

RESOLUTION NO. 2021- 457

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A PERPETUAL EASEMENT FROM THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO ST. JOHNS COUNTY OVER A PORTION OF THE OLD FEC RAILWAY IN CONNECTION WITH THE ARMSTRONG CDBG DRAINAGE IMPROVEMENT PROJECT.

RECITALS

WHEREAS, St. Johns County (“County”) proposes to construct drainage improvements in connection with the Armstrong CDBG Drainage Improvement Project; and

WHEREAS, it is necessary that an easement over a portion of the old FEC Railway, Section No. 78050-2519, F. P. No. 2102751 in St. Johns County owned by the State of Florida Department of Transportation (“FDOT”) be acquired by the County; and

WHEREAS, said use is in the best interest of the County; and

WHEREAS, the County has made application to FDOT to execute and deliver to the County a Perpetual Easement, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, for the purpose of draining, retaining, detaining and conveying stormwater, in, over, under, upon and through the property described in said easement; together with the right to access, observe, inspect, operate, maintain, construct, improve and repair improvements located on or within said real property, and said request having been duly considered.

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 Perpetual Easement for the purposes mentioned above.

Section 3. The Clerk is instructed to record the original Perpetual 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 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

07-PE.01-Date: October 5, 2021

T. S. No. n/a
R/W Map Sheet No. 31 and 32
Tax Parcel No. n/a

This instrument prepared by
or under the direction of:
David M. Robertson
Chief Counsel District Two
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 100A (Part)
SECTION NO. 78050-2519
F.P. NO. 2102751
STATE ROAD NO. n/a (F.E.C. Railway)
COUNTY OF St. Johns

PERPETUAL EASEMENT

THIS EASEMENT made this _____ day of _____, 20_____,
by STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue,
Lake City, Florida 32025-5874, its successors and assigns, grantor, and the ST. JOHNS COUNTY,
FLORIDA, a political subdivision of the State of Florida, 500 San Sebastian View, St. Augustine,
Florida 32086, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar (\$1.00)
and other valuable considerations paid, the receipt and sufficiency of which is hereby
acknowledged, hereby grants unto the grantee, its successors and assigns, a non-exclusive
perpetual easement for the purpose of draining, retaining, detaining and conveying stormwater, in,
over, under, upon and through the following described real property in St. Johns County, Florida,
together with the right to access, observe, inspect, operate, maintain, construct, improve and repair
improvements located on or within said real property, to wit:"

SEE **Exhibit "A"**, attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever
and the grantor will defend the title to said lands against all persons claiming by, through or under
said grantor.

THIS CONVEYANCE IS made subject to the unrecorded Memorandum of Agreement Between the State of Florida Department of Transportation and The State of Florida Department of Environmental Protection Office of Greenways and Trails Relating to the East Palatka to St. Augustine Trail dated April 10, 2007 and the unrecorded Construction & Maintenance Agreement dated June 18, 2015.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in our presence as witnesses:

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

Witness:
Print Name: _____

BY: _____
Greg Evans
District Two Secretary

Witness:
Print Name: _____

ATTEST: _____
Print Name: _____
Executive Secretary
District Two

STATE OF FLORIDA
COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this _____ day of _____, 20____, by Greg Evans, District Two Secretary, and _____ Executive Secretary, District Two, for the State of Florida Department of Transportation, respectively, and who are personally known to me to be the persons described in and who executed the foregoing instrument.

