

RESOLUTION NO. 2003- 105

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TEMPORARY CONSTRUCTION EASEMENTS TO RELOCATE THE EXISTING OUTFALL DITCH AND GRANT OF EASEMENTS TO PERFORM MAINTENANCE ON THE OUTFALL DITCH ON CIRCLE DRIVE.

RECITALS

WHEREAS, Herbert E. and Rachel L. Johnson and Calvin G. Craig Jr. and Calvin G. Craig Sr., residents on Circle Drive, have executed and presented to the County Temporary Construction Easements to relocate the existing outfall ditch and Grant of Easements to perform maintenance on the outfall ditch located on Circle Drive, attached hereto as Exhibit "A" through Exhibit "D", incorporated by reference and made a part hereof; and

WHEREAS, St. Johns County Road and Bridge Department has requested these Easements to relocate an existing outfall ditch to the boundaries of the Easement area and perform maintenance to the outfall ditch, as stated in the memorandum attached hereto as Exhibit "E", incorporated by reference and made a part hereof; and

WHEREAS, it is in the best interest of the County to accept this easement to ensure proper drainage and for the health, safety and welfare of the citizens in that area.

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

Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The above described Temporary Construction Easements and Grant of Easements attached and incorporated hereto, are hereby accepted.

Section 3. The Clerk of the Circuit Court is instructed to record the original Temporary Construction Easements and Grant of Easements in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 3rd day of June, 2003.

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

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

ATTEST: Cheryl Strickland, Clerk

RENDITION DATE June 4, 2003

Reina L. Plaud
Deputy Clerk

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this _____ day of _____, 2003, by and between HERBERT E. JOHNSON AND RACHEL L. JOHNSON, HIS WIFE, whose address is 266 Circle Drive East, St. Augustine FL 32084, grantor and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, grantee.

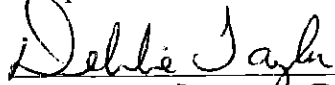
WITNESSTEH, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property as described below for such purposes as a staging area for equipment and materials required for the drainage improvements and other uses as is reasonably necessary to enable the grantee to complete the relocation of the ditch, in Myrtle Meadows subdivision. This Easement is over the land in St. Johns County, Florida, described as follows:


The northerly 30 feet of Lot 30, Unit 2, Myrtle Meadows Subdivision, as recorded in Map Book 12, Page 83 of the Public Records of St. Johns County, Florida.

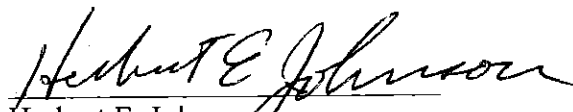
It is understood and agreed by the parties hereto that the rights granted herein should terminate 60 days from the date construction begins. Upon completion of the project the property shall be returned to its original state.


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

Signed, sealed and delivered in
Our presence as Witnesses:


Print Name: Debbie Taylor


Print Name: Nanette Bradbury



Herbert E. Johnson


Rachel L. Johnson

State of Florida
County of St Johns

The foregoing instrument was acknowledged before me this 5th day of May, 2003 by Herbert E. Johnson and Rachel L. Johnson, who has produced DL# JS25 32541411 0 as identification or is personally known to me. DL# JS25 732 43 6420

Debbie Taylor
Notary Public

 Debbie Taylor
Commission # CC 913963
Expires April 14, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this ____ day of _____, 2003, by and between CALVIN G. CRAIG, JR., A SINGLE MAN AND CALVIN G. CRAIG, SR., A SINGLE MAN, whose address is 260 Circle Drive East, St. Augustine FL 32084, grantor and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, grantee.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property as described below for such purposes as a staging area for equipment and materials required for the drainage improvements and other uses as is reasonably necessary to enable the grantee to complete the relocation of the ditch, in Myrtle Meadows subdivision. This Easement is over the land in St. Johns County, Florida, described as follows:

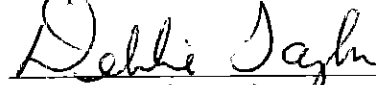
The southerly 30 feet of Lot 31, Unit 2, Myrtle Meadows Subdivision, as recorded in Map Book 12, Page 83 of the Public Records of St. Johns County, Florida.

It is understood and agreed by the parties hereto that the rights granted herein should terminate 60 days from the date construction begins. Upon completion of the project the property shall be returned to its original state.

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

Signed, sealed and delivered in

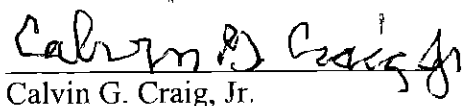
Our presence as Witnesses:



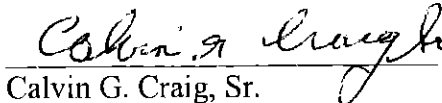
Print Name: Debbie Taylor



Print Name: Nanette Bradbury



Calvin G. Craig, Jr.



Calvin G. Craig, Sr.

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 5th day of May, 2003 by Calvin G. Craig, Jr. and Calvin G. Craig, Sr., who has produced _____ as identification or is personally known to me.

C620-107-39-3250
C620-107-66-0170-0

Debbie Taylor
Notary Public



Debbie Taylor
Commission # CC 913963
Expires April 14, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

Exhibit "C" to Resolution

Prepared by:
St. Johns County
4020 Lewis Speedway
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS GRANT OF EASEMENT, made this ____ day of _____, 2003, between HERBERT E. JOHNSON AND RACHEL L. JOHNSON, HUSBAND AND WIFE, whose address is 266 CIRCLE DRIVE EAST, St. Augustine, Florida 32084, hereinafter called Grantor, and ST. JOHNS COUNTY, FLORIDA, political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called the Grantee.

