

RESOLUTION NO. 2005 - 164

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF
EASEMENT FOR THE CONSTRUCTION OF A TRAFFIC SIGNAL
AND SIDEWALK AT THE SOUTHWEST INTERSECTION OF
STATE ROAD 312 AND OLD MOULTRIE ROAD.**

RECITALS

WHEREAS, St. Augustine Corners, LLC, a Florida limited liability company has executed and presented to St. Johns County a Grant of Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, this easement is required for the construction of a traffic signal and sidewalk at the southwest intersection of State Road 312 and Old Moultrie Road; and

WHEREAS, St. Johns County Development Review has reviewed and approved the Grant of Easement for the purpose mentioned above.

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 by the Board of County Commissioners.

Section 3. The Clerk is instructed to record the original Grant of 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 28th day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Bruce A. Maguire
Bruce A. Maguire, Chairman

ATTEST: Cheryl Strickland, Clerk
By: Robin A. Ellett
Deputy Clerk

RENDITION DATE 7/1/2005

Exhibit "A" To Resolution

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

GRANT OF EASEMENT

THIS EASEMENT executed and given this 5th day of May, 2005, by ST. AUGUSTINE CORNERS, LLC, a Florida limited liability company, with an address of 23 Sea Oaks Drive, St. Augustine, Florida 32080, hereinafter called "Grantor", to ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called the "Grantee".

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, said Grantors hereby give, grant dedicate and convey to the Grantee, its successors and assigns forever, a right-of-way and non-exclusive permanent easement with the right, privilege and authority to said Grantee, its successors and assigns, to construct, operate, lay, maintain, improve and repair a traffic signal, sidewalk, curb and gutter and pavement on, along, over, through, across or under the following described land, situate in St. Johns County, Florida, to wit:

Property as described on attached Exhibit "A", incorporated by reference and made a part hereof.

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

Subject to an easement to Florida Power & Light Company recorded in Official Records Book 1064, page 1099, of the public records of St. Johns County, Florida.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officers as of the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

(sign) [Signature]
(print) JAMES WHEELER

(sign) [Signature]
(print) Ronald Joiner

ST. AUGUSTINE CORNERS, LLC,
a Florida limited liability company

By: [Signature]
T. Brendan Kemp
Its Managing Member

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 5th day of May, 2005, by T. Brendan Kemp as Managing Member of St. Augustine Corners, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

[Signature]
Notary Public
My Commission expires: July 25, 2008



Exhibit "A"

April 9, 2003

W.O. No. 03-034
Moultrie Road

Sidewalk and Signal Easement

A portion of Section 41, the G. W. Perpall Grant, Township 7 South, Range 30 East, St. Johns County, Florida; being more particularly described as follows:

For a Point of Beginning, commence at the intersection of the Southerly right of way line of State Road No. 312, a variable width right of way per Florida Department of Transportation Right of Way Map, Section No. 78002, and St. Johns County Road Plat Book 4, Page 101, of the Public Records of said County, and the Westerly right of way line of Moultrie Road (County Road No. 5-A), a variable width right of way as now established; thence South $09^{\circ}29'00''$ West, along said Westerly right of way line, 25.00 feet; thence North $80^{\circ}31'00''$ West, departing said Westerly right of way line, 12.50 feet; thence North $26^{\circ}40'40''$ West, 35.44 feet to a point lying on said Southerly right of way line of State Road No. 312, said point also being a point on a curve concave Northeasterly having a radius of 1969.86 feet; thence Southeasterly along said Southerly right of way line and along the arc of said curve, through a central angle of $00^{\circ}58'39''$ an arc distance of 33.61 feet to the Point of Beginning, said arc being subtended by a chord bearing and distance of South $74^{\circ}20'43''$ East, 33.61 feet.

Containing 595 square feet, more or less.

