

RESOLUTION NO. 2007- 55

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A WARRANTY DEED AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A PERMISSIVE USE AGREEMENT FROM THE ST. JOE COMPANY FOR PROPERTY NEEDED TO CONSTRUCT A SIDEWALK ALONG A PART OF GREENBRIAR ROAD.**

**RECITALS**

**WHEREAS**, the owners, The St. Joe Company have executed a Warranty Deed to the County, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, for the 17 feet needed to construct a sidewalk along part of Greenbriar Road; and

**WHEREAS**, the County will be responsible for construction cost and permits needed to build the sidewalk; and

**WHEREAS**, The St. Joe Company has executed and presented to the County a Permissive Use Agreement for the construction commencement along the 17 feet needed for the construction of the sidewalk, attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

**WHEREAS**, it is in the best interest of St. Johns County to accept this Warranty Deed and Permissive Use Agreement for the safety of the citizens of St. Johns County.

**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 Board of County Commissioners hereby approves the terms of the Permissive Use Agreement and authorizes the County Administrator to execute the Agreement and accepts the Warranty Deed for the construction of the sidewalk.

**Section 3.** The Clerk is instructed to file the Permissive Use Agreement in the Clerk's office and record the executed Warranty Deed.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 20 day of February, 2007.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich  
Ben Rich, Chairman

ATTEST: Cheryl Strickland, Clerk  
By: Sam Halterman  
Deputy Clerk

RECITATION DATE 2/22/07

EXHIBIT "A" TO RESOLUTION

Prepared By:  
St. Johns County  
P.O. Box 349  
2040 Lewis Speedway  
St. Augustine, Florida 32084

**WARRANTY DEED**

MADE THIS 29<sup>th</sup> day of January, 2007, by **THE ST. JOE COMPANY**, a Florida corporation, hereinafter called the "Grantor", whose address is 240 St. Johns Golf Drive, St. Augustine, Florida 32092, to **ST. JOHNS COUNTY**, a political subdivision of the State of Florida, whose post office address is P.O. Drawer 349, 2040 Lewis Speedway, St. Augustine, Florida 32084 hereinafter called the "Grantee":

**WITNESSETH:** That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in St. Johns County, viz:

**SEE EXHIBIT "A"**

**attached hereto and incorporated herein by this reference.**

**TOGETHER**, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD**, the same is fee simple forever.

**AND THE GRANTOR** hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2006.

IN WITNESS WHEREOF, that said Grantor has signed and sealed these presents the day and year first above written.

WITNESSES:

GRANTOR:

THE ST. JOE COMPANY, a Florida corporation

By: St. Joe Towns & Resorts, L.P., a Delaware limited partnership, as its authorized agent