(Notary Seal)

Print Name: _____
Notary Public
My Commission Expires: _____

Exhibit "A"

SECTION NO. 78050-2519 STATE ROAD NO. N/A (F.E.C. RAILWAY) ST. JOHNS COUNTY
F.P. NO. 2102751

Parcel 100A (PART)

Perpetual Easement 1

A Portion Of Florida Department Of Transportation Parcel Number 100, Section 78050-2519, Part "A" As Recorded In Official Records Book 1100, Pages 608 Through 612 In The Public Records Of St. Johns County, Florida, Being More Particularly Described As Follows:

Commence At The East Quarter Corner, Section 35, Township 8 South, Range 28 East, As Shown On The Florida Department Of Transportation Right Of Way Map, No. 78050-2519, F.A. Project No. SA-421-1 (10), St. Johns County; Thence South 88 Degrees 10 Minutes 40 Seconds, West, Along The South Line Of Said Northeast Quarter of Said Section 35, A Distance Of 1712.66 Feet, To The Centerline Of Survey As Shown On The Aforementioned Florida Department Of Transportation Right Of Way Map; Thence South 43 Degrees 01 Minutes 33 West, Along Said Centerline Of Survey, A Distance Of 763.09 Feet; Thence South 46 Degrees 58 Minutes 27 Seconds East, A Distance Of 13.13 Feet, To The Point Of Beginning; Thence North 43 Degrees 01 Minutes 33 Seconds East, A Distance 605.14 Feet; Thence North 46 Degrees 58 Minutes 27 Seconds West, A Distance Of 63.13 Feet To The Northwesternly Right Of Way Line; Thence North 43 Degrees 01 Minutes 33 Seconds East, Along Said Northwesternly Right Of Way Line, A Distance Of 192.96 Feet; Thence South 46 Degrees 58 Minutes 27 Seconds East, A Distance Of 38.10 Feet; Thence South 43 Degrees 03 Minutes 42 Seconds West, A Distance Of 109.66 Feet; Thence South 46 Degrees 58 Minutes 27 Seconds East, A Distance Of 21.73 Feet; Thence North 43 Degrees 01 Minutes 33 Seconds East, A Distance Of 202.85 Feet; Thence South 46 Degrees 58 Minutes 27 Seconds East, A Distance Of 40.24 Feet To The Southeasterly Right Of Way Line As Shown On The Aforementioned Florida Department Of Transportation Right Of Way Map; Thence South 43 Degrees 01 Minutes 33 Seconds West, Along Said Southeasterly Right Of Way Line, A Distance Of 891.29 Feet; Thence North 46 Degrees 58 Minutes 27 Seconds West, A Distance Of 36.87 Feet, To The Point Of Beginning.

Containing 0.987 Acres More Or Less.

ALSO:

Parcel 100A (PART)

Perpetual Easement 2

A Portion Of Florida Department Of Transportation Parcel Number 100, Section 78050-2519, Part "A" As Recorded In Official Records Book 1100, Pages 608 Through 612 In The Public Records Of St. Johns County, Florida. Being More Particularly Described As Follows:

