

RESOLUTION NO. 2009- 294

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE A TERMINATION OF TEMPORARY CONSTRUCTION EASEMENT FOR IMPROVEMENTS TO GREENBRIAR ROAD THAT ARE NOW COMPLETE.

WHEREAS, in 1999 three property owners granted a Temporary Construction Easement to St. Johns County for improvements to Greenbriar Road; and

WHEREAS, when the Temporary Construction Easements were granted it was understood and agreed that expiration of the Easements would be upon completion of the road improvement Project; and

WHEREAS, the road improvement is now complete and the three property owners have requested that a Termination of Temporary Construction Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, be executed by St. Johns County to clear the title to the subject properties; and

WHEREAS, to the extent that there are typographical, scrivener 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.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

1. The above Recitals are incorporated by reference into the body of this Resolution and adopted as findings of fact.
2. The Board of County Commissioners hereby authorizes the Chair of the Board to execute the Termination of Temporary Construction of Easement.
3. The Clerk of Court is instructed to record the Termination of Temporary Construction Easement in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED this 20th day of October, 2009.

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

By: Cyndi Stevenson
Cyndi Stevenson, Chair

ATTEST: Cheryl Strickland, Clerk
By: Pam Helmer
Deputy Clerk

RENDITION DATE 10/22/09

Exhibit "A" to Resolution

TERMINATION OF TEMPORARY CONSTRUCTION EASEMENTS

THIS TERMINATION OF TEMPORARY CONSTRUCTION EASEMENT is entered into this ___ day of _____, 2009, by and between West Switzerland Property, Inc., a Florida corporation, whose address is P.O. Box 38, Old Town, Florida, 32680 ("West Switzerland"), Midland Airport Property, Inc., a Florida corporation, whose address is P.O. Box 38, Old Town, Florida, 32680 ("Midland") and Switzerland Airport Property, Inc., a Florida corporation, whose address is P.O. Box 38, Old Town, Florida, 32680 ("Switzerland") (West Switzerland, Midland and Switzerland are referred to collectively herein as "Grantor"), and St. Johns County, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 ("County").

WHEREAS, West Switzerland and County entered into that certain Temporary Construction Easement recorded in Official Records Book 1389, page 1346-1347 (the "West Switzerland Easement"), which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, Midland and County entered into that certain Temporary Construction Easement recorded in Official Records Book 1389, page 1348-1349, (the "Midland Easement"), which is attached hereto as Exhibit "B" and incorporated herein by reference; and

WHEREAS, Switzerland and County entered into that certain Temporary Construction Easement recorded in Official Records Book 1389, pages 1350-1351 (the "Switzerland Easement"), which is attached hereto as Exhibit "C" and incorporated herein by reference; and

WHEREAS, the transportation project contemplated by the West Switzerland Easement, Midland Easement and Switzerland Easement (collectively, the "Easements") has been completed.

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, St. Johns County agrees that the rights granted by the Easements are hereby terminated and the Easements are of no further force or legal effect.

IN WITNESS WHEREOF, St. Johns County, Florida set its hand and seal effective the date and year first above written.

**ST. JOHNS COUNTY, a political
subdivision of the State of Florida**

Signed, sealed and delivered in
Our presence as Witnesses:

Name:

Cyndi Stevenson, Chair

Name:

STATE OF FLORIDA

COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day of _____ 2009, by Cyndi Stevenson, as Chair of the Board of County Commissioners of St. Johns County, Florida, on behalf of the Board. She is personally known to me.

Notary Public, State of Florida
(Print Name)_____
My Commission Expires: *(See Notary Seal)*
My Commission Number is: *(See Notary Seal)*

Public Records of
St. Johns County, FL
Clerk# 99009333
O.R. 1389 PG 1346
01:55PM 03/01/1999
REC \$9.00 SUR \$1.50
Doc Stamps \$0.70

5
2

Ret -> Southeast

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 25th day of January, 1999, by and between WEST SWITZERLAND PROPERTY, INC., a Florida corporation, whose address is P. O. Box 38, Old Town, Florida 32680, grantor and ST. JOHNS COUNTY, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32095, grantee.

WITNESSETH that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a temporary easement to enter upon and use the grantor's property as described below for such purposes of removal of vegetation as is reasonably necessary to enable the grantee to perform improvements and to contour and adjust the elevation of grantor's said property where necessary and consistent with good engineering practices to transition to the elevation of the above mentioned improvements with the construction to be undertaken by the grantee, in Greenbriar Road adjacent thereto, in, upon, over, and through the following described land in St. Johns County, Florida, described as follows:

Part of the Francis Philip Fatio Grant of Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, and being more particularly described as follows:

The North 10 feet of the parcel of land described in deed recorded in Official Records Book 702, page 995, of the public records of St. Johns County, Florida.

It is understood and agreed by the parties hereto that the rights granted herein shall terminate upon completion of this transportation project.

