

RESOLUTION NO. 2011-289

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A BEACH STORM DAMAGE REDUCTION EASEMENT AND AUTHORIZING THE COUNTY ADMINISTRATOR TO JOIN IN THE EXECUTION OF THE EASEMENT ON BEHALF OF THE COUNTY IN CONNECTION WITH THE ST. JOHNS COUNTY SHORE PROTECTION PROJECT.

RECITALS

WHEREAS as part of the St. Johns County Shore Protection Project a certain property owner along St. Augustine Beach has executed and delivered to St. Johns County ("County") a Beach Storm Damage Reduction Easement, attached hereto as Exhibit "A," incorporated by reference and made a part hereof; and

WHEREAS, the easement will allow the County and/or its assigns to dispose of the dredged materials as part of the beach renourishment program on St. Augustine Beach and to have sand placed on the property eastward of the vegetation line; and

WHEREAS, all other required easements in connection with this project were previously granted to the County and are still valid.

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 Board of County Commissioners hereby accepts the Beach Storm Damage Reduction Easement for the purposes mentioned above and authorizes the County Administrator to join in the execution of the easement on behalf of the County.

Section 3. The Clerk is instructed to record the original Beach Storm Damage Reduction Easement in the public records of St. Johns County, Florida.

Section 4. To the extent that there are typographical and/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.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 4th day of October, 2011.

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

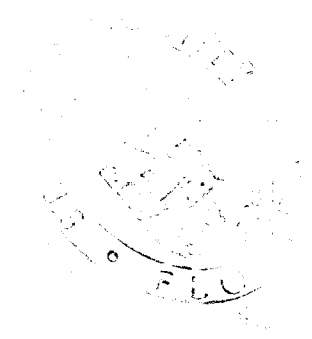
By: _____

J. Ken Bryan, Chair

ATTEST: Cheryl Strickland, Clerk

By: Ann Hatterman
Deputy Clerk

RENDITION DATE 10/10/11



Prepared by:
Laurie Ford
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

BEACH STORM DAMAGE REDUCTION EASEMENT

THIS INSTRUMENT, made this 14th day of September, 2011, between WILLIAM C. KING, whose address is 190 Bronz Glow Way, St. Augustine, Florida 32095, hereinafter referred to as the "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 referred to as the "Grantee".

WITNESSETH:

WHEREAS, the Grantor is the owner in fee simple of a tract of land situated in St. Johns County, State of Florida, and described as follows:

SCHEDULE "A", attached hereto, incorporated by reference and made a part hereof.

NOW THEREFORE, the Grantor grants to the Grantee, its agents, successors and assigns, an assignable easement and right-of-way in, on over and across the land hereinabove described for use by the Grantee, its representatives, agents, contractors and assigns to perform whatever acts necessary to construct, preserve, operate and maintain (including repair, rehabilitation and/or replacement) of a public beach and a dune system as well as other erosion control and storm damage reduction measures. This includes, but not necessarily limited to, deposit sand, alter contours on the lands, nourish and renourish, and to construct berms and dunes. In order to accomplish these tasks, it may be necessary, periodically, to move, store, and remove equipment and supplies; to erect and remove temporary structures. Any and all necessary actions taken will be either directly or incidental to the construction, periodic renourishment and maintenance of the St. Johns County Shore Protection Project. Some of the actions that may be necessary would be: the planting of vegetation on dunes and berms; erecting, maintaining and removing silt screens and snow fences. In addition, it may be necessary to limit the access to the dune areas as well as to trim, cut, fell and remove vegetation from the land (including trees, underbrush, debris, obstructions) as well as other vegetation, structures and obstacles within the limits of this easement. It is understood that the grantor, his heirs, successors and assigns, reserve the right to construct dune walkover structures, in accordance with any applicable law or regulation, as long as such structure(s), does not violate the integrity of the dune in shape, dimension or function. Grantor shall obtain prior approval of the plans and specifications for any such structure from the representative of St. Johns County and with the

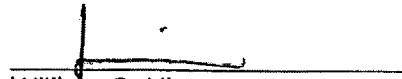
understanding that any such structure will be subordinate to the Project. It is further understood that the grantor, his heirs, successors and assigns, also reserve any and all such rights and privileges as may be used and enjoyed without interfering with the rights and easements acquired by this instrument.

The term of this easement shall commence on the date the United States Army Corps of Engineers ("Corps") of St. Johns County ("County") awards the contract for the construction of the St. Johns County Shore Protection Project and shall terminate ten (10) years after the date of completion of the first construction of the project. In the event the Corps or the County fails to award the contract for construction of the St. Johns County Shore Protection Project on or before December 31, 2011, this easement shall automatically terminate and be cancelled of record.

IN WITNESS WHEREOF, Grantor, has set hereto its hand and seal on the day and year above written.

Signed, sealed and delivered
in the presence of :


Witness Donald Saphore


William C. King


Witness Lisa Pendleton

Witness _____

Witness _____


ST. JOHNS COUNTY, FLORIDA

By: _____
Michael D. Wanchick
County Administrator

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 14th day of September, 2011, by William C. King. He is personally known to me or has produced Florida Drivers License as identification.





Notary Public
My Commission expires: 9/7/2014

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ___ day of _____, 2011, by Michael D. Wanchick, County Administrator of St. Johns County, Florida, on behalf of the County. He is personally known to me.

