

RESOLUTION NO. 2002- 125

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE GRANTING AND EXECUTION OF AN EASEMENT OF CERTAIN COUNTY PROPERTY TO THE CITY OF ST. AUGUSTINE AS PER FLORIDA STATUTE 125.38 FOR A LIFT STATION TO BE LOCATED BETWEEN HURST STREET AND STEWART STREET.

WHEREAS, The City of St. Augustine, Florida has plans to construct, install and maintain a lift station and provide utilities within a portion of the West Augustine Community redevelopment area that is located within their service area, as described in the Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, and;

WHEREAS, said parcel is a triangular shaped lot containing 1987 square feet and is a vacant parcel not being used for public purpose. The property is located between Hurst Street and Stewart Street; and

WHEREAS, the City of St. Augustine has made an application to St. Johns County to execute and deliver to the City of St. Augustine an Easement for this lift station is providing the first sewer service to property in the West Augustine Community Redevelopment Area and will have the capacity to expand with the new funding for this area; and

WHEREAS, the Easement attached herein as Exhibit "A", in favor of the City of St. Augustine conveys a non-exclusive Easement described thereon for utility purposes, shall be executed by the Chairman of the Board of County Commissioners. Consideration shall be \$10.00.

WHEREAS, St. Johns County has complied with the procedural rules of Section 125.38, Florida Statutes; and

WHEREAS, granting this Easement will contribute to the health, safety and welfare of the citizens in that part of the County.

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

Section 1. The above recitals are incorporated herein, as findings of fact.

Section 2. The Easement, attached herein as Exhibit "A", in favor of the City of St. Augustine conveys a non-exclusive Easement described thereon for utility purposes, shall be executed by the Chairman of the Board of County Commissioners. Consideration shall be \$10.00.

Section 3. The application of the City of St. Augustine for this conveyance is for utility purposes, which are in the public or community interest and for public welfare. The Subject property is not needed for County Purposes.

Section 4. A certified copy of this Resolution shall be forwarded forthwith to the City of St. Augustine, P.O. Box 210, St. Augustine, FL 32085.

Section 5. The Easement transferring these rights to the City of St. Augustine shall be duly recorded in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED this 9th day of July, 2002.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA.

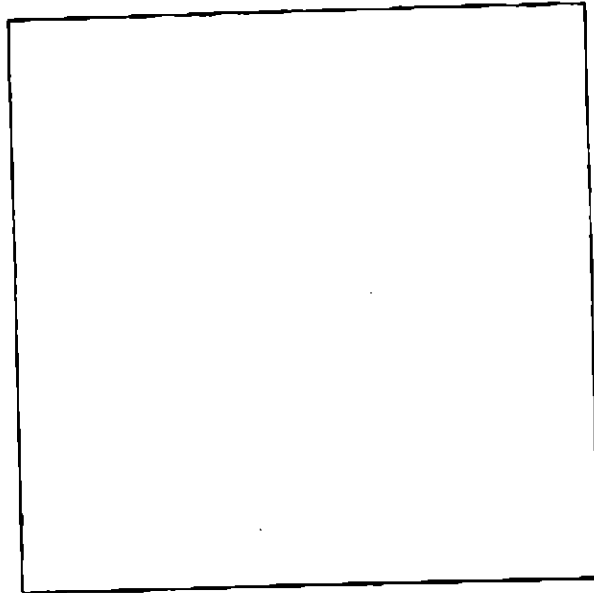
James E. Bryant
By: James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk
Debra A. Grande
Deputy Clerk

RENDITION DATE 07-12-02

Exhibit "A" to Resolution

This instrument was prepared under the supervision and direction of James P. Wilson, City Attorney, P.O. Box 210, St. Augustine, FL, 32085



EASEMENT

THIS EASEMENT, made by ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is P.O. Drawer 349, St. Augustine, Florida, 32085-0349, hereinafter referred to as "Grantor," to THE CITY OF ST. AUGUSTINE, FLORIDA, a municipal corporation, E.I.D. No. 59-6000420, whose address is P.O. Box 210, St. Augustine, Florida, 32085-0210, hereinafter referred to as "Grantee."

