

RESOLUTION NO. 2010- 145

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, PROVISIONS, AND REQUIREMENTS OF A BOUNDARY LINE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ROBERT W. MARVIN AND SANDRA L. MARVIN AND AUTHORIZES THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE BOUNDARY LINE AGREEMENT ON BEHALF OF THE COUNTY

RECITALS

WHEREAS, Robert W. Marvin and Sandra L. Marvin are the owners of record of that certain real property situate in St. Johns County, described in Warranty Deed dated May 24, 2005, filed May 26, 2005, and recorded in Official Records Book 2445, page 1034, of the public records of St. Johns County, Florida; and

WHEREAS, St. Johns County is the owner of that certain right-of-way known as Owens Avenue by virtue of Maintenance Map filed in County Road Plat Book 1, page 35, of the public records of St. Johns County, Florida; and

WHEREAS, pursuant to the Mediated Settlement Agreement dated October 29, 2009, filed under Case No. CA-08-1564, the party of the first part and the party of the second part desire to forever settle the boundary line dispute and establish a common boundary line between the parcels of land herein above referred.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

2. The Board of County Commissioners hereby **approves the terms, conditions, provisions, and requirements of the attached and incorporated Boundary Line Agreement between St. Johns County, Florida and Robert W. Marvin and Sandra L. Marvin, and authorizes the County Administrator, or designee, to execute the Boundary Line Agreement on behalf of the County, substantially in the form attached.**

3. The Clerk of Circuit Court is hereby instructed to record the Boundary Line Agreement in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 20th day of July, 2010.

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

By: Ron Sanchez
Ron Sanchez, Chair

ATTEST: Cheryl Strickland, Clerk

By: Sam Halterman
Deputy Clerk

RENDITION DATE 7/21/10



Prepared by:
Patrick F. McCormack
St. Johns County Attorney
500 San Sebastian View
St. Augustine, FL 32084
904.209.0805

BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2010, by and between ROBERT W. MARVIN and SANDRA L. MARVIN, husband and wife, party of the first part, whose address is [REDACTED] and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, party of the second part, whose address is 500 San Sebastian View, St. Augustine, Florida 32084.

WITNESSETH

WHEREAS, Robert W. Marvin and Sandra L. Marvin are the owners of record of that certain real property situate in St. Johns County, described in Warranty Deed dated May 24, 2005, filed May 26, 2005, and recorded in Official Records Book 2445, page 1034, of the public records of St. Johns County, Florida; and

WHEREAS, St. Johns County is the owner of that certain right-of-way known as Owens Avenue by virtue of Maintenance Map filed in County Road Plat Book 1, page 35, of the public records of St. Johns County, Florida; and

WHEREAS, pursuant to the Mediated Settlement Agreement dated October 29, 2009, filed under Case No. CA-08-1564, the party of the first part and the party of the second part desire to forever settle the boundary line dispute and establish a common boundary line between the parcels of land herein above referred.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations and the mutual covenants contained herein, the party of the first part and the party of the second part agree that the boundary line between their respective properties shall hereinafter and forever be as follows:

PROPERTY DESCRIBED ON ATTACHED EXHIBIT "A," AND DEPICTED BY ATTACHED EXHIBIT "B" INCORPORATED BY REFERENCE AND MADE A PART HEREOF.

IN WITNESS WHEREOF, the party of the first part and the party of the second part hereunto have set their hands and seals the day and year first above written.

Signed, sealed and delivered
in the presence of:

ROBERT W. MARVIN

Print Name _____

SANDRA L. MARVIN

Print Name _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day _____, 2010, by Robert W. Marvin and Sandra L. Marvin. Who are personally known to me or have produced _____ as identification.

Notary Public

My commission expires: _____

ST. JOHNS COUNTY, FLORIDA, a political
subdivision of the State of Florida,

By: _____
Michael D. Wanchick
County Administrator

ATTEST: Cheryl Strickland, Clerk

By: _____
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day
_____, 2010, by Michael D. Wanchick, County Administrator of St. Johns
County, Florida, on behalf of the County. Who is personally known to me or has
produced _____ as identification.

