

RESOLUTION NO. 2010- 181

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, St. Johns County is in the acquisition process for property needed for right-of-way related to Seg. III of the Four Mile Road/Volusia Street Roadway Improvement Project; and

WHEREAS, the transportation consultant, Reynolds, Smith & Hills, redesigned the improvements to the south end of No. Volusia St. shifting the roadway to the west to avoid a homestead property resulted in the need for additional parcels on the west side of No. Volusia Street; and

WHEREAS, of the additional parcels there is one non-homestead property near the corner of No. Volusia Street and West King Street of which negotiations with the owner have come to an impasse; and

WHEREAS, time is of the essence due to the project funding and construction schedule for the roadway improvements; 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;

WHEREAS, with respect to the parcel near the corner of No. Volusia Street and West King Street, the County’s exercise of the power to condemn real property for the purpose of constructing improvements to a county roadway is 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 of acquiring, through condemnation by right of eminent domain, fee simple title in the real property identified in the attached Exhibit "A" for the construction 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 construction 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.

Section 5. To the extent that there are typographical and/or administrative 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.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 7th day of September, 2010.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 

Ron Sanchez, Chair

ATTEST: Cheryl Strickland, Clerk

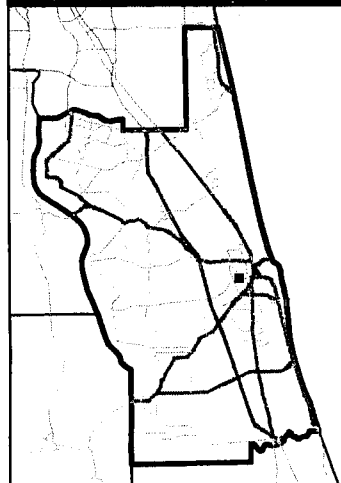
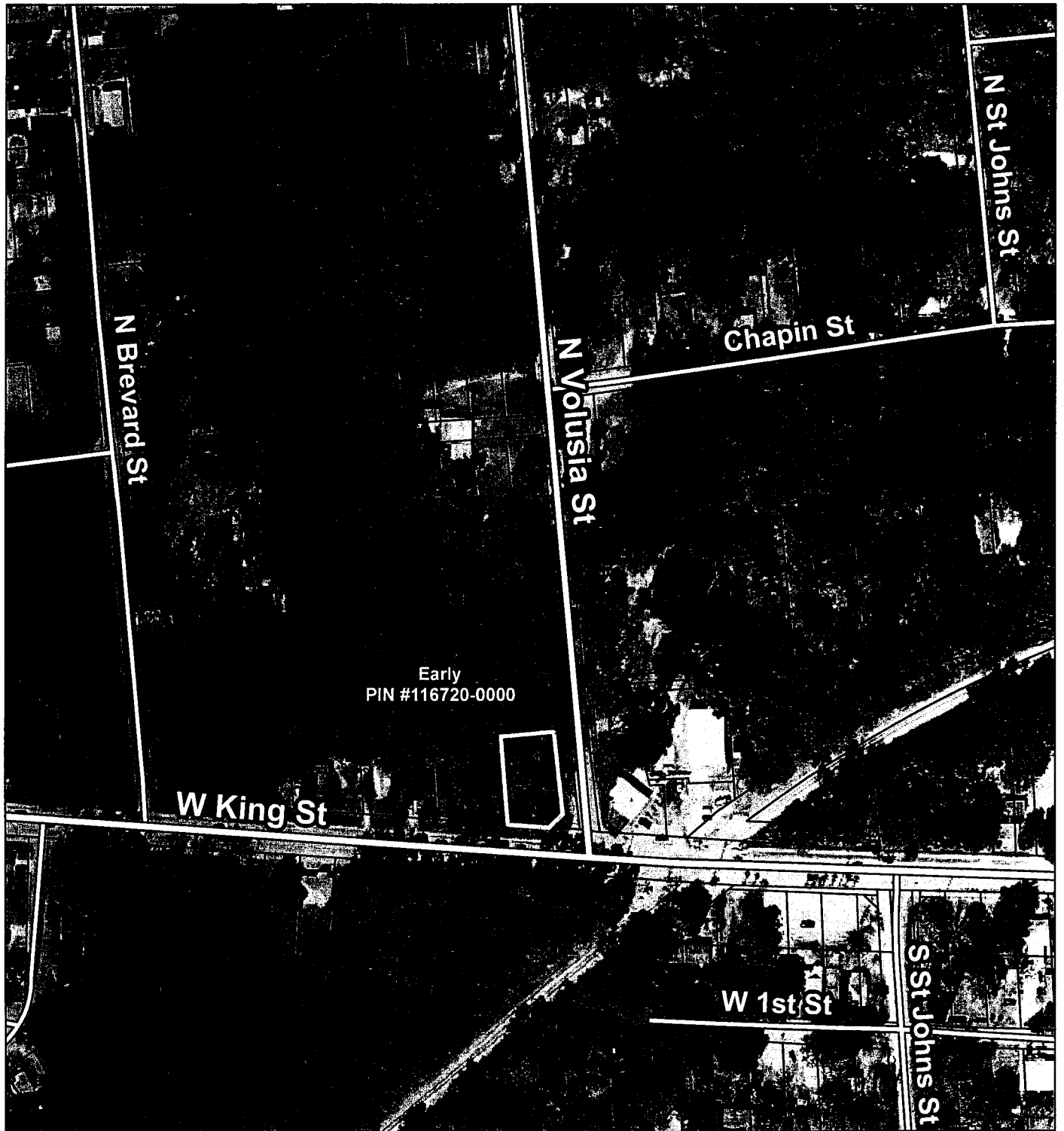
By: 

Deputy Clerk

RENDITION DATE 09/08/10



Exhibit "A"



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

0 100 200 400 600 Feet

St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
May 18, 2010
(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.