

RESOLUTION NO. 2008- 336

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION RIGHT-OF-WAY FOR A TURN LANE ON PACETTI ROAD.**

**RECITALS**

**WHEREAS**, Regency Realty Group, Inc. (hereinafter "Regency") is the owner and developer of property located at the Southwest corner of State Road No. 16 and Pacetti Road on which a Walgreens Drug Store (hereinafter "Walgreens") is being constructed; and

**WHEREAS**, in connection with the construction of Walgreens, additional right-of-way along Pacetti Road is required for a turn lane; and

**WHEREAS**, Regency has executed and presented to St. Johns County a Deed of Dedication Right-of-Way, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, for such purposes; and

**WHEREAS**, it is in the best interest of the County to accept the Deed of Dedication Right-of-Way for the health, safety, and welfare 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 into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Deed of Dedication Right-of-Way is hereby accepted by the Board of County Commissioners.

Section 3. The Clerk is instructed to record the original Deed of Dedication Right-of-Way in the Public Records of St. Johns County, Florida.

**PASSED AND ADOPTED** by the Board of County Commissioners this 2<sup>nd</sup> day  
of December, 2008.

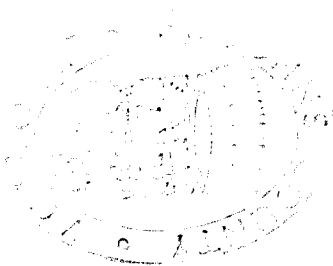
**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

By: Cyndi Stevenson  
Cyndi Stevenson, Chair

**ATTEST:** Cheryl Strickland, Clerk of Court

By: Pam Halterman  
Deputy Clerk

**RENDITION DATE** 12/4/08



Prepared By/Record and Return To:  
Chris R. Strohmenger, Esquire  
Rogers Towers, P.A.  
1301 Riverplace Blvd., Suite 1500  
Jacksonville, Florida 32207

**DEED OF DEDICATION  
RIGHT-OF-WAY**

**THIS INDENTURE**, made this 15 day of October, 2008, BETWEEN REGENCY REALTY GROUP, INC., whose address is Attn: Legal Department, One Independent Drive, Suite 114, Jacksonville, FL 32202, hereinafter called Grantor, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called Grantee.

**WITNESSETH:** that for and in consideration of the acceptance of this Dedication by the Grantee, said Grantor does hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, the following described land, situate in St. Johns County, Florida, to wit:

PROPERTY AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

**TO HAVE AND HOLD** the same unto the Grantee, its successors and assigns forever, in fee simple for use as a public road, including therein the right to construct, maintain, and operate, either above or below the surface of the ground, electric light and power, water, sewer, and drainage lines and other public utilities.

**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, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2007, and except those covenants, restrictions, easements and encumbrances of record, provided reference to such matters shall not operate to reimpose the same.

**[Signatures on following page]**

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

Signed and Sealed  
in Our Presence:

(sign) Donald J. Bateh  
(print) DONALD J. BATEH

(sign) EB  
(print) Elizabeth Evans

Grantor:

By: Jack E. Heinemann  
Title: \_\_\_\_\_  
Jack E. Heinemann  
Vice President Construction  
(Corporate Seal)

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 15 day of October, 2008, by JACK E. HEINEMANN as V.P. Construction of Regency Realty Group, Inc. on behalf of the Regency Realty Group, Inc. He/She is personally known to me or has produced \_\_\_\_\_ as identification.

PATTI WAGNER  
Notary Public, State of Florida  
My comm. exp. Jun. 24, 2010  
Comm. No. DD 557176

