

RESOLUTION NO. 2001 - 2

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN ACCESS EASEMENT TO A COMMUNICATIONS TOWER SITE LOCATED AT INTERNATIONAL GOLF PARKWAY (FORMERLY NINE MILE ROAD) AND U.S. #1.

WHEREAS, the St. Johns County Land Development Code Section 6.08.12 requires the dismantling and removal of telecommunications towers after abandonment; and

WHEREAS, Section 6.08.12(S) of the Zoning Ordinance requires the fee owner of the land underlying telecommunications tower to grant an easement to St. Johns County for access to the tower site for removal of an abandoned tower; 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:

Section 1. The acceptance of the Temporary Access Easement attached hereto, as Exhibit "A" is hereby approved.

Section 2. The Clerk is instructed to record the original Temporary Access Easement in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED, this 9th day of January, 2001.

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

By: Mary F. Kohnke
Mary F. Kohnke, Chair

ATTEST: Cheryl Strickland, Clerk

Patricia A. Grande
Deputy Clerk

EXHIBIT "A" TO RESOLUTION

TEMPORARY ACCESS EASEMENT

This Temporary Access Easement, made this 16th day of November 2000, by Allen B. Roberts and Camilla K. Roberts, as husband and wife, having an address of 4175 SR 16, ST Augustine FL 32092 ("Grantor"), to ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, P.O. Box 349, St. Augustine, Florida 32085-0349 ("Grantee").

WITNESSETH:

WHEREAS, Grantor, as Optionor, has entered into that Option and Ground Lease Agreement date 5-24-00 (the "Lease") with PrimeCo Personal Communications, Limited Partnership, d/b/a Verizon Wireless ("Optionee") regarding a parcel of land located in Section 4, Township 6 South, Range 29 East, County of St. Johns, State of Florida, more particularly described on **Exhibit A** attached hereto (the "Leased Premises"),

WHEREAS, the Lease contemplates the construction by Optionee of a telecommunications tower (the "Tower") on the Leased Premises,

WHEREAS, Section 6.08.12 of the St. Johns County Land Development Code (the "Zoning Ordinance") requires the dismantling and removal of telecommunications towers after abandonment,

WHEREAS, section 6.08.12 (S) of the Zoning Ordinance requires the fee owner of the land underlying telecommunications tower to grant an easement to St. Johns County for access to the tower site for removal of an abandoned tower not complying with the Section 6.08.12 (N) time periods for removal of an abandoned tower,

NOW, THEREFORE, Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to them in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, hereby grants to the Grantee, its successors and assigns, an easement over the lands of Grantor more particularly described on **Exhibit B** hereto (the "Easement Area") for ingress and egress to the Leased Premises only for the purpose of removing the Tower if the Tower is in violation of Section 6.08.12 (N) of the Zoning Ordinance, with the right, privilege, and authority of Grantee, its successors and assigns, to enter on to the Leased Premises and to remove the Tower therefrom in accordance with and subject to the requirements of Section 6.08.12 (N) of the Zoning Ordinance.

The Grantor warrants to Grantee that it has good and indefeasible fee simple title to the above-described land and the authority to enter into this Easement.

The Easement shall terminate automatically upon removal of the Tower from the Leased Premises, whether removed by the Lessee, Grantor or Grantee. At the request of Grantor, Grantee shall execute a recordable document evidencing such termination. If Grantee shall fail to execute such a document within thirty (30) days of Grantor's request, Grantor may record an affidavit certifying that the Tower has been removed and that this Easement has terminated.

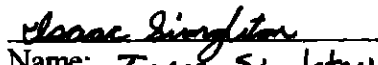
Grantor reserves the right at its expense to relocate the Easement Area at any time and from time to time to permit convenient use of Grantor's property, provided that the relocated easement shall provide a Grantee substantially the same ingress and egress rights herein granted. Any such relocated easement shall be evidenced by an amendment to the Easement executed by Grantor and Grantee.


IN WITNESS WHEREOF, the Grantor has hereunto set hand and seal the day and year first above written.


