

RESOLUTION NO. 96-76

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A CERTAIN CURB CUT EASEMENT FOR THE SOLANO ROAD AND SR A1A ROAD IMPROVEMENT PROJECT.

WHEREAS, the County has plans for road widening and improvements at the intersection of Solano Road and SR A1A that requires the corner curb cut easement more fully described in the attached Exhibit A, incorporated by reference and made a part hereof; and

WHEREAS, the Owners of the property have executed the Easement to St. Johns County.

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

Section 1. The above described Grant of Easement is hereby accepted by the Board of County Commissioners of St. Johns County, Florida.

Section 2. The Clerk is instructed to record the Easement in the official records of St. Johns County, Florida and forward a certified copy of this Resolution and Easement to the Grantors.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 14 day of May, 1996.

ATTEST: Carl "Bud" Markel, Clerk

By: Patricia A. Grande
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

By: Donald Jordan
Chairman, Donald Jordan

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, PENTAGON PROPERTIES, hereinafter called GRANTOR, whose address is 3740 Beach Blvd., Suite 300, Jacksonville, Florida 32207, for \$10.00 and other good and valuable considerations, receipt of which is hereby acknowledged, does hereby and by these presents grant unto ST. JOHNS COUNTY, a political subdivision of the State of Florida, whose address is P. O. Drawer 349, St. Augustine, Florida 32085-0349, Attn: County Administrator, and its assigns, hereinafter called GRANTEE, a perpetual non-exclusive easement (the "Easement") for roadway improvement purposes over the following described parcel of real property in St. Johns County, Florida to wit:

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

Grantee acknowledges that there is currently located on lands adjacent to the Easement a pylon sign advertising Grantor's shopping center (the "Sign"). Grantee's use of the Easement shall not in any way interfere with or obstruct such Sign, or the use, maintenance, repair or replacement thereof in the current location of the sign. Nor will Grantee require the removal or relocation of such Sign as a result of the granting, acceptance, or Grantee's use, of the Easement.

Grantee covenants and agrees that only that portion of the Easement shown on Exhibit B attached hereto shall be used for the construction of a paved roadway, and the remainder of the Easement shall be landscaped or put to such other use as Grantor, at its sole discretion, may approve.

If any law, rule, or regulation of any governmental body or agency now or hereafter in effect would prohibit or restrict the operation, maintenance, repair or replacement of the Sign in its current location, as a result of the proximity of the Sign to the Easement, the Easement shall then and thereafter be terminated, null and void, and the interest transferred by the Easement shall revert to the then owner of said Sign.

TO HAVE AND TO HOLD, unto the Grantee, its successors and assigns for the described purposes forever.
"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this 22 day of January, 1996.

Signed, sealed and delivered in our presence:

GRANTOR

(sign) F. Reinstine, Jr.
(print) FRANKLIN REINSTINE, JR.

(sign) Donna Perdue
(print) DONNA PERDUE

J. C. Demetree, Jr.
Print J. C. Demetree, Jr.
Title Trustee

STATE OF FLORIDA
COUNTY OF Duval

THE FOREGOING INSTRUMENT was acknowledged before me on January 22, 1996, by J. C. Demetree, Jr., who is personally known to me or who has produced n/a as identification and she did / did not take an oath.

Cathy Jo Swift
Notary Public, State of Florida

My Commission expires _____

Print Name: Cathy Jo Swift

CATHY JO SWIFT
Notary Public, State of Florida
My Comm. expires Jan. 28, 1999
Comm. No. CC 424586

EXHIBIT B



SOLANA RD

PROPOSED CURB & GUTTER

20'

EXIST R/W

EASEMENT
BOUNDARY

R = 35'

30'

BURTS BV

S.W. CORNER
SOLANA RD & BURTS BV.

