

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF A TERMINATION OF AN EASEMENT LOCATED ON ROSCOE BOULEVARD AND ACCEPTING A GRANT OF EASEMENT FOR INSTALLATION OF AN OUTFALL PIPE FROM ROSCOE BOULEVARD TO THE INTRACOASTAL WATERWAY

RECITALS

WHEREAS, Bryan L. Collins, Road and Bridge Supervisor, has signed an affidavit, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, stating the existing 3' easement on Lot 40, East Coast Canal Unit 2 Subdivision, has never been maintained or used by the County and will need to be terminated by a Termination of Easement, attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, the existing 3' easement is not large enough for the drainage in this area and the Road and Bridge Department require a 7.5' easement; and

WHEREAS, the County will be terminating the 3' easement and replacing the easement with a 7.5' easement; and

WHEREAS, the owner has executed and presented to the County a 7.5' Grant of Easement to replace the 3' easement needed for the installation of an outfall pipe from Roscoe Boulevard to the intracoastal waterway, attached hereto as Exhibit "C, incorporated by reference and made a part hereof; and

WHEREAS, acceptance of terminating the existence easement and accepting the new 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 Termination of an Easement as noted in Exhibit "B", and Grant of Easement as noted in Exhibit "C" are hereby accepted in the form attached hereto.

Section 3. The Clerk is instructed to record the original Termination of Easement and 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 27 day of December, 2005.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrasse
Deputy Clerk

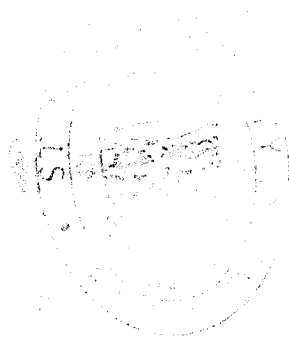


EXHIBIT "A" TO RESOLUTION

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF ST. JOHNS

On this day before me, the undersigned authority, personally appeared Bryan L. Collins, Road and Bridge Supervisor, who being first by me duly sworn, deposes and says that the County has never maintained or used the 3' easement on Lot 40 on Roscoe Blvd. South, in East Coast Canal Unit 2 Subdivision, recorded in Map Book 5, page 63, of the public records of St. Johns County, Florida.

FURTHER AFFIANTS SAYETH NAUGHT.

Bryan L. Collins Date: 12/1/05
Bryan L. Collins

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 1st day of December 2005, by Bryan L. Collins, Road and Bridge Supervisor, who is personally known to me.

Debbie Taylor
Notary

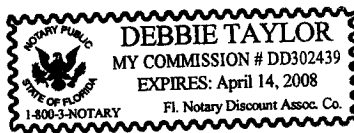


EXHIBIT "B" TO RESOLUTION

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

TERMINATION OF AN EASEMENT

THIS TERMINATION AND VACATION OF AN EASEMENT made this _____ day of _____, 2005, by and between **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called party of the first part and **MARVIN CASEY MARTIN**, whose address is 185 South Roscoe Blvd., Ponte Vedra Beach, Florida 32082 hereinafter called party of the second part.

WHEREBY, the party of the first part does hereby cancel and terminates that certain easement described in Deed Book 136, page 299, of the public records of St. Johns County, Florida, as to all the land situate, lying and being in St. Johns County, State of Florida and being more particularly described as follows:

Lot 40 East Coast Canal Estates, Unit 2, according to the plat thereof recorded in Map Book 5, page 63, of the public records of St. Johns County, Florida.

In consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt of which is hereby acknowledged by the party of the first, the party of the first part St. Johns County, Florida, does hereby terminate that easement described above, effective this date. Nothing herein contained shall in anywise impair, alter or diminish the effect of the remaining part of such land in said easement or any rights of the party of the first thereof.

IN WITNESS WHEREOF, party of the first part has executed this Termination on the day and year first above written.

Signed, sealed and delivered
in the presence of:

ST. JOHNS COUNTY, FLORIDA

Print Name: _____

By: _____
Ben W. Adams, Jr.,
County Administrator

Print Name _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this _____ day of _____, 2005, by Ben W. Adams the County Administrator of St. Johns County, on behalf of the County. He is personally known to me.

Notary Public
My commission expires: _____

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 2 day of NOV., 2005 between **MARVIN CASEY MARTIN**, whose address is 185 South Roscoe Blvd., Ponte Vedra Beach, Florida 32082, 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' of Lot 40, East Coast Canal Estates, Unit 2, according to the plat thereof recorded in Map Book 5, page 63, of the public records of St. Johns County, Florida.

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:**

Peggy Manis
Print Witness Peggy Manis

Marvin Casey Martin
MARVIN CASEY MARTIN

Sharon Perez
Print Witness Sharon Perez

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 2nd day of November, 2005, by MARVIN CASEY MARTIN. He is personally known to me or has produced _____ as identification.

Yvonda G. Coburn
Notary Public
My Commission expires: 7-16-08



Yvonda G. Coburn
My Commission DD315443
Expires July 16, 2008