

RESOLUTION NO. 2019- 87

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD, ON BEHALF OF THE COUNTY, TO EXECUTE AN ABANDONMENT AND RELEASE OF EASEMENT; AND ACCEPTING A GRANT OF EASEMENT TO REPLACE THE ABANDONED EASEMENT ALL IN CONNECTION WITH PROPERTY WEST OF BARCELONA PARK SUBDIVISION.

RECITALS

WHEREAS, St. Johns County (“County”) was given a Grant of Easement (“Easement”) from Daniel A. Mowrey and Heather M. Mowrey (“Mowrey”) dated September 7, 2017, filed October 5, 2017 and recorded in Official Records Book 4444, page 168, for the right to construct lay, use, maintain, improve and/or repair drainage facilities over certain property west of Barcelona Park Subdivision; and

WHEREAS, due to the construction of alternate drainage facilities by Mowrey the Easement is no longer needed and the County had been asked to execute the Abandonment and Release of Easement, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof; and

WHEREAS, Mowrey has executed and presented to the County a Grant of Easement across a portion of their property, attached hereto as Exhibit “B”, incorporated by reference and made a part hereof, to replace the abandoned easement and grant the rights mentioned above for the alternate drainage facilities; and

WHEREAS, it is in the best interest of the County to approve the Abandonment and Release of Easement and accept the Grant of Easement for the health, safety and welfare of its citizens.

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 Chair of the Board is hereby authorized to execute the Abandonment and Release of Easement on behalf of the County, and the Grant of Easement is hereby accepted.

Section 3. The Clerk is instructed to record the original Abandonment and Release of Easement and the original Grant of 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 this 19 day of March, 2019.

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

By: Paul M. Waldron
Paul M. Waldron, Chair

RENDITION DATE 3/21/19

ATTEST: Hunter S. Conrad, Clerk

By: Pam Haltermen
Deputy Clerk



Exhibit "A" to Resolution

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

ABANDONMENT AND RELEASE OF EASEMENT

WHEREAS, ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida (herein, the "Grantee") by that certain Grant of Easement, bearing the date September 7, 2017, and recorded on or about the 5th day of October, 2017 in the Official Records Book 4444, Page 168, of the public records of St. Johns County, Florida, was the grantee of the right to use the property described in Exhibit "A", attached hereto and incorporated by reference and made a part hereof, for the right to construct, lay, use, maintain, improve and/or repair drainage facilities (hereinafter, the "Easement");

AND WHEREAS, due to the construction of alternate drainage facilities by Daniel A. Mowrey and Heather M. Mowrey, a married couple, Grantee's necessity for the Easement no longer exists:

NOW, THEREFORE, KNOW YE, That Grantee in consideration of the premises as of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby declare that the easement granted to Grantee under the terms of the foregoing Grant of Easement, is hereby abandoned, and Grantee does release all of its right, title and interest in and to the easement in favor of Daniel A. Mowrey and Heather M. Mowrey, a married couple,

IN WITNESS WHEREOF, the said **ST. JOHNS COUNTY, FLORIDA** has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of the Board, this ____ day of _____, 2019.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Paul M. Waldron, Chair

ATTEST: Hunter S. Conrad, Clerk

By: _____
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by Paul M. Waldron, Chairman of the Board of County

Commissioners of St. Johns County, Florida, who is personally known to me or has produced _____ as identification.

