

RESOLUTION NO. 93-137

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF DRAINAGE EASEMENT FROM THE CORNER AT PONTE VEDRA, LTD. FOR DRAINAGE IMPROVEMENTS ON SOLANO ROAD BETWEEN A 1 A AND LA PASADA BLVD. (FORMALLY BURTS BOULEVARD)

WHEREAS, The Corner at Ponte Vedra, Ltd., as owners of the property described in the attached copy of Grant of Drainage Easement dated August 5, 1993, have conveyed to the Board of County Commissioners of St. Johns County, Florida, an easement for installation and maintenance of drainage pipes.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. That the above described easement, a copy of which is attached hereto as Exhibit A, incorporated by reference and made a part hereof, is hereby accepted by the Board of County Commissioners of St. Johns County, Florida.

Section 2. The Clerk is instructed to record the Grant of Easement in the official records of St. Johns County, Florida.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, this 24th day of August, 1993.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

By: Quinn Balvanz
Its Chair

ATTEST: Carl "Bud" Markel, Clerk

BY: Yvonne Carter
Deputy Clerk

GARTNER, BROCK AND SIMON

ATTORNEYS AND COUNSELLORS

DUPONT CENTER

SUITE 203

1880 PRUDENTIAL DRIVE, 32207

P.O. BOX 10697, 32247-0697

JACKSONVILLE, FLORIDA

WINFIELD A. GARTNER*
FREDERICK R. BROOKI
BERT C. SIMON*

TELEPHONE
(904) 399-0870

TELECOPIER
(904) 399-1113

FLORIDA BAR CERTIFIED
*REAL ESTATE LAWYER
*CIVIL TRIAL LAWYER

August 23, 1993

VIA FACSIMILE NO. 1-904-823-2498

Ms. Mary Blount

Post Office Drawer 349

St. Augustine, Florida 32085-0349

RE: Drainage Easement; The Corner at Ponte Vedra, Ltd.

Dear Ms. Blount:

In accordance with your request, I am faxing you a copy of the Drainage Easement we discussed today. I am forwarding the original to you by mail.

Should you have any questions, please call.

Very truly yours,

Bert C. Simon OK

Bert C. Simon

BCS/drr
Enclosure

DRAINAGE EASEMENT

THIS GRANT OF EASEMENT is made as of August 5, 1993 by and between THE CORNER AT PONTE VEDRA, LTD., a Florida limited partnership, whose address is 1010 East Adams Street, Jacksonville, Florida 32202, ("Grantor") and THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, whose address is Post Office Box 349, St. Augustine, Florida 32085-0349 Attn: County Administrator, ("Grantee").

W I T N E S S E T H:

Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants to Grantee, its successors and assigns, a non-exclusive perpetual easement and right to construct, install, operate, maintain, repair and improve underground drainage pipes under and through the property owned by the Grantor more particularly described on Exhibit A hereto.

Together with such rights of entry upon, passage over and temporary use of the lands described on Exhibit A hereto as may be reasonably necessary for excavating, constructing, repairing and maintaining the drainage pipes within such easement area; provided however, by acceptance of this Drainage Easement, Grantee agrees for itself and its successors and assigns that all maintenance, repair, and replacement activities shall be conducted from the right-of-way of Solana Road, and that Grantee does not have the right of ingress and egress over the other lands of Grantor adjacent to the easement area for the purpose of exercising the easement rights granted herein.

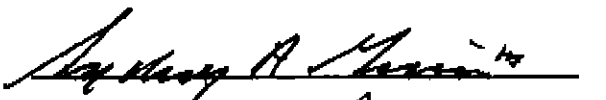
Grantor reserves for itself and its successors and assigns the right to use the easement area for all purposes that do not interfere with the easement rights granted herein, including without limitation the right to maintain landscaping within the easement area. By acceptance of this Drainage Easement Grantee agrees for itself and its successors and assigns to promptly restore the surface of the land to its condition existing prior to any construction, maintenance or repair by Grantee, including without limitation the replacement of all landscaping plants and materials and the repair of the underground irrigation systems. Grantee further agrees to diligently complete any construction or maintenance activities so as to minimize the interference with Grantor's use of the easement area and adjacent property.

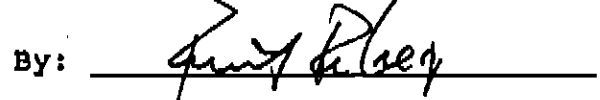
This easement is granted subject to the rights of the owners of any utility lines, pipes or facilities located in, under or over the easement area.

IN WITNESS WHEREOF, the Grantor has duly executed this Agreement on the day and year first above written.

Signed, sealed and delivered in the presence of:

THE CORNER AT PONTE VEDRA, LTD.
A Florida limited partnership


Print Name Bert Q. Simon
Bert Q. Simon
BERT Q. SIMON

By: 
Print Name ROBERT R. KREIS
Title VICE PRESIDENT
Date: 8/5/93

STATE OF FLORIDA
COUNTY OF Osval

The foregoing instrument was acknowledged before me this 5th day of August, 1993 by Robert R. Kreis, the Vice President of The Corner at Ponte Vedra, Ltd., a Florida limited partnership, on behalf of the partnership.



DEBORAH R. RAY
MY COMMISSION # CG87119 EXPIRES
February 19, 1997
BONDED THROUGH TROY PAW INSURANCE, INC.

Deborah R. Ray
Notary Public, State of Florida
Deborah R. Ray
Print Name
My Commission Expires:

Personally known or produced identification ____.
Type of identification: _____

WORK\LDP-DRAN.EAB\August 5, 1993



PROPOSED FIVE (5) FOOT DRAINAGE EASEMENT TO ST. JOHNS COUNTY

A PORTION OF GOVERNMENT LOT 12, SECTION 21, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY AS FOLLOWS; COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SOLANO ROAD (A 75 FOOT RIGHT-OF-WAY, AS NOW ESTABLISHED) WITH THE EASTERLY RIGHT-OF-WAY LINE OF BURTS BOULEVARD (A 70 FOOT RIGHT-OF-WAY, AS NOW ESTABLISHED). THENCE NORTH $01^{\circ}12'00''$ WEST, ALONG A NORTHERLY PROLONGATION OF THE EASTERLY RIGHT-OF-WAY LINE OF BURTS BOULEVARD, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH $01^{\circ}12'00''$ WEST, ALONG SAID NORTHERLY PROLONGATION, A DISTANCE OF