By: St. Joe/Arvida Company, Inc., a Florida corporation, as its general partner

CR Sheppard  
Signature

C R Sheppard.  
Print Name

Kelly Mobley  
Signature

Kelly Mobley  
Print Name

Nick Cassala  
Authorized Signature

Nick Cassala  
Printed Name

Vice President  
Title

1-29-07  
Date

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

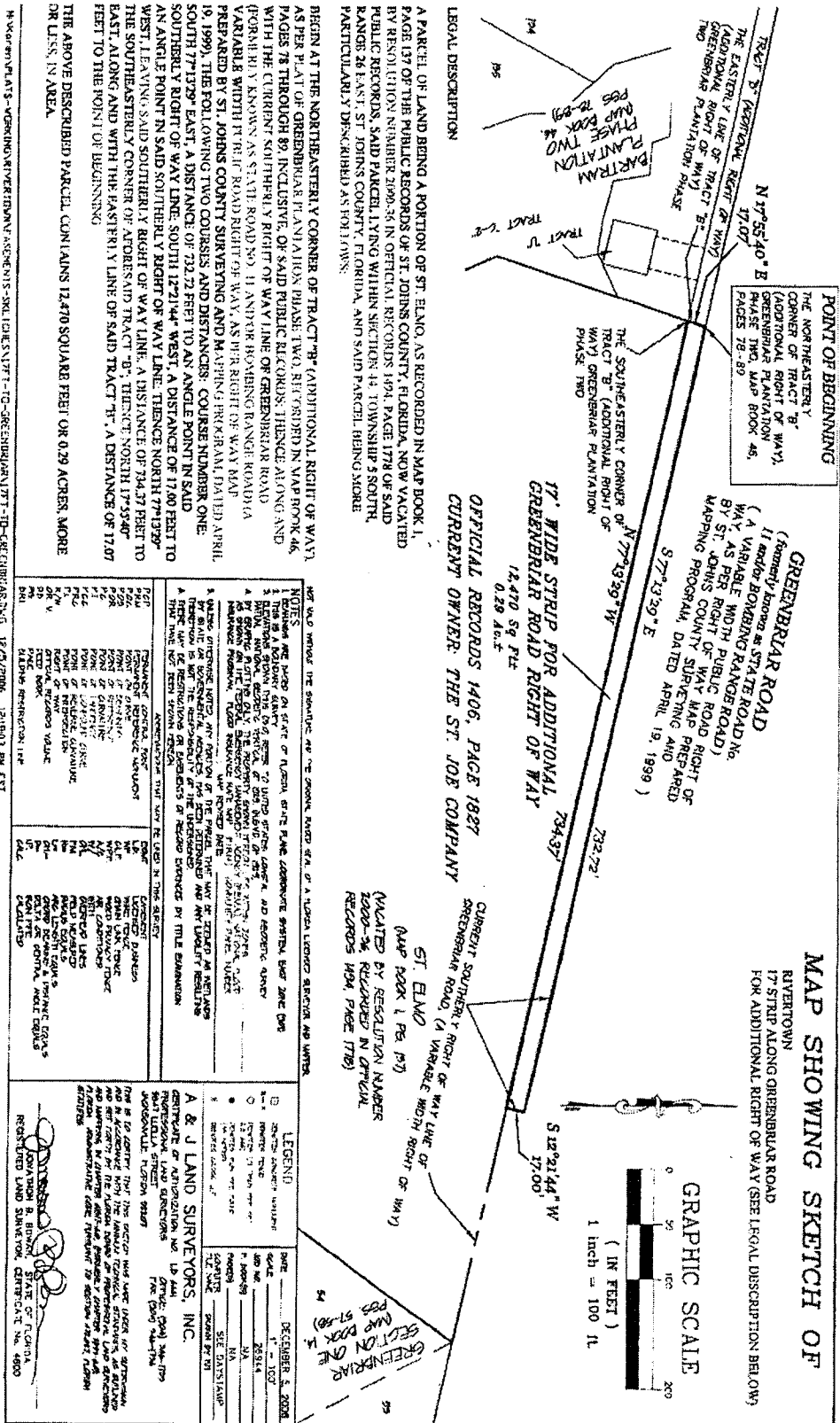
THE FOREGOING INSTRUMENT was acknowledged before me this 29<sup>th</sup> day of January 2007 by Nick Cassala who is personally known or who has produced \_\_\_\_\_ as identification.

Robin C. Cannon  
Notary  
My Commission expires:  
(Notarial Seal)



ROBIN CAROL CANNON  
Notary Public, State of Florida  
My comm. expires May 6, 2007  
Comm. No. DD 209950

# EXHIBIT "A"



THE ABOVE DESCRIBED PARCEL CONTAINS 12,470 SQUARE FEET OR 0.29 ACRES, MORE OR LESS, IN AREA.

MAP PREPARED BY ST. JOHNS COUNTY SURVEYING AND MAPPING PROGRAM, DATED APRIL 19, 1999.

DATE	DESCRIPTION	BY
12/29/2004	12/29/2004	12/29/2004

LEGEND	
1	BOUNDARY LINE
2	ADJACENT PROPERTY
3	ADJACENT ROAD
4	ADJACENT WATER
5	ADJACENT AIR
6	ADJACENT POWER
7	ADJACENT TELEPHONE
8	ADJACENT RAILROAD
9	ADJACENT CANAL
10	ADJACENT OTHER

**A & J LAND SURVEYORS, INC.**  
CERTIFICATE OF AUTHORIZATION No. 13 544 (PREVIOUS 13 543)  
13 544 (PREVIOUS 13 543)  
13 544 (PREVIOUS 13 543)  
13 544 (PREVIOUS 13 543)

EXHIBIT "B" TO RESOLUTION  
**PERMISSIVE USE AGREEMENT**

**SIDEWALK CONSTRUCTION**  
**GREENBRIAR ROAD**

This agreement is to certify that I am the owner of land in St. Johns County, Florida described as follows:

Parcel Account Number  
001170-0010

See attached legal as  
Exhibit "A"


See attached map showing area of Sidewalk Construction

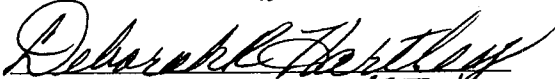
I hereby grant permission for St. Johns County to enter upon said land for the purpose of constructing a sidewalk to improve pedestrian traffic in this area; provided, however, that St. Johns County will hold The St. Joe Company harmless for any claims or damages arising from the County's use of the land for said purposes. This subject area is to be conveyed to St. Johns County by Warranty Deed at a future date by The St. Joe Company as Grantor.