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to Grantee, its successors, legal representatives and assigns forever, a non-exclusive easement for the construction, installation and maintenance of a lift station and utility lines on, over and underneath the following described real property situated in St. Johns County, Florida, to-wit:

PROPERTY DESCRIBED IN EXHIBIT "A" AND DEPICTED ON
EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER SAID PROPERTY FOR THE
PURPOSES OF MAINTAINING SAID LIFT STATION AND UTILITIES.

The undersigned Grantor hereby reserves the right to use the real property described herein for all purposes which will not interfere with the easement granted herein and further reserves the right to grant easements to other parties on, over and under said real property; provided, however, that any additional utilities to be installed within said easements must be installed in accordance with federal, state and local regulations and shall not interfere with the City of St. Augustine's facilities or use of the subject property.



IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this _____ day of _____, 2002.

Signed, sealed and delivered in the presence of:

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY

Witness
Printed Name: _____

BY: _____
Printed Name: _____
Title: _____

Witness
Printed Name: _____

ATTEST: _____
Printed Name: _____
Title: _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____, who is personally known to me or who has produced _____ as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this _____ day of _____, 2002.

Notary Public, State of Florida

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____, who is personally known to me or who has produced _____ as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this _____ day of _____, 2002.

Notary Public, State of Florida

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY

Easement (Utility Lines)
From St. Johns County to City of St. Augustine
PARCEL NO. _____

