

RESOLUTION NO. 2011- 43

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND APPROVING A PRIVATE SALE TO THE ADJOINING PROPERTY OWNER PURSUANT TO THE PROVISIONS SET FORTH IN SECTION 125.35(2), FLORIDA STATUTES AND AUTHORIZING THE BOARD CHAIR TO EXECUTE THE COUNTY DEED PRIOR TO CLOSING ON THE PROPERTY.**

**RECITALS**

**WHEREAS**, pursuant to Section 125.35(2), Florida Statutes, the Board of County Commissioners may effect a private sale when, due to the size, shape, location and value it is determined by the Board of County Commissioners that the parcel is of use only to one or more adjacent property owners; and

**WHEREAS**, upon review of the County's property inventory there were several small, currently unbuildable parcels that would be of no use for County projects; and

**WHEREAS**, letters were mailed to adjoining property owners asking for interest and bids on these parcels; and

**WHEREAS**, two adjoining property owners submitted offers for the property therefore according to the above Florida Statute we sent certified letters requesting sealed bids from both property owners. Only one property submitted a sealed bid, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, in the amount of \$61,400 for the property. The property is located on State Road 206 East as shown as a map attached hereto as Exhibit "B", incorporated by reference and made a part thereof; and

**WHEREAS**, the County acquired the property in 1990 for construction of an EMS site which was constructed and removed several years ago leaving the property vacant. There is no intended use for the subject property which is further described in the County Deed attached hereto as Exhibit "C", incorporated by reference and made a part hereof; and

**WHEREAS**, to the extent that there are typographical, scrivener 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.

**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. It is found that all requirements of Section 125.35 (2) F.S. for a private sale of the property described above have been met. The sale of the property to the adjacent property owner is hereby approved.

3. The Board of County Commissioners hereby authorizes the Board Chair to execute said County Deed prior to closing on the property.

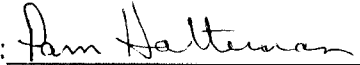
**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 1st day of March, 2011.

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

By: 

J. Ken Bryan, Chair

**ATTEST:** Cheryl Strickland, Clerk

By:   
Deputy Clerk

**RENDITION DATE** 3/4/11

**CHEVER ENTERPRISES, INC.**  
REAL ESTATE INVESTMENTS

1/15/11

ST. JOHNS COUNTY BOARD OF COUNTY COMM.  
LAND MANAGEMENT SYSTEMS  
REAL ESTATE DIVISION  
500 SAN SEBASTIAN VIEW  
ST. AUGUSTINE, FLA. 32084

C/O FRANK W. PEPE, JR.  
464 PARK BLVD.  
STRATFORD, CT 06615  
PHONE (904) 471-8239  
PHONE/FAX (203) 378-4176

ATT: NANETTE BRADBURY

REFERENCE: SURPLUS PROPERTY RTE 26 (EAST)  
(OLD EMS SITE). 9 ACRES

PIN # 185920-0030

I AM PLEASED TO BID \$ 61,400.00  
(SIXTY ONE THOUSAND FOUR HUNDRED)

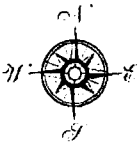
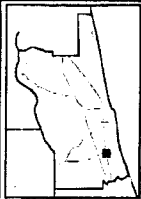
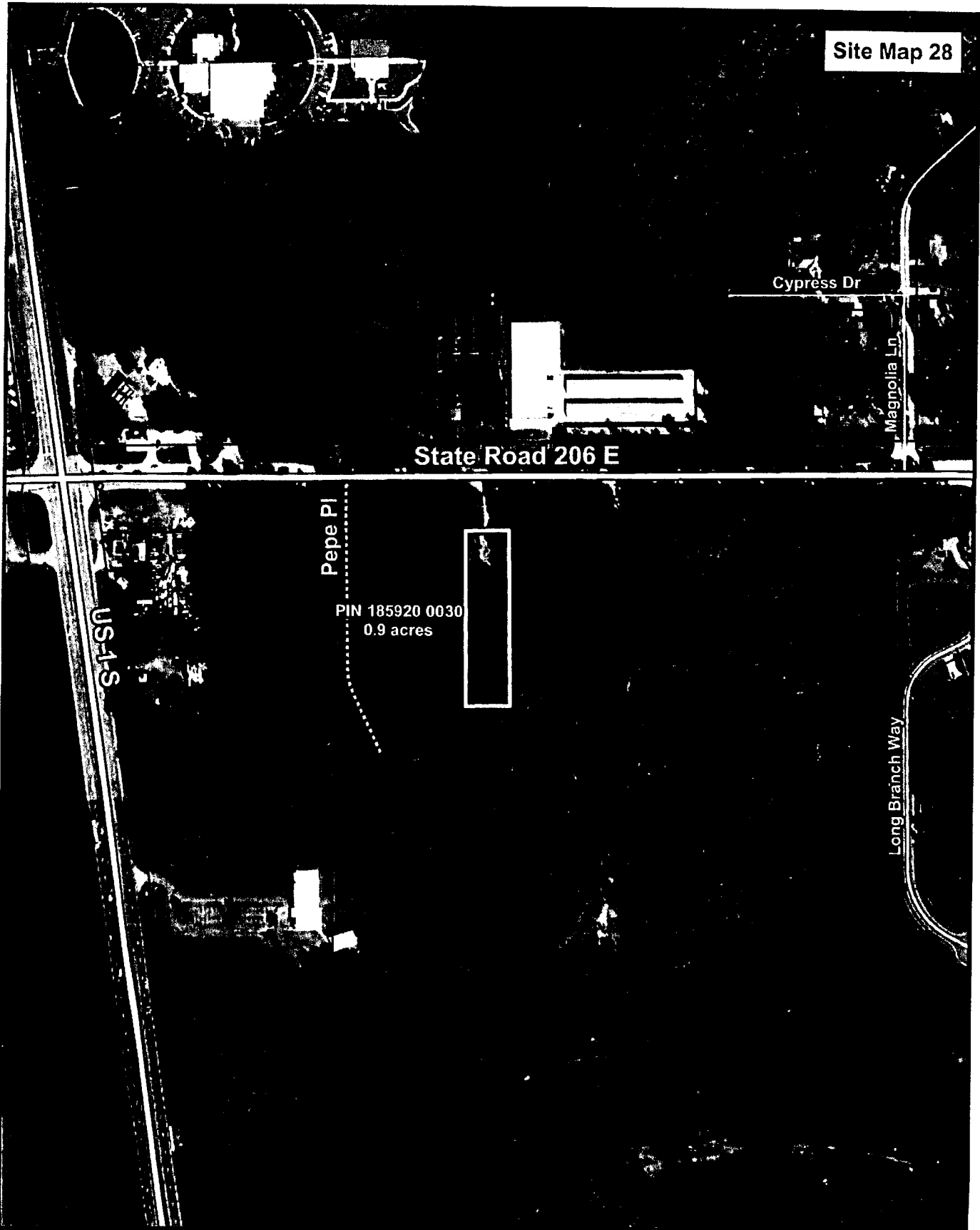
THANK YOU IN ADVANCE