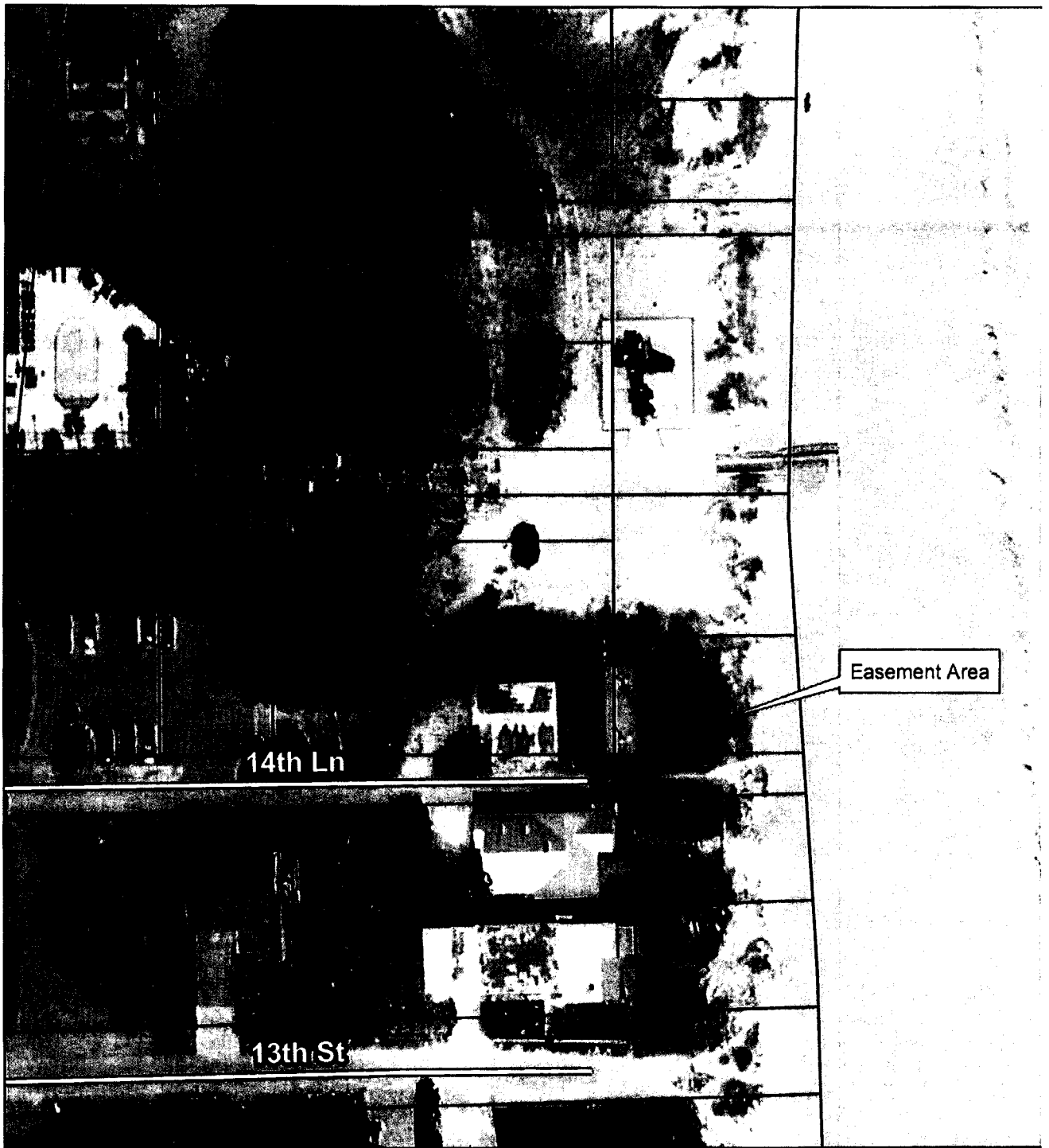
Notary Public
My Commission expires: _____

SCHEDULE "A"

All that land which lies seaward of the plus 9.85 foot contour on the seaward side of the dune, as measured vertically from the National Geodetic Vertical Datum, of the land lying within the following parcel of real property:

Lot "K" and the South 4.7 of Lot "L", Atlantic Beach Subdivision Anastasia Methodist Assembly Grounds, according to plat thereof as recorded in Map Book 2, page 50, of the public records of St. Johns County, Florida.

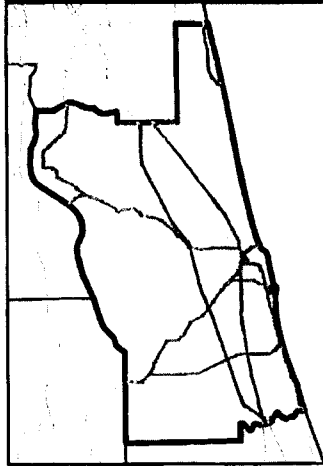
TOGETHER WITH: That piece or parcel of land lying between the waters of the Atlantic Ocean on the East and the Easterly boundary line of Lots "K" and "L" on the West, as said Lots "K" and "L", is shown on the plat of Atlantic Beach Methodist Assembly, according to plat recorded in Map Book 2, page 50, of the public records of St. Johns County, Florida and between the South line of said Lot "L" and on the North by Parcel described in O.R. 804, page 596, extended Easterly to said waters of the Atlantic Ocean.



Easement Area

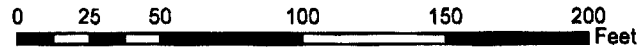
14th Ln

13th St



Beach Storm Damage Reduction Easement

St. Augustine Beach



2008 Color Aerial Imagery Map

St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
September 15, 2011
(904) 209-0790

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