

RESOLUTION NO. 2003- 9

**RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING TRACT E-1 EAGLE CREEK SUBDIVISION SURPLUS PROPERTY AND AUTHORIZING THE APPRAISAL AND ADVERTISEMENT FOR SALE BIDS PURSUANT TO FLORIDA STATUTE 125.35.**

**WHEREAS**, Tract E-1 Eagle Creek Subdivision was acquired by the County for Utility Treatment Facilities and has been dismantled by the St. Johns County Utility Department. The St. Johns County Utility Department does not anticipate any future operational requirements for the abandoned Utility site as stated in the attached memorandum. Attached hereto is the memorandum marked as Exhibit "A".

**WHEREAS**, Harvey D. DeVane, president of Eagle Creek Homeowners Association, has indicated that the property will be beneficial to Eagle Creek Homeowners, as more fully shown and described in Exhibit "B", attached hereto, incorporated by reference and made a part hereof. The property will be used by Eagle Creek Homeowners Association, Inc. for amenity improvements for the community as stated in the letter attached hereto as Exhibit "C", incorporated by reference and made a part hereof; and

**WHEREAS**, pursuant to Florida Statute 125.35, the Board of County Commissioners is authorized to determine if such a sale is in the best interest of the County and deem said property as surplus and authorize low bid amount and determine bidding procedure.

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

1. The County property, as described in Exhibit "B", is hereby declared surplus property.
2. The County Administrator shall obtain a fair market real estate appraisal of the subject property to establish a low bid amount. The purchaser, in addition to the bid amount, will pay the appraisal fee and other closing costs.
3. The Clerk is instructed to then publish a Notice of Sale of County land once a week for at least (2) weeks calling for bids on the property. The bid requirements

will include but not necessarily be limited to Buyer Assumption of all environmental liability that may be related to the property.

4. The procedures as outlined in Exhibit "D" attached hereto and incorporated by reference and made a part hereof, shall be carried out in substantially the form provided, for disposition of the subject County owned property that has been declared surplus by the Board of County Commissioners, unless the office of the County Attorney and the County Administrator authorize deviation for good cause.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 14 day of January, 2003.

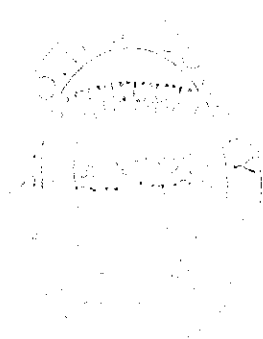
**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

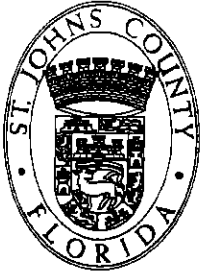
By: James E. Bryant  
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia A. Grande  
Deputy Clerk

RENDITION DATE 01-16-03



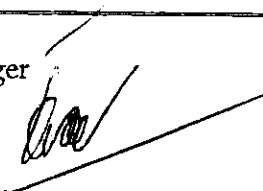


**ST. JOHNS COUNTY**  
UTILITY DEPARTMENT  
2175 Mizell Road  
P.O. Drawer 3006  
St. Augustine, Florida 32085-3006

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I N T E R O F F I C E   M E M O R A N D U M

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**TO:** Mary Ann Blount, Real Estate Manager  
**FROM:** Herbert A. Van Der Mark  
Construction Manager of Utilities   
**SUBJECT:** Eagle Creek Subdivision, Tract E-1, 2.23 Acres Utility Site.  
**DATE:** May 8, 2002

In reference to Harvey Devane's letter dated April 25, 2002, expressing an interest in the acquisition of subject property for the benefit of the Eagle Creek Community; please be informed that all Utility Treatment Facilities were dismantled at Tract E-1.

The Utility Department does not anticipate any future operational requirements for the abandoned Utility site.

