

RESOLUTION NO. 2019- 132

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN EXCHANGE OF REAL PROPERTY PURSUANT TO SECTION 125.37 FLORIDA STATUTES, IN CONNECTION WITH AN ACCESS EASEMENT TO BENEFIT THE TURNBULL CREEK REGIONAL OFFSITE MITIGATION AREA.

RECITALS

WHEREAS, The Pacetti Investment Group, LLC, a Florida Limited Liability Company, is the owner of property located off Scaff Road and has agreed to convey an easement over a portion of its property, more particularly described in the Grant of Easement attached hereto as Exhibit "A" incorporated herein by reference and made a part hereof, for the purpose of necessary emergency and maintenance access to the Turnbull Creek Regional Offsite Mitigation Area; and

WHEREAS, in consideration for said Grant of Easement that The Pacetti Investment Group, LLC, has agreed to accept from St. Johns County an exchange parcel of property which is an unusable and irregular triangle as described in County Deed attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, the location and geometry of the exchange parcel is not efficient nor effective for management activities; and

WHEREAS, approval of this exchange will ultimately be beneficial to the County for the necessary emergency and maintenance access to the Turnbull Creek Regional Offsite Mitigation Area and passage of this Resolution will deem the County's parcel not needed for County purposes; and

WHEREAS, said proposed exchange has been advertised in accordance with Section 125.37, Florida Statutes.

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 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 land exchange and authorizes the Chairman of the Board to execute said County Deed after The Pacetti Investment Group, LLC executes the Grant of Easement to the County.

Section 3. 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.

Section 4. The Clerk is instructed to record the original County Deed and Grant of Easement in the Public Records of St. Johns County, Florida

PASSED AND ADOPTED this 16th day of April, 2019.

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

By: Paul M. Waldron
Paul M. Waldron, Chair

ATTEST: Hunter S. Conrad, Clerk

Sam Halter
Deputy Clerk

RENDITION DATE 4/18/19



Exhibit "A" to Resolution

Prepared by:
St. Johns County
500 San Sebastian View
St. Augustine, FL 32084

GRANT OF EASEMENT

THIS INDENTURE, made this 15th day of March, 2019, between THE PACETTI INVESTMENT GROUP, LLC, a Florida Limited Liability Company, whose address is 366 Jardine Ave, St. Augustine, FL 32084, hereinafter called Grantor, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called Grantee.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, its successors and assigns, a non-exclusive perpetual easement for emergency and maintenance ingress and egress over and across the following described real property situate in St. Johns County, Florida, to-wit:

Property as described on attached Exhibit "A", incorporated by reference and made a part hereof.

TO HAVE AND TO HOLD, unto Grantee, its successors and assigns for the purposes aforesaid.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

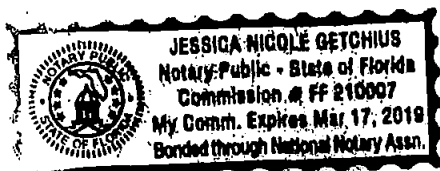
(sign) [Signature]
(print) Jayce Stouff

(sign) [Signature]
(print) Jessica Getchius

[Signature]
THE PACETTI INVESTMENT GROUP, LLC
BY LARRY W. PACETTI, MANAGER

STATE OF FLORIDA
COUNTY OF St Johns

The foregoing instrument was acknowledged before me this 15th day of March, 2019, by Larry W. Pacetti, Manager of The Pacetti Investment Group LLC. Who is/are personally known to me or has produced Florida Driver's License (on file) as identification.



[Signature]
Notary Public
My Commission Expires: _____

Exhibit "A" to Grant of Easement

A part of Government Lot 17, Section 38, Township 6 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 west line of said Government lot 17, with the southerly right-of-way line of Scaff Road, as described in Official Records Book 845, page 1083 of the public records of said County; thence north 19 degrees 05 minutes 30 seconds east along said west line of Government lot 17, a distance of 30.14 feet to a point on the south line of those lands described in Official Records Book 1181, page 970 of said public records; thence south 76 degrees 29 minutes 14 seconds east along said south line, a distance of 2703.45 feet; thence south 19 degrees 07 minutes 16 seconds west, a distance of 30.14 feet; thence north 76 degrees 29 minutes 14 seconds west, a distance of 2703.44 feet to the point of beginning.

Exhibit "B" to Resolution

This Instrument Prepared By:
Jessica Getchius
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

COUNTY DEED

THIS DEED, made without warranty of title or warranty of method of conveyance, _____ day of _____, 2019, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 hereinafter "Grantor", to **THE PACETTI INVESTMENT GROUP, LLC** whose address is 366 Jardin Ave, St. Augustine, Florida 32084-2554, 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:

Property as described on attached Exhibit "A", incorporated by reference and made a part hereof.

