

RESOLUTION NO. 2009- 158

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR DRAINAGE PURPOSES FOR SECOND AVENUE SUBDIVISION OFF OF OLD DIXIE HIGHWAY.

RECITALS

WHEREAS, the property owner has executed and presented to the County a Grant of Easement for drainage purposes, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, the Easement is required pursuant Section 6.04.06.E of the Land Development Code in connection with Second Avenue Subdivision to convey storm water from the right-of-way to the storm water pond; and

WHEREAS, to the extent that there are typographical or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners; and

WHEREAS, it is in the best interest of the County to accept the Easement to ensure proper drainage for the health, safety and welfare of the citizens in the 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 above described Grant of Easement attached and incorporated hereto is hereby accepted by the Board of County Commissioners.

Section 3. The Clerk of the Circuit Court is instructed to record the original Easement in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 2nd day of June, 2009.

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

By: Cyndi Stevenson
Cyndi Stevenson, Chair

ATTEST: Cheryl Strickland, Clerk

By: Patricia NeGrande
Deputy Clerk

Exhibit "A" to Resolution

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

GRANT OF EASEMENT

THIS EASEMENT executed and given this ____ day of _____, 2009, by Kacs Acquisitions, LLC, a Florida Limited Liability Company, with an address of 5 Kelly Ln, St. Augustine FL 32086, 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:

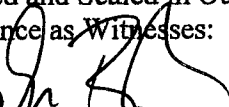
That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, said Grantors hereby give, grant dedicate and convey to the Grantee, its successors and assigns forever, an unobstructed right of way and non-exclusive permanent easement to construct, operate, lay, maintain, improve, and repair either above or below the surface of the ground, drainage facilities and utilities 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 of said Grantee, its successors and assigns, of ingress and egress to and over said above described premises, 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.


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:

(sign) 
(print) Greg Benzenberg

(sign) 
(print) DALE THOMPSON


GRANTOR:

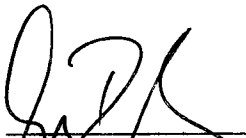


Kaes, LLC
by Steven M. Semmelman, officer

STATE OF FLORIDA
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me this 23 day of January, 2009 by Steven Semmelman. Who are personally known to me or have produced _____ as identification.

 GREG BENZENBERG
MY COMMISSION # DD 470837
EXPIRES: December 15, 2009
Bonded Thru Budget Notary Services



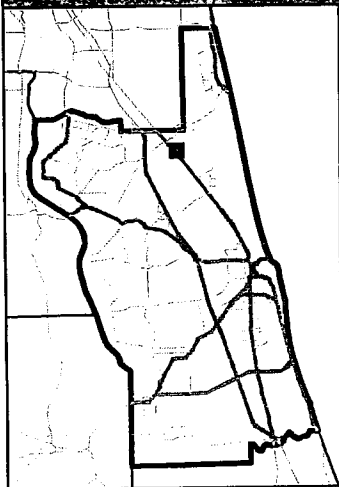
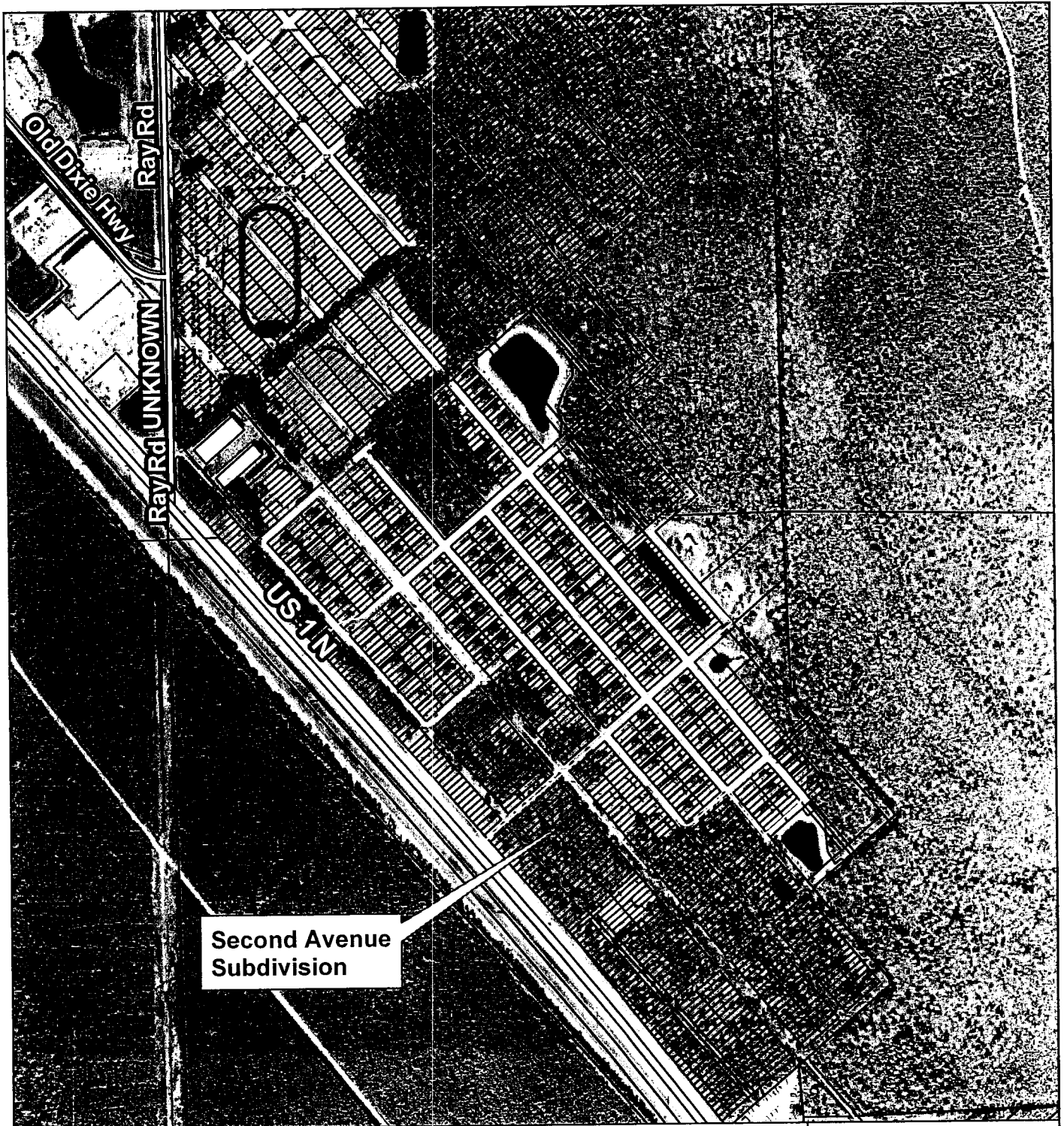
Notary Public
My Commission expires: 1-23-09

EASEMENT AREA

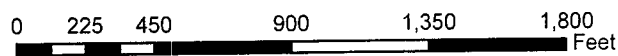
THE WESTERLY TEN (10) FEET OF LOTS 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37 AND 39, BLOCK 24, HILDEN SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 3, PAGE 59, OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA.

TOGETHER WITH A CORNER CLIP MEASURED FROM THE NORTHWEST PROPERTY CORNER TWENTY (20) FEET ALONG THE NORTHERLY PROPERTY LINE TO A POINT AND THEN TO A POINT ON THE WESTERLY PROPERTY LINE MEASURED 20 FEET FROM THE NORTHWEST PROPERTY CORNER OF LOT 39, BLOCK 24, HILDEN SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 3, PAGE 59, OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA.

TOGETHER WITH THE NORTHERLY TEN (10) FEET OF LOT 31 AND THE SOUTHERLY TEN (10) FEET OF LOT 33, BLOCK 24, HILDEN SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 3, PAGE 59, OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA.



Second Avenue Subdivision Drainage Easement



St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
May 13, 2009
(904) 209-0788



2008 Aerial Imagery

DISCLAIMER.
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy.