

RESOLUTION NO. 2012- 161

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING THE PUBLIC PURPOSE AND NECESSITY FOR EXERCISING THE RIGHT AND POWER OF EMINENT DOMAIN TO ACQUIRE AN EASEMENT OVER CERTAIN REAL PROPERTY LOCATED ALONG CR210 FOR THE CONSTRUCTION OF THE ROADWAY AND AUTHORIZING THE COUNTY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS.**

**RECITALS**

**WHEREAS,** St. Johns County, in cooperation with the Florida Department of Transportation (FDOT), is in the process of acquiring property needed for Phase II of the CR210/195 roadway improvement project; and

**WHEREAS,** Sampson Creek Community Development District, owns property located along County Road 210 over which an easement is needed for this project; and

**WHEREAS,** the County has been unsuccessful in reaching an agreement with Sampson Creek Community Development District for access to the property; and

**WHEREAS,** per Chapter 127, Florida Statutes, the County is authorized to exercise the right and power of eminent domain for certain public uses and purposes; and

**WHEREAS,** the County's exercise of the power to condemn real property for the purpose of the construction of a county roadway is a proper public purpose.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of St. Johns County, Florida, as follows:

**Section 1. Findings.** The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

**Section 2. Declaration of Necessity.** The County declares the public purpose and the necessity for that purpose of acquiring, through condemnation by right of eminent domain, for a perpetual easement over the real property identified in the attached Exhibit "A" for the construction of a county roadway.

**Section 3. Acquisition of Easement.** The County is authorized to acquire, through condemnation by right of eminent domain, a perpetual easement over the real property identified in the attached Exhibit "A" for access and maintenance of said property as related to the construction of a county roadway from the owner and any other persons required by law to be joined in such proceedings.

**Section 4. Institution of Legal Proceedings.** The County Attorney is authorized to institute legal proceedings to acquire, through condemnation by right of eminent domain, a perpetual easement over the real property identified in the attached Exhibit "A" and is authorized to join the owner and any other persons required by law to be joined in such proceedings. The County Attorney is authorized to employ outside counsel to assist in the acquisition as necessary.

**Section 5.** 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 19 day of June, 2012.

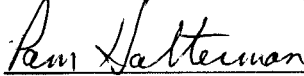
BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: \_\_\_\_\_