Signed, sealed and delivered

In the presence of:

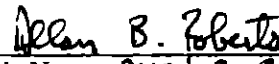

Name: Camilla Lorett


Name: Isaac Singleton


Name: Camilla Lorett


Name: Isaac Singleton

GRANTOR:

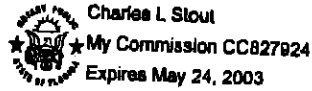
By: 
Print Name: ALLAN B. ROBERTS

By: 
Print Name: CAMILLA J. ROBERTS

STATE OF FLORIDA
COUNTY OF ST. JOHNS

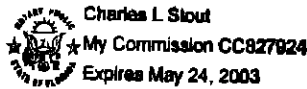
The foregoing instrument was acknowledged before me this 16 day of NOV.,
2000, by ALLAN ROBERTS as husband who either personally
known to me or () has produced _____ identification.

Notary Public State of Florida
Print Name: Charles L. Stout
My Commission Expires: MAY 24, 2003
Charles L. Stout



STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledging before me this 16 day of NOV.
2000, by CAMILLA J. ROBERTS as Wife, who is either personally
known to me or () has produced _____ identification.



Notary Public State of Florida
Print Name: Charles L. Stout
My Commission Expires MAY 24, 2003
Charles L. Stout

GRANTEE:

ST. JOHNS COUNTY, FLORIDA
A political subdivision of the State of Florida

NAME: _____

NAME: _____

BY: _____
Print Name: _____
Title: _____

**STATE OF FLORIDA
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledge before me this _____ day of _____
2000 by _____ the _____ of St. Johns County, Florida a
Political subdivision of the State of Florida, on behalf of the County. He/she is
personally known to me or produced _____ as identification.

Notary Public State of Florida
Print Name: _____
My Commission Expires: _____

Exhibit "A"

Lensed Premises

LEASE PARCEL

A PART OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF WORLD GOLF VILLAGE PARKWAY (FORMERLY NINE MILE ROAD) AND THE WESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE SOUTH 37 DEGREES 59 MINUTES 20 SECONDS EAST, ALONG SAID WESTERLY RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILROAD, 438.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 20 MINUTES 40 SECONDS WEST, 60.00 FEET; THENCE NORTH 37 DEGREES 59 MINUTES 20 SECONDS WEST, PARALLEL WITH THE WESTERLY RIGHT-OF-WAY OF SAID FLORIDA EAST COAST RAILROAD, 60.00 FEET; THENCE NORTH 88 DEGREES 20 MINUTES 40 SECONDS EAST, 60.00 FEET; THENCE SOUTH 37 DEGREES 59 MINUTES 20 SECONDS EAST, ALONG SAID WESTERLY RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILROAD, 60.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,488 SQUARE FEET OR 0.08 ACRES, MORE OR LESS.

Exhibit "B"

Easement Area

30' ACCESS EASEMENT

A PART OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF WORLD GOLF VILLAGE PARKWAY (FORMERLY NINE MILE ROAD) AND THE WESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE SOUTH 37 DEGREES 58 MINUTES 20 SECONDS EAST, ALONG SAID WESTERLY RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILROAD, 375.80 FEET; THENCE SOUTH 88 DEGREES 20 MINUTES 40 SECONDS WEST, 20.71 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 86 DEGREES 20 MINUTES 40 SECONDS WEST, 39.29 FEET; THENCE NORTH 83 DEGREES 54 MINUTES 40 SECONDS WEST, 92.18 FEET; THENCE SOUTH 84 DEGREES 59 MINUTES 59 SECONDS WEST, 204.86 FEET; THENCE SOUTH 79 DEGREES 59 MINUTES 59 SECONDS WEST, 82.78 FEET; THENCE NORTH 07 DEGREES 00 MINUTES 01 SECONDS WEST, 124.89 FEET; THENCE NORTH 14 DEGREES 00 MINUTES 01 SECONDS WEST, 161.48 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID WORLD GOLF VILLAGE PARKWAY; THENCE NORTH 68 DEGREES 20 MINUTES 40 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF WORLD GOLF VILLAGE PARKWAY, 30.43 FEET; THENCE SOUTH 14 DEGREES 00 MINUTES 01 SECONDS EAST, 188.40 FEET; THENCE SOUTH 07 DEGREES 00 MINUTES 01 SECONDS EAST, 95.11 FEET; THENCE NORTH 79 DEGREES 59 MINUTES 59 SECONDS EAST, 47.22 FEET; THENCE NORTH 84 DEGREES 59 MINUTES 59 SECONDS EAST, 215.05 FEET; THENCE SOUTH 83 DEGREES 54 MINUTES 13 SECONDS EAST, 131.90 FEET TO THE POINT OF BEGINNING.

