

TAX EXEMPT F.S. 337.27

07-PE11-09/01

August 3, 2015

This instrument prepared by

MARIKA TREMBLAY

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

Please Return To:

Fla Department of Transportation

719 S Woodland Blvd

R / W Records Mgmt, MS 551

DeLand, FL 32720-6834

Attn: S. Hutchison

PARCEL NO. 801.1R

SECTION 73001

F.P. NO. 411959 2

STATE ROAD I-95

COUNTY FLAGLER

PERPETUAL EASEMENT

THIS EASEMENT made this 5th day of October, 2015, by FLAGLER COUNTY, a political subdivision of the State of Florida, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of clearing, excavating, constructing, operating, and maintaining outfall and drainage ditches and drains, with all such fills, cuts, drains, ditches and other incidents which the grantee may deem necessary or convenient in connection therewith, in, over, under, upon and through the following described land in Flagler County, Florida, viz:

PARCEL NO. 801

SECTION NO. 73001

F.P. ID 411959-2

THAT PART OF:

The Southeast 1/4 of Section 26, Township 10 South, Range 30 East, Flagler County, Florida lying Easterly of State Road 9 (Interstate 95) and Southerly of Matanzas Woods Parkway.

(The above described land being part of the land described and recorded in Official Records Book 1223, Page 1893, Public Records of Flagler County, Florida.)

DESCRIBED AS FOLLOWS:

From a 4 inch by 4 inch concrete monument with a brass disk stamped "D. D. MOODY REG. SURV. NO. 261" at the Southeast corner of the Southeast 1/4 of Section 26, Township 10 South,

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Range 30 East, Flagler County, Florida as shown on the Florida Department of Transportation Right of Way Map for State Road 9 (Interstate 95), Section 73001, F.P. No.411959-2 on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Florida, run South 89 degrees 19 minutes 35 seconds West 1704.60 feet along the South boundary of said Southeast 1/4 to a point on the Westerly boundary of that certain Parcel 612.02 as described and recorded in Official Records Book 637, Page 899 and the Westerly boundary of the West Parcel of that certain St. Johns River Water Management District Conservation Easement as described and recorded in Official Records Book 1300, Page 1215, Public Records of Flagler County, Florida being North 89 degrees 19 minutes 35 seconds East 307.23 feet from the centerline of survey of State Road 9 at station 765+31.80 as shown on said Right of Way Map; thence along the Westerly and Northerly boundary of said Parcel 612.02 and the Westerly, Northerly and Easterly boundary of said West boundary with the following courses and distances: North 08 degrees 24 minutes 39 seconds East 966.15 feet to the Northwestern corner thereof; thence North 70 degrees 02 minutes 56 seconds East 684.68 feet for the POINT OF BEGINNING; thence leaving said Northerly boundary of Parcel 612.02 run South 40 degrees 07 minutes 25 seconds West 50.15 feet; thence South 32 degrees 44 minutes 20 seconds East 224.19 feet; thence South 30 degrees 48 minutes 23 seconds East 101.08 feet; thence South 26 degrees 42 minutes 36 seconds East 62.53 feet; thence South 26 degrees 14 minutes 59 seconds East 251.69 feet; thence South 26 degrees 37 minutes 15 seconds East 44.80 feet; thence South 26 degrees 37 minutes 11 seconds East 44.80 feet; thence South 26 degrees 59 minutes 50 seconds East 201.54 feet; thence leaving said Easterly boundary of the West Parcel run North 70 degrees 17 minutes 55 seconds East 120.00 feet to point being 1054.12 feet right of, when measured perpendicular to the aforesaid baseline of survey at station 230+22.25; thence North 19 degrees 42 minutes 05 seconds West 334.50 feet; thence North 05 degrees 14 minutes 55 seconds West 435.10 feet; thence North 11 degrees 57 minutes 33 seconds West 191.22 feet to a point on the aforesaid Northerly boundary of Parcel 612.02 and being 109.02 feet right of, when measured perpendicular to said baseline of survey at station 231+57.97; thence South 70 degrees 02 minutes 56 seconds West 353.76 feet along said Northerly boundary to the Point of Beginning

CONTAINING: 5.013 Acres, more or less.

This legal description prepared under the direction of:
Michael L. Dougherty, PSM # 4841
Southeastern Surveying and Mapping Corporation LB 2108
6500 All American Blvd.
Orlando, Florida 32810
Date: April 21, 2014
(407) 292-8580

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TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever, provided however, that the grantor may utilize such site for the uses described herein and may perform public works within said easement property provided such work is permitted by the proper regulatory agencies and such public works do not interfere with the easement's uses or its functions for grantee except as may be authorized by permit.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson (or Vice-Chairperson) of said Board, the day and year aforesaid.

ATTEST


Clerk (or Deputy Clerk)

FLAGLER COUNTY, FLORIDA,
By Its Board of County
Commissioners

By: 

Its Chairperson
(or Vice-Chairperson)

ADDRESS OF GRANTOR:

1769 E. Moody Blvd.
Bunnell, FL 32110

07-PE12-09/01

August 3, 2015

This instrument prepared by

MARIKA TREMBLAY

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 801.1R

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STATE ROAD I-95

COUNTY FLAGLER

RESOLUTION

ON MOTION of Commissioner Barbara Revels, seconded by Commissioner Nate McLaughlin, the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. I-95, Section No. 73001, F.P. No. 411959 2, in Flagler County, Florida: and

WHEREAS, it is necessary that an easement across certain lands now owned by Flagler County be acquired by the State of Florida Department of Transportation: and

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

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a perpetual easement, or easements, in favor of the State of Florida Department of Transportation for the purpose of constructing, operating, and maintaining outfall and drainage ditches and drains, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Flagler County, that the application of the State of Florida Department of Transportation for a perpetual easement, or easements, is for transportation purposes which are in the public or community interest and for public welfare; that a perpetual easement, or easements, in favor of the State of Florida Department of Transportation in Flagler County, should be drawn and executed by Chairman Frank J. Meeker on behalf of this Board of County Commissioners.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at 719 South Woodland Blvd. DeLand, Florida, 32720-6834.

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STATE OF FLORIDA

COUNTY OF FLAGLER

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners of Flagler County, Florida at a meeting held on the 5th day of October, 2015.

Lisa Funicello, DC

Clerk
Board of County Commissioners
Flagler County, Florida

1769 E. Moody Blvd
Bunnell FL 32110

ACQUISITION OF THIS LAND IS
NECESSARY FOR R/W PURPOSES
UNDER THREAT OF CONDEMNATION
PURSUANT TO SEC. 337. 27 F.S.

JMA
FL D.O.T.

Unofficial Copy