Notary Public
My Commission Expires: _____

EXHIBIT "A" TO ABANDONMENT AND RELEASE OF EASEMENT

LEGAL DESCRIPTION

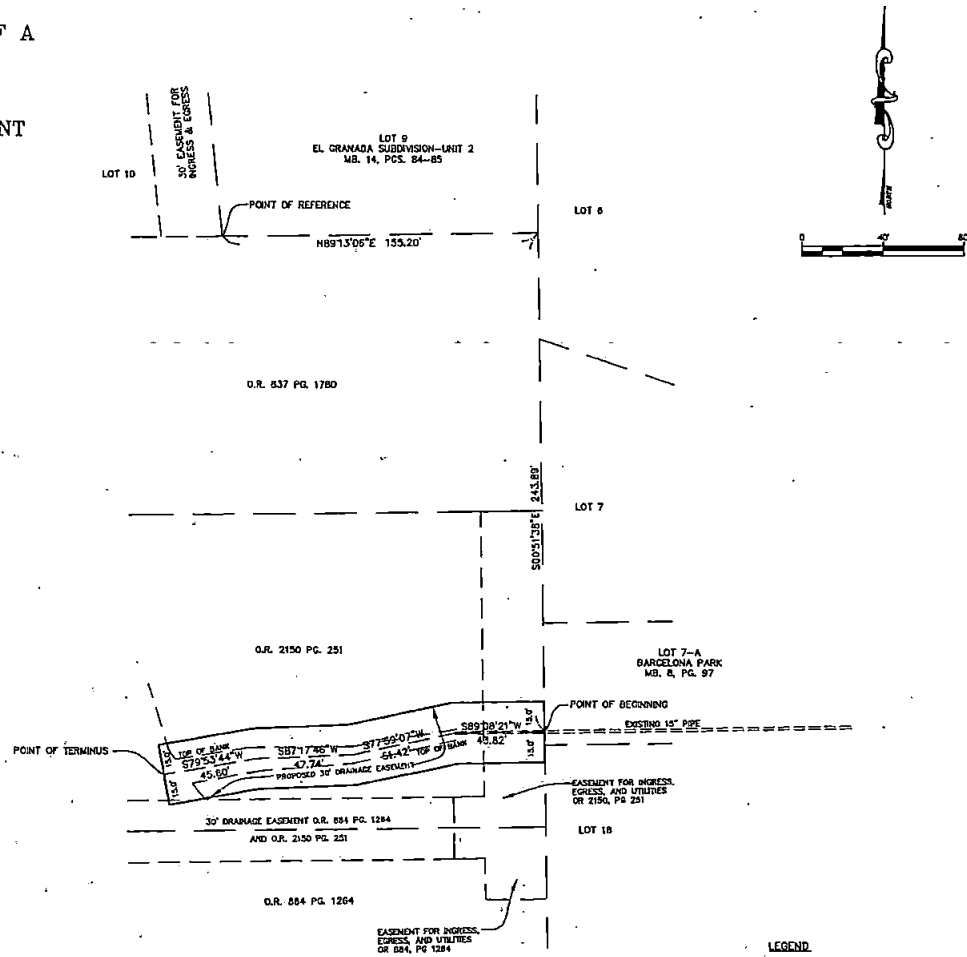
A THIRTY FOOT EASEMENT LYING FIFTEEN FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

A PORTION OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF LOT 9, EL GRANADA SUBDIVISION-UNIT 2, AS RECORDED IN MAP BOOK 14, PAGES 84 AND 85, OF THE PUBLIC RECORDS OF SAID COUNTY, THENCE NORTH 89°13'06" EAST, ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 155.20 FEET; THENCE SOUTH 00°51'38" EAST, ALONG THE WEST LINE OF BARCELONA PARK, AS RECORDED IN MAP BOOK 8, PAGE 97 OF AFOREMENTIONED PUBLIC RECORDS, A DISTANCE OF 243.89 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°08'21" WEST A DISTANCE OF 43.82 FEET; THENCE SOUTH 77°59'07" WEST A DISTANCE OF 51.33 FEET; THENCE SOUTH 87°17'46" WEST A DISTANCE OF 47.74 FEET; THENCE SOUTH 79°53'44" WEST A DISTANCE OF 45.80 FEET TO THE POINT OF TERMINUS OF SAID CENTERLINE BEING DESCRIBED.

PARCEL CONTAINING 5,663.0 SQUARE FEET, MORE OR LESS.

MAP SHOWING A SKETCH OF DESCRIPTION OF A
 PORTION OF SECTION 28,
 TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST.
 JOHNS COUNTY, FLORIDA.
 FOR: ST. JOHNS COUNTY UTILITY DEPARTMENT



SURVEYORS NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR, EXCEPT AS SHOWN.
3. BEARING DATUM BASED ON STATE PLANE COORDINATES, FLORIDA EAST ZONE, IN UNITS OF US SURVEY FEET, REFERENCE TO THE NAD 83/90.
4. THIS IS A SKETCH OF DESCRIPTION AND DOES NOT PURPORT TO BE AN ACTUAL BOUNDARY SURVEY.
5. TOP OF BANK AND EXISTING PIPE WERE TAKEN FROM A DRAWING BY ANCIENT CITY SURVEYORS, INC. JOB NO. 18-576, DATED 12/12/2018.
6. DESCRIPTION FURNISHED SEPARATELY.
7. AERIAL PHOTOGRAPHY, IF SHOWN, WAS OBTAINED IN FEBRUARY 2016.

