

RESOLUTION NO. 2011- 98

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE CHAIR TO EXECUTE A COUNTY DEED TO CONVEY THE CONSERVATION EASEMENTS PROPERTY TO ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.

RECITALS

WHEREAS, St. Johns River Water Management District (WMD) has requested St. Johns County convey fee ownership of 80 acres that are now encumbered with Conservation Easements by County Deed, attached hereto as Exhibit "A"; and

WHEREAS, this property was originally purchased in 2001 for wetland mitigation for transportation projects for the Holmes Boulevard and West Augustine Infill Housing projects; and

WHEREAS, currently St. Johns County has the enforcement responsibilities of the Conservation Easements requirements of ensuring the site is not being disturbed, trespassed upon, debris being dumped and required to monitor the invasive plant species. This would transfer these responsibilities to WMD; and

WHEREAS, the WMD is requesting the mineral reservations be removed from the County Deed by letter, and there is a letter from WMD stating the County has satisfied their mitigation requirements under permit #'s 4-109-103407-1 and 4-109-64712-1, attached hereto as Exhibit "B", and Exhibit "C" incorporated by reference and made a part hereof; and

WHEREAS, conveyance of this property will allow WMD to take over management of this sight to secure a perimeter boundary and a fire break.

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

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

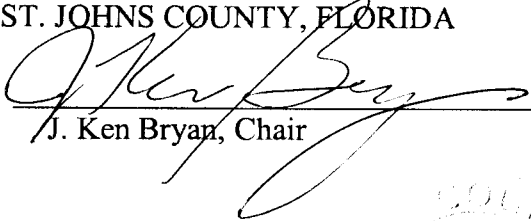
Section 2. The Board of County Commissioners hereby approves the terms and authorizes the Chair to execute a County Deed to convey the property with Conservation Easements to St. Johns River Water Management District.

Section 3. To the extent that there are typographical 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.

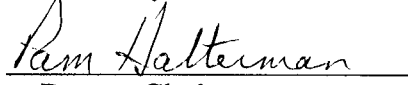
Section 4. The Clerk is instructed to send the original County Deed to Land Management Systems to have St. Johns River Water Management District record in the Public Records.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 3rd day of May, 2011.

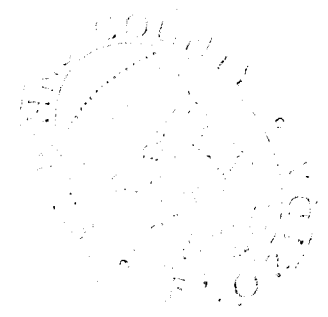
BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
J. Ken Bryan, Chair

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 5/5/11



This Instrument Prepared By: **EXHIBIT "A" TO RESOLUTION**
St. Johns County
500 San Sebastian View
St. Augustine, FL 32084

COUNTY DEED

THIS DEED, made this _____ day of _____, 2011, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 party of the first part, to **ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, a public body existing under Chapter 373, Florida Statutes**, whose address is 4049 Reid Street, Palatka, Florida 32177-2529, party of the second part.

WITNESSETH that the said party of the first part, for and in consideration of the sum of \$10.00 to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following described land lying and being in St. Johns County, Florida:

SEE EXHIBIT "A" ATTACHED HERETO

It is the intent of St. Johns River Water Management District that the Conservation Easement recorded in Official Records Book 1865, Page 885, as amended in Official Records Book 1895, Page 1647, and Conservation Easement recorded in Official Records Book 3079, Page 702, all of the Public Records of St. Johns County, Florida, be merged with the fee simple title herein.

THIS INSTRUMENT IS EXEMPT FROM STATE DOCUMENTARY STAMP TAX PURSUANT TO SECTION 12B-4.014(10) F.A.C.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair, or Vice Chair, of said Board, the day and year aforesaid.

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

By: _____
J. Ken Bryan, Chair

STATE OF FLORIDA

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

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by J. Ken Bryan, Chair of the Board of County Commissioners of St. Johns County, Florida, who is personally known to me and who did not take an oath.

Notary Public State of Florida

ATTEST: Cheryl Strickland, Clerk

By: _____
Deputy Clerk

EXHIBIT "A"
Legal Description

GOVERNMENT LOTS 10 AND 15, SECTION 33, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE NORTH 89 DEGREES, 49 MINUTES, 12 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 33, 1326.95 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 15 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES, 49 MINUTES, 12 SECONDS WEST, ALONG THE SOUTH LINE OF SECTION 33, 1325.77 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 15; THENCE NORTH 00 DEGREES, 22 MINUTES, 12 SECONDS EAST, ALONG THE WEST LINES OF GOVERNMENT LOTS 10 AND 15, 2631.45 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 10; THENCE NORTH 89 DEGREES, 54 MINUTES, 05 SECONDS EAST, ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 10, 1320.56 FEET TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 10; THENCE SOUTH 00 DEGREES, 15 MINUTES, 22 SECONDS WEST, ALONG THE EAST LINES OF SAID GOVERNMENT LOTS 10 AND 15, 2637.86 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 15 AND THE POINT OF BEGINNING.



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at floridaswater.com.

March 25, 2011

St. Johns County
Board of County Commissioners
500 San Sebastian View
St. Augustine, FL 32084

To: The Board of County Commissioners:

St. Johns River Water Management District (District) respectfully requests that the reserved interest of all phosphate, minerals, metals and petroleum, contained in the proposed County Deed for the property described in attachment A be released due to the fact that it creates a cloud on the title to the property being conveyed by the County to the District.

Sincerely,

Raymond B. Bunton, Jr., Director
Division of Real Estate Services

RBB:lg

GOVERNING BOARD

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FERNANDINA BEACH

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FORT MCCOY

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EXHIBIT "C" TO RESOLUTION

March 24, 2011

St. Johns County

Re: Conservation Easements for 4-109-103407-1 and 4-109-64712-1

To whom it may concern:

The purpose of this letter is to confirm that the District's receipt of conservation easements for permits 4-109-103407-1 and 4-109-64712-1 has satisfied St. Johns County's mitigation requirements for those two permits.

The District received three conservation easements in connection with the permits. Two of the conservation easements are located on property that is proposed to be conveyed in fee simple to the District. The conservation easements were recorded at book 3061, page 610 and re-recorded at book 3079, page 702 (51 acres) and at book 1865, page 885 and re-recorded at book 1895, page 1647 (29 acres), of the public records of St. Johns County.

Sincerely,

Tara Boonstra
Assistant General Counsel
Office of General Counsel

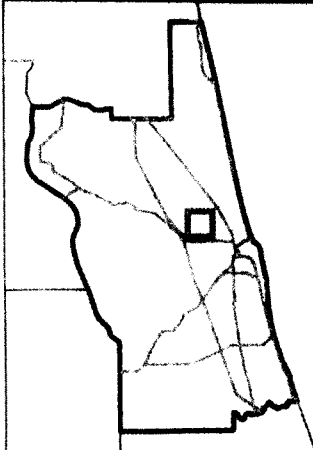
cc: Permit files for 4-109-103407-1 and 4-109-64712-1

Water Management District

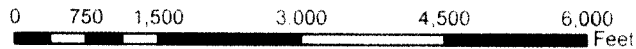
County Property



Inman Rd



**80 acre Conservation Easements
Twelve Mile Swamp**



St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
Date: 3/29/11
(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.