

RESOLUTION NO. 2014- 282

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING GRANT OF EASEMENTS FROM CERTAIN PROPERTIES OWNERS TO ST. JOHNS COUNTY FOR MAINTENANCE OF DRAINAGE FACILITIES LOCATED OFF CAPO ISLAND ROAD.**

**RECITALS**

**WHEREAS**, certain property owners have executed Grant of Easements to St. Johns County ("County"), attached hereto as Exhibits "A", "B", "C" and "D", incorporated by reference and made a part hereof, across a portion of their property east of Capo Island Road ("easement area"); and

**WHEREAS**, the easements will allow the County to perform drainage improvements and future maintenance to a drainage ditch located within the easement area; and

**WHEREAS**, it is in the best interest of the County to accept the easements for the purposes mentioned above as the improvements will help alleviate some of the drainage issues in that 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 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 Grant of Easements.

Section 3. The Clerk is instructed to record the original Grant of Easements 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 21<sup>st</sup> day of October, 2014.

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

By: [Signature]  
John H. Morris, Chair

ATTEST: Cheryl Strickland, Clerk  
By: [Signature]  
Deputy Clerk

RENDITION DATE 10/23/14

Exhibit "A" to Resolution

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

**GRANT OF EASEMENT**

**THIS EASEMENT** this 6<sup>th</sup> day of August, 2014, by and between **OTTO H. BRUECKNER** and **CYNTHIA L. BRUECKNER**, husband and wife, whose address is 5860 Capo Island Road, St. Augustine, Florida 32095-8024, 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, 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, releases and conveys to the grantee, its successors and assigns forever, an unobstructed right-of-way and perpetual easement with the right, privilege and authority to said grantee, its successors and assigns, to construct, lay, maintain, improve and/or repair either above or below the surface of the ground, drainage facilities on, along, over, through, across or under the following described land situate in St. Johns County, Florida to wit:

Attached hereto as Exhibit "A" and by the reference 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 or useful or convenient, or removing at any time any and all of said improvements upon, over, under or in said lands, together also with the right and easement, privileges and appurtenances in and to said land which may be required for the enjoyment of rights herein granted.

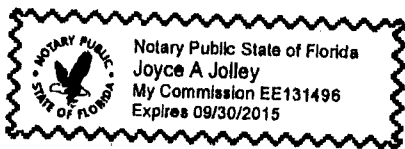
**IN WITNESS WHEREOF**, grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in  
Our presence as Witnesses:  
  
(sign) Joyce A. Jolley  
(print) Joyce A. Jolley  
(sign) Laurie Ford  
(print) Laurie Ford

GRANTOR:  
  
Otto H. Brueckner  
OTTO H. BRUECKNER  
Cynthia L. Brueckner  
CYNTHIA L. BRUECKNER

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 6 day of August, 2014, by Otto H. Brueckner and Cynthia L. Brueckner, who are personally known to me or have produced DL as identification.



Joyce A. Jolley  
Notary Public  
My commission expires: 9/30/2015

Exhibit "A"

The Northerly Twenty (20) feet of the following described parcel of land:

A parcel of land in the Pablo Sabate Grant, Section 50, Township 6 South, Range 29 East, St. Johns County, Florida, lying East of the Old Dixie Drive (Sometimes call Old Dixie Highway) being more fully described as follows:

COMMENCING at the Northeast corner of Section 51, Township 6 South, Range 29 East; thence West 21.8 chains (1,438.8 feet) to the East side of the Right-of-Way for the concrete road, said East side of Right-of-Way being 150 feet, as measured at right angles, from center line of the Florida East Coast Railway Right-of-Way; thence Northerly, parallel with said center line of the Florida East Coast Railway Right-of-Way and 150 feet Easterly therefrom, 10.188 chains (672.41 feet) according to survey by the State Road Department of Florida to a point; (thence continuing along same line Northerly 6.825 chains (450.45 feet); thence turn to the right at an angle of 90 degrees and run Easterly to the East line of said Old Dixie Drive and the POINT OF BEGINNING at the Northwest corner of the herein described parcel of land; thence continuing North 51 degrees 55 minutes 13 seconds East, on the North line of a 30 foot width road Easement, 393.65 feet; thence South 22 degrees 19 minutes 36 seconds East, along a drain, 233.97 feet; thence South 51 degrees 55 minutes 13 seconds West 359.06 feet; thence North 30 degrees 45 minutes 27 seconds West, on said East line of Old Dixie Drive, 227.03 feet to the POINT OF BEGINNING.