LEGEND
 MB. MAP BOOK
 O.R. OFFICIAL RECORDS
 PG.(S). PAGE(S)

AMENDMENTS	

PATRICIA GAUL OLIVER, P.S.M. NO. 4564
 PROFESSIONAL SURVEYOR AND MAPPER
 SKETCH DATE: AUGUST 11, 2017

MOWREY DRAINAGE EASEMENT
 SKETCH OF DESCRIPTION



ST. JOHNS COUNTY LAND MANAGEMENT SYSTEMS
 SURVEYING AND MAPPING DIVISION
 500 SAN SEBASTIAN VIEW
 ST AUGUSTINE, FLORIDA 32084
 Phone (904) 208-0770 Email: golver@sjcfl.us

DRAWN BY: CRILEY
 FILE NUMBER: S-874A
 SHEET NO. 1
 OF 1

Exhibit "B" to Resolution

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

GRANT OF EASEMENT

THIS EASEMENT executed and given this 5th day of February, 2019, by DANIEL A. MOWREY and HEATHER M. MOWREY, a married couple, whose address is 24 Marilyn Avenue, St. Augustine, Florida 32080, hereinafter called the "Grantors," to 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 the "Grantee."

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, said Grantors hereby give, grant, dedicate, and convey to the Grantee, its successors and assigns forever, an unobstructed right-of-way and non-exclusive permanent easement with the right, privilege, and authority to said Grantee, its successors and assigns, to drain storm and surface waters either above or below the surface of the ground, together with the right to construct, lay, install, use, maintain, improve, and/or repair drainage structures, on, along, over, through, across or under the following described land, situate in St. Johns County, Florida, to wit:

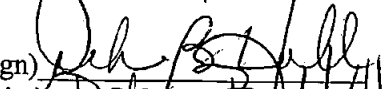
Property as described on attached Exhibit "A", incorporated by reference and made a part hereof, and as illustrated in the sketch of description on attached Exhibit "B", incorporated by reference and made a part hereof.

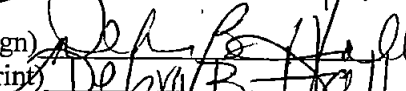
TOGETHER with the right to said Grantee its successors and assigns, of ingress and egress, to and over the above described property, and for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted.

IN WITNESS WHEREOF, Grantors have hereunto set hand and seal on the day and year first above written.

Signed, sealed and delivered in the presence of:

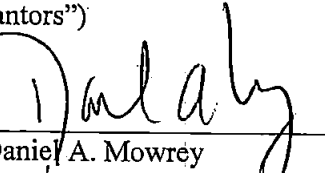

BRITANNY FRASER KEITH

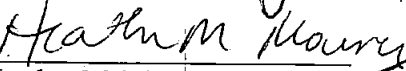
(sign) 
(print) Debra B. Hall

(sign) 
(print) Debra B. Hall


BRITANNY FRASER KEITH

DANIEL A. MOWREY and HEATHER M. MOWREY, a married couple ("Grantors")

By: 
Daniel A. Mowrey

By: 
Heather M. Mowrey

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 5th day of February, 2019, by DANIEL A. MOWREY, who is personally known to me or has produced _____ as identification.



Brittany Fraser Keith
COMMISSION # GG291041
EXPIRES: June 27, 2020
Bonded Thru Aaron Notary

Brittany Fraser Keith
Notary Public
My Commission Expires: 06/27/2020

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 5th day of February, 2019, by HEATHER M. MOWREY, who is personally known to me or has produced _____ as identification.



Brittany Fraser Keith
COMMISSION # GG291041
EXPIRES: June 27, 2020
Bonded Thru Aaron Notary

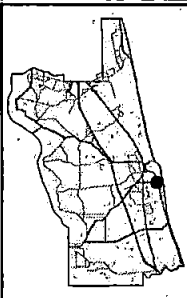
Brittany Fraser Keith
Notary Public
My Commission Expires: 06/27/2020


EXHIBIT "A" TO GRANT OF EASEMENT

LEGAL DESCRIPTION

A 25 FOOT EASEMENT LYING 12.50 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: A PORTION OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF LOT 9, EL GRANADA SUBDIVISION-UNIT 2, AS RECORDED IN MAP BOOK 14, PAGES 84 AND 85, OF THE PUBLIC RECORDS OF SAID COUNTY, THENCE NORTH 89°13'06" EAST, ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 155.20 FEET; THENCE SOUTH 00°51'38" EAST, ALONG THE WEST LINE OF BARCELONA PARK, AS RECORDED IN MAP BOOK 8, PAGE 97 OF AFOREMENTIONED PUBLIC RECORDS, A DISTANCE OF 232.50 FEET; THENCE SOUTH 89°09'52" WEST A DISTANCE OF 12.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°51'38" EAST A DISTANCE OF 45.40 FEET; THENCE SOUTH 89°09'52" WEST A DISTANCE OF 192.77 FEET TO THE POINT OF TERMINUS OF SAID CENTERLINE BEING DESCRIBED.
PARCEL CONTAINING 5,954.0 SQUARE FEET, MORE OR LESS.




 2016 Aerial Imagery
 February 20, 2019

Abandonment and Release of Easement and Grant of Easement

Mowrey Property

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.

