

RESOLUTION NO. 98 -107

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ACCEPTING AN ACCESS EASEMENT TO A COMMUNICATIONS TOWER SITE LOCATED IN SWITZERLAND OFF STATE ROAD NO. 13 IN SCOTT'S SUBDIVISION.

WHEREAS, it is required by Ordinance the County have access to communications tower sites for periodic inspections or for dismantling the tower if the tower does not comply with St. Johns County Ordinance No. 97-05 or becomes abandoned; and

WHEREAS, acceptance of this easement does not constitute any maintenance or construction responsibility and access is given for reasons or purposes referred to herein; and

WHEREAS, the Easement as described in Exhibit "A", incorporated by reference and made a part hereof, conveys to St. Johns County the required access.

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

1. The Easement as described in Exhibit "A" is hereby accepted for the herein stated purpose.

2. The Clerk is authorized to file the recorded Easement and the executed original of this Resolution in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 26 day of May, 1998.

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

BY: Moses A. Floyd
Moses A. Floyd, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeFurde
Deputy Clerk

Exhibit "A" to Resolution

Prepared by and when recorded
return to:
Liz Finnegan
Sprint PCS
12735 Oran Bay Pkwy. West, Suite 1100
Jacksonville, FL 32258

2350

Easement for Tower Removal

This Easement for Tower Removal is made this 27th day of April, 1998, by Swiss Cove Christian Church, Inc. ("Grantor") in favor of St. Johns County, Florida ("Grantee").

WITNESSETH

WHEREAS, Grantor has leased a portion of its real property, located in St. Johns County, Florida, to SprintCom, Inc. ("Lessee"), who intends to construct a tower thereon, which real property (the "Premises") is shown on the attached Schedule "A"; and

WHEREAS, as a condition of its approval to allow Lessee to construct its tower on the Premises, Grantee requires Lessee, in compliance with its Ordinance Section 7-9-19, to (a) post a bond or other security instrument providing for the removal of the tower if Lessee does not remove the tower in compliance with Section 7-9-13 of the St. Johns County Ordinances, and to (b) obtain an easement from the property owner enabling the Grantee to access and remove the tower in such event.

NOW, THEREFORE, the Grantor, for and in consideration of the sum of Ten and No/100 Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grant, convey, bargain and transfer to Grantee, its successors and assigns in perpetuity, an unobstructed right-of-way and easement with the right, privilege and authority to said Grantee, its successors and assigns, of ingress, egress and access to remove the tower, on, along, over, through and across the Premises.

The right-of-way and easement granted herein shall allow Grantee and Grantee's staff, agents, contractors, successors and assigns the right to enter the Premises for the purposes of tests, inspections, removal and/or dismantling of the tower in the event the tower is abandoned and not removed by Lessee in compliance with Section 7-9-13 referred to herein. The right-of-way and easement granted herein shall be irrevocable and perpetual, provided, however, that once the tower is removed from the Premises, this easement shall be deemed terminated and all rights granted hereunder shall cease.

[Signatures begin on the following page.]

Recorded in Public Records St. Johns County, FL
Clerk# 98017803 D.R. 1314 PC 568 DATE: 04/27/1998
Recording \$21.00 Surcharge \$3.00

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal on the date first above written.

Signed, sealed and delivered in the presence of:

GRANTOR:
Swiss Cove Christian Church, Inc.

Earle J. Pease
Name printed: EARLE PEASE

By: R. Alan Burns
Its: Thomas Ed. Quarm
Name: R. ALAN BURNS

Karen Beaver
Name printed: KAREN BEAVER

By: _____
Its: _____
Name: _____

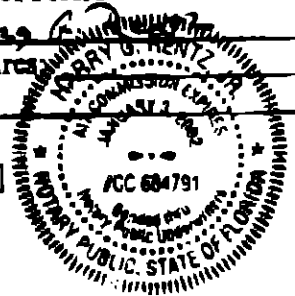
[AFFIX CORPORATE SEAL]

