

RESOLUTION NO. 98-90

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE EXECUTION OF THE TEMPORARY DISPOSAL AND PIPELINE EASEMENT FROM ST. JOHNS COUNTY TO ST. AUGUSTINE PORT, WATERWAY AND BEACH DISTRICT ACROSS CERTAIN COUNTY OWNED PROPERTY REQUIRED FOR THE BEACH RENOURISHMENT PROJECT.

WHEREAS, St. Johns County, in cooperation with the St. Augustine Port, Waterway and Beach District, and Florida Inland Navigation District, have agreed to coordinate the Beach Renourishment Project and the dredging of the Intracoastal Waterway in the St. Augustine Inlet area; and

WHEREAS, the dredging will help solve an existing navigational problem in that area and the installation of a temporary pipeline will allow the dredged materials to be distributed along areas of St. Augustine Beach in need of renourishment; and

WHEREAS, the pipeline will cross County owned property as more fully described in the Easement Agreement attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, per Florida Statute 125.38, St. Augustine Port, Waterway and Beach District, a special district organized under and existing under the laws of the State of Florida, has made application for use of this County property.

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

Section 1. It is hereby found that the property described in Exhibit "A" hereto is the subject of the application by the St. Augustine Port, Waterway and Beach District for a grant of a temporary easement for use above which easement is not needed for county purposes.

Section 2.. The Temporary Disposal and Pipeline Easement is hereby approved for the amount of \$1.00 and the Easement Agreement attached hereto is approved for execution by the Chairman of the Board.

Section 3. The Clerk is instructed to record the Easement Agreement in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED this 28 day of April, 1998.

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

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

ATTEST: Cheryl Strickland, Clerk

By: Juanne Carter
Deputy Clerk

4272

TEMPORARY DISPOSAL AND PIPELINE EASEMENT

THIS INSTRUMENT, made and entered into this 28th day of April, 1998, between **ST JOHNS COUNTY**, a political subdivision of the State of Florida, party of the first part, and **ST. AUGUSTINE PORT, WATERWAY AND BEACH DISTRICT**, a special district organized under and existing under the laws of the State of Florida, whose address is P.O. Box 4512, St. Augustine, FL 32085-4512, party of the second part.

WITNESSETH:

WHEREAS, the party of the first part is the owner in fee simple of a tract of land situated in St. Johns County, State of Florida, and described as follows, to-wit:

EXHIBIT "A", attached hereto, incorporated by reference and made a part hereof.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the party of the first part does hereby remise, release and quit claim unto the part of the second part, its assigns, successors, a temporary easement and right-of-way in, on, over, and across the real property hereinabove described for a period not to exceed 36 months, beginning with date possession of the land is granted to St. Augustine Port, Waterway and Beach District, for use by St. Augustine Port, Waterway and Beach District, its representatives, agents, assigns and contractors as a work area and dredge material disposal area, including the right to deposit dredge material thereon, move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the disposal of dredge material obtained from the St. Augustine Harbor Navigation Project, St. Johns County Shore Protection Project or other project of the U.S. Army Corps of Engineers with the right to trim, out, fell and remove therefrom all trees, underbrush, or obstacles within the limits of the above described real property, reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to utilities, railroads and pipelines.

TO HAVE AND TO HOLD the said easement and right of way unto the party of the second part, St. Augustine Port, Waterway and Beach District, and its assigns, for the purpose aforesaid. And the said party of the first part, for itself and for its heirs and assigns, does hereby covenant with the party of the second part that it is lawfully seized in fee of the premises hereinabove described.

*Dr. Let - P. Degraude
BCC Secty
Rec - 17.00
Sur - 2.50 Doc - .70
- Bill Co -*

IN WITNESS WHEREOF, party of the first part, has set hereto its hand and seal on the day and year above written.

Signed, sealed and delivered in the presence of:

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

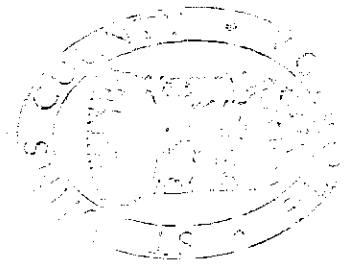
Yvonne Carter
(witness) Yvonne Carter

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

Lenda JE Newsome
(witness) Lenda JE Newsome

ATTEST: Cheryl Strickland, Clerk

By: Yvonne Carter
Deputy Clerk



STATE OF FLORIDA
COUNTY OF ST. JOHNS

I, the undersigned Notary Public in and for the State of Florida, hereby certify that on this day personally appeared before me, Moses A. Floyd, Chairman of the Board of County Commissioners of St. Johns County, Florida, to me known to be the person described in and who executed the foregoing easement.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7 day of May, 1998.