  
Mark P. Miner, Chair

ATTEST: Cheryl Strickland, Clerk

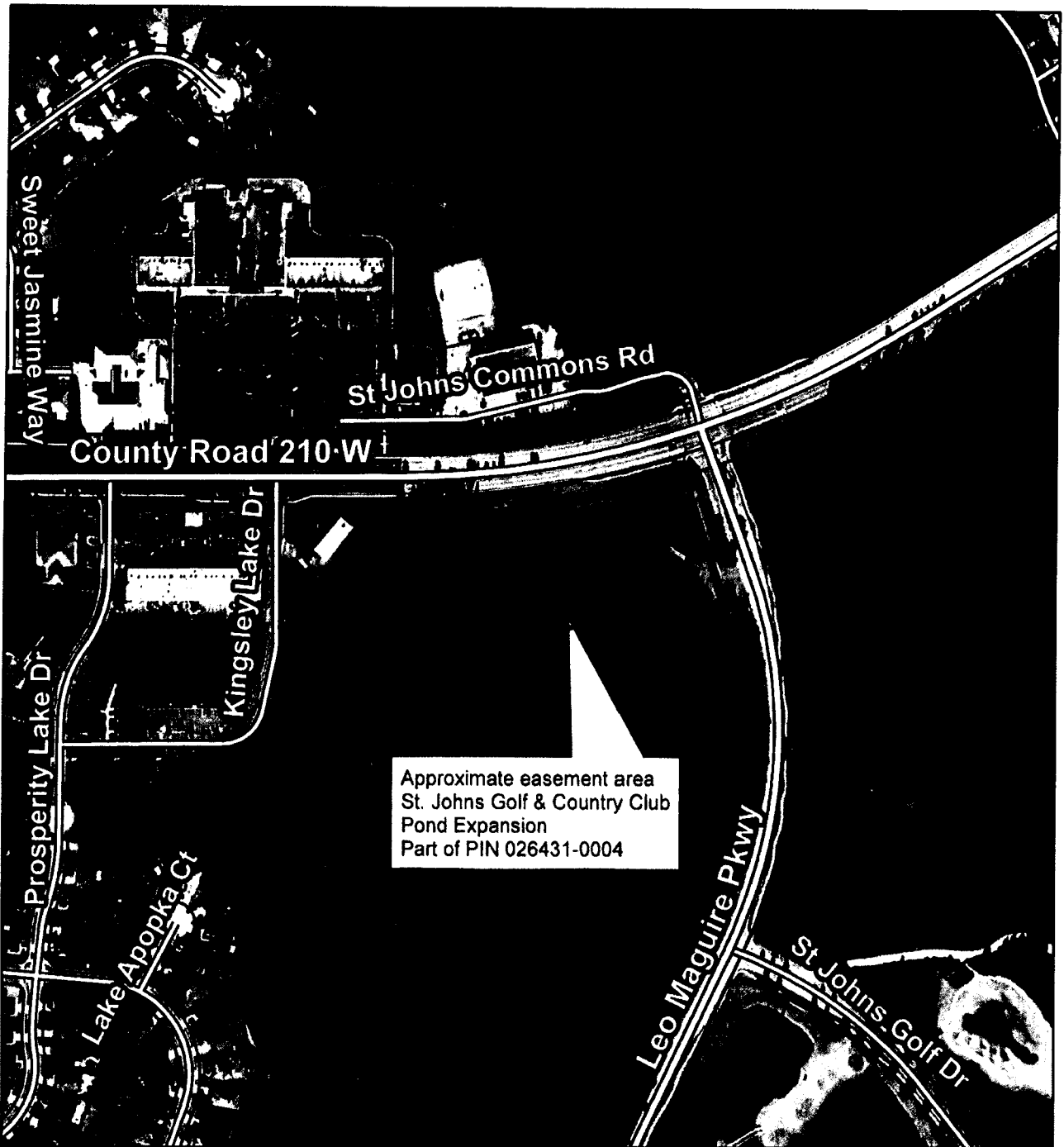
By: \_\_\_\_\_

  
Deputy Clerk

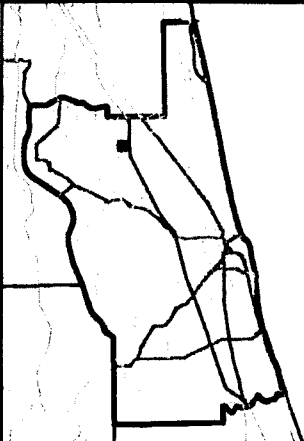


**EXHIBIT "A"**

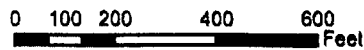
THAT PORTION OF TRACT "P" OF ST. JOHNS GOLF & COUNTRY CLUB UNIT ONE AS RECORDED IN MAP BOOK 40, PAGES 39 THROUGH 71 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA LYING NORTHERLY AND EASTERLY OF THE NORTHERLY AND EASTERLY LINE OF CONSERVATION EASEMENT NO. 1 AS RECORDED IN OFFICIAL RECORDS 2582 PAGE 1912 OF SAID PUBLIC RECORDS. TOGETHER WITH TRACT "S-1" OF SAID ST. JOHNS GOLF & COUNTRY CLUB UNIT ONE AND TOGETHER WITH A PARCEL DESCRIBED AS "0.597 ACRE CONSERVATION EASEMENT RELEASE PARCEL" AS RECORDED IN OFFICIAL RECORDS 3444 PAGE 631 OF SAID PUBLIC RECORDS.



Approximate easement area  
 St. Johns Golf & Country Club  
 Pond Expansion  
 Part of PIN 026431-0004



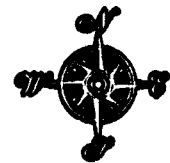
**Phase II - I-95/CR 210  
 Roadway Improvement Project  
 Easement for Pond Site Expansion**



St. Johns County  
 Land Mgmt Systems  
 Real Estate Division



Map Prepared:  
 June 6, 2012  
 (904) 209-0786



**2010 Aerial Imagery**

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