Notary Public
My commission expires: _____

EXHIBIT "A"

DESCRIPTION OF BOUNDARY LINE BETWEEN ST. JOHNS COUNTY, A
POLITICAL SUBDIVISION AND ROBERT MARVIN AND SANDRA MARVIN

A PART OF GOVERNMENT LOT 5, SECTION 15, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWESTERLY CORNER OF LOT 10, BLOCK 5, BIERA MAR SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 69 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH $10^{\circ}33'52''$ WEST, ALONG THE WESTERLY LINE OF SAID LOT 10, BLOCK 5, BIERA MAR AND IT'S NORTHERLY EXTENSION, A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING OF THE BOUNDARY LINE BEING DESCRIBED; SAID POINT OF BEGINNING LYING ON THE SOUTHERLY LINE OF THE LIMITS OF MAINTENANCE AS SHOWN ON ST. JOHNS COUNTY LAND MANAGEMENT SYSTEMS SURVEYING AND MAPPING DIVISION SPECIFIC PURPOSE SURVEY PREPARED BY PATRICIA GAIL OLIVER WITH A FIELD SURVEY DATE OF SEPTEMBER 1, 2005, FILE NO. S-468, SAID SOUTHERLY LINE ALSO BEING THE SAME AS THE SOUTHERLY LINE OF THE LIMITS OF MAINTENANCE AS SHOWN ON THE OWENS AVENUE MAINTENANCE MAP AS FILED IN COUNTY ROAD PLAT BOOK 1, PAGE 35 OF SAID PUBLIC RECORDS; FROM THE POINT OF BEGINNING THUS DESCRIBED; THENCE NORTH $79^{\circ}29'40''$ EAST, ALONG SAID SOUTHERLY LINE OF THE LIMITS OF MAINTENANCE, A DISTANCE OF 110.00 FEET; THENCE SOUTH $55^{\circ}30'20''$ EAST, CONTINUING ALONG SAID SOUTHERLY LINE OF THE LIMITS OF MAINTENANCE, A DISTANCE OF 21.24 TO THE POINT OF TERMINUS OF THE BOUNDARY LINE BEING DESCRIBED.