*[Signature]*

FRANK W. PEPE JR.  
PRESIDENT, CHEVER ENT. INC.

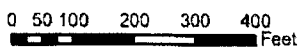
1/15/11

Site Map 28



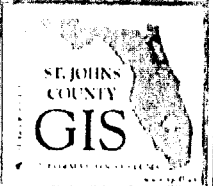
**Former EMS Site - SR 206**

**PIN 185920 0030**



2009 Aerial Imagery

Disclaimer:  
 This map is for reference  
 use only. Data provided  
 are derived from multiple  
 sources with varying  
 levels of accuracy.  
 The St. Johns County  
 GIS Division disclaims  
 all responsibility for the  
 accuracy or completeness  
 of the data shown herein.



**Exhibit "C" to Resolution**

This Instrument Prepared By:  
Michael D. Hunt  
Deputy County Attorney  
500 San Sebastian View  
St. Augustine, FL 32084

**COUNTY DEED**

**THIS DEED**, made without warranty of title or warranty of method of conveyance, this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is County Administration Building, 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter "Grantor", to **FRANK W. PEPE, JR.**, whose address is 464 Park Blvd., Stratford CT 06615, hereinafter "Grantee". (Wherever used herein the term "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and their successors, and assigns of organizations).

**WITNESSETH;**

That the Grantor, for and in consideration of the sum of Sixty-one thousand Four Hundred Dollars (\$61,400.00) and other good and valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, forever unto said Grantee, all that certain land, situate, lying and being in the County of St. Johns, State of Florida and more particularly described below. Pursuant to Florida law Section 125.411(3) F.S., this deed conveys only the interest in said land the Grantor has of the date of this conveyance, to wit:

**SEE EXHIBIT "A", ATTACHED HERETO AND BY THIS  
REFERENCE MADE A PART HEREOF (THE "PROPERTY")**

**TOGETHER** with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**THIS COUNTY DEED** is subject to the following non-exclusive list of exceptions:

- a. Special taxes and assessments, confirmed or unconfirmed, for improvements not yet completed, if any;
- b. Any state of facts which a good and accurate survey or inspection of the premises might reveal;
- c. Federal, State, local government (County or City), development, construction, zoning and building laws or ordinances, rules, regulations and resolutions;
- d. Rights, if any, of the public in any portion of the premises, which may fall within any public street, way or alley;
- e. All acts of the Grantee occurring prior to, or subsequent to the date of this instrument;
- f. Agreements, conditions, covenants, reservations, restrictions, and servitude of record;
- g. Easements and rights of way of record.

**RESERVING UNTO THE GRANTOR**, its successors and/or assigns an undivided three-fourths interest in, and title in and to an undivided three-fourths interest in, all the phosphate, minerals and metals that are may be in, on, or under the said land and an undivided one-half interest in all petroleum that is or may be in, or on, or under said land with the privilege to mine and develop the same.

**IN WITNESS WHEREOF** the said Grantor has caused the presents to be executed in its name by its Board of County Commissioners acting by the Chairman of the Board, the day and year aforesaid.

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

BY: \_\_\_\_\_  
**J. Ken Bryan, Chair**

**ATTEST:** Cheryl Strickland, Clerk

By: \_\_\_\_\_  
**Deputy Clerk**

**STATE OF FLORIDA  
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2011 by J. Ken Bryan, who is personally known to me.

\_\_\_\_\_  
Notary Public State of Florida  
My Commission Expires: \_\_\_\_\_

**Exhibit "A" to County Deed**

A PORTION OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 6, THENCE SOUTH 00 DEGREES 43 MINUTES 13 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID SECTION 6, AS NOW MONUMENTED, 152.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD NUMBER 206, HAVING A 200 FOOT WIDE RIGHT-OF-WAY, ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EASTERLY LINE OF SAID SECTION 6, SOUTH 00 DEGREES 43 MINUTES 13 SECONDS EAST, 400.00 FEET THENCE SOUTH 89 DEGREES 11 MINUTES 22 SECONDS WEST, 100.00 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 13 SECONDS WEST, 400.00 FEET TO THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY OF STATE ROAD NUMBER 206; THENCE NORTH 89 DEGREES 11 MINUTES 22 SECONDS EAST, ALONG LAST SAID RIGHT-OF-WAY, 100.00 FEET TO THE POINT BEGINNING.