STATE OF FLORIDA
COUNTY OF Duval

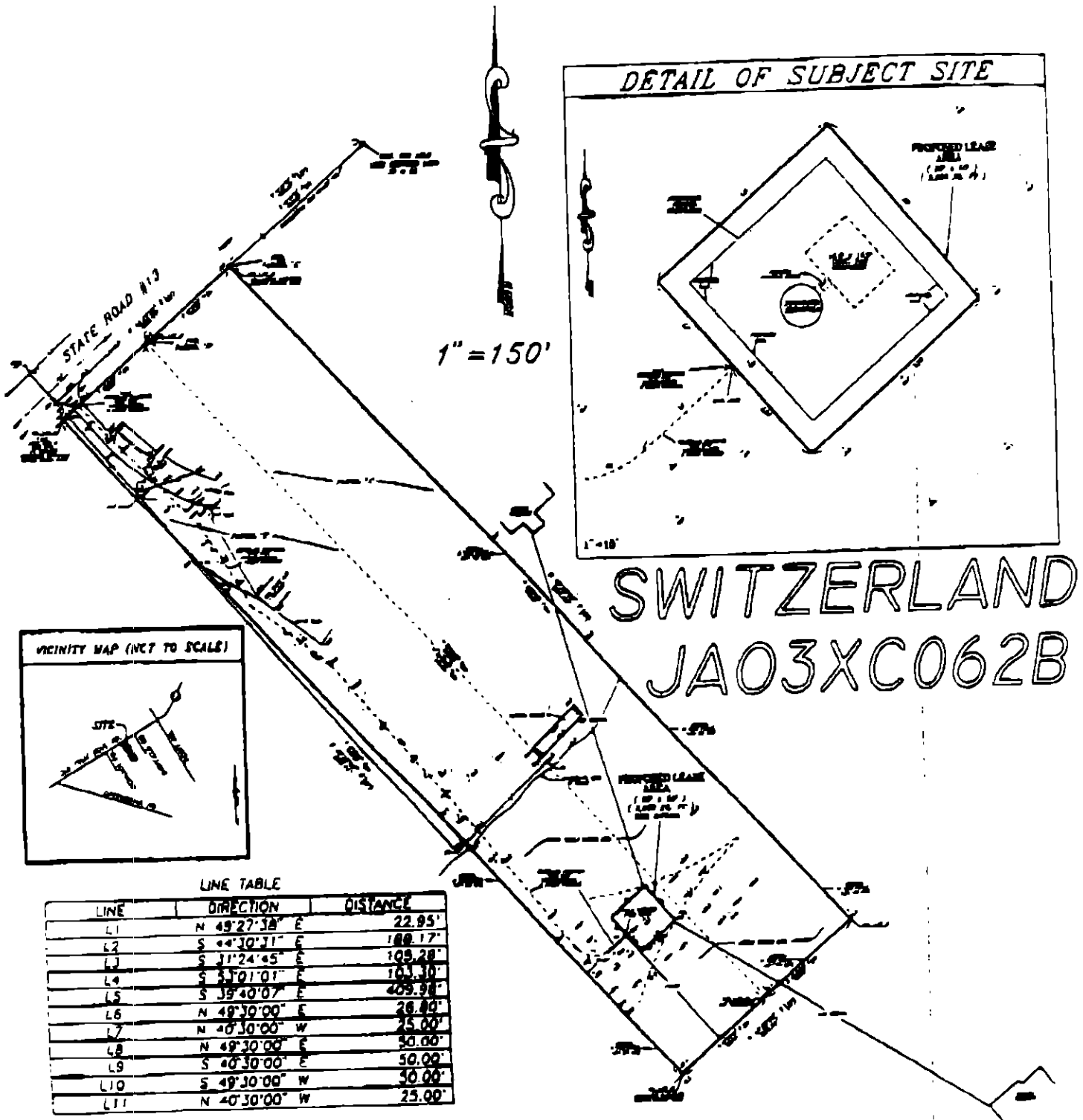
The foregoing instrument was acknowledged before me on April 27th 1998, by R. Alan Burns, Thomas Ed. Quarm of the Swiss Cove Christian Church, Inc., who ~~is~~ are personally known to me or have produced _____ as identification.

