

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY ACCEPTING THE GRANT OF EASEMENT FOR THE VILANO FISHING PIER FROM THE CITY OF ST. AUGUSTINE, FLORIDA AND TO COMMIT TO REMOVE SUCH PIER UPON TERMINATION OF COUNTY USE.

BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida that:

Section 1. St. Johns County hereby authorizes acceptance of the grant of easement of the Vilano Fishing Pier from the City of St. Augustine, Florida in the form attached hereto and incorporated herein by reference, and St. Johns County agrees to comply with the requirement of said easement that such pier be removed upon termination of County use.

Section 2. The County Administrator is hereby authorized to execute and record the attached easement after it has been properly approved and executed by the City of St. Augustine.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 10th day of September, 1996.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Donald Jordan
Chairman Donald Jordan



ATTEST: CARL "BUD" MARKEL, CLERK

By: Genora J. Newcome
Deputy Clerk

122 UCC

8004

PERPETUAL EASEMENT
FOR FISHING PIER AND COVENANT

THIS EASEMENT, made this 16 day of September, 1996 by the CITY OF ST.AUGUSTINE, a municipality of the State of Florida, Grantor, to ST. JOHNS COUNTY, a political subdivision of the State of Florida, its successors and assigns, Grantee.

WITNESSETH: That the Grantor for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a perpetual easement for the purpose of constructing, improving, operating and/or maintaining a public fishing pier in, over, under, upon and through the following described land in St. Johns County, Florida, viz:

A parcel of submerged lands of the Intracoastal Waterway (North River), lying in Township 7 South, Range 30 East, St. Johns County, Florida. Also being a part of the lands as described in the Charter of the City of St. Augustine Florida passed in the 1925 session of the Legislature, said parcel of submerged lands being more particularly described as follows: For a point of reference, commence at the intersection of the westerly right of way line of Anahma Drive as now established as an 80 foot right of way with the southerly right of way line of Vilano Road as established by Florida Department of Transportation Right of Way Map section 78030, dated December 19, 1995; thence south 88° 40' 03" west, along said southerly right of way line, a distance of 200.00 feet to the point of beginning; thence south 89° 04' 21" west a distance of 668.84 feet; thence north 01° 02' 07" west a distance of 100.00 feet; thence north 89° 14' 21" east a distance of 634.90 feet; thence south 20° 05' 58" east, along the westerly end of the Vilano Road right of way transfer, a distance of 103.91 feet to the point of beginning. Containing 1.48 acres, more or less.

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns forever provided, however, that in the event the Grantee shall not construct, operate, improve or maintain a public fishing pier upon the easement herein conveyed within a period of three (3) years from the date hereof, the easement herein given shall terminate and the unencumbered title to the above described properties shall revert to the Grantor and, provided further that in the event of the construction, improvement, operation and maintenance of a public fishing pier upon the above described properties and upon Grantee's subsequent abandonment of the above public fishing pier and failure to maintain such public fishing pier for a period of three (3) continuous years the easement herein given shall terminate. Furthermore, Grantee in accepting this easement covenants to take action upon termination of this easement to cause the removal of all portions of said pier above ground level and above the river bottom at the time of removal, subject to the limitation that no such obligation shall be enforced by requirement of payment of county ad valorem tax revenue funds.

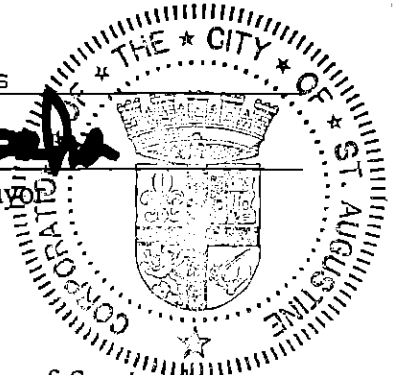
Recorded in Public Records - St. Johns County, FL
Clerk# 96032791 O.R. 1196 PG-411 03:07PM 09/17/96
Recording \$9.00 Surcharge \$1.50 Doc Stamps \$0.70

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST: Paula B. Owens

Print Name: Paula B. Owens
Its City Clerk

Len Weeks
By: Len Weeks
Its Mayor



State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 9th day of September, 1996 by Len Weeks, Mayor, who is personally known to me, or who has produced N/A as identification.



Notary Public, State of Florida
SANDRA J. SCHROEDER
My Comm. Exp. Sept. 18, 1996
Comm. No. CC 224361

Sandra J. Schroeder
Notary Public, State of Florida
Commission Number: CC 224361
My Commission Expires: Sept. 18, 1996

ST. JOHNS COUNTY, FLORIDA

BY: Nicholas M. Meiszer
Nicholas M. Meiszer
County Administrator

Attest: Carl "Bud" Markel, Clerk

Patricia De Grande
Deputy Clerk