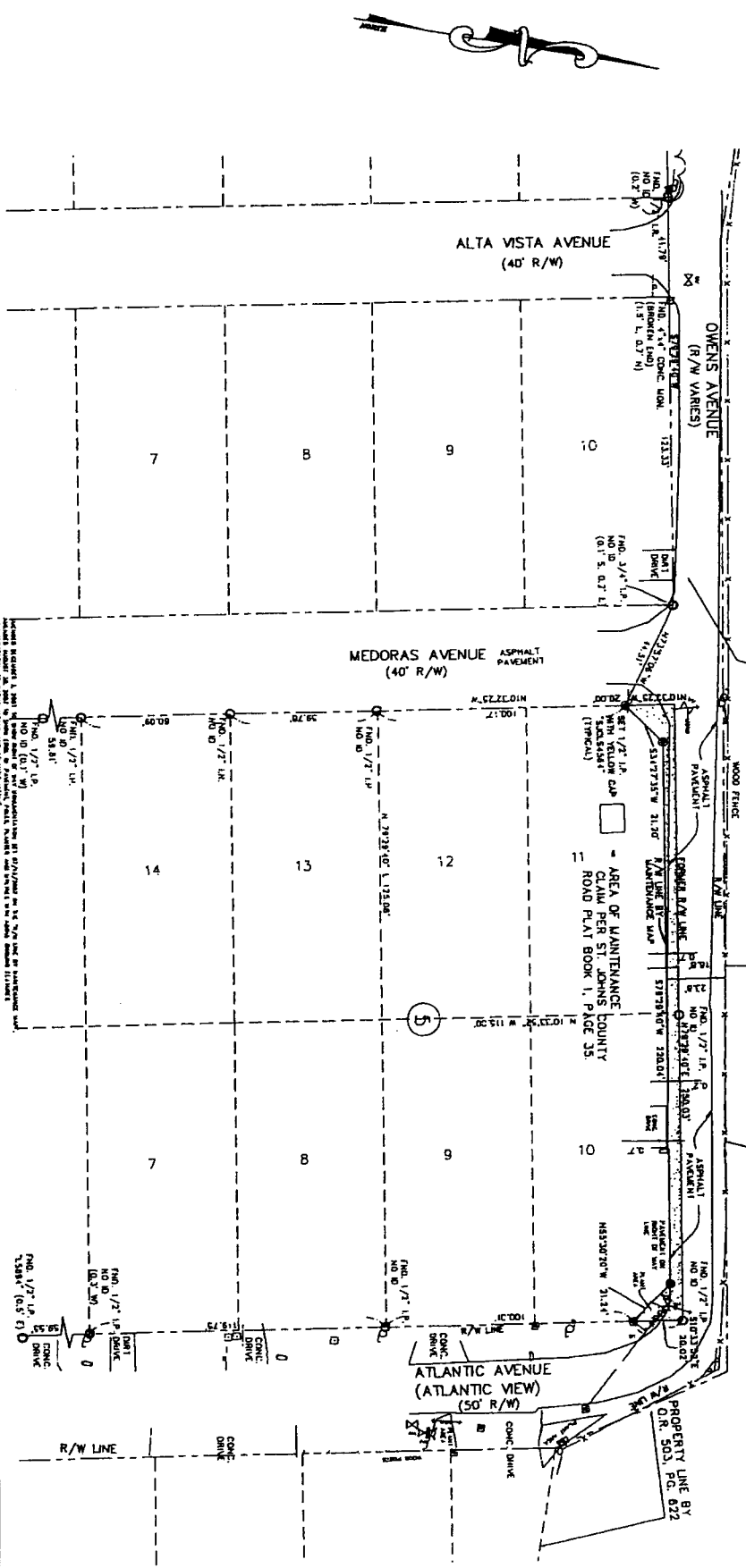
- LEGEND
- = WOOD UTILITY POLE
 - = WOOD UTILITY POLE WITH GUY ANCHOR
 - = WOOD UTILITY POLE
 - = WATER VALVE
 - = FIRE HYDRANT
 - = SIGN
 - = SOUTHERN BELL RISER BOX
 - = WATER METER
 - = WOOD POST
 - = PAINT MARKS
 - = UNDERGROUND WATER
 - = FOUND MONUMENTATION

MAP SHOWING A SPECIFIC PURPOSE SURVEY OF
 A PART OF OWENS AVENUE AND ATLANTIC AVENUE
 LYING IN THE BIERA MAR SUBDIVISION AS RECORDED IN
 MAP BOOK 3, PAGE 69 OF THE PUBLIC RECORDS
 OF ST. JOHNS COUNTY, FLORIDA.
 FOR: THE ST. JOHNS COUNTY REAL ESTATE DIVISION

SECTION 15, TOWNSHIP 8 SOUTH, RANGE 30 EAST

NOTE: OWENS AVENUE RIGHT OF WAY VARIES
 DUE TO OCCUPATION SINCE AT LEAST 1881 O.R. 503 PG. 622

PROPERTY LINE BY
 O.R. 503 PG. 622



<p>OWNER: ST. JOHNS COUNTY REAL ESTATE DIVISION PROJECT NO. 2004-001 DATE: 10/15/04</p>	<p>DATE: 10/15/04 TIME: 10:00 AM DRAWN BY: J. B. BROWN CHECKED BY: J. B. BROWN TITLE: SURVEYOR</p>	<p>PROJECT NO. 2004-001 DATE: 10/15/04 TIME: 10:00 AM DRAWN BY: J. B. BROWN CHECKED BY: J. B. BROWN TITLE: SURVEYOR</p>	<p>ST. JOHNS COUNTY LAND MANAGEMENT SYSTEMS SURVEYING AND MAPPING DIVISION 4500 LARSEN STREET - P.O. BOX 340 ST. AUGUSTINE, FLORIDA 32084 PHONE (904) 899-0794</p>	<p>OWENS AVENUE SPECIFIC PURPOSE SURVEY FILE NUMBER: 2004-001</p>
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