

RESOLUTION NO. 2011- 138

A RESOLUTION BY 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 ALONG CR210 FOR THE CONSTRUCTION OF THE 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 acquiring property needed for Phase II of the CR210/I95 roadway improvement project; and

WHEREAS, Prem & Pooja, LLC. owns property located along County Road 210 that is needed for this project, and has not responded to the County's offer to purchase the property; and

WHEREAS, per Chapter 127, Florida Statutes, the 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 the construction of a county roadway is a proper public purpose.

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

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

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 and a temporary construction easement 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 and a temporary construction easement in the real property identified in the attached Exhibit "A" for the construction of a county roadway from the owner and any other persons required by law to be joined in such proceedings.

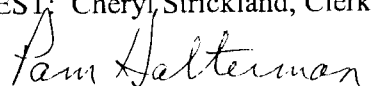
Section 4. Institution of Legal Proceedings. The County Attorney is authorized to institute legal proceedings to acquire, through condemnation by right of eminent domain, fee simple title and a temporary construction easement in the real property identified in the attached Exhibit "A" and is authorized 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 June, 2011.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Chair

ATTEST: Cheryl Strickland, Clerk
By: 
Deputy Clerk

RENDITION DATE 6/7/11

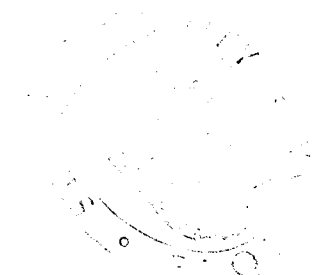


EXHIBIT "A" TO RESOLUTION

PARCEL 134

FEE SIMPLE

PROJECT NO. 08/811

SHEET NO. 5

A PART OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, (ALSO BEING A PART OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 2071, PAGE 1753 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 02°12'06" WEST, ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 4, A DISTANCE OF 84.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 02°12'06" WEST, ALONG SAID WESTERLY LINE OF GOVERNMENT LOT 4, A DISTANCE OF 5.98 FEET TO THE NORTHWESTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, (A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED), AND A POINT ON A CURVE; THENCE DEPARTING SAID WESTERLY LINE OF GOVERNMENT LOT 4, ALONG SAID NORTHWESTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, THE FOLLOWING 2 COURSES AND DISTANCES: (1) THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2801.93 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 01°42'47", AN ARC DISTANCE OF 83.78 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 56°57'52" WEST, 83.77 FEET TO A POINT OF TANGENCY; (2) THENCE SOUTH 57°49'15" WEST, A DISTANCE OF 210.41 FEET; THENCE NORTH 32°11'58" WEST, DEPARTING SAID NORTHWESTERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210, A DISTANCE OF 6.06 FEET; THENCE NORTH 57°47'48" EAST, A DISTANCE OF 297.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,776 SQUARE FEET, MORE OR LESS.