WORLD GOLF VILLAGE PARKWAY
(FORMERLY NINE MILE ROAD)

POINT OF COMMENCEMENT
FOR THE
20' ACCESS EASEMENT
5' UTILITY EASEMENT

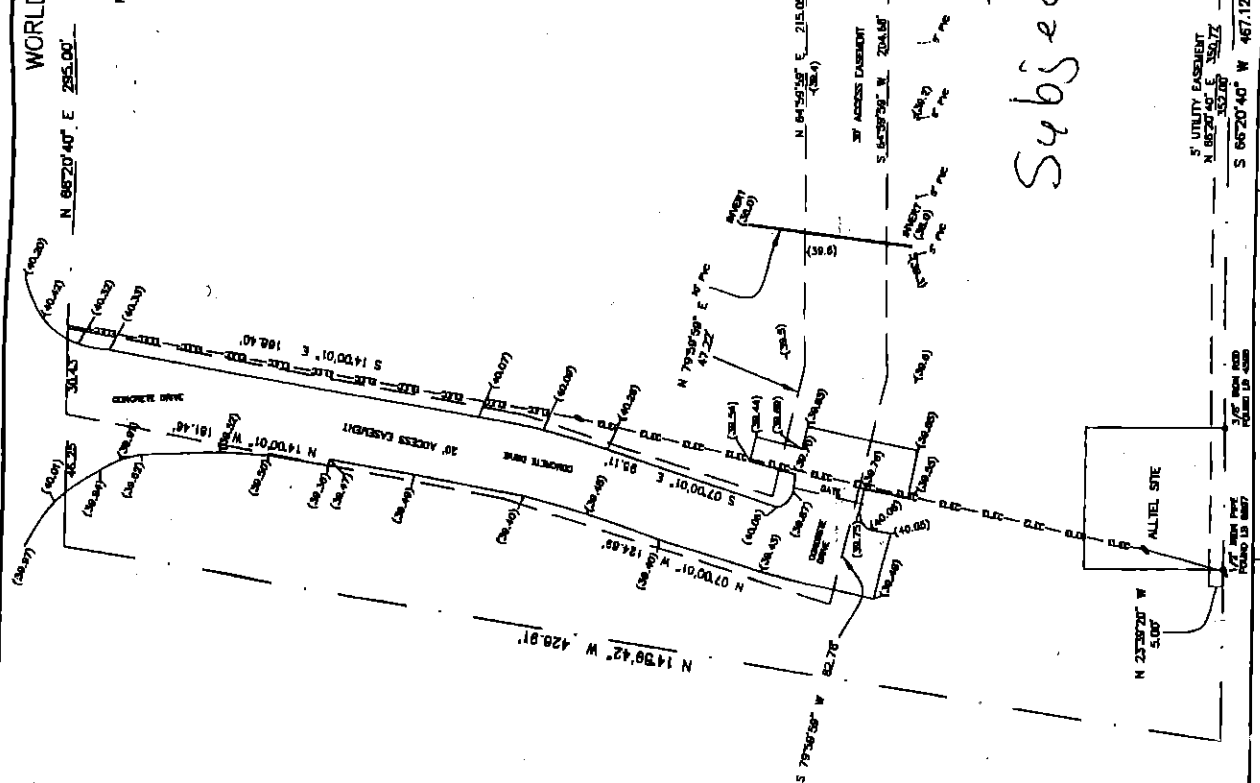
5/8" IRON ROD
FOUND LB 4880

5/8" IRON ROD
FOUND LB 4890

FLORIDA EAST COAST RAILROAD
S 37°59'20" E 435.60'
376.80'

Subject

Subject



SHEET 2 OF 3 SHEETS
CERTIFIED TO:

VERIZON WIRELESS

VERIZON SITE "ROBERTS UST", #102609-2, ST. JOHNS CO., FLA.