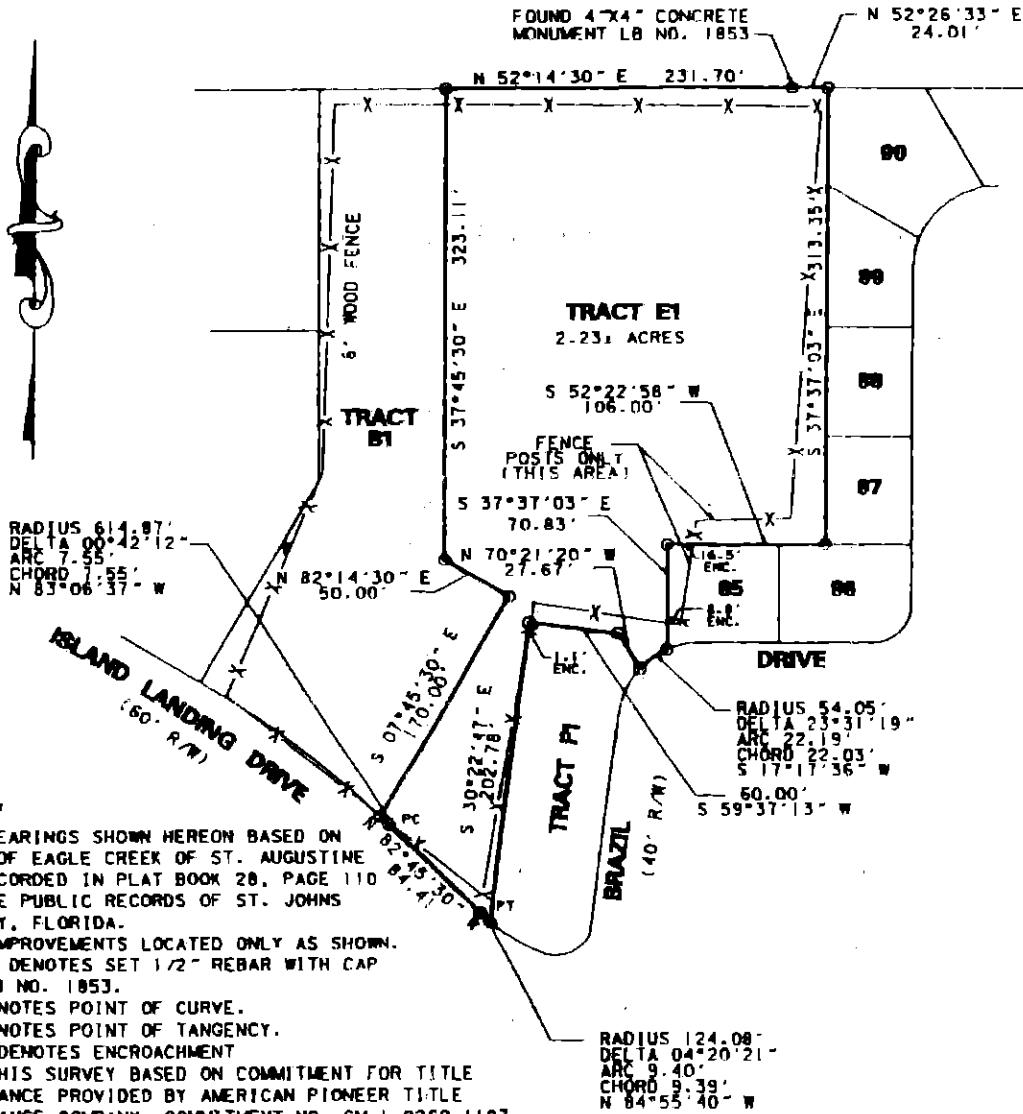
Please call if you require any additional information.

cc: Ben W. Adams Jr. - SJC  
Nanette Bradbury - SJC  
Bill Young - SJCUD  
Frank Kenton - SJCUD

**MAP SHOWING BOUNDARY SURVEY OF**

TRACT E-1, EAGLE CREEK, ACCORDING TO THE PLAT OF EAGLE CREEK OF ST. AUGUSTINE AS RECORDED IN MAP BOOK 28, PAGE 110 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

FOR: ST. JOHNS COUNTY, FLORIDA  
 AMERICAN PIONEER TITLE INSURANCE CO.



