

RESOLUTION NO. 2008-5

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING CONVEYANCE OF CERTAIN COUNTY OWNED PROPERTY TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND ACCEPTING A PERPETUAL EASEMENT FROM THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE CONSTRUCTION OF A PORTION OF STATE ROAD 9-B.

RECITALS

WHEREAS, the State of Florida Department of Transportation (hereinafter "State") proposes to construct or improve State Road 9-B, Section No. 72002-2513, F.P. No. 2092943 in St. Johns County; and

WHEREAS, it is necessary that certain lands owned by the St. Johns County (hereinafter "County") be acquired by the State to facilitate the project; and

WHEREAS, the State has made application to the County to execute and deliver a County Deed in favor of the State, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, conveying property not needed for County purposes to the State for a nominal fee; and

WHEREAS, pursuant to Florida Statute 125.38, the Board of County Commissioners may convey property to the State if satisfied that such property is required for such use; and

WHEREAS, in connection with the project the State has agreed to grant the County a Perpetual Easement, attached hereto as Exhibit "B", incorporated by reference and made a part hereof, to be used for the future expansion of Race Track Road at its intersection with the proposed State Road 9-B.

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 application made by the State for this conveyance for the purposes mentioned above is in the public or community interest and for public welfare.

Section 3. The County Deed, the contents of which are contained in the form, is hereby approved for execution by the Chairman of the Board for consideration of \$10.00 and the Perpetual Easement is hereby accepted by the Board.

Section 4. The clerk is instructed to record the original County Deed in the Public Records of St. Johns County, Florida and a certified copy of this resolution along with the recorded deed will be forwarded to the State of Florida Department of Transportation at 1109 South Marion Avenue, Lake City, Florida 32025-5874.

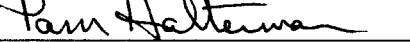
Section 5. Upon recording of the County Deed, the State will record the original Perpetual Easement in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED, this 8th day of January, 2008.

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

By: 
Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 01/11/08

Exhibit "A" to Resolution

03-BSD.03-Date: September 20, 2007

T. S. #
R/W Map Sheet #5
Tax Parcel No.

This instrument prepared by
or under the direction of:
Ralph P. Maxon
Interim District General Counsel
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 153.1
SECTION 72002-2513
F.P. NO. 2092943
STATE ROAD 9-B
COUNTY OF ST. JOHNS

COUNTY DEED

THIS DEED, made this _____ day of _____, 20____, by **ST. JOHNS** County, Florida, a political subdivision of the State of Florida, grantor, to the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, 1109 South Marion Avenue, Lake City, Florida 32025-5874, grantee: (Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations).

WITNESSETH: That the grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in St. Johns County, Florida, viz:

Parcel Number 153

Fee Simple Limited Access

A Part Of Section 5, Township 5 South, Range 28 East, St. Johns County, Florida, Being More Particularly Described As Follows:

Commence At The Northwest Corner Of Section 5, Township 5 South, Range 28 East, St. Johns County, Florida; Thence Run South 89°57'05" East, Along The North Line Of Said Section 5, A Distance Of 500.00 Feet To The Baseline Of Survey For State Road No. 9b (As Shown On The Florida Department Of Transportation Right Of Way Map, Section No. 72002-2513); Thence South 11°40'39" West, Along Said Baseline Of Survey, A Distance Of 114.52 Feet To The Northerly Right Of Way Line Of Race Track Road (A 66.00 Foot Right Of Way) And The **Point Of Beginning**; Thence North 75°52'25" East Along Said Northerly Right Of Way Line, A Distance Of 222.15 Feet; Thence South 11°40'39" West, A Distance Of 73.31 Feet To The Southerly Right Of Way Line Of Said Race Track Road; Thence South 75°52'25" West Along Said Southerly Right Of Way Line, A Distance Of 331.22 Feet To The Beginning Of A Non-Tangent Curve Concave Southeasterly Having A Radius Of 1,113.28 Feet And A Chord Bearing And Distance Of South 73°18'34" West, 115.73 Feet; Thence Southwesterly Along Said Southerly Right Of Way Line And Along The Arc Of Said Curve Through An Angle Of 05°57'31", A Distance Of 115.78 Feet; Thence North 11°40'39" East, A Distance Of 76.49 Feet To The Northerly Right-Of-Way Line Of Said Race Track Road And To A Point On The Arc Of A Curve Concave Southeasterly, Having A Radius Of 1,179.28 Feet And A Chord Bearing And Distance Of North 74°16'14" East, 82.58 Feet; Thence Northeasterly Along Said Northerly Right Of Way Line, And Along The Arc Of Said Curve, Through An Angle Of 04°00'48", Distance Of 82.60 Feet; Thence North 75°52'25" East, Along Said Northerly Right Of Way Line, A Distance Of 140.75 Feet To The **Point Of Beginning**.