Harry G. Henry
Notary Public, State of Florida
Name printed: Harry G. Henry
My commission expires _____
Commission No.: _____

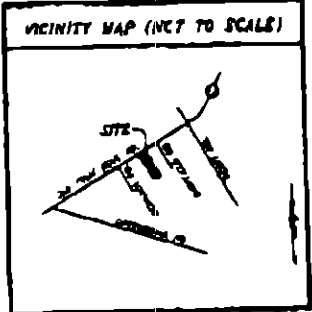
[NOTARIAL SEAL]



"SCHEDULE A"



SWITZERLAND
JA03XC062B



LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N 49°27'38" E	22.95'
L2	S 44°30'11" E	100.17'
L3	S 31°24'45" E	100.28'
L4	S 33°01'07" E	105.30'
L5	S 39°40'07" E	409.98'
L6	N 49°30'00" E	26.00'
L7	N 40°30'00" W	25.00'
L8	N 49°30'00" E	50.00'
L9	S 40°30'00" E	50.00'
L10	S 49°30'00" W	50.00'
L11	N 40°30'00" W	25.00'

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	25.00'	39.03'	35.61'	S 85°05'03" E	90°48'53"

NOTE: SURVEY BASED ON MONUMENTED AND OCCUPIED BOUNDARY LINES. THERE IS A 3 1/2 DEGREE MORE OR LESS DIFFERENCE BETWEEN FIELD OCCUPIED AND MONUMENTED SIDE BOUNDARY LINES AND DESCRIPTIVE

APR. 28. 1998 9:26AM 92.6 R8661.82

PARENT TRACT**PARCELA:**

Parts of Lot 40 in SCOTTS SUBDIVISION, as recorded in Deed Book Y, Page 400, of the public records of St. Johns County, Florida, described as follows:

Commence at an old axle at the intersection of the line between Lots 37 and 38, of said Scotts Subdivision and the Southeasterly right-of-way line of State Road #13; thence South 49 degrees 30 minutes West 1034.0 feet to the point of beginning; thence South 49 degrees 30 minutes West 125.0 feet; thence South 38 degrees 48 minutes East, 979.6 feet; thence North 49 degrees 30 minutes East 125.0 feet; thence North 38 degrees 48 minutes West 979.6 feet to the POINT OF BEGINNING.

PARCEL B:

A part of Lot 40 in SCOTTS SUBDIVISION, as recorded in Deed Book Y, Page 400 of the public records of St. Johns County, Florida, described as follows:

Commence at an old axle at the intersection of the line between Lots 37 and 38 of said Scotts Subdivision and the Southeasterly right-of-way line of State Road #13; thence South 49 degrees 30 minutes West 1159.0 feet to the point of beginning; thence continue South 49 degrees 30 minutes West 125.0 feet; thence South 38 degrees 48 minutes East 979.6 feet; thence North 49 degrees 30 minutes East 125.0 feet; thence North 38 degrees 48 minutes West 979.6 feet to the Point of Beginning.

20.0 FEET WIDE INGRESS/EGRESS & UTILITY EASEMENT

lying within the following described parent tract

PARCELA:

Parts of Lot 40 in SCOTTS SUBDIVISION, as recorded in Deed Book Y, Page 400, of the public records of St. Johns County, Florida, described as follows:

Commence at an old axle at the intersection of the line between Lots 37 and 38, of said Scotts Subdivision and the Southeasterly right-of-way line of State Road #13; thence South 49 degrees 30 minutes West 1034.0 feet to the point of beginning; thence South 49 degrees 30 minutes West 125.0 feet; thence South 38 degrees 48 minutes East, 979.6 feet; thence North 49 degrees 30 minutes East 125.0 feet; thence North 38 degrees 48 minutes West 979.6 feet to the POINT OF BEGINNING.

PARCEL B:

A part of Lot 40 in SCOTTS SUBDIVISION, as recorded in Deed Book Y, Page 400 of the public records of St. Johns County, Florida, described as follows:

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Said easement lying 10.0 feet on both sides of the following described centerline