PARCEL 734

TEMPORARY CONSTRUCTION EASEMENT

PROJECT NO. 08/811

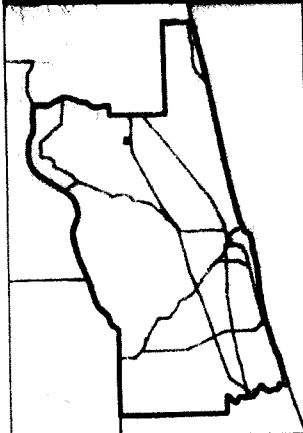
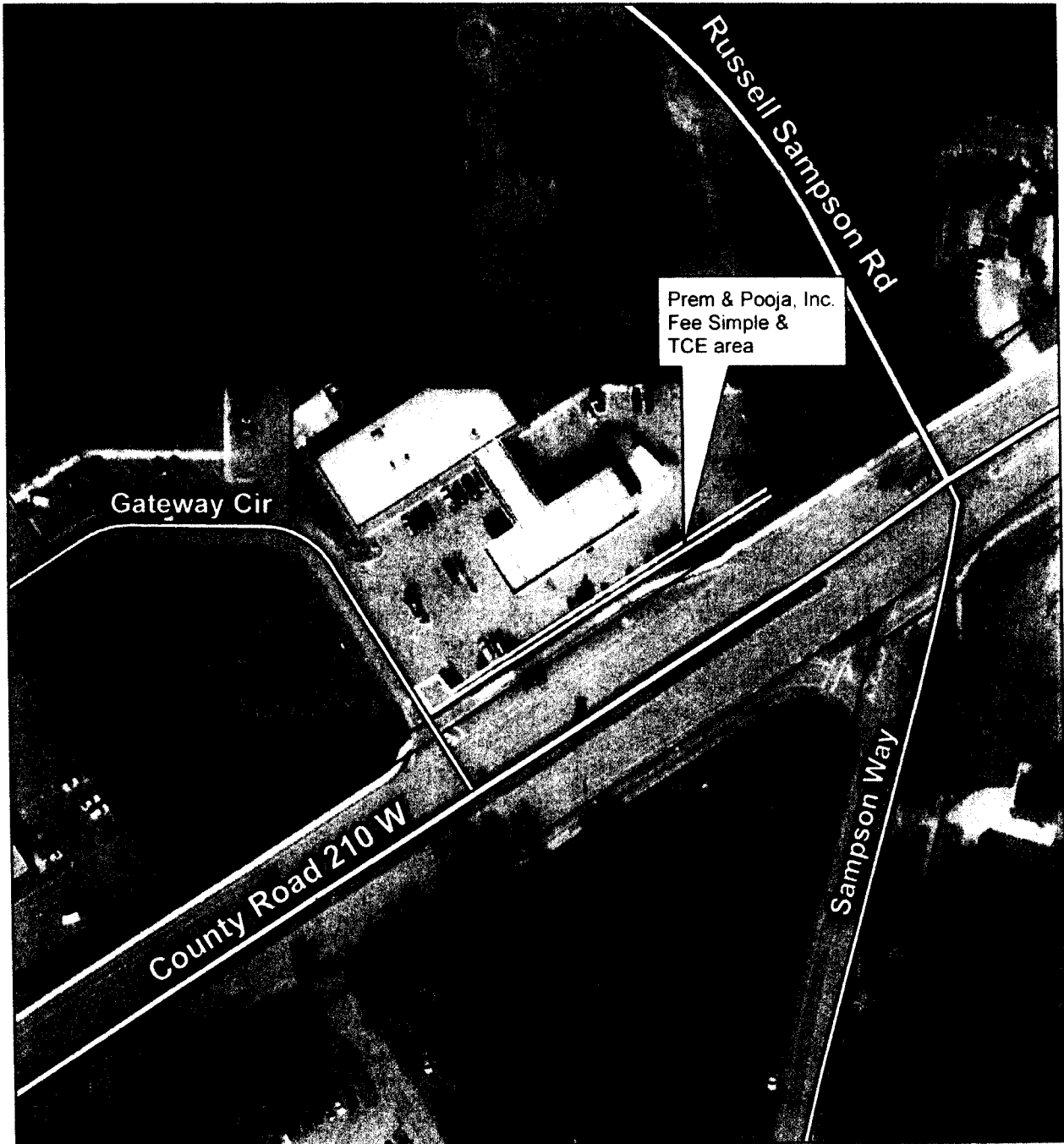
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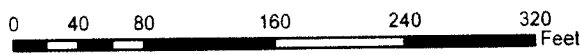
COMMENCE AT THE NORTHWEST CORNER OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 02°12'06" WEST, ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 4, A DISTANCE OF 84.95 FEET; THENCE SOUTH 57°47'48" WEST, DEPARTING SAID WESTERLY LINE OF GOVERNMENT LOT 4, A DISTANCE OF 98.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 57°47'48" WEST, A DISTANCE OF 198.59 FEET; THENCE NORTH 32°11'58" WEST, A DISTANCE OF 30.06 FEET; THENCE NORTH 57°47'48" EAST, A DISTANCE OF 31.22 FEET; THENCE SOUTH 32°12'12" EAST, A DISTANCE OF 21.43 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 17°01'38", AN ARC DISTANCE OF 8.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 73°56'00" EAST, 8.88 FEET; THENCE NORTH 57°47'48" EAST, A DISTANCE OF 152.35 FEET; THENCE NORTH 70°11'24" EAST, A DISTANCE OF 9.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,282 SQUARE FEET, MORE OR LESS.

THIS TEMPORARY CONSTRUCTION EASEMENT IS FOR A THREE-YEAR PERIOD CURRENTLY ESTIMATED TO COMMENCE ON MAY 1, 2012 AND CONCLUDE ON MAY 1, 2015. THE PURPOSE OF THE EASEMENT IS HARMONIZING AND TRANSITION BETWEEN THE NEW ROADWAY AND THE REMAINDER PROPERTY AND RELOCATION OF ANY IMPROVEMENTS WITHIN THE FEE PARCEL BEING ACQUIRED.



Prem & Pooja, LLC CR210/I95



St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
Date: 5/2/11
(904) 209-0796



2008 Aerial Imagery

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