**NOTES:**

1. BEARINGS SHOWN HEREON BASED ON PLAT OF EAGLE CREEK OF ST. AUGUSTINE AS RECORDED IN PLAT BOOK 28, PAGE 110 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
2. IMPROVEMENTS LOCATED ONLY AS SHOWN.
3. O DENOTES SET 1/2" REBAR WITH CAP LB NO. 1853.  
 PC DENOTES POINT OF CURVE.  
 PT DENOTES POINT OF TANGENCY.  
 ENC. DENOTES ENCROACHMENT
4. THIS SURVEY BASED ON COMMITMENT FOR TITLE INSURANCE PROVIDED BY AMERICAN PIONEER TITLE INSURANCE COMPANY, COMMITMENT NO. CM-1-0269-1197 DATED APRIL 28, 1995.

**NORTH  
 EAST  
 FLORIDA  
 SURVEYORS**

A CORPORATION OF  
 FLORIDA, SUCCESSORS TO  
 1900 CORPORATION SURVEYORS, INC.  
 JACKSONVILLE, FLORIDA 32202  
 (904) 771-1900

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND §9017-8 OF THE FLORIDA ADMINISTRATIVE CODE.

*Carl J. Schreck*  
 CARL J. SCHRECK CARL J. SCHRECK  
 FLA. P.L.S. CERT. NO. 9881

DATED: MAY 17, 1995  
 SCALE: 1" = 100'

THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.



January 7, 2003

St. Johns County Public Works Dept.  
4020 Lewis Speedway  
St. Augustine, FL 32095

Attn: Mary Ann Blount

Dear Mary Ann,

The subject property will be beneficial to Eagle Creek Homeowners Association Inc. The property will be used by Eagle Creek Homeowners Association Inc. for amenity improvements for the community.

Thank You!

Sincerely,

A handwritten signature in cursive script that reads "Harvey DeVane".

Harvey DeVane  
Agent for Eagle Creek Assc. Inc.  
Eagle Creek Homeowners Assoc. Board Member

## PROPERTY DISPOSITION SURPLUS REAL ESTATE

### A. PROCEDURES FOR DECLARING REAL ESTATE SURPLUS TO THE NEEDS OF THE COUNTY

1. At the request of a prospective purchaser of a parcel of County owned property, or upon determination by the Real Estate Manager of an apparent lack of need by the County to retain a parcel of property, the Real Estate Division shall investigate whether there is a need by the County or an independent agency for such County owned property.
2. After all appropriate surplus investigation replies have been received and review determines that there is a need for the subject property by a governmental agency, the Real Estate Division shall advise the requesting party that there is a need for the property to be retained. If no such need is found, the division shall order a legal description from the County Surveyor and prepare legislation for the Board of County Commissioners consideration to declare the property surplus and authorize its sale in accordance with F.S. 125.35.

### B. PROCEDURES FOR THE SALE OF SURPLUS REAL ESTATE

The Board of County Commissioners is authorized to sell and to lease real property belonging to the County whenever the Board determines that it is in the best interest of the County to do so.

1. The Real Estate Division obtains appraisal fee estimate and orders an appraisal. The appraised value determines the minimum bid amount.
2. When the appraisal is received and approved, a bid number and bid date are assigned to the property.
3. If the appraised value of the property is \$15,000.00 or more, a notice of sale will be published once a week for at least two (2) weeks in a newspaper of general circulation, published in the County, calling for bids on the property.
4. The highest bid complying with the terms and conditions in the notice shall be accepted. Terms and conditions may differ from sale to sale at the discretion of the Board.
5. Sealed bids are submitted by all interested purchasers with a required deposit of 10% of the bid amount. Checks for deposits are made payable to St. Johns County.
6. The Purchasing Departments opens all bids and the property is awarded to the highest bidder.
7. The successful bidder has 90 days from the date of notification to complete the purchase.
8. Closing costs (appraisal fee, documentary stamps, recording fee, survey, and advertising costs) are paid by the purchaser at the closing.

9. All deeds are to be recorded by the Real Estate Division through the Clerk of the Court with funds furnished by the buyer to cover recording fees and appropriate documentary stamps. Unless specific instructions from the Board of County Commissioners directs otherwise, the County deed as provided in Florida Statute 125.411 will be used to convey the property.
10. After the recorded deeds have been returned by the Clerk's office to the Real Estate Division, it will forward same to the purchaser.