

RESOLUTION NO. 2010- 215

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

**RECITALS**

**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**, a small vacant parcel is required in connection with Nocatee roadway improvements as described on Exhibit "A," attached hereto, incorporated by reference and made a part hereof; and

**WHEREAS**, title issues exist on this parcel and must be resolved in order to finish the roadway improvements and time is of the essence in concluding the roadway project; and

**WHEREAS**, pursuant to the Development Agreement the developer is responsible for all costs related to acquisition in connection with certain road improvements.

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

**Section 1. 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" in connection with the construction of a county roadway.

**Section 2. 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" in connection with the construction of a county roadway from the owners and any other persons required by law to be joined in such proceedings.

**Section 3.** 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 4.** 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 5th day of October, 2010.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Ron Sanchez

Ron Sanchez, Chair

ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman

Deputy Clerk

RENDITION DATE 10/6/10



Exhibit "A"

To The Resolution

A portion of Section 3, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

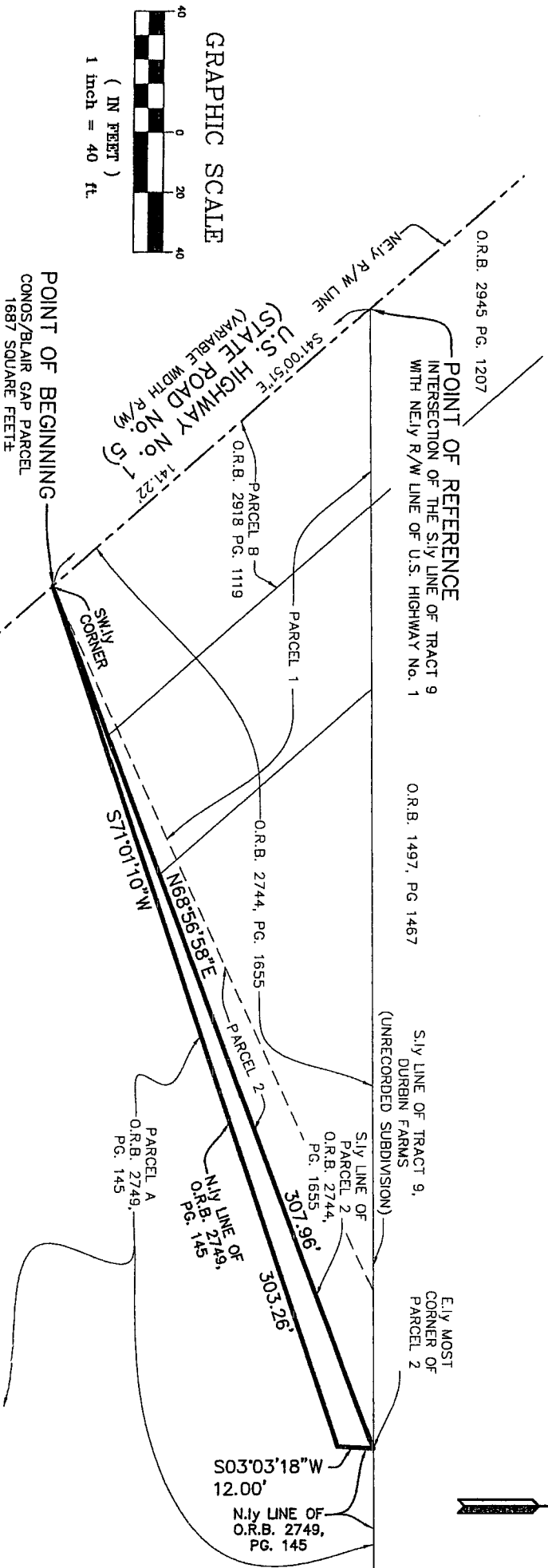
For a Point of Reference, commence at the intersection of the Southerly line of Tract 9, Durbin Farms, an unrecorded subdivision, with the Northeasterly right of way line of U.S. Highway No. 1 (State Road No. 5), a variable width right of way as presently established, thence South  $41^{\circ}00'51''$  East, along said Northeasterly right of way line, 141.22 feet to the Southwesterly corner of Parcel 2 as described and recorded in Official Records Book 2744, page 1655, of the public records of said county and the Point of Beginning.

From said Point of Beginning, thence North  $68^{\circ}56'58''$  East, departing said Northeasterly right of way line and along the Southerly line of said Parcel 2, a distance of 307.96 feet to the Easterly most corner thereof, said corner also being an angle point in the Northerly line of Parcel A of those lands described and recorded in Official Records Book 2749, page 145 of said public records; thence Southwesterly, along said Northerly line the following two (2) courses: Course 1, thence South  $03^{\circ}03'18''$  West, 12.00 feet; Course 2, thence South  $71^{\circ}01'10''$  West, 303.26 feet to the Point of Beginning.

Containing 1687 square feet, more or less.

# SKETCH TO ACCOMPANY DESCRIPTION OF

A PORTION OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA,  
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



**LEGEND:**

NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
R/W	RIGHT OF WAY

**NOTES:**

- THIS IS NOT A SURVEY.
- BEARINGS BASED ON THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5) AS BEING SOUTH  $41^{\circ}00'51''$  EAST.