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.

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: _____
Paul M. Waldron, 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 _____, 2019, by Paul M. Waldron, 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.

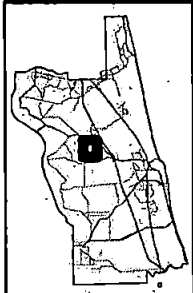
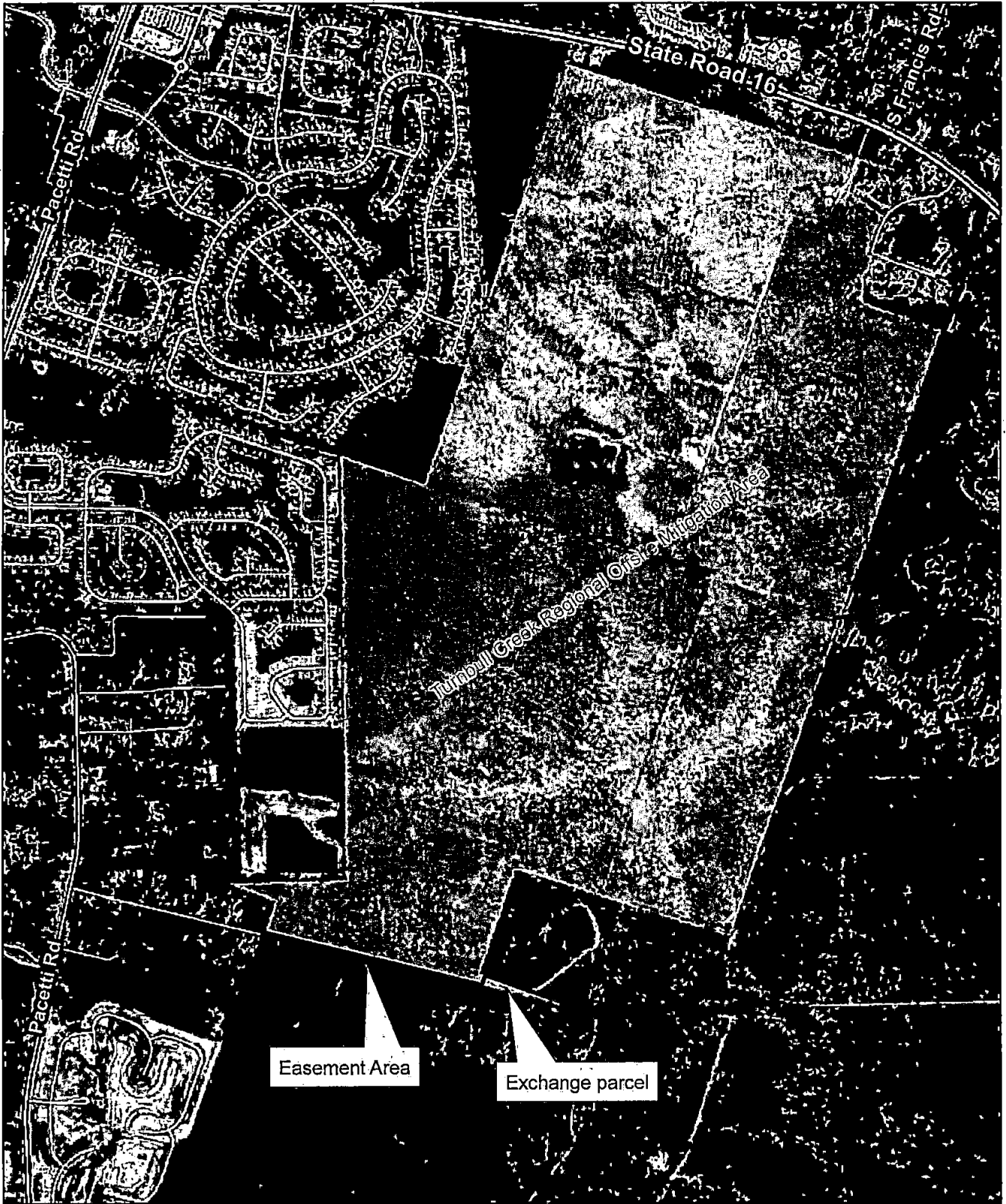
Notary Public State of Florida
My Commission Expires _____

Exhibit "A" to Warranty Deed

A PORTION OF OFFICIAL RECORDS BOOK 1181, PAGE 970 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, LYING IN SECTION 17, OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA.

