

RESOLUTION NO. 98- 19

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ACCEPTING AN ACCESS EASEMENT TO A CERTAIN COMMUNICATIONS TOWER SITE.

WHEREAS, it is desired that the County have access to communications tower sites for periodic inspections or for dismantling tower if the tower does not comply with Ordinance; and

WHEREAS, the Grant of Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, conveys St. Johns County certain access.

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

1. The Grant of Easement as described in Exhibit "A" is hereby accepted for the above stated purpose.
2. The County Administrator is hereby authorized to execute Exhibit "A" as evidence of County acceptance..
3. The Clerk is authorized to record the Grant of Easement in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 27 day of January, 1998.

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

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

ATTEST: Cheryl Strickland, Clerk

By: Wonne Carter
Deputy Clerk

01084-150

Original
in Contract drawer

3072

601 Riverside Avenue
Eighth Floor
Jacksonville, FL 32204

GRANT OF EASEMENT

THIS INDENTURE, made this 20th day of January, 1998, between Allan B. and Camilla J. Roberts, a married couple, whose address is 4175 State Road 16, St. Augustine, Florida 32092, ("Grantor") and St. Johns County, Florida, whose address is P.O. Drawer 349, Saint Augustine, Florida, 32085 ("Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of certain real property located in St. Johns County, Florida, (the "Property"), as described in Exhibit "A" attached hereto and by this reference incorporated herein.

WHEREAS, Grantor has entered into a leasehold agreement with Alltel Mobile Communications, Inc. a Delaware Corporation, ("Lessee") for the construction of a communications tower to be located on the Property.

WHEREAS, Grantee requires an access easement to the subject communications tower site for periodic inspections or for dismantling the tower if the subject tower does not comply with Section 1.00.15 time period of St. Johns County Ordinance 97-05.

WHEREAS, Section 1.00.15 Abandonment, of St. Johns County Ordinance 97-05 reads as follows:

In the event the use of any communication tower has been discontinued for a period of one hundred eighty (180) consecutive days, the tower shall be deemed to be abandoned. Determination of the abandonment shall be made by the Planning Director, based on documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage. Upon the Planning Director's determination of such abandonment, the owner/operator of the tower shall have the additional one hundred eighty-five (185) days within which to:

- (i) reactivate use of the tower or transfer the tower to another owner/operator who makes actual use of the tower, or
- (ii) dismantle and remove the tower

At the earlier of one hundred eighty-five (185) days from the date of abandonment without reactivation or upon completion of dismantling and removal, any exception and/or variance approval for the tower shall automatically expire.

In + Ret - Y. Carter
Rec - 29.00
Sur - 4.00
Doc - 0.70

Recorded in Public Records St. Johns County, FL
Clerk# 98003922 O.R. 1292 PG. 1841 01:28PM 01/30/1998
Recording \$29.00 Surchage \$4.00 Doc Stamps \$0.70

WHEREAS, said easement is described in Exhibit "B" attached.

IN WITNESS WHEREOF, Grantor has caused this Grant of Easement to be executed to proper authority the date and year first above written.

GRANTOR: ALLAN B. AND CAMILLA J. ROBERTS, A MARRIED COUPLE

Witness:

Isaac Singleton
Name: Isaac Singleton
Date: 1-20-98

Allan B. Roberts
Allan B. Roberts
1-20-98
Date

Witness:

Lonnie Singleton
Name: Lonnie Singleton
Date: 1-20-98

Camilla J. Roberts
Camilla J. Roberts
Jan. 20, 1998
Date

GRANTEE: ST. JOHNS COUNTY, FLORIDA

Witness:

Yvonne Carter
Name: Yvonne Carter
Date: January 27, 1998

Moses A. Floyd
BY: Moses A. Floyd
ITS: Chairman
January 27, 1998
Date

O.R. 1292 PG 1843

STATE OF FLORIDA
COUNTY OF ST. Johns

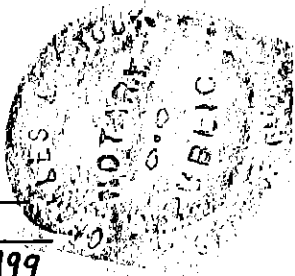
BEFORE ME the undersigned authority personally appeared ALLAN B. ROBERTS who acknowledged before me the execution of this instrument. He is personally known to me.

IN WITNESS WHEREOF I have set my hand and seal upon this 20th day of January, 1998

Charles L. Stout (Sign)

Charles L. Stout (Print)

NOTARY PUBLIC
State of FLORIDA
Commission No. _____
My Commission Expires: May 24, 1999



STATE OF Florida
COUNTY OF ST. Johns



CHARLES L STOUT
My Commission CC467093
Expires May 24, 1999
Bonded by HAI
800-422-1555

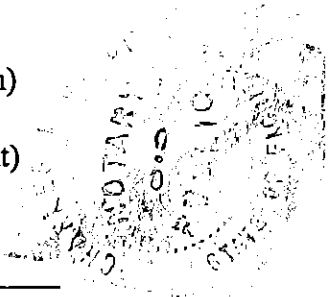
BEFORE ME the undersigned authority personally appeared CAMILLA J. ROBERTS who acknowledged before me the execution of this instrument. He is personally known to me.