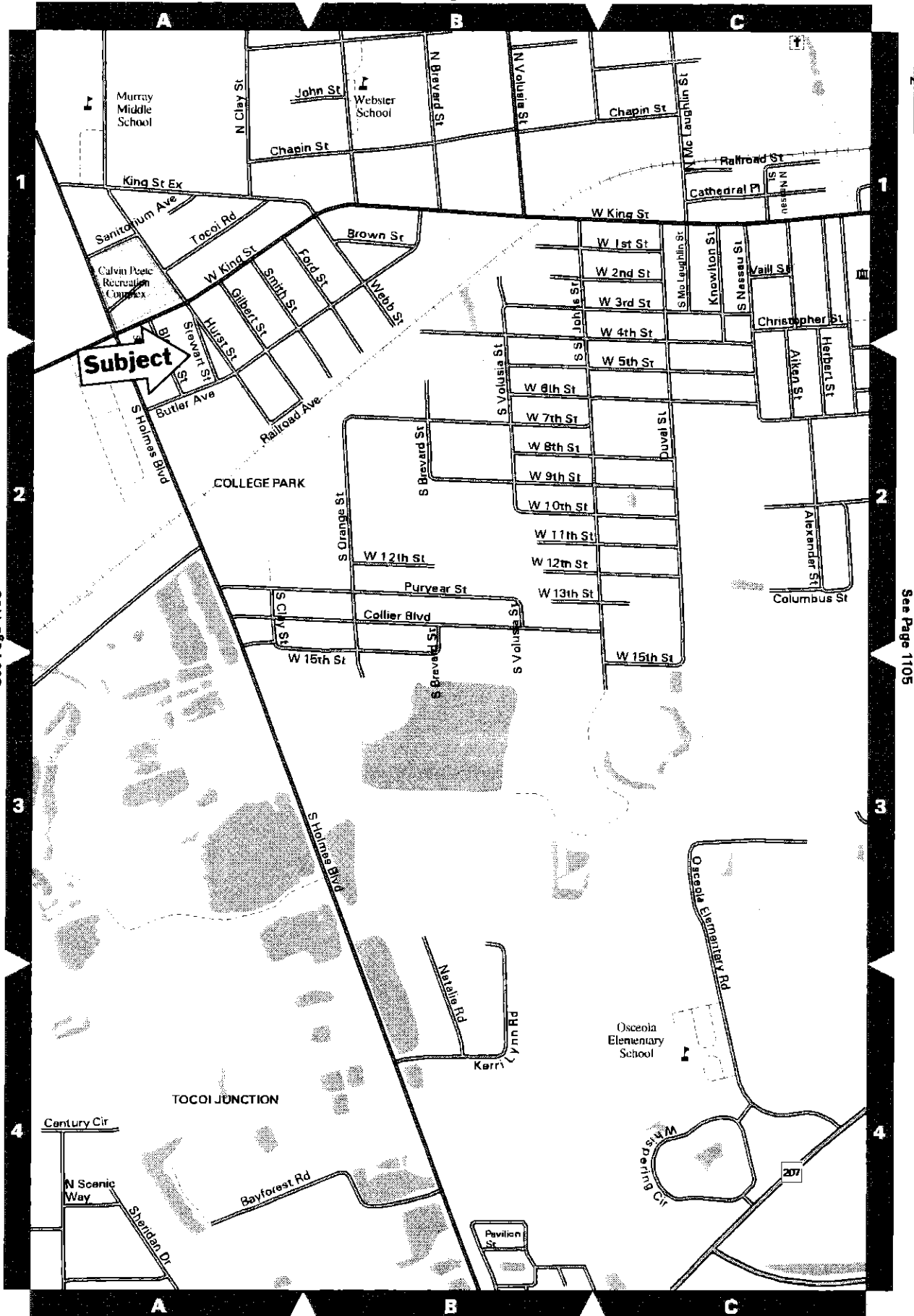
Exhibit "A" to Easement

DESCRIPTION (BY SURVEYOR):

A PORTION OF THE TRIANGULAR SHAPED BLOCK LABELED AS "PARK", BOUNDED ON THE EAST BY HURST STREET (A 50 FOOT WIDE RIGHT OF WAY), BOUNDED ON THE WEST BY STEWART STREET (A 50 FOOT WIDE RIGHT OF WAY) AND BOUNDED ON THE SOUTH BY BUTLER AVENUE (A 50 FOOT WIDE RIGHT OF WAY), ACCORDING TO THE PLAT OF COLLEGE PARK AS RECORDED IN MAP BOOK 3, PAGE 22, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, TOGETHER WITH A PORTION SAID STEWART STREET, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF SAID STEWART STREET WITH THE NORTH RIGHT OF WAY LINE OF SAID BUTLER AVENUE (SAID POINT ALSO BEING THE SOUTHEAST CORNER OF BLOCK K OF SAID COLLEGE PARK PLAT); THENCE NORTH 22 DEGREES 27 MINUTES 27 SECONDS WEST, ALONG SAID WEST RIGHT OF WAY LINE, 156.03 FEET; THENCE NORTH 67 DEGREES 32 MINUTES 33 SECONDS EAST 47.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE CONTINUE NORTH 67 DEGREES 32 MINUTES 33 SECONDS EAST 3.00 FEET TO THE EAST RIGHT OF WAY LINE OF SAID STEWART STREET; THENCE NORTH 70 DEGREES 47 MINUTES 41 SECONDS EAST 45.33 FEET; THENCE NORTH 22 DEGREES 17 MINUTES 58 WEST 29.88 FEET TO THE WEST RIGHT OF WAY LINE OF SAID HURST STREET; THENCE NORTH 35 DEGREES 34 MINUTES 56 SECONDS WEST, ALONG LAST SAID RIGHT OF WAY LINE, 13.32 FEET; THENCE SOUTH 68 DEGREES 14 MINUTES 26 SECONDS WEST 42.32 FEET TO SAID EAST RIGHT OF WAY LINE OF STEWART STREET; THENCE CONTINUE SOUTH 68 DEGREES 14 MINUTES 26 SECONDS WEST 3.00 FEET; THENCE SOUTH 22 DEGREES 27 MINUTES 27 SECONDS EAST, PARALLEL WITH LAST SAID RIGHT OF WAY LINE, 40.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 1987 SQUARE FEET MORE OR LESS.



See Page 1103

See Page 1105