

RESOLUTION NO. 2003- 160

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT.

RECITALS

WHEREAS, Woodlawn Terrace (a Florida Limited Liability Company, and owner of Flagler Village Apartments) has executed and presented to the County a Grant of Easement attached hereto as Exhibit "A" incorporated by reference and made a part hereof; and

WHEREAS, this easement is needed for the construction of this project, which includes installing pipes, digging ditches, building retention ponds and outfalls that will provide a storm water drainage system to help with the drainage in West Augustine; and

WHEREAS, acceptance of this easement will better serve the health, safety and welfare of the citizens in this 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 Grant of Easement is hereby accepted in the form attached hereto.

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

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 26th day of August, 2003.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: Cheryl Strickland, Clerk
By: Patricia McGrade
Deputy Clerk

RENDITION DATE 9-2-03

EXHIBIT "A" 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 **WOODLAWN TERRACE**, whose address is 701 White Blvd., Inverness, Florida 34453, 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:

A parcel of land in Section 45, Township 7 south, Range 29 east, St. Johns County, Florida, being more particularly described as follows:

Commence at the intersection of the east right of way line of Woodlawn Street, a 30 foot width right of way as now established with the northerly right of way line of Christopher Street, a 30 foot width right of way, not open as now established; thence south 89 degrees, 56 minutes, 00 seconds East, along said northerly right of way line, a distance of 336.86 feet to the point of beginning.

Thence north 17 degrees, 44 minutes, 23 seconds east, departing said northerly right of way line, a distance of 200.75 feet; thence south 04 degrees, 56 minutes, 10 seconds east, a distance of 51.88 feet; thence south 17 degrees, 44 minutes, 23 seconds west to said northerly right of way line, a distance of 146.51 feet; thence north 89 degrees, 56 minutes, 00 seconds West along said northerly right of way line, a distance of 20.99 feet to the point of beginning.

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.

The Grantee shall keep and maintain the Improvements within the Easement Parcel at all times in good operating order and clean and safe condition at its sole cost and expense. Upon completion of any maintenance or repair to any of the Improvements, Grantee shall promptly restore the Improvements and the surface of the Easement Parcel to the same condition in which it existed immediately prior to such maintenance or repair. Except in the case of emergency repairs, Grantee shall provide a Work Notice to Grantor of Grantee's plans to maintain or repair any part of the Improvements within the Easement Parcel prior to undertaking such repair or similar activity, and shall coordinate with the Grantor the scheduling of any such repairs or work to minimize the effect of such repairs. In the case of emergency repairs, Grantee shall provide notice of the same as soon as reasonably possible after the Grantee identifies the need for such repairs.

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:

Aimee Duvach
Witness

Dolores Fox
Witness

GRANTOR:
WOODLAWN TERRACE, a
Florida Limited Liability Company
By: FLORIDA LOW INCOME
HOUSING ASSOCIATES, INC., a
Florida not profit corporation, as its
Managing Member

By: [Signature]
Print Name: Maurice Wilson

STATE OF FLORIDA
COUNTY OF Citrus

The foregoing instrument was acknowledged before me this 7th day of August, 2003, by Maurice Wilson, as manager of Florida Low Income Housing Associates, Inc., a Florida Limited Liability Company, on behalf of the corporation and the limited liability company.



[Signature]
Notary Public
My Commission expires: _____

MAP SHOWING SPECIFIC PURPOSE SURVEY OF:

A PORTION OF SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST,
ST. JOHNS COUNTY, FLORIDA

LEGAL DESCRIPTION: PROPOSED EASEMENT

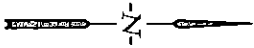
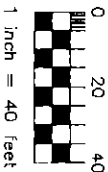
A PARCEL OF LAND IN SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF WOODLAWN STREET, A 30 FOOT WIDTH RIGHT OF WAY AS NOW ESTABLISHED WITH THE NORTHERLY RIGHT OF WAY LINE OF CHRISTOPHER STREET, A 30 FOOT WIDTH RIGHT, NOT OPEN AS NOW ESTABLISHED; THENCE SOUTH 89°56'00" EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 338.86 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 17°44'23" EAST, DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 200.75 FEET; THENCE SOUTH 04°56'10" EAST, A DISTANCE OF 51.88 FEET; THENCE SOUTH 17°44'23" WEST TO SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 146.51 FEET; THENCE NORTH 89°56'00" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 20.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,473 SQUARE FEET OR 0.08 ACRES MORE OR LESS.

GRAPHIC SCALE



WOODLAWN STREET

(A 30.00' RIGHT OF WAY) (PAVED)
EAST RIGHT OF WAY LINE--SOUTH 00°00'00" WEST

POINT OF REFERENCE
INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF WOODLAWN STREET & THE NORTHERLY RIGHT OF WAY LINE OF CHRISTOPHER STREET

NORTHERLY RIGHT OF WAY LINE

S89°56'00"E 338.86'

CHRISTOPHER STREET

(A 30.00' RIGHT OF WAY)
(NOT OPEN)

POINT OF BEGINNING

N89°56'00"W
20.99'

N17°44'23"E 200.75'
S17°44'23"W 146.51'

S04°56'10"E 51.88'

GENERAL NOTES:
1. BEARINGS ARE BASED ON THE EAST LINE OF WOODLAWN STREET AS BEING DUE SOUTH (SOUTH 00°00'00" WEST) OF THE RECORDS BOOK 782, PAGE 104B.
2. THIS IS A SPECIFIC PURPOSE MAP SHOWING SEARCH AND DESCRIPTION ONLY AND DOES NOT PURPORT ANY CLAIM OF JURISDICTION OF ANY FEDERAL, STATE, COUNTY OR LOCAL AGENCY. THIS IS NOT A BOUNDARY SURVEY AND NOT FIELD VERIFIED.
3. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF SEARCH OF TITLE, AND THEREFORE THE UNDERSIGNED AND PRESENT HEIRS & ASSOCIATES MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, STRIPES, OVERLAYS, BOUNDARY LINE DISPUTES, ACQUISITIONS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT, OR SEARCH OF TITLE.

I HEREBY CERTIFY, that this map graphically depicts the results of a search made under my responsible direction and compiled with the latest Manual Technical Standards for Surveys as promulgated by the Florida State Board of Professional Surveyors and Mappers, Chapter 61G17-6, Florida Administrative Code, Paragraph to Section 472.027, Florida Statutes, subject to all notes and notations shown hereon.

DATE OF SIGNATURE 07/24/03

ALBERT D. BRADSHAW, P.S.M., FLORIDA CERTIFICATION NO. 5257

PRYETT-NILES and ASSOCIATES, INC.
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