IN WITNESS WHEREOF I have set my hand and seal upon this 20th day of January, 1998

Charles L. Stout (Sign)

Charles L. Stout (Print)

NOTARY PUBLIC
State of FLORIDA
Commission No. _____
My Commission Expires: May 24, 1999



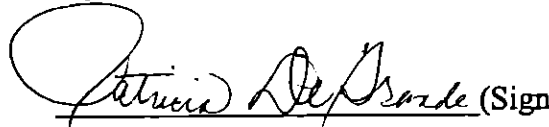
CHARLES L STOUT
My Commission CC467093
Expires May 24, 1999
Bonded by HAI
800-422-1555

O.R. 1292 PG 1844

STATE OF Florida
COUNTY OF St. Johns

BEFORE ME the undersigned authority personally appeared
Moses A. Floyd as Chairman of St. Johns County, Florida, who
acknowledged before me the execution of this instrument by authority and on behalf of
said County. He/She is personally known to me.

IN WITNESS WHEREOF I have set my hand and seal upon this 30th day of
January, 1998

 (Sign)
Patricia De Grande (Print)



Patricia De Grande
MY COMMISSION # CC516024 EXPIRES
January 26, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

NOTARY PUBLIC
State of Florida
Commission No. CC 516024
My Commission Expires: 01-26-2000

EXHIBIT "A"LEGAL DESCRIPTION OF PROPERTY

A parcel of land lying in Section 4, Township 6 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

Begin at a 5/8" iron rod with cap stamped "PLS 4690" at the intersection of the Southerly right of way line of Nine Mile Road and the Westerly right of way line of the Florida East Coast Railroad (said point being South 37°59'20" East, 2,512.00 feet from the intersection of said railroad right of way line with the projected North line of said Section 4, as measured along said railroad right of way line), thence run South 37°59'20" East, along said Westerly right of way of Florida East Coast Railroad, 435.60 feet; thence run South 66°20'40" West, 467.12 feet; thence run North 14°59'42" West, 426.91 feet to said Southerly right of way line of Nine Mile Road; thence run North 66°20'40" East, along said Southerly right of way line, 295.00 feet to the Point of Beginning.

EXHIBIT "B"

O.R. 1292 PG 1846

50 FEET X 50 FEET LEASE AREA

lying within the following described parent tract:

A parcel of land lying in Section 4, Township 6 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

Begin at a 5/8" iron rod with cap stamped "PLS 4690" at the intersection of the Southerly right of way line of Nine Mile Road and the Westerly right of way line of the Florida East Coast Railroad (said point being South 37°59'20" East, 2,512.00 feet from the intersection of said railroad right of way line with the projected North line of said Section 4, as measured along said railroad right of way line), thence run South 37°59'20" East, along said Westerly right of way of Florida East Coast Railroad, 435.60 feet; thence run South 66°20'40" West, 467.12 feet; thence run North 14°59'42" West, 426.91 feet to said Southerly right of way line of Nine Mile Road; thence run North 66°20'40" East, along said Southerly right of way line, 295.00 feet to the Point of Beginning.

Being more particularly described as follows:

Commence at the Southeast corner of the above described parent tract, said corner lying on said Westerly railroad right of way line; thence run South 66°20'40" West, along said Southerly line of the above described parent tract, 304.99 feet to the Point of Beginning; thence continue South 66°20'40" West, along said Southerly line of the above described parent tract, 50.00 feet; thence run North 14°59'42" West, 50.00 feet; thence run North 66°20'40" East, 50.00 feet; thence run South 14°59'42" East, 50.00 feet to the Point of Beginning. Containing 2,471 square feet, more or less.

30 FOOT INGRESS/EGRESS & UTILITY EASEMENT

lying within the following described parent tract:

A parcel of land lying in Section 4, Township 6 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

Begin at a 5/8" iron rod with cap stamped "PLS 4690" at the intersection of the Southerly right of way line of Nine Mile Road and the Westerly right of way line of the Florida East Coast Railroad (said point being South 37°59'20" East, 2,512.00 feet from the intersection of said railroad right of way line with the projected North line of said Section 4, as measured along said railroad right of way line), thence run South 37°59'20" East, along said Westerly right of way of Florida East Coast Railroad, 435.60 feet; thence run South 66°20'40" West, 467.12 feet; thence run North 14°59'42" West, 426.91 feet to said Southerly right of way line of Nine Mile Road; thence run North 66°20'40" East, along said Southerly right of way line, 295.00 feet to the Point of Beginning.

Lying 15 feet on both sides of the following described centerline

Commence at the Southeast corner of the above described parent tract, said corner lying on said railroad right-of-way line; Thence run South 66°20'40" West along said Southerly line of the above parent tract, 356.18 feet; Thence run South 66°20'40" West 50.00 feet, Thence run North 14°59'42" West 21.67 feet to the Point of Beginning of said centerline, said Point of Beginning lies on a curve concaved to the Northeast having a radius of 25.00 feet; Thence run Northwesterly along the arc of said curve 33.07 feet and through a central angle of 75°46'47" and a chord bearing of North 52°30'41" West, a chord distance of 30.71 feet to the point of curvature of said curve. Thence run North 14°37'18" West, 82.51 feet; Thence run North

08°38'58" West 138.51 feet; Thence fun North 15°39'50" West, 160.01 feet to the Point of Termination lying on the said Southerly right-of-way line, said Point of Termination also lies North 66°20'40" East, 56.19 feet from said Northwest corner of the above described parent tract.