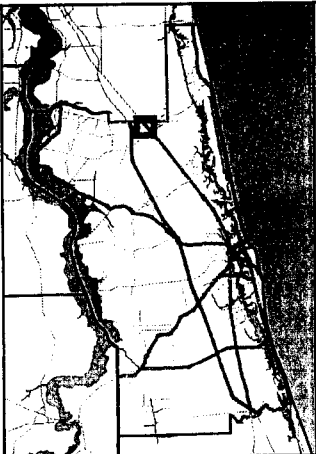
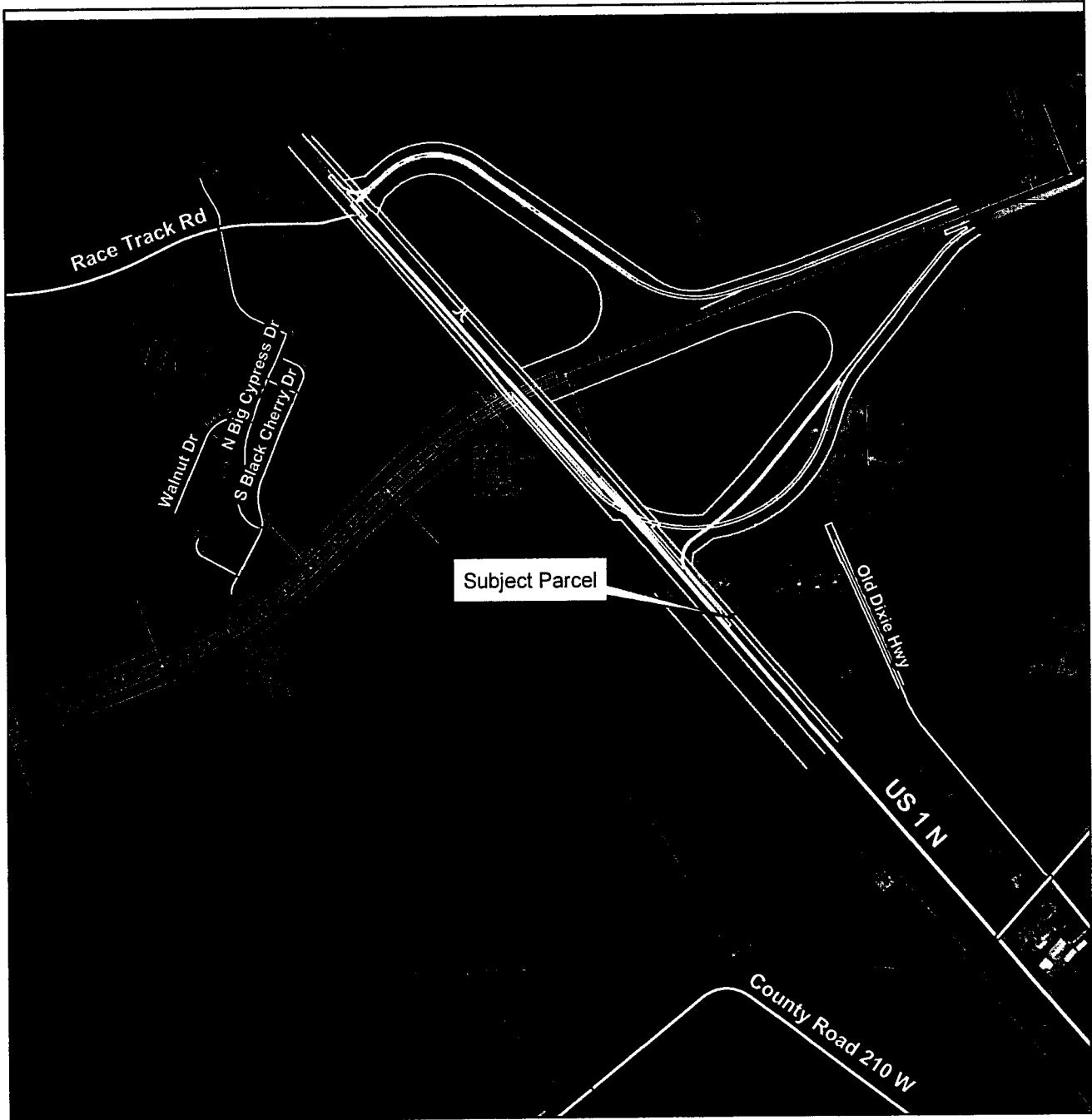


**Robert M. Angas Associates, Inc.**  
LAND SURVEYORS, PLANNERS AND CIVIL ENGINEERS  
SINCE 1924

14775 Old St. Augustine Road, Jacksonville, FL 32258 Tel: (904) 642-8550  
Certificate of Authorization No.: LB 3624  
DATE: **SEPTEMBER 29, 2008** SCALE: **1" = 40'**

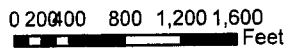
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

*Damon A. Kelly*  
**DAMON A. KELLY**  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LS No. 6294



# Gap Parcel

## Nocatee Parkway Connection



**2009 Aerial Imagery**

St. Johns County  
Land Mgmt Systems  
Real Estate Division



Map Prepared:  
September 22, 2010  
(904) 209-0786

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