Exhibit "B" to Resolution

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

**GRANT OF EASEMENT**

**THIS EASEMENT** this 25<sup>th</sup> day of July, 2014, by and between **POLLY D. COLEE**, an unmarried woman, whose address is 5900 Capo Island Road, St. Augustine, Florida 32095-8026, 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, 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, releases and conveys to the grantee, its successors and assigns forever, an unobstructed right-of-way and perpetual easement with the right, privilege and authority to said grantee, its successors and assigns, to construct, lay, maintain, improve and/or repair either above or below the surface of the ground, drainage facilities on, along, over, through, across or under the following described land situate in St. Johns County, Florida to wit:

Attached hereto as Exhibit "A" and by the reference 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 or useful or convenient, or removing at any time any and all of said improvements upon, over, under or in said lands, together also with the right and easement, privileges and appurtenances in and to said land which may be required for the enjoyment of rights herein granted.

**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:

(sign) [Signature]

(print) Allison Doan

(sign) [Signature]

(print) Guy [Signature]

GRANTOR:

[Signature]  
POLLY D. COLEE

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of July, 2014, by Polly D. Colee, who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Notary Public  
My commission expires: 7-14-2018

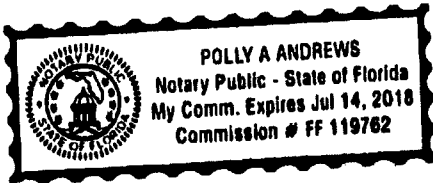


Exhibit "A"

The Southerly Ten (10) feet of the following described parcel of land:

A parcel of land being a portion of the Pablo Sabate Grant, Section 40, Township 6 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

For a point of Reference commence at the intersection of the North line of Section 51, Township 6 south, Range 29 East, with a line 150 feet East of and parallel with the centerline of the Florida East Coast Railway Right-of-Way, said North line of Section 51 as indicated on the right-of-way map of State Road No. 5, (U.S. Highway No. 1) Section 7802-110; thence North 38 degrees 04 minutes 47 seconds West, on said parallel line, a distance of 1122.85 feet; thence North 51 degrees 55 minutes 13 seconds East, perpendicular to said centerline, a distance of 1359.23 feet to a point on the East side of Old Brick Road from St. Augustine to Jacksonville also known as Old Dixie Highway and to the Point of Beginning of the lands to be described; thence North 30 degrees 54 minutes 47 seconds West, along said East line of Old Brick Road, a distance of 454.50 feet; thence North 51 degrees 55 minutes 13 seconds East, a distance of 918 feet, more or less, to the marsh of North River; thence Southwesterly and Southeasterly, along said marsh, a distance of 955 feet, more or less, to a pint which bears North 51 degrees 55 minutes 13 seconds East from the Point of Beginning; thence South 51 degrees 55 minutes 13 seconds West, a distance of 365 feet, more or less, to the Point of Beginning. The above described lands are one and the same as those lands described in deed recorded in Official Records Volume 649, page 1885, of the public records of St. Johns County, Florida.

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

**GRANT OF EASEMENT**

**THIS EASEMENT** this 24<sup>th</sup> day of July, 2014, by and between **JOHN C. PEARSON**, whose address is 5870 Capo Island Road, Lot C, St. Augustine, Florida 32095-8024, 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, 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, releases and conveys to the grantee, its successors and assigns forever, an unobstructed right-of-way and perpetual easement with the right, privilege and authority to said grantee, its successors and assigns, to construct, lay, maintain, improve and/or repair either above or below the surface of the ground, drainage facilities on, along, over, through, across or under the following described land situate in St. Johns County, Florida to wit:

Attached hereto as Exhibit "A" and by the reference 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 or useful or convenient, or removing at any time any and all of said improvements upon, over, under or in said lands, together also with the right and easement, privileges and appurtenances in and to said land which may be required for the enjoyment of rights herein granted.

