

ST. JOHNS COUNTY
RESOLUTION NO. 85-104

WHEREAS, this Board has heretofore passed a resolution, upon its own motion, to consider the advisability of exercising the power granted to it by Section 336.09, Florida Statutes, and determine whether it will vacate, abandon, discontinue and close portions of certain public streets, alleyways or roads hereinafter described; and,

WHEREAS, Notice of Public Hearing has been duly published and Proof of Publication has been filed with this Board; and,

WHEREAS, the State of Florida Department of Natural Resources has indicated an interest to enter into a contract with the County in substantially the form attached hereto as Exhibit A if the County will vacate the subject roads; and,

WHEREAS, the Board has considered the comments and information presented at the public hearing this date and believes that on the whole, the vacating of the roads upon the signing of the Exhibit A contract would be in the public best interest;

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

1.

That upon the signing of this Resolution by the Chairman of this Board, the County's interest in the roads, streets, boulevards and highways described in Exhibit A attached to the contract attached hereto (being the description prepared by Ricardo Edralin dated 26 April 1985) be, and the same are hereby vacated, abandoned, discontinued and closed, and this Board hereby renounces and disclaims any right of the County and the Public in and to the above described streets, alleyways or roads, and any land in connection therewith.

2.

That upon the signing of the Exhibit A contract by both the Chairman of this Board and by the Executive Director of the State of Florida Department of Natural Resources the Chairman of this Board is authorized and directed to sign this Resolution.

3.

The Chairman of this Board is authorized and directed to sign the Exhibit A contract.

4.

Upon the signing of this Resolution by the Chairman, the notice required by Section 336.10, Florida Statutes, of the adoption of this resolution is hereby authorized to be published.

DATED this 23 day of July, 1985

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Gary Walker*
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: *Marie Hudson*
Deputy Clerk



CONTRACT

WHEREAS, the State of Florida Department of Natural Resources, hereinafter called the Department, is the manager of the Anastasia State Recreation Area, hereinafter called the Park; and

WHEREAS, those portions of old State Road A-1-A and Lew Boulevard within the Park are a part of the St. Johns County road system; and

WHEREAS, it has been determined by the Department and St. Johns County, hereinafter called the County, that incorporation of said roads as a part of the Park would be in the best interest of the public.

NOW, THEREFORE, the Department and the County agree and promise as follows:

1. The County will immediately sign the resolution vacating and abandoning all its right, title, and interest in those portions of old State Road A-1-A and Lew Boulevard within the Park pursuant to Florida Statute 336.09 et seq.; said roads being more particularly described in Exhibit A, attached hereto.

2. The Department will continuously maintain an exit at the south end of the park for emergency purposes as determined jointly by the designated representative of the Sheriff of St. Johns County and the Manager of Anastasia State Recreation Area.

3. The Department will make provision for affording reasonable public access to St. Augustine Inlet and other appropriate locations within the Park for after-hours fishing purposes.

4. The Department will provide for reasonable public access and use of designated paths within the Park by bicyclists and joggers for after-hours use during periods of demand.

5. The Department will provide appropriate pedestrian access at the south end of the Park.

6. The Department will work with the Department of Transportation in an effort to have suitable traffic controls installed at the intersection of old State Road A-1-A and new State Road A-1-A north of the Park.

~~7. The Department will, within 6 months, conduct an overall study of traffic circulation in the vicinity of the Park for purposes of identifying the~~

~~most suitable location between Santander and the "old" south entrance for constructing a permanent primary public entrance to the Park at the sound end. Such entrance will not adversely impact existing subdivisions located between the Park and A-1-A and shall be open to the public by January 1, 1988, subject to the availability of funds which the Department will make every reasonable effort to obtain.~~

8. The provisions of the Contract may be enforced by Specific Performance and/or all other remedies available at law or equity.

9. The parties agree that Venue for all actions arising by reason of this Contract shall be in St. Johns County.

10. The Department's duties under this Contract are contingent and conditioned upon the County vacating the roads described in paragraph No. 1 above.

IN WITNESS WHEREOF, the Department and the County have entered into this Contract and have had their duly authorized representatives attest to same on this 30 day of July, 1985, and the 31 day of July, 1985, respectively.

WITNESSES:

Wm. S. Hardin
Cheryl Kent

ST. JOHNS COUNTY

BY: Kay Walden
ATTEST: Marie Hudson

WITNESSES:

[Signature]
Eric A. Sullivan

STATE OF FLORIDA
DEPARTMENT OF NATURAL RESOURCES

BY: [Signature]
Elton J. Gissendanner
Executive Director

ATTEST: Violet Davis
Violet Davis
Senior Management Assistant

Approved as to Form and
Legality
AB 7/29/85
Department Attorney

Boundary • Topograp' • Subdivision • Construction • Mortgage Surveys

RICARDO EDRALIN

REGISTERED LAND SURVEYOR

86 Masters Drive
St. Augustine, Florida 32084

PHONE 904/824-5368

MEMBER
AMERICAN CONGRESS ON SURVEYING & MAPPING
FLORIDA SOCIETY OF
PROFESSIONAL LAND SURVEYORS
FLORIDA CROWN CHAPTER - FPLSDescription for Old A-1-A and Lew Boulevard
through Anastasia State Recreation Area

All of those lands lying within the right of way of Old State Road A-1-A (S. R. 140) within the following described lands in the Anastasia State Recreation Area:

Government Lots 5, 6 and 10 of Section 21; Fractional Section 22; Government Lots 2, 3, 4, 6, 7, 8 and 11 of Section 27; all in Township 7 South, Range 30 East, St. Johns County, Florida.

And also all those lands lying within the right of way of Lew Boulevard in Government Lots 5 and 6, Section 21, Township 7 South, Range 30 East, St. Johns County, Florida.

Excepting therefrom any portion of afore-mentioned right of way of Old State Road A-1-A lying within the right of way of the new State Road A-1-A which diverges from said Old State Road A-1-A at the Southern boundary of the Anastasia State Recreation Area and running Westerly through Government Lots 9, 10 and 11, Section 27, Township 7 South, Range 30 East of said County.

26 April 1985
Prepared by:

Ricardo Edralin
RICARDO EDRALIN
Registered Land Surveyor
No. 3274, State of Florida

EXHIBIT A

EXHIBIT A to contract
St. Johns County

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