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

Signed, sealed and delivered in
Our presence as Witnesses:

Darla A. Potts
Print name: DARLA A. POTTS
Allison Maddux
Print name: Allison Maddux

WEST SWITZERLAND
PROPERTY, INC., a Florida
corporation
By: Brian Schreiber
Title: SECRETARY
BRIAN SCHREIBER

DR1389PG1347

STATE OF FLORIDA
COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 8 day of FEBRUARY, 1999, by Brian P. Schreiber as SECRETARY of WEST SWITZERLAND PROPERTY, INC., a Florida corporation, who is personally known to me or has produced DRIVERS LICENSE as identification and did/did not take an oath.

COPY

Janice K. Moon
Notary Public
My commission expires: _____

JANICE K. MOON
Notary Public, State of Florida
My comm. expires Nov. 7, 1999
Comm. No. CC508573

COPY

COPY

b.
2

Public Records of
St. Johns County, FL
Clerk# 99009334
O.R. 1389 PG 1348
01:55PM 03/01/1999
REC \$9.00 SUR \$1.50
Doc Stamps \$0.70

Ret -> Southeast

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 25th day of January, 1999, by and between **MIDLAND AIRPORT PROPERTY, INC.**, a Florida corporation, whose address is P. O. Box 38, Old Town, Florida 32680, grantor and **ST. JOHNS COUNTY**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32095, grantee.

WITNESSETH that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a temporary easement to enter upon and use the grantor's property as described below for such purposes of removal of vegetation as is reasonably necessary to enable the grantee to perform improvements and to contour and adjust the elevation of grantor's said property where necessary and consistent with good engineering practices to transition to the elevation of the above mentioned improvements with the construction to be undertaken by the grantee, in Greenbriar Road adjacent thereto, in, upon, over, and through the following described land in St. Johns County, Florida, described as follows:

Part of the Francis Philip Fatio Grant of Section 44, Township 5 South, Range 26 East and Section 39, Township 5 South, Range 27 East, St. Johns County, Florida, and being more particularly described as follows:

The North 10 feet of the parcel of land described in deed recorded in Official Records Book 702, page 992, of the public records of St. Johns County, Florida.

It is understood and agreed by the parties hereto that the rights granted herein shall terminate upon completion of this transportation project.

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

Signed, sealed and delivered in
Our presence as Witnesses:

Darla A. Petty
Print name: DARLA A. PETTY
Alisa Maddux
Print name: Alisa Maddux

**MIDLAND AIRPORT
PROPERTY, INC.**, a Florida
corporation
By: *Brian Schreiber*
Title: SECRETARY
BRIAN SCHREIBER

DR1389PG1349

STATE OF FLORIDA
COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 8 day of FEBRUARY, 1999, by
BRAND P. SCHROEDER as SECRETARY of
MIDLAND AIRPORT PROPERTY, INC., a Florida corporation, who is personally known to me
or has produced DRIVERS LICENSE as identification and did/did not take an oath.

COPY

Janice K. Moon

Notary Public

My commission expires: _____

JANICE K. MOON
Notary Public, State of Florida
My comm. expires Nov. 7, 1999
Comm. No. CC508673

COPY

COPY

Public Records of
St. Johns County, FL
Clerk# 99009335
O.R. 1389 PG 1350
01:55PM 03/01/1999
REC \$9.00 SUR \$1.50
Doc Stamps \$0.70

7
2

Ret -> Southeast

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 25th day of January, 1999, by and between SWITZERLAND AIRPORT PROPERTY, INC., a Florida corporation, whose address is P. O. Box 38, Old Town, Florida 32680, grantor and ST. JOHNS COUNTY, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32095, grantee.

WITNESSETH that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a temporary easement to enter upon and use the grantor's property as described below for such purposes of removal of vegetation as is reasonably necessary to enable the grantee to perform improvements and to contour and adjust the elevation of grantor's said property where necessary and consistent with good engineering practices to transition to the elevation of the above mentioned improvements with the construction to be undertaken by the grantee, in Greenbriar Road adjacent thereto, in, upon, over, and through the following described land in St. Johns County, Florida, described as follows:

Part of the Francis Philip Fatio Grant of Section 39, Township 5 South, Range 27 East, St. Johns County, Florida, and being more particularly described as follows:

The North 10 feet of the parcel of land described in deed recorded in Official Records Book 702, page 989, of the public records of St. Johns County, Florida.

It is understood and agreed by the parties hereto that the rights granted herein shall terminate upon completion of this transportation project.

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

Signed, sealed and delivered in
Our presence as Witnesses:

Darla A. Petty
Print name: DARLA A. PETTY

Alisa Maddux
Print name: Alisa Maddux

SWITZERLAND AIRPORT
PROPERTY, INC., a Florida
corporation

By: Brian Schreiber
Title: SECRETARY
BRIAN SCHREIBER

0R1389PG1351

STATE OF Florida
COUNTY OF Columbia

The foregoing instrument was acknowledged before me this 8 day of February, 1999, by Brian P. Suter, as Secretary of SWITZERLAND AIRPORT PROPERTY, INC., a Florida corporation, who is personally known to me or has produced Drivers License as identification and did/did not take an oath.

COPY
Janice K Moon
Notary Public
My commission expires: _____

JANICE K. MOON
Notary Public, State of Florida
My comm. expires Nov. 7, 1999
Comm. No. CC508573

COPY

COPY