Patricia De Grande
Notary Public



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

My Commission Expires: 1-26-2000

EXHIBIT "A"

The Easement hereby conveyed is that portion of the parcel of land owned by the party of the first part which is set forth below.

PARCEL 1:

That part of Pope Road being bounded on the West by the Easterly right of way line of Beach Boulevard (a/k/a State Road No. A1A) and being bounded on the East by the mean high water line of the Atlantic Ocean, all in Section 27, Township 7 South, Range 30 East, St. Johns County, Florida.

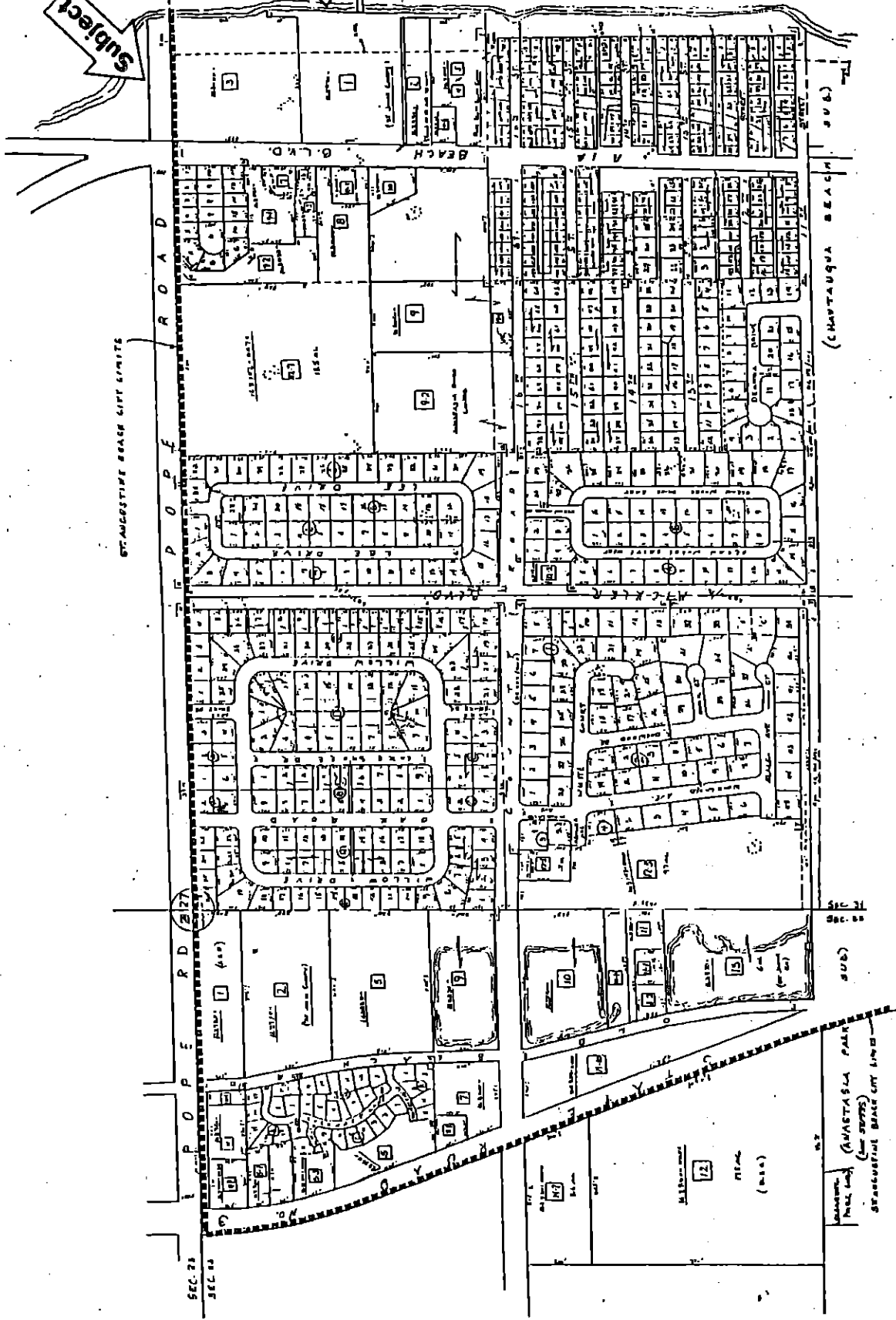
PARCEL 2:

