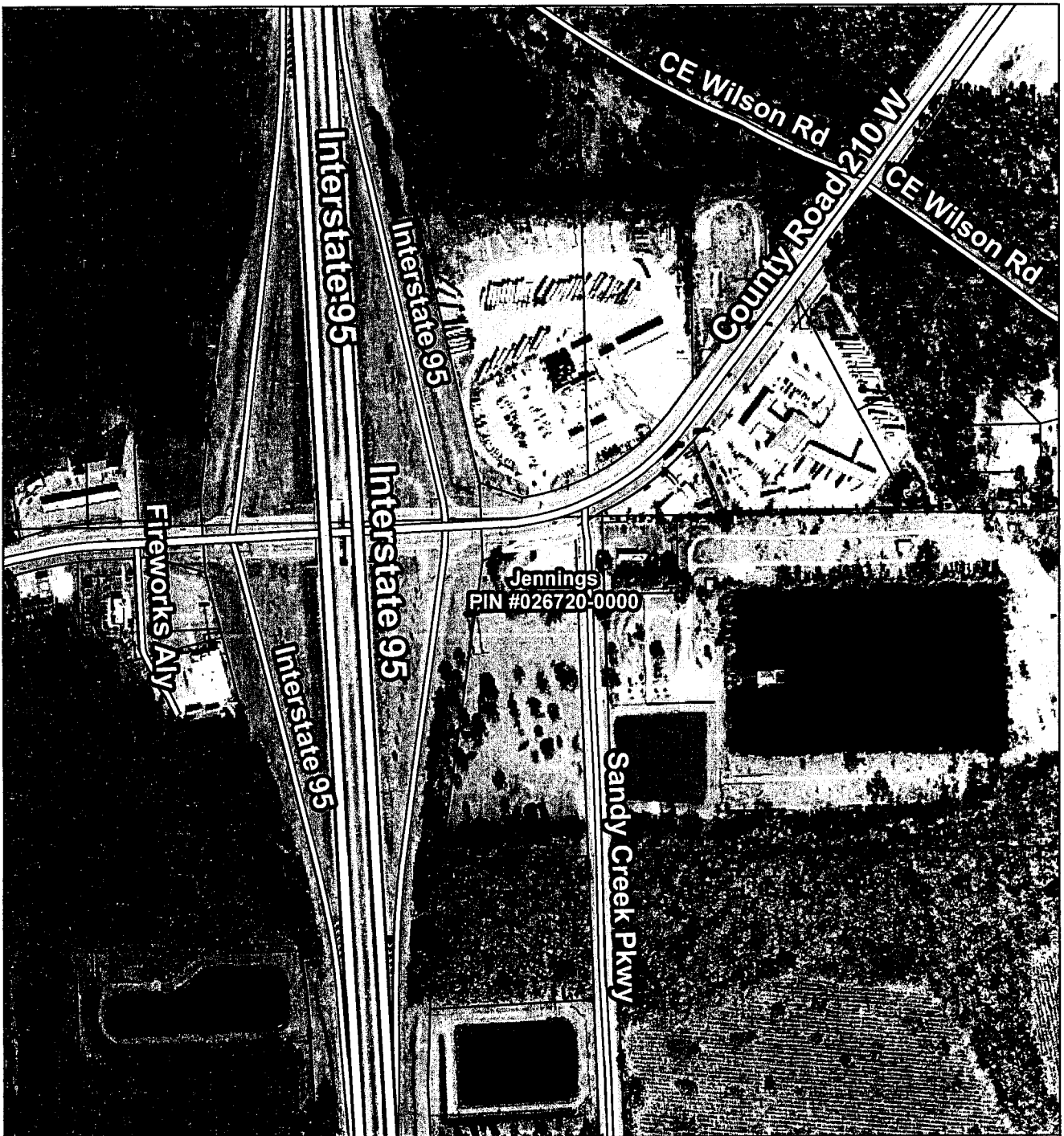
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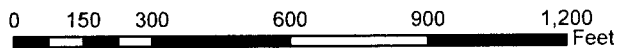
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DENNIS E. ELSWICK, P.L.S. CERT. NO. 3190



PHase II-I-95/CR 210 Roadway Improvement Project



St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
October 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.