DRAWING DATE: JUNE 6, 2000	REVISION DATE:
SURVEY DATE: MAY 23, 2000	11/7/00 CHANGE ACCESS EASE TO 30'
FIELD BOOK: 622	COMPUTER FILE: 2000IGLDWG
PAGE(S): 1,3,4	SCALE: 1" = 30'
JOB FILE NO: 2000162	

DEGROVE SURVEYORS, INC.
2131 CORPORATE SQUARE BOULEVARD
JACKSONVILLE, FLORIDA 32216
(804) 722-0400

DRAFTED BY: RLK
CHECKED BY: GRN

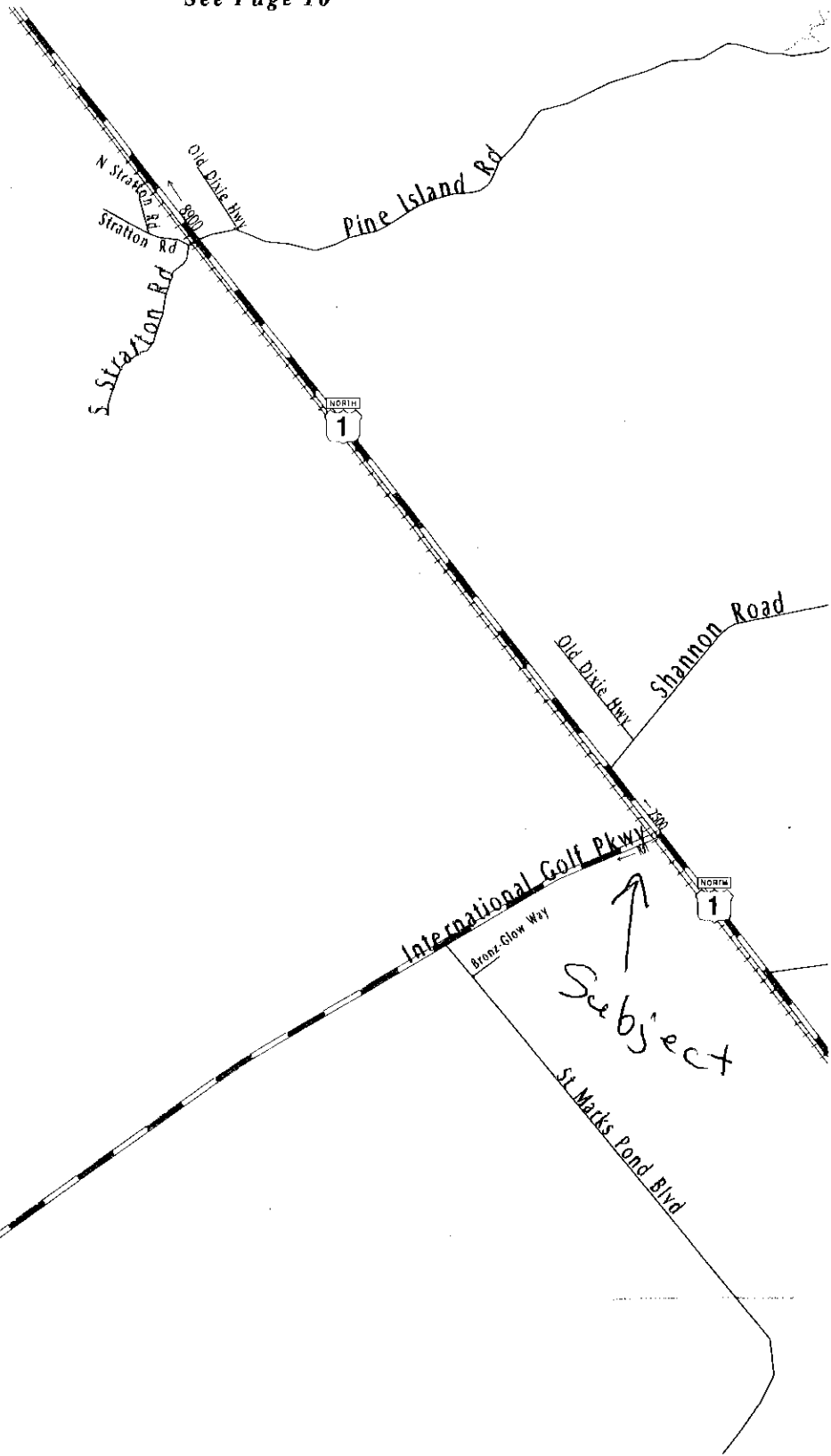
A

B
See Page 10

C

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4



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2

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3

2

1

1

1" = .60 miles

A

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B

C

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