**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:

(sign) [Signature]

(print) CHARLES RILEY

(sign) [Signature]

(print) Laurie Ford

GRANTOR:

[Signature]  
JOHN C. PEARSON

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of July, 2014, by John C. Pearson, who is personally known to me or has produced Fl. Driver's Lic. as identification.

[Signature]  
Notary Public  
My commission expires: 4-17-16



Exhibit "A"

The Northerly Twenty (20) feet of the following described parcel of land:

A parcel of land in the Pablo Sabate Grant, Section 50, Township 6 South, Range 29 East, St. Johns County, Florida, lying East of the Old Dixie Drive (sometimes called Old Dixie Highway), said parcel of land being more fully described as follows:

COMMENCING at the Northeast corner of Section 51, Township 6 South, Range 29 East, thence West 21.8 chains (1,438.8 feet) to the east side of the right-of-way for the concrete road, said east side of right-of-way being 150 feet, as measured at right angles, from the centerline of the Florida East Coast Railway right-of-way; thence northerly parallel with said centerline of the Florida East Coast Railway right-of-way and 150 feet easterly therefrom, 10.188 chains (672.41 feet) according to survey by State Road Department of Florida to a point; thence continuing, on same line, northerly 6.825 chains (450.45 feet); thence turn to the right at an angle of 90 degrees and run easterly to the east line of said Old Dixie Drive; thence continuing North 51 degrees 55 minutes 13 seconds East, on the North line of a 30-foot width road easement, 393.65 feet to the point of beginning at the northwest corner of the herein-described parcel of land; thence continuing North 51 degrees 55 minutes 13 seconds East, on said North line of a 30 foot width road easement, 298.35 feet; thence South 38 degrees 04 minutes 47 seconds East, 450.45 feet; thence South 51 degrees 55 minutes 13 seconds West, 425.39 feet; thence North 22 degrees 19 minutes 36 seconds West, along a drain 467.94 feet to the Point of Beginning.

EXCEPTING THEREFROM the property conveyed to William A. Petty by WARRANTY DEED dated June 15, 1986, filed June 24, 1986, and recorded in Official Records Book 708, page 1403, of the public records of St. Johns County, Florida.

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

**GRANT OF EASEMENT**

**THIS INDENTURE**, made this 30<sup>th</sup> day of July, 2014, by and between **THOMAS S. RODEN** and **GABRIELA D. RODEN**, husband and wife, whose address is 5870 Capo Island Road, Lot F, St. Augustine, Florida 32095-8024, 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, GRANTEE.

**WITNESSETH:** That Grantor, for and in consideration of the benefit that Grantor will receive, the receipt of which is hereby acknowledged, has granted and conveyed to the Grantee, its successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to drain surface waters either above or below the surface of the ground, together with the right to install and maintain drainage structures, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

Attached hereto as Exhibit "A" and by reference made a part hereof.

TOGETHER with the right to said Grantee its successors and assigns, of ingress and egress, to and over the above described property, 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**, the said Grantor has hereunto set hand and seal the day and year first above written.

**Signed Sealed in Our Presence as Witnesses:**

(sign) Laurie Ford  
(print) Laurie Ford  
(sign) Debbie Taylor  
(print) Debbie Taylor

**Grantor:**

Thomas S. Roden  
Thomas S. Roden  
Gabriela D. Roden  
Gabriela D. Roden

**STATE OF FLORIDA  
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of July, 2014, by Thomas S. Scott and Gabriela D. Roden, who are personally known to me or have produced Fl. Driver's Lic. as identification.