Containing 0.676 Acres, More Or Less.

Together With All Rights Of Ingress, Egress, Light, Air And View Between The Grantor's Remaining Property And Any Facility Constructed On The Above Described Property.

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

TO HAVE AND TO HOLD, the same in fee simple forever.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST: _____

Print Name: _____
Clerk (or Deputy Clerk)

By Its Board of County Commissioners

BY: _____

Print Name: _____
Its Chairperson
(or Vice-Chairperson)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, Chairperson (or Vice-Chairperson), who is personally known to me or who has produced _____ as identification.

Print Name: _____
Notary Public
My Commission Expires: _____

Exhibit "B" to Resolution

07-PE.01-Date: September 20, 2007

T. S. # N/A
R/W Map Sheet # 5
Tax Parcel No. N/A

This instrument prepared by
or under the direction of:
Ralph P. Maxon
Interim District General Counsel
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 104(Part), 148(Part)
and 153
SECTION NO. 72002-2513
F.P. NO. 2092942, 2092943
STATE ROAD NO. 9-B
COUNTY OF DUVAL and
ST. JOHNS

PERPETUAL EASEMENT

THIS EASEMENT made this _____ day of _____, 20____,
by the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion
Avenue, Lake City, Florida 32025-5874, grantor, to **St. Johns County, a political subdivision of**
the State of Florida, and its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar (\$1.00)
and other valuable considerations paid, the receipt and sufficiency of which is hereby
acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement
for the purpose of constructing and maintaining transportation facilities, in, over, under, upon and
through the following described land in Duval and St. Johns County, Florida, viz:

A Part Of Section 32, Township 4 South, Range 28 East, Duval County, Florida And
Section 5, Township 5 South, Range 28 East, St. Johns County, Florida, Being More
Particularly Described As Follows:

Commence At The Southwest Corner Of Section 32, Township 4 South, Range 28
East, Duval County, Florida (Northwest Corner Of Section 5, Township 5 South,
Range 28 East, St. Johns County, Florida); Thence Run South 89°57'05" East, Along
The South Line Of Said Section 32, A Distance Of 500.00 Feet To The Baseline Of
Survey For State Road No. 9b (As Shown On The Florida Department Of
Transportation Right Of Way Map, Section No. 72002-2513); Thence North
11°40'39" East, Along Said Baseline Of Survey, A Distance Of 34.32 Feet To The
Point Of Beginning; Thence North 75°52'25" East, A Distance Of 222.15 Feet;
Thence South 11°40'39" West, A Distance Of 222.15 Feet (Crossing The South
Line Of Said Section 32 Into Said Section 5) To The Southerly Right Of Way Line Of
Race Track Road (A 66.00 Foot Right Of Way); Thence South 75°52'25" West
Along Said Southerly Right Of Way Line, A Distance Of 331.22 Feet To The
Beginning Of A Non-Tangent Curve Concave Southeasterly Having A Radius Of
1,113.28 Feet And A Chord Bearing And Distance Of South 73°18'34" West, 115.73
Feet; Thence Southwesterly Along Said Southerly Right Of Way Line And Along The
Arc Of Said Curve Through An Angle Of 05°57'31", A Distance Of 115.78 Feet;
Thence North 11°40'39" East, A Distance Of 227.90 Feet To A Point On The Arc Of
A Curve Concave Southeasterly, Having A Radius Of 1313.28 Feet And A Chord
Bearing And Distance Of North 75° 52' 58" East, 17.10 Feet; Thence Northeasterly
Along The Arc Of Said Curve, Through An Angle Of 00° 44' 45", A Distance Of 17.10
Feet; Thence North 75°52'25" East, A Distance Of 205.08 Feet (Crossing The
North Line Of Said Section 5 Into Said Section 32) To The **Point Of Beginning**.

Containing 2.044 Acres, More Or Less.

TO HAVE AND TO HOLD the said premises and the appurtenances thereof unto the Grantee.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida and in the name of the State of Florida Department of Transportation by its District Secretary, District Two, and its seal to be hereunto affixed, attested by its Executive Secretary, District Two, on the date first above written.

Signed, sealed and delivered
in our presence as witnesses:

Witness:
Print Name : _____

Witness:
Print Name : _____

STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION

BY: _____
Charles W. Baldwin, P.E.
District Secretary
District Two

ATTEST: _____

Print Name: _____
Executive Secretary
District Two

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by CHARLES W. BALDWIN, P.E., District Secretary, District Two, and _____ Executive Secretary, District Two, for the State of Florida Department of Transportation, respectively, and who are personally known to me to be the persons described in and who executed the foregoing instrument.

Print Name: _____
Notary Public
My Commission Expires: _____