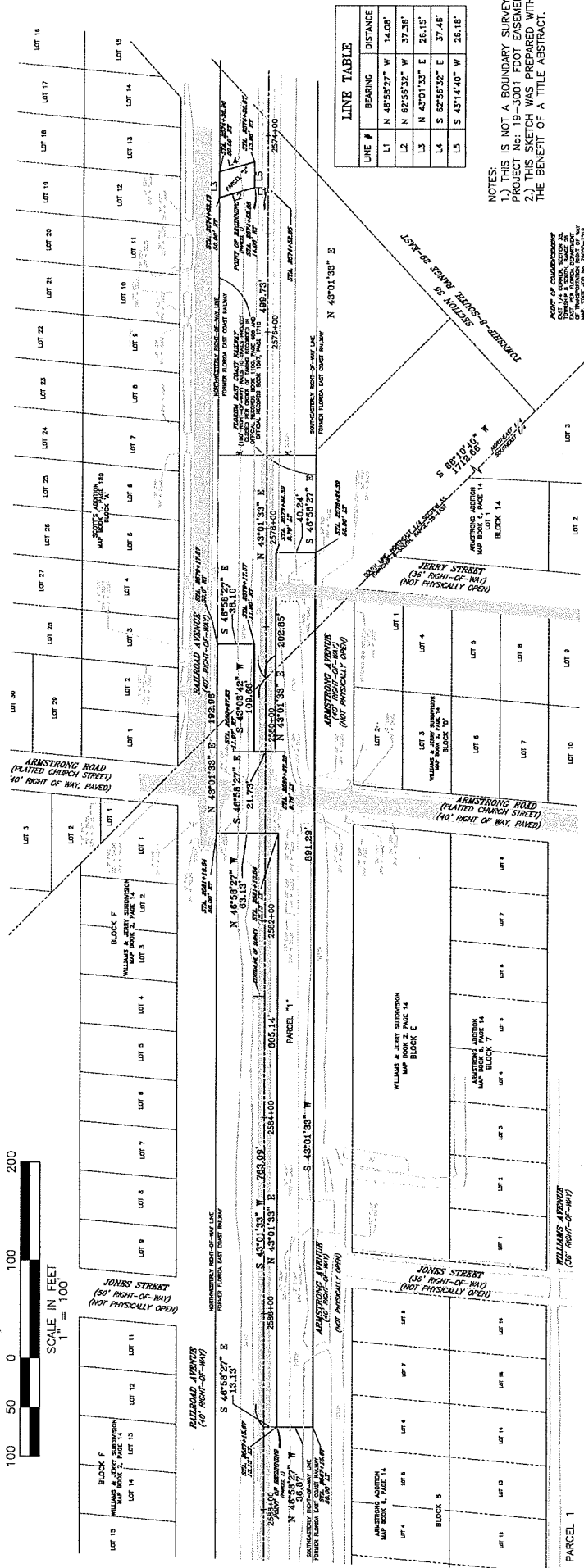
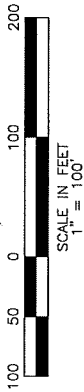
Commence At The East Quarter Corner, Section 35, Township 8 South, Range 28 East, As Shown On The Florida Department Of Transportation Right Of Way Map, No. 78050-2519, F.A. Project No. SA-421-1 (10), St. Johns County; Thence South 88 Degrees 10 Minutes 40 Seconds West, Along The South Line Of Said Northeast Quarter Of Said Section 35, A Distance Of 1712.66 Feet, To The

Centerline Of Survey As Shown On The Aforementioned Florida Department Of Transportation Right Of Way Map; Thence North 43 Degrees 01 Minutes 33 Seconds East, Along Said Centerline Of Survey, A Distance Of 499.73 Feet; Thence North 46 Degrees, 58 Minutes, 27 Seconds West, A Distance Of 14.08 Feet To The Point Of Beginning; Thence North 62 Degrees 56 Minutes 32 Seconds West, A Distance Of 37.36 Feet, To The Northwesternly Right Of Way Line; Thence North 43 Degrees 01 Minutes 33 Seconds East, Along Said Northwesternly Right Of Way Line, A Distance Of 26.16 Feet; Thence South 62 Degrees 56 Minutes, 32 Seconds East, A Distance Of 37.46 Feet; Thence South 43 Degrees 14 Minutes 40 Seconds West, A Distance Of 26.18 Feet To The Point Of Beginning.

Containing 941 Square Feet More Or Less.

A SKETCH SHOWING

A PORTION OF FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL NUMBER 100, SECTION 78050-2519, PART "A" AS RECORDED IN OFFICIAL RECORDS BOOK 1100, PAGES 608 THROUGH 612 IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.



LINE #	BEARING	DISTANCE
L1	N 45°58'27\"	14.08'
L2	N 62°56'32\"	37.36'
L3	N 43°01'33\"	26.15'
L4	S 62°56'32\"	37.46'
L5	S 43°14'40\"	26.18'

NOTES:
 1.) THIS IS NOT A BOUNDARY SURVEY.
 PROJECT NO: 19-3001 FOOT EASEMENT
 2.) THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT.