Laurie Ford  
Notary Public  
My Commission Expires: 4-17-16



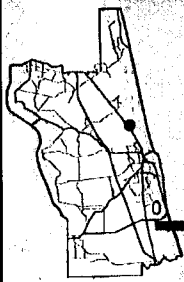
Exhibit "A"


The Southerly Ten (10) feet of the Westerly Three-hundred and twenty-seven (327) feet of the following described parcel of land:

PARCEL 1: A parcel of land in Tract 5 of an unrecorded subdivision called the "SAMAC PLAT" in the Pablo Sabate Grant, Section 50, Township 6 South, Range 29 East, St. Johns County, Florida, said parcel of land being more fully described as follows: COMMENCING at the intersection of the North line of Section 51, Township 6 South, Range 29 East, with a line 150 feet East of and parallel with the center line of the Florida East Coast Railway right-of-way, said North line of Section 51 being as indicated on the right-of-way map of State Road No. 5, (U.S. Highway No. 1) Section 7802-110 approved June 26, 1953; thence North 38 degrees 04 minutes 47 seconds West, on said line parallel with and 150 feet Easterly from the center line of the center line of said Railway right-of-way 1,122.85 feet to the South line of said Tract 5; thence North 51 degrees 55 minutes 13 seconds East, perpendicular to said center line of Railway right-of-way, on said South line of Tract 5, a distance of 1,359.23 feet to a point on the East side of the Old Brick Road from St Augustine to Jacksonville, also known as Old Dixie Highway and Old Dixie Drive; thence continuing North 51 degrees 55 minutes 13 seconds East 365 feet to the Point of Beginning of the herein-described parcel of land; thence North 7 degrees 8 minutes East, 25 feet more or less; thence following the edge of the high land Northerly, Easterly and Southeasterly on the following approximate bearings and distance: North 7 degrees 8 minutes East 303 feet more or less; North 51 degrees 16 minutes East 284 feet more or less; North 74 degrees 48 minutes East 117 feet more or less; South 54 degrees 50 minutes East 176 feet more or less; North 54 degrees 00 minutes East 195 feet more or less and South 81 degrees 51 minutes East 20 feet more or less to said South line of Tract 5; thence South 51 degrees 55 minutes 13 seconds West 877 feet more or less to the Point of Beginning;

TOGETHER WITH all rights of the Grantor in the Marsh land lying North of the above-described parcel and South of a tidal drain which follows the following approximate line: COMMENCING at the intersection of the East line of said Old Brick Road with the South line of said Tract 5; thence North 51 degrees 55 minutes 13 seconds East on the South line of said Tract 5, a distance of 365 feet; thence North 7 degrees 08 minutes East, 25 feet more or less to the beginning of the tidal drain in the marsh; thence North 8 degrees 00 minutes West 288 feet more or less; thence North 51 degrees 16 minutes East 530 feet more or less; thence North 89 degrees 20 minutes East 465 feet more or less to the intersection of the center line of said tidal drain with said South line of Tract 5, which rights to said Marsh land are neither warranted nor guaranteed.

EXCEPTING THEREFROM that part of the above parcels of land lying East of the following-described line: COMMENCING at said point on the east line of the Old Brick Road from St. Augustine to Jacksonville, on the South line of said Tract 5; thence North 51 degrees 55 minutes 13 seconds East on the South line of said Tract 5, a distance of 1,009.74 feet to the Point of Beginning at the South end of the herein-described line; thence North 00 degrees 42 minutes 47 seconds West 49.00 feet to an iron pipe at the edge of the marsh; thence continuing North 00 degrees 42 minutes 47 seconds West 210 feet more or less to the center of line of said tidal drain.



  
 2013 Aerial Imagery  
 100      200  
 Feet  
 May 7, 2014

**Grant of Easements  
 Drainage Improvements**  
  
*Capo Island Road*

Land Management  
 Systems  
 Real Estate  
 Division  
 (904) 209-0790  
  
Disclaimer:  
 This map is for reference use only.  
 Data provided are derived from multiple  
 sources with varying levels of accuracy.  
 The St. Johns County Real Estate  
 Division disclaims all responsibility  
 for the accuracy or completeness  
 of the data shown hereon.

