

RESOLUTION NO. 2016- 207

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE A COUNTY DEED TO RELEASE A REVERSION CLAUSE IN CONNECTION WITH PINEHURST AND SAINT SEBASTIAN CEMETERIES.

RECITALS

WHEREAS, The West Augustine Improvement Association, Inc. (WAIA) was conveyed the Pinehurst and San Sebastian Cemeteries by the surviving heirs of the last known surviving officer of the Saint Sebastian Cemetery Company and Pinehurst Cemetery Company, Inc. in deeds recorded in Official Records Book 3866, page 776 and Official Records Book 3866, page 778, of the public records of St. Johns County, Florida; and

WHEREAS, the deeds contained a reversion clause reverting ownership of the cemeteries to the County in the event of breach of the restrictions in the deed by WAIA or dissolution of WAIA; and

WHEREAS, it is in the best interests of the public to release any reversionary interest that the County may have in the cemeteries by executing a County Deed to The West Augustine Improvement Association, Inc., attached as Exhibit A, and incorporated into this resolution by reference; and

WHEREAS, the County Deed does not relinquish any rights or authority that the County may have under Florida law with respect to the regulation of cemeteries, including but not limited to the right to provide for maintenance and security of an abandoned cemetery pursuant to Section 497.284, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

Section 1. The above recitals are incorporated by reference into the body of this resolution and are adopted as findings of fact.

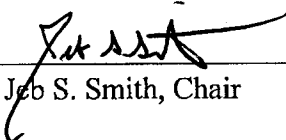
Section 2. The Board of County Commissioners authorizes the Chair of the Board to execute the attached County Deed on behalf of the County.

Section 3. The Clerk is instructed to record the original County Deed in the public records of St. Johns County, Florida.

Section 4. To the extent that there are typographical or administrative errors that do not change the tone, tenor, or concept of this resolution, this resolution may be revised without subsequent approval by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners this 19 day of July, 2016.

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

By: 
Jeb S. Smith, Chair

ATTEST: Hunter S. Conrad

By: 
Deputy Clerk

RENDITION DATE 7/21/16



Exhibit "A" to Resolution

This Instrument Prepared By:
Patrick McCormack
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, made this ____ day of _____, 2016, by **ST. JOHNS COUNTY**, 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 **THE WEST AUGUSTINE IMPROVEMENT ASSOCIATION**, a Florida not-for-profit corporation, whose address is 455 South Volusia Street, St. Augustine, Florida 32084, 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 Ten Dollars (\$10.00) 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:

Lots 4, 5 and 6, and all that part of Lots 1, 2 and 3, lying North of Florida East Coast Railway right-of-way, Block 57 and Lots 1, 4 and the East twenty-seven feet of Lots 2 and 5, Block 58, of the Dancy Tract, according to plat there recorded in Map Book 1, page 1, of the public records of St. Johns County, Florida.

THIS COUNTY DEED is given to release that certain Reversion Clause as set forth in deeds recorded in Official Records Book 3866, page 776 and Official Records Book 3866, page 778, of the public records of St. Johns County, Florida. **This County Deed does not relinquish any rights or authority that Grantor may have under Florida law with respect to the regulation of cemeteries, including but not limited to the right to provide for maintenance and security of an abandoned cemetery pursuant to Section 497.284, Florida Statutes.**

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anyway 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.

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 Chair of the Board, the day and year aforesaid.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

BY: _____
Jeb S. Smith, Chair

ATTEST: Hunter S. Conrad, Clerk


By: _____
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me This ____ day of _____, 2016, by Jeb S. Smith, Chair of the Board of County Commissioners of St. Johns County, Florida, on behalf of the Board. He is personally know to me or has produced _____ as identification.

Notary Public State of Florida
My Commission Expires: _____




 2013 Aerial Imagery
 0 50 100
 Feet
 June 23, 2016

The West Augustine
 Improvement Association

*Pinehurst and Saint
 Sebastian Cemetery*

Land Management
 Systems
 Real Estate
 Division
 (904) 209-0790

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