GEOMATICS CORP.
 SURVEYING-MAPPING-GPS
 2804 N. FIFTH STREET, UNIT 101
 ST. AUGUSTINE, FL 32084
 PHONE (904) 884-5783
 LICENSED BUSINESS
 FLORIDA #8979

Terry M. Durden, Florida PSM #5261
 Not Valid Without The Digital Signature
 Of A Florida Licensed Surveyor & Mapper

PARCEL 2
 A PORTION OF FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL NUMBER 100, SECTION 78050-2519, PART "A" AS RECORDED IN OFFICIAL RECORDS BOOK 1100, PAGES 608 THROUGH 612 IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE EAST 1/4 CORNER, SECTION 35, TOWNSHIP 8 SOUTH, RANGE 28 EAST, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, STATE JOB NO. 78050-2519, F.A. PROJECT NO. SA-421-1 (10), ST. JOHNS COUNTY; THENCE SOUTH 88 DEGREES 10 MINUTES 40 SECONDS, WEST, ALONG THE SOUTH LINE OF SAID NORTH-EAST 1/4, SECTION 35, 1712.66 FEET; THENCE SOUTH 43 DEGREES 01 MINUTES 27 SECONDS EAST, DEPARTING SAID SOUTH LINE AND ALONG SAID CENTERLINE OF SURVEY, 499.73 FEET; THENCE SOUTH 43 DEGREES 01 MINUTES 27 SECONDS EAST, DEPARTING SAID CENTERLINE OF SURVEY, 14.08 FEET; THENCE NORTH 43 DEGREES 01 MINUTES 27 SECONDS WEST, 37.36 FEET; THENCE NORTH 43 DEGREES 01 MINUTES 27 SECONDS WEST, 37.36 FEET; THENCE NORTH 43 DEGREES 01 MINUTES 27 SECONDS WEST, 37.46 FEET; THENCE NORTH 43 DEGREES 01 MINUTES 27 SECONDS WEST, 37.46 FEET; THENCE SOUTH 43 DEGREES 14 MINUTES, 40 SECONDS WEST, 26.18 FEET TO THE POINT OF BEGINNING.

PARCEL 1
 A PORTION OF FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL NUMBER 100, SECTION 78050-2519, PART "A" AS RECORDED IN OFFICIAL RECORDS BOOK 1100, PAGES 608 THROUGH 612 IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE EAST 1/4 CORNER, SECTION 35, TOWNSHIP 8 SOUTH, RANGE 28 EAST, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, STATE JOB NO. 78050-2519, F.A. PROJECT NO. SA-421-1 (10), ST. JOHNS COUNTY; THENCE SOUTH 88 DEGREES 10 MINUTES 40 SECONDS, WEST, ALONG THE SOUTH LINE OF SAID NORTH-EAST 1/4, SECTION 35, 1712.66 FEET; THENCE SOUTH 43 DEGREES 01 MINUTES 27 SECONDS EAST, DEPARTING SAID SOUTH LINE AND ALONG SAID CENTERLINE OF SURVEY, 499.73 FEET; THENCE SOUTH 43 DEGREES 01 MINUTES 27 SECONDS EAST, DEPARTING SAID CENTERLINE OF SURVEY, 14.08 FEET; THENCE NORTH 43 DEGREES 01 MINUTES 27 SECONDS WEST, 37.36 FEET; THENCE NORTH 43 DEGREES 01 MINUTES 27 SECONDS WEST, 37.36 FEET; THENCE NORTH 43 DEGREES 01 MINUTES 27 SECONDS WEST, 37.46 FEET; THENCE NORTH 43 DEGREES 01 MINUTES 27 SECONDS WEST, 37.46 FEET; THENCE SOUTH 43 DEGREES 14 MINUTES, 40 SECONDS WEST, 26.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 42.979 SQUARE FEET OR 0.99 ACRES MORE OR LESS.