Commence at a 1/4" iron rod located at the monumented Northwest corner of the above described parent tract, said Point of Commencement being referenced by a 1/2" iron pipe located N 49°27'38" E, 250.07 feet at the monumented Northeast corner of said parent tract and by a 1/4" iron pipe located S 42°15'46" E, 982.41 feet at the monumented Southwest corner of said parent tract; Thence leaving said Point of Commencement run N 49°27'38" E, along the monumented Northwesterly line of said parent tract, 22.95 feet to the Point of Beginning of said centerline; Thence leaving said Northwesterly line run S 44°30'31" E, 188.17 feet; Thence run S 31°24'45" E, 105.26 feet; Thence run S 53°01'01" E, 103.30 feet; Thence run S 39°40'07" E, 409.98 feet to a point lying on a curve concave Northerly having for its elements a radius of 25.00 feet, a delta of 90°49'53", a chord distance of 35.61 feet, and a chord bearing of S 85°05'03" E; Thence run Northeasterly along said curve for an arc distance of 39.63 feet; Thence run N 49°30'00" E, 26.80 feet to the Point of Termination of said centerline. Said Point of Termination lies 62.22 feet Northeasterly of the Southwest corner of the above described parent tract and 153.80 feet Northwesterly of the Southeasterly line of said parent tract.

SWITZERLAND/JAC... 28661 02 11V OF 21
APR 28 1998 9:27 AM

50.0 FEET x 50.0 FEET LEASE AREA

lying within the following described parent tract

PARCEL A:

Parts of Lot 40 in SCOTTS SUBDIVISION, as recorded in Deed Book Y, Page 400, of the public records of St. Johns County, Florida, described as follows:

Commence at an old axle at the intersection of the line between Lots 37 and 38, of said Scotts Subdivision and the Southeasterly right-of-way line of State Road #13; thence South 49 degrees 30 minutes West 1034.0 feet to the point of beginning; thence South 49 degrees 30 minutes West 125.0 feet; thence South 38 degrees 48 minutes East, 979.6 feet; thence North 49 degrees 30 minutes East 125.0 feet; thence North 38 degrees 48 minutes West 979.6 feet to the POINT OF BEGINNING.

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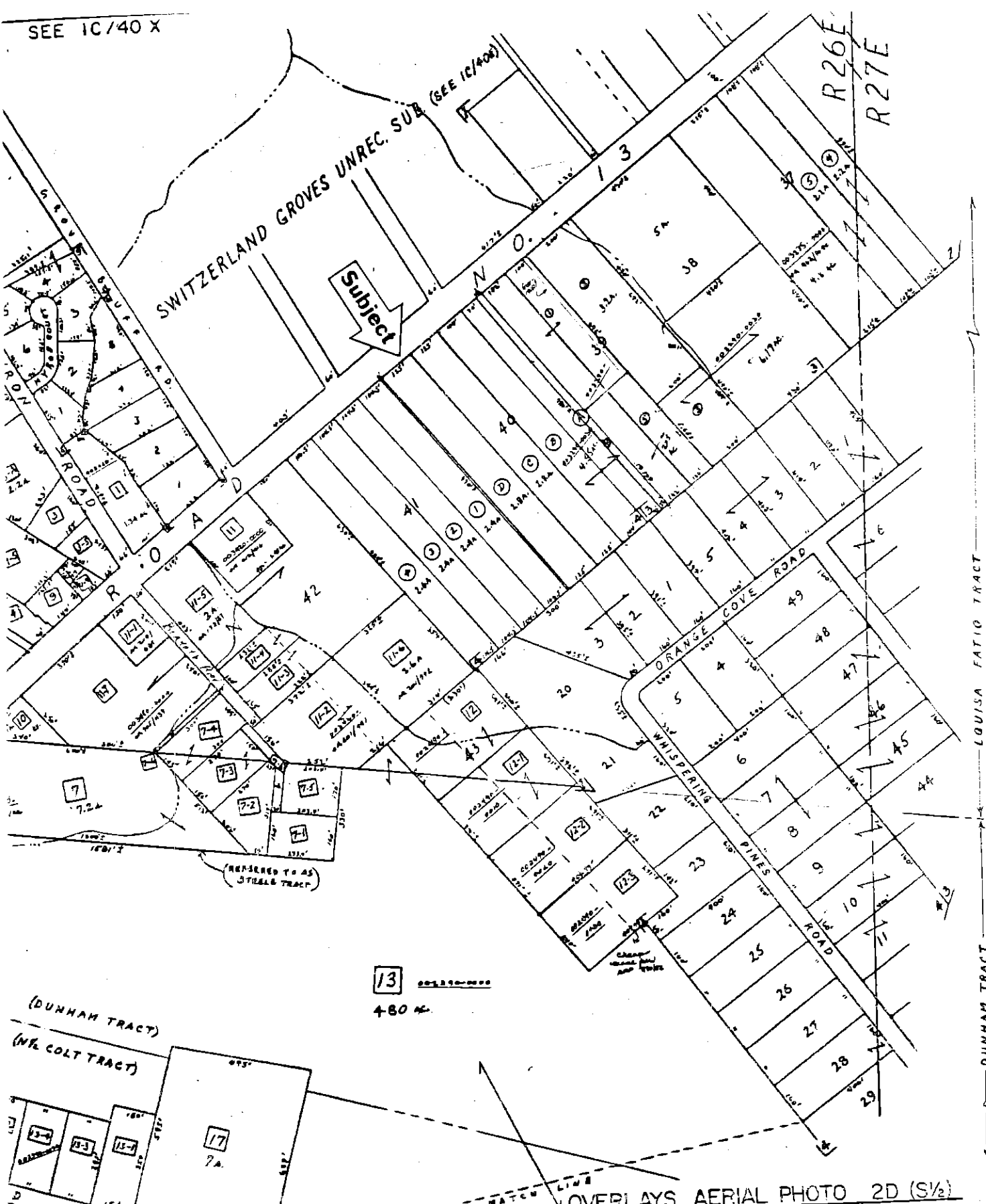
Being more particularly described as follows:

Commence at a 1/2" iron rod located at the monumented Northwest corner of the above described parent tract, said Point of Commencement being referenced by a 1/2" iron pipe located N 49°27'38" E, 250.07 feet at the monumented Northeast corner of said parent tract and by a 1/2" iron pipe located S 42°15'46" E, 982.41 feet at the monumented Southwest corner of said parent tract; Thence leaving said Point of Commencement run N 49°27'38" E, along the monumented Northwesterly line of said parent tract, 22.95 feet; Thence leaving said Northwesterly line run S 44°30'31" E, 188.17 feet; Thence run S 31°24'45" E, 105.26 feet; Thence run S 53°01'01" E, 103.30 feet; Thence run S 39°40'07" E, 409.98 feet to a point lying on a curve concave Northerly having for its elements a radius of 25.00 feet, a delta of 90°49'53", a chord distance of 35.61 feet, and a chord bearing of S 85°05'03" E; Thence run Northeasterly along said curve for an arc distance of 39.63 feet; Thence run N 49°30'00" E, 26.80 feet to the Point of Beginning, said Point of Beginning lies 62.22 feet Northeasterly of the Southwesterly line of the above described parent tract and 153.80 feet Northwesterly of the Southeasterly line of said parent tract; Thence leaving said Point of Beginning run N 40°30'00" W, 25.00 feet; Thence run N 49°30'00" E, 50.00 feet; Thence run S 40°30'00" E, 50.00 feet; Thence run S 49°30'00" W, 50.00 feet; Thence run N 40°30'00" W, 25.00 feet to the Point of Beginning. Containing 2,500 square feet or 0.0574 acres more or less.

SWITZERLAND GROVES UNREC. SUB (SEE IC/40X)

Subject

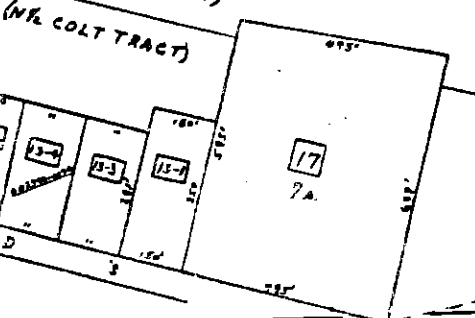
R26E
R27E



SEE 2C/39A

SEE 2C/39B

(DUNHAM TRACT)
(NE COLT TRACT)



OVERLAYS AERIAL PHOTO 2D (S 1/2)

P. FATIO GRANT

2E CORNER LANDS
D.B. 148/198



ASSESSMENT MAP
ST. JOHNS COUNTY,
FLORIDA
OFFICE
OF
PROPERTY APPRAISER

SECTION PART
TOWNSHIP
RANGE
DRAWN 11/77
REVISION DATES
TRACING PRINT

SHEET NUMBER

IC
44