This agreement shall become active upon execution and expire upon completion of project.

Agreed to on this \_\_\_\_ day of \_\_\_\_\_, 2007.

Signed, sealed and delivered in our presence:

  
Print Witness Robin Cannon

  
Print Witness DEBORAH R. HARTLEY

**The St. Joe Company**  
  
Authorized Signatory

Nondas T. Cassara  
Authorized Signatory

**St. Johns County**

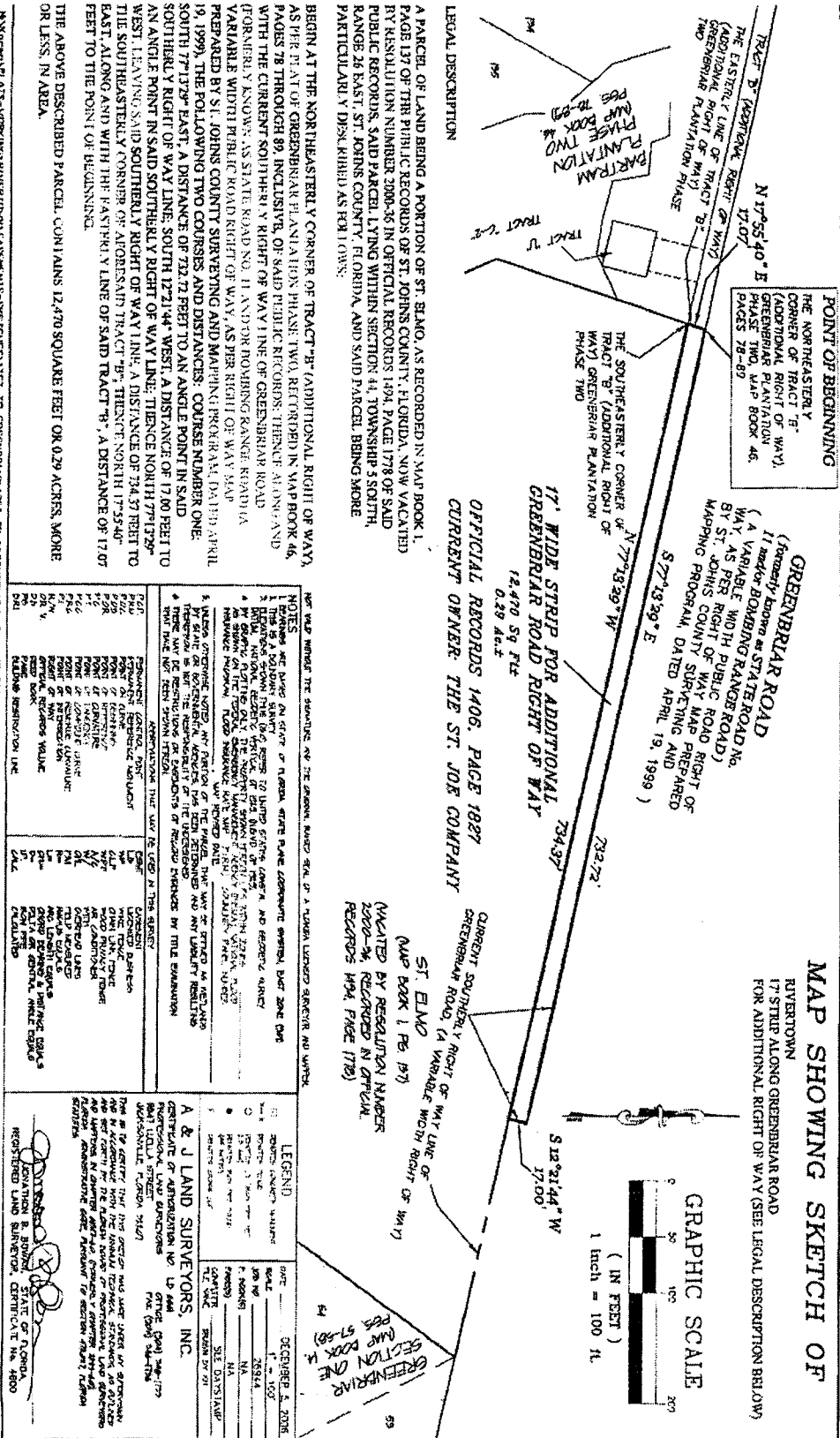
\_\_\_\_\_  
Print Witness \_\_\_\_\_

\_\_\_\_\_  
Authorized Signatory

\_\_\_\_\_  
Print Witness \_\_\_\_\_

\_\_\_\_\_  
Authorized Signatory

# EXHIBIT "A"



**POINT OF BEGINNING**  
 THE NORTHEASTERLY CORNER OF TRACT "B" GREENBRIAR PLANTATION PHASE TWO, MAP BOOK 46, PAGES 78-89

