

RESOLUTION NO. 2021- 454

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN EXCHANGE OF REAL PROPERTY PURSUANT TO SECTION 125.37, FLORIDA STATUTES, IN CONNECTION WITH THE BIG SOOEY CDBG DRAINAGE PROJECT, AND AUTHORIZING THE CHAIR TO EXECUTE A COUNTY DEED ON BEHALF OF THE COUNTY.**

**RECITALS**

**WHEREAS**, Habitat for Humanity of St. Augustine/St. Johns County, Inc., a Florida non profit corporation, (“Habitat”) owns certain property located on W. Harris Street in Hastings (“Habitat Property”) that St. Johns County (“County”) needs for the Big Sooeey CDBG Drainage Project; and

**WHEREAS**, the County has owned certain property located on Maine Street in Vermont Heights Subdivision since 1945 (“County Property”) that Habitat would like to use for affordable housing; and

**WHEREAS**, Section 125.37, Florida Statutes, authorizes and empowers the Board of County Commissioners to exchange real property when not needed for County purposes for real property desired for County purposes; and

**WHEREAS**, County and Habitat have agreed that an exchange of real property can be used to meet the needs of both parties by the County conveying the County Property to Habitat by virtue of County Deed, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, and Habitat conveying the Habitat Property to the County by virtue of Warranty Deed, attached hereto as Exhibit “B”, incorporated by reference and made a part hereof; and

**WHEREAS**, approval of this exchange is in the best interest of the public welfare as the County will own the required property for the drainage project and Habitat will own property that can be used for affordable housing and put back on the tax roll; and

**WHEREAS**, the proposed exchange has been advertised in accordance with Section 125.37, Florida Statutes.

**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 approves the exchange of Real Property and authorizes the Chair to execute the County Deed on behalf of the County.

Section 3. The Clerk is instructed to record the County Deed and the Warranty Deed 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 2nd day of NOVEMBER, 2021.

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

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

  
Jeremiah R. Blocker, Chair

**ATTEST:** Brandon J. Patty  
Clerk of the Circuit Court & Comptroller

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

  
Deputy Clerk

RENDITION DATE NOV 04 2021



Exhibit "A" to Resolution

This Instrument Prepared By:  
St. Johns County  
500 San Sebastian View  
St. Augustine, FL 32084

**COUNTY DEED**

**THIS DEED**, made without warranty of title or warranty of method of conveyance, made this \_\_\_\_ day of \_\_\_\_\_, 2021, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is County Administration Building, 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter "Grantor", to **HABITAT FOR HUMANITY OF ST. AUGUSTINE/ST. JOHNS COUNTY, INC.**, a Florida non profit corporation, whose address is 7 Hopkins Street, St. Augustine, Florida 32084-4001, hereinafter "Grantee". (Wherever used herein the term "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and their successors, and assigns of organizations).

**WITNESSETH;**

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, forever unto said Grantee, all that certain land, situate, lying and being in the County of St. Johns, State of Florida and more particularly described below. Pursuant to Florida law Section 125.411(3) F.S., this deed conveys only the interest in said land the Grantor has of the date of this conveyance, to wit:

**SEE EXHIBIT "A", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF (THE "PROPERTY")**

**TOGETHER** with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**THIS COUNTY DEED** is subject to the following non-exclusive list of exceptions:

- a. Special taxes and assessments, confirmed or unconfirmed, for improvements not yet completed, if any;
- b. Any state of facts which a good and accurate survey or inspection of the premises might reveal;
- c. Federal, State, local government (County or City), development, construction, zoning and building laws or ordinances, rules, regulations and resolutions;
- d. Rights, if any, of the public in any portion of the premises, which may fall within any public street, way or alley;
- e. All acts of the Grantee occurring prior to, or subsequent to the date of this instrument;
- f. Agreements, conditions, covenants, reservations, restrictions, and servitude of record;
- g. Easements and rights of way of record.

Pursuant to Section 270.11, Florida Statutes, Grantor does NOT reserve any right, title or interest in or to any phosphate, minerals, metals or petroleum that are or may be in, on or under the Property or any right to mine or develop same, and Grantor specifically releases and waives any rights under such statute with respect to the Property.

**IN WITNESS WHEREOF** the said Grantor has caused the presents to be executed in its name by its Board of County Commissioners acting by the Chair of the Board, the day and year aforesaid.

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

ATTEST: \_\_\_\_\_

BY: \_\_\_\_\_  
\_\_\_\_\_, Chair

Print Name: \_\_\_\_\_

Clerk (or Deputy Clerk)

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, Chair of the Board of County Commissioners.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Personally Known or Produced Identification  
Type of Identification Produced

**EXHIBIT "A"**

Lots 1, 2, 3 and 4, Block 98, Vermont Heights, as recorded in Map Book 5, page 29, of the public records of St. Johns County, Florida.

Exhibit "B" to Resolution

This Instrument Prepared By:  
St. Johns County  
500 San Sebastian View  
St. Augustine, Florida 32084

**WARRANTY DEED**

**THIS WARRANTY DEED** made and executed this \_\_\_\_ day of \_\_\_\_\_, 2021, by **HABITAT FOR HUMANITY OF ST. AUGUSTINE/ST. JOHNS COUNTY, INC.**, a Florida non profit corporation, whose address is 7 Hopkins Street, St. Augustine, Florida 32084-4001, hereinafter called the Grantor, 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:

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

**WITNESSETH:** That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate, lying and being in St. Johns County, State of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF ("THE PROPERTY")

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

**AND** the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2021.

**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:

Grantor:  
Habitat for Humanity of St. Augustine/St. Johns  
County, Inc., a Florida non profit corporation

(sign) \_\_\_\_\_

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

(print) \_\_\_\_\_

Its: \_\_\_\_\_

(sign) \_\_\_\_\_

(print) \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_ as \_\_\_\_\_ for Habitat for Humanity of St. Augustine/St. Johns County, Inc., a Florida non profit corporation.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Personally Known or Produced Identification  
Type of Identification Produced

EXHIBIT "A"

Lots 10, 11 and 12, Block 25, Hastings Development Company's Subdivision, as recorded in Map Book 2, page 8, of the public records of St. Johns County, Florida.