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to them in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained, sold, and conveyed to the Grantee, its successors and assigns forever, an unobstructed right of way and perpetual easement with the right, privilege, and authority to said Grantee, its successors and assigns, the right to construct, lay, maintain, improve, and/or repair either above or below the surface of the ground, drainage facilities, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

North 7.5 feet of Lot 30 Unit Two, MYRTLE MEADOWS, a subdivision recorded in Map Book 12 Page 83 of the Public Records of St. Johns County, Florida.

In consideration for the North 7.5 feet of the property described above; the St. Johns County Road & Bridge Department agrees to insure that all areas disturbed as a result of the relocation of the outfall ditch will be graded and grassed after the relocation of the ditch is complete. Areas adjacent to the proposed new ditch will be graded to provide positive drainage toward the ditch so as not to block water on parent properties. Proposed ditch will be constructed with side slopes as slight as practical so that it may be possible to maintain/mow by normal means. Grantor acknowledges that the area will still be wet during rainy seasons. Concrete ditch paving will be provided at the east end of the existing cross culvert under Circle Drive to prevent erosion of the ditch bank and direct the water toward the relocated ditch.

TOGETHER with the right of said Grantee, its successors and assigns, of ingress and egress to and over said above described premises, and for doing anything necessary or useful or convenient, or removing at any time any and all of said improvements upon, over, under, or in said lands, together also with the right and easement, privileges, and appurtenances in and to said land which may be required for the enjoyment of rights herein granted.

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

Signed and Sealed in Our Presence as Witnesses:

Debbie Taylor
Witness Debbie Taylor

Nanette Bradbury
Witness Nanette Bradbury

Herbert E. Johnson
Herbert E. Johnson

Rachel L. Johnson
Rachel L. Johnson

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 5th day of May, 2003, by Herbert E. Johnson and Rachel L. Johnson, who is personally known to me or has produced DL# JS25 325414110 as identification.

JS25 732436420

Debbie Taylor
Notary Public



Debbie Taylor
Commission # CC 913963
Expires April 14, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

Exhibit "D" to Resolution

Prepared by:
St. Johns County
4020 Lewis Speedway
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS GRANT OF EASEMENT, made this ____ day of _____, 2003, between CALVIN G. CRAIG, JR., A SINGLE MAN AND CALVIN G. CRAIG, SR., A SINGLE MAN, whose address is 260 CIRCLE DRIVE EAST, St. Augustine, Florida 32084, hereinafter called Grantor, and ST. JOHNS COUNTY, FLORIDA, political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called the Grantee.

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to them in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained, sold, and conveyed to the Grantee, its successors and assigns forever, an unobstructed right of way and perpetual easement with the right, privilege, and authority to said Grantee, its successors and assigns, the right to construct, lay, maintain, improve, and/or repair either above or below the surface of the ground, drainage facilities, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

South 7.5 feet of Lot 31 Unit Two, MYRTLE MEADOWS, a subdivision recorded in Map Book 12 Page 83 of the Public Records of St. Johns County, Florida.

In consideration for the North 7.5 feet of the property described above; the St. Johns County Road & Bridge Department agrees to insure that all areas disturbed as a result of the relocation of the outfall ditch will be graded and grassed after the relocation of the ditch is complete. Areas adjacent to the proposed new ditch will be graded to provide positive drainage toward the ditch so as not to block water on parent properties. Proposed ditch will be constructed with side slopes as slight as practical so that it may be possible to maintain/mow by normal means. Grantor acknowledges that the area will still be wet during rainy seasons. Concrete ditch paving will be provided at the east end of the existing cross culvert under Circle Drive to prevent erosion of the ditch bank and direct the water toward the relocated ditch.

TOGETHER with the right of said Grantee, its successors and assigns, of ingress and egress to and over said above described premises, and for doing anything necessary or useful or convenient, or removing at any time any and all of said improvements upon, over, under, or in said lands, together also with the right and easement, privileges, and appurtenances in and to said land which may be required for the enjoyment of rights herein granted.

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

Signed and Sealed in Our Presence as Witnesses:

Debbie Taylor
Witness Debbie Taylor

Renette Braedley
Witness Renette Braedley

Calvin G. Craig, Jr.
Calvin G. Craig, Jr.

Calvin G. Craig, Sr.
Calvin G. Craig, Sr.

STATE OF FLORIDA
COUNTY OF ST. JOHNS

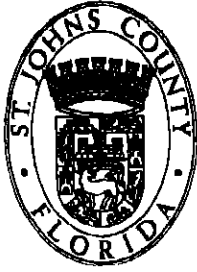
The foregoing instrument was acknowledged before me this 5th day of May, 2003, by Calvin G. Craig, Jr. and Calvin G. Craig, Sr., who is personally known to me or has produced DL# 626-107-39-3750 as identification.

2620107-66-0170-0

Debbie Taylor
Notary Public



Debbie Taylor
Commission # CC 913963
Expires April 14, 2004
Bonded Thru
Atlantic Bonding Co., Inc.



**ST. JOHNS COUNTY
PUBLIC WORKS DEPARTMENT**

1625 State Road 16
St. Augustine, Florida 32084

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

TO: Nanette Bradbury - Real Estate Division
FROM: Bryan Collins - Road and Bridge *BC*
SUBJECT: Circle Drive Easement
DATE: May 14, 2003

Nanette, please proceed with the acquisition of a 15' drainage easement, 7.5 feet from each property, at 260 and 266 Circle Drive. This easement is needed so that Road and Bridge will have legal access to perform maintenance on the outfall ditch at this location. Road and Bridge will provide labor, equipment, and materials necessary to relocate existing ditch to within the boundaries of the easement.

Thanks,
Bryan