Patti Wagner  
Notary Public  
My Commission Expires: 6-24-2010

**Exhibit A  
Legal Description**

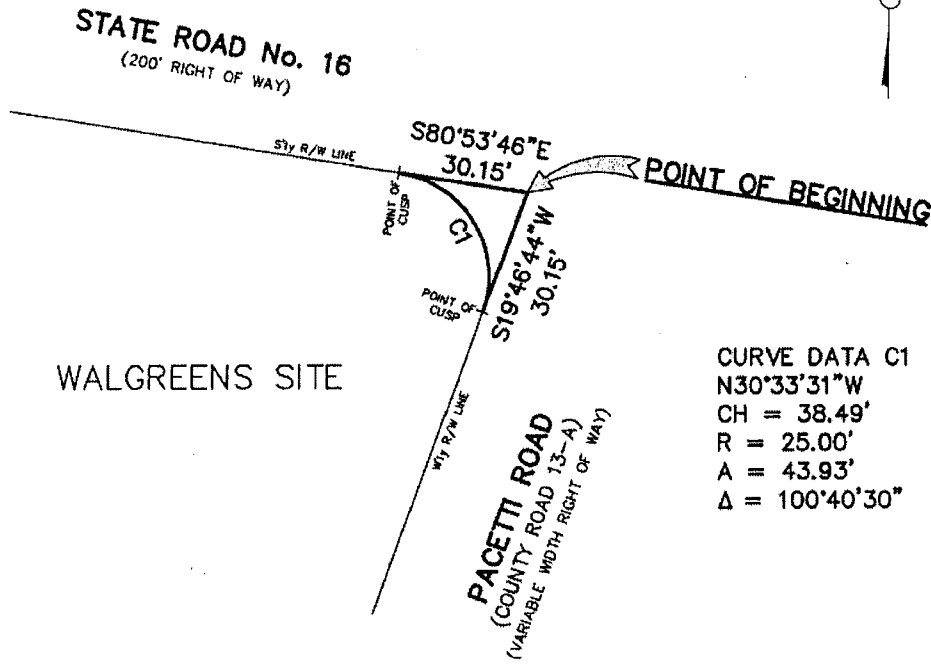
**MAP SHOWING SKETCH & DESCRIPTION OF**

A PORTION OF THE ANTONIO HUERTAS GRANT IN SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, 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. 16 WITH THE WESTERLY RIGHT OF WAY LINE OF PACETTI ROAD; THENCE SOUTH 19°46'44" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF PACETTI ROAD, A DISTANCE OF 30.15 FEET TO A POINT OF CURSP OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 43.93 FEET TO THE POINT OF CURSP OF SAID CURVE AND ITS INTERSECTION WITH THE SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 30°33'31" WEST, 38.49 FEET; THENCE SOUTH 80°53'46" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16, A DISTANCE OF 30.15 FEET TO THE POINT OF BEGINNING.

LANDS THUS DESCRIBED CONTAIN 205 SQUARE FEET, MORE OR LESS.

CERTIFIED TO: REGENCY CENTER



**CURVE DATA C1**  
 N30°33'31"W  
 CH = 38.49'  
 R = 25.00'  
 A = 43.93'  
 Δ = 100°40'30"

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. UNDERGROUND ENCROACHMENTS NOT LOCATED

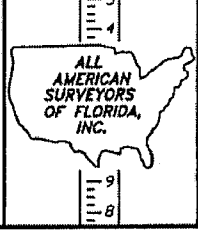
**ALL AMERICAN SURVEYORS OF FLORIDA, INC.**

LAND SURVEYORS - 6820 SOUTHPOINT PARKWAY, SUITE 1 - JACKSONVILLE, FLORIDA, 32216 - 904/279-0088 - LICENSED LAND BUSINESS NO. 3857

Legend	
COV.	= COVERED
FND.	= FOUND
ESLT	= EASEMENT
CONC	= CONCRETE
MON.	= MONUMENT
I.P.	= IRON PIPE
I.R.	= IRON ROD
Δ	= DELTA ANGLE
CH	= CHORD
A	= ARC LENGTH
R	= RADIUS
(CALC.)	= CALCULATED
(D)	= DEED
(P)	= PLAT
C	= CENTER LINE
R/W	= RIGHT-OF-WAY
---	= FENCE
(W)	= WITNESS
F.F.E.	= FRESH FLOOR ELEVATION
ACEE	= ARMY CORPS OF ENGINEERS
JWL	= JURISDICTIONAL WETLANDS LINE
P.R.M.	= PERMANENT REFERENCE MONUMENT
P.T.	= POINT OF TANGENCY
P.C.P.	= PERMANENT CONTROL POINT
P.C.	= POINT OF CURVE
P.R.C.	= POINT OF REVERSE CURVE
P.C.Z.	= POINT OF COMPOUND CURVE
B.R.L.	= BUILDING RESTRICTION
F.P.&L.	= FLORIDA POWER & LIGHT
U.D.E.	= UNOBSTRUCTED DRAINAGE EASEMENT
NOVD	= NATIONAL GEODETIC VERTICAL DATUM
NAVD	= NORTH AMERICAN VERTICAL DATUM
P.I.	= POINT OF INTERSECTION
EOW	= EDGE OF WATER
TOB	= TOP OF BANK

SKETCH FOR DESCRIPTION PURPOSES ONLY - DOES NOT REPRESENT OR PURPORT TO SHOW BOUNDARY LINES NOR IS IT BASED ON A FIELD RUN SURVEY.

SURVEY NOT VALID UNLESS EMBOSSED BY SEAL  
 JAMES D. HARRISON, JR., No. 2847  
 MICHAEL A. GARRETT, No. 6843  
 SCALE 1"=30'  
 DATE 09-12-08  
 FLORIDA REGISTERED SURVEYOR AND MAPPER



F.B. X DR. BY JMR DR. F:\2004\ FILE 04-1776-10 ORDER NO. 2004-1776-10