**GREENBRIAR ROAD**  
 (Formerly known as STATE ROAD No. 17) A VARIABLE WIDTH PUBLIC ROAD No. 17, AS PER RIGHT OF WAY MAP PREPARED BY ST. JOHNS COUNTY SURVEYING AND MAPPING PROGRAM, DATED APRIL 19, 1999.)

**MAP SHOWING SKETCH OF**  
 ROVERTOWN  
 17' STRIP ALONG GREENBRIAR ROAD  
 FOR ADDITIONAL RIGHT OF WAY (SEE LEGAL DESCRIPTION BELOW)

**LEGAL DESCRIPTION**  
 A PARCEL OF LAND BEING A PORTION OF ST. ELMO, AS RECORDED IN MAP BOOK 1, PAGE 137 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, NOW VACATED BY RESOLUTION NUMBER 2000-36 IN OFFICIAL RECORDS 194, PAGE 1778 OF SAID PUBLIC RECORDS, SAID PARCEL LYING WITHIN SECTIONS 44, TOWNSHIP 5 SOUTH, RANGE 26 EAST, ST. JOHNS COUNTY, FLORIDA, AND SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEASTERLY CORNER OF TRACT "B" (ADDITIONAL RIGHT OF WAY, AS PER PLAN OF GREENBRIAR PLANTATION PHASE TWO, REFERRED TO IN MAP BOOK 46, PAGES 78 THROUGH 89, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE ALONG AND WITH THE CURRENT SOUTHERLY RIGHT OF WAY LINE OF GREENBRIAR ROAD (FORMERLY KNOWN AS STATE ROAD NO. 11 AND/OR DORNING RANGE ROAD) VARIABLE WIDTH PUBLIC ROAD RIGHT OF WAY, AS PER RIGHT OF WAY MAP PREPARED BY ST. JOHNS COUNTY SURVEYING AND MAPPING PROGRAM, DATED APRIL 19, 1999), THE FOLLOWING TWO COURSES AND DISTANCES: COURSE NUMBER ONE: SOUTH 77° 13' 29" EAST, A DISTANCE OF 732.72 FEET TO AN ANGLE POINT IN SAID SOUTHERLY RIGHT OF WAY LINE; SOUTH 12° 21' 44" WEST, A DISTANCE OF 17.00 FEET TO AN ANGLE POINT IN SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 77° 13' 29" WEST, LEAVING SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 734.97 FEET TO THE SOUTHEASTERLY CORNER OF GREENBRIAR TRACT "B"; THENCE NORTH 17° 55' 40" EAST, ALONG AND WITH THE EASTERN LINE OF SAID TRACT "B", A DISTANCE OF 17.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 12,479 SQUARE FEET OR 0.29 ACRES, MORE OR LESS, IN AREA.

**NOTES:**  
 1. BEARINGS AND DISTANCES ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 2. THE DISTANCES SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 3. THE BEARINGS SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 4. THE DISTANCES SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 5. THE BEARINGS SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 6. THE DISTANCES SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 7. THE BEARINGS SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 8. THE DISTANCES SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 9. THE BEARINGS SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.  
 10. THE DISTANCES SHOWN ON THIS MAP WERE OBTAINED FROM THE ORIGINAL SURVEY RECORDS AND FIELD NOTES.

**LEGEND**  
 1. BOUNDARY LINE  
 2. CENTERLINE  
 3. RIGHT OF WAY LINE  
 4. PROPERTY LINE  
 5. EASEMENT LINE  
 6. ADJACENT PROPERTY  
 7. PUBLIC ROAD  
 8. PRIVATE ROAD  
 9. UNDEVELOPED LAND  
 10. DEVELOPED LAND

**A & J LAND SURVEYORS, INC.**  
 1000 N. W. 10th Street  
 Ft. Lauderdale, Florida 33304  
 PHONE: (954) 561-1111  
 FAX: (954) 561-1112  
 WWW: www.ajland.com

**REGISTERED LAND SURVEYOR**  
 CERTIFICATE NO. 4800  
 STATE OF FLORIDA