A PART OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID GOVERNMENT LOT 1 WITH THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. A1A AS NOW ESTABLISHED AS A 100 FOOT RIGHT OF WAY AND AS SHOWN IN ROAD MAP BOOK 4, PAGES 104-107 OF THE PUBLIC OF SAID COUNTY; THENCE SOUTH $03^{\circ} 01' 30''$ WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 536.59 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 214, PAGE 798 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTH $03^{\circ} 01' 30''$ WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 431.80 FEET TO THE NORTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 676, PAGE 183 OF SAID PUBLIC RECORDS; THENCE SOUTH $88^{\circ} 58' 30''$ EAST, ALONG THE NORTHERLY LINE OF SAID LANDS, A DISTANCE OF 406.56 FEET; THENCE SOUTH $86^{\circ} 58' 30''$ EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 100.28 FEET; THENCE SOUTH $03^{\circ} 01' 34''$ WEST, ALONG THE EASTERLY LINE OF SAID LANDS, A DISTANCE OF 116.40 FEET; THENCE NORTH $88^{\circ} 52' 56''$ WEST, ALONG THE SOUTHERLY LINE OF SAID LANDS, A DISTANCE OF 5.00 FEET TO THE SOUTHEASTERLY CORNER OF AN EXISTING BUILDING, SAID CORNER ALSO THE SOUTHEASTERLY CORNER OF LANDS AS DESCRIBED IN DEED BOOK 258, PAGE 286; THENCE SOUTH $03^{\circ} 11' 33''$ WEST, ALONG THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 76, PAGE 303 OF SAID PUBLIC RECORDS, A DISTANCE OF 125.00 FEET; THENCE SOUTH $86^{\circ} 48' 27''$ EAST, ALONG THE MOST SOUTHERLY LINE OF SAID LANDS, A DISTANCE OF 20.00 FEET; THENCE NORTH $03^{\circ} 11' 33''$ EAST, ALONG THE EASTERLY LINE OF SAID LANDS AND ALONG THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 76, PAGE 301 OF SAID PUBLIC RECORDS (THE SAME BEING THE SHORE OF THE ATLANTIC OCEAN), A DISTANCE OF 799.98 FEET; THENCE NORTH $86^{\circ} 48' 27''$ WEST, ALONG THE MOST NORTHERLY LINE OF THOSE LANDS DESCRIBED IN DEED BOOK 76, PAGE 303, A DISTANCE OF 20.00 FEET; THENCE SOUTH $03^{\circ} 11' 33''$ WEST, ALONG THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN DEED BOOK 76, PAGE 303, A DISTANCE OF 125.00 FEET; THENCE NORTH $88^{\circ} 46' 30''$ WEST, ALONG THE SOUTHERLY LINE OF THOSE AFOREMENTIONED LANDS AS DESCRIBED IN OFFICIAL RECORDS 214, PAGE 798, A DISTANCE OF 503.45 FEET TO THE POINT OF BEGINNING.

A T L A N T I C O C E A N

Subject

Subject



SEE SE/27

SEE SE/34

SEE SE/34N

OVERLAY	AIRIAL	PLAT	FILED
		34 33	75 30E
		5E	34N
ST. JOHNS COUNTY, FLORIDA			

SEE SEC/34S

SEE THIS MAP IN THE NEAREST REGISTERED BOOK AT ST. JOHNS COUNTY COURTHOUSE FOR A COMPLETE LIST OF ALL RECORDS RELATING TO THIS PROPERTY.

- 1. BEACH RESERVATION
- 2. BEACH RESERVATION
- 3. BEACH RESERVATION
- 4. BEACH RESERVATION
- 5. BEACH RESERVATION

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