COMMENCE AT THE SOUTHEAST CORNER OF SCAFF ROAD, AS RECORDED IN OFFICIAL RECORDS BOOK 845, PAGE 1083 OF SAID PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID POINT LYING ON THE WESTERLY LINE OF SAID SECTION 17, OF THE ANTONIO HUERTAS GRANT, SECTION 38; THENCE NORTH $19^{\circ}17'13''$ EAST, ALONG SAID WESTERLY LINE OF SECTION 17, A DISTANCE OF 30.15 FEET TO THE SOUTHERLY LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1181, PAGE 970,, SAID POINT BEING ON THE CENTERLINE OF SAID SCAFF ROAD; THENCE SOUTH $76^{\circ}22'07''$ EAST, ALONG THE EASTERLY PROLONGATION OF SAID CENTERLINE OF SCAFF ROAD, AND SAID SOUTHERLY LINE OF OFFICIAL RECORDS BOOK 1181, PAGE 970, A DISTANCE OF 2841.38 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH $76^{\circ}22'07''$ EAST, ALONG SAID EASTERLY PROLONGATION OF SAID CENTERLINE OF SCAFF ROAD, AND SAID SOUTHERLY LINE OF OFFICIAL RECORDS BOOK 1181, PAGE 970, A DISTANCE OF 1705.84 FEET TO A POINT ON THE NORTHERLY LINE OF OF SAID SECTION 17 OF THE ANTONIO HUERTAS GRANT, SECTION 38; THENCE NORTH $71^{\circ}55'04''$ WEST, ALONG SAID NORTHERLY LINE OF SECTION 17, AND ALONG THE NORTHERLY LINE OF SAID OFFICIAL RECORDS BOOK 1181, PAGE 970, A DISTANCE OF 1693.79 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 354.58 FEET, AN ARC DISTANCE OF 133.35 FEET, SAID ARC BEING SUBTENDE BY A CHORD BEARING AND DISTANCE OF SOUTH $21^{\circ}04'06''$ WEST, 132.56 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL CONTAINS 112,666 SQUARE FEET, OR 2.59 ACRES, MORE OR LESS.



2016 Aerial Imagery

0 365 730 1,460
Feet

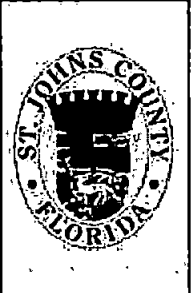
Date: 3/11/2019

**Grant of Easement
& County Deed**

**Turnbull Creek
Regional Offsite
Mitigation Area**

Land Management
Systems
Real Estate
Division
(904) 209-0782

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 hereon.



THE ST. AUGUSTINE RECORD
Affidavit of Publication

MINUTES AND RECORDS
500 SAN SEBASTIAN VIEW

SAINT AUGUSTINE, FL 32084

ACCT: 15634
AD# 0003160032-01

PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

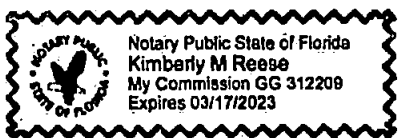
Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a NOTICE OF ACTION in the matter of 041619. EXCHANGE OF COUNTY PROP was published in said newspaper on 04/02/2019, 04/09/2019.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this _____ day of APR 09 2019

by Jamie Williams who is personally known to me or who has produced as identification

Kimberly M Reese
(Signature of Notary Public)



NOTICE OF PROPOSED
EXCHANGE OF COUNTY PROPERTY

On Tuesday April 16, 2019, the Board of County Commissioners of St. Johns County, Florida, in the St. Johns County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida 32086, will consider and may take action on a Resolution approving an exchange of real property located off Sault Road for a Grant of Easement to St. Johns County owned property. The exchange of this property will provide emergency and maintenance access to the Turnbull Creek Regional Offsite Mitigation Area.

The map of the property for the exchange is shown in the Exhibits of the Resolution which are available for inspection by the public in the Office of the Clerk of Courts, Ex-Officio Clerk to the Board of County Commissioners located in the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

All parties having any interest will be afforded an opportunity to be heard at the public hearing.

The proposed resolution is on file and may be seen at the Clerk of Courts, Minutes & Records Department, in the County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084.

If any person decides to appeal any decision made by the Board with respect to any matter considered at such hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE OF PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in these proceedings should contact, ADA Coordinator, at 904-209-0650 or at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida 32084. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770 no later than 5 days prior to the date of the meeting.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
HUNTER CONRAD, ITS CLERK
By: Yvonne King, Deputy Clerk

0003160032 April 2, 9, 2019