

RESOLUTION NO. 2009- 167

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF CERTAIN GRANT OF EASEMENTS NECESSARY FOR THE DRAINAGE IMPROVEMENTS ALONG AIA BEACH BLVD.

RECITALS

WHEREAS, the property owners, Ponce Landing Condo Homeowners Association, Inc., and Beach 810, Inc., have agreed to the terms in the Grant of Easements attached hereto as Exhibit "A", and Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, the easements are required to correct an existing drainage problem and provide positive outfall for the storm water in this area that affects A1A Beach Blvd., and the adjoining property owners; and

WHEREAS, it is the best interest of the County to accept the Grant of Easements, 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 herein by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The above described Grant of Easements is required for drainage improvements and is attached and incorporated hereto, and is hereby accepted by the Board of County Commissioners.

Section 3. To the extent that there are typographical 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.

Section 4. The Clerk of the Court is instructed to record the original Grant of Easements in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 16th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson
Cyndi Stevenson, Chair

ATTEST: Cheryl Strickland, Clerk

By: Atreia K. Beards
Deputy Clerk

EXHIBIT "A" TO RESOLUTION

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

GRANT OF EASEMENT

THIS INDENTURE, made this ____ day of _____, 2009, between **PONCE LANDING OF ST. AUGUSTINE BEACH HOMEOWNERS ASSOCIATION, INC.**, a Florida not for profit Corporation, whose address is 826 AIA Beach Blvd Unit 41, St. Augustine, 32080, hereinafter called **GRANTOR**, and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called **GRANTEE**.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them, in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, his successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to enter and maintain the drainage of surface waters either above or below the surface of the ground, together with the right to install and maintain drainage facilities, 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.

TO HAVE AND TO HOLD, unto Grantee, his successors and assigns for the purposes aforesaid. Said Grantor is lawfully seized of said land in fee simple and thereby has the authority to grant said easement.

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 as Witnesses:**

**Grantor
Ponce Landing of St. Augustine Beach
Homeowners Association, Inc.**

Signature

By: _____
Timothy Tierney, President

Print

Signature

Print

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2009 by TIMOTHY TIERNEY, PRESIDENT OF PONCE LANDING HOMEOWNERS ASSOCIATION, INC. on behalf of the Corporation who is personally known to me, or has produced _____ as identification.

Notary Public

My Commission Expires: _____

EXHIBIT "A"

EASEMENT A

A PART OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA TOGETHER WITH A PART OF PONCE LANDING AS RECORDED IN MAP BOOK 14, PAGE 32 OF THE PUBLIC RECORDS OF SAID COUNTY; FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF A1A BEACH BOULEVARD AS RECORDED IN ST. JOHNS COUNTY ROAD PLAT BOOK 4, PAGES 104 THROUGH 107 OF SAID PUBLIC RECORDS WITH THE WESTERLY EXTENSION OF THE NORTHLY LINE OF AFOREMENTIONED PONCE LANDING; THENCE CONTINUE NORTH $89^{\circ}33'33''$ EAST, ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 7.00 FEET TO A POINT LYING ON A LINE PARALLEL WITH, PERPENDICULAR TO, AND EASTERLY OF THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF A1A BEACH BOULEVARD, SAID POINT ALSO BEING A POINT ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 3007.00 FEET; THENCE SOUTHERLY, ALONG AND WITH THE ARC OF SAID CURVE, A CHORD BEARING OF SOUTH $02^{\circ}33'12''$ WEST AND A CHORD DISTANCE OF 180.58 FEET; THENCE NORTH $85^{\circ}43'34''$ WEST A DISTANCE OF 7.00 FEET TO THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF A1A BEACH BOULEVARD AND A POINT ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 3000.00 FEET; THENCE NORTHERLY, ALONG AND WITH THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT OF WAY LINE, A CHORD BEARING OF NORTH $02^{\circ}33'17''$ EAST AND A CHORD DISTANCE OF 180.00 FEET TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING. CONTAINING 1260 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

EXHIBIT "B" TO RESOLUTION

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

GRANT OF EASEMENT

THIS INDENTURE, made this ____ day of _____, 2009, between **810 BEACH, INC.**, a Florida Corporation, whose address is 810 AIA Beach Blvd, St. Augustine, 32080, hereinafter called **GRANTOR**, and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called **GRANTEE**.

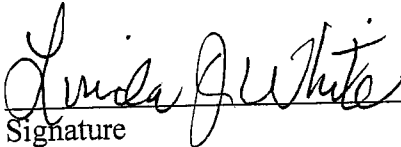
WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them, in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, his successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to enter and maintain the drainage of surface waters either above or below the surface of the ground, together with the right to install and maintain drainage facilities, 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.

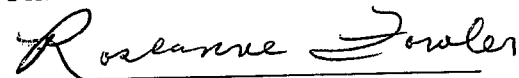
TO HAVE AND TO HOLD, unto Grantee, his successors and assigns for the purposes aforesaid. Said Grantor is lawfully seized of said land in fee simple and thereby has the authority to grant said easement.

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 as Witnesses:**

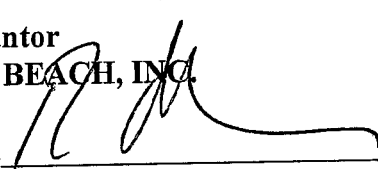

Signature

Linda J. White
Print


Signature

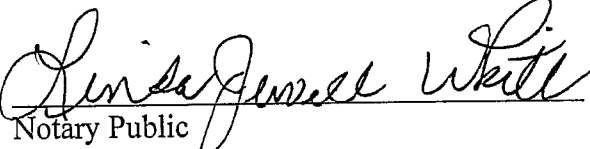
Roseanne Fowler
Print

**Grantor
810 BEACH, INC.**

By: 
Richard B. O'Brien, President

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 20 day of MAY, 2009 by Richard B. O'Brien, as President of 810 Beach, Inc., a Florida Corporation, on behalf of the Corporation, who is personally known to me, or has produced _____ as identification.


Notary Public

My Commission Expires: _____



EXHIBIT "A"

EASEMENT B

A PART OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA; FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF A1A BEACH BOULEVARD AS RECORDED IN ST. JOHNS COUNTY ROAD PLAT BOOK 4, PAGES 104 THROUGH 107 OF THE PUBLIC RECORDS OF SAID COUNTY WITH THE WESTERLY EXTENSION OF THE NORTHLY LINE OF PONCE LANDING AS RECORDED IN MAP BOOK 14, PAGE 32 OF SAID PUBLIC RECORDS; THENCE CONTINUE NORTH $89^{\circ}33'33''$ EAST, ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 7.00 FEET TO A POINT LYING ON A LINE PARALLEL WITH, PERPENDICULAR TO, AND EASTERLY OF THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF A1A BEACH BOULEVARD, SAID POINT ALSO BEING A POINT ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 3007.00 FEET; THENCE NORTHERLY, ALONG AND WITH THE ARC OF SAID CURVE, A CHORD BEARING OF NORTH $00^{\circ}24'27''$ WEST AND A CHORD DISTANCE OF 130.15 FEET; THENCE SOUTH $88^{\circ}21'09''$ WEST A DISTANCE OF 7.00 FEET TO THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF A1A BEACH BOULEVARD AND A POINT ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 3000.00 FEET; THENCE SOUTHERLY, ALONG AND WITH THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT OF WAY LINE, A CHORD BEARING OF SOUTH $00^{\circ}24'21''$ EAST AND A CHORD DISTANCE OF 130.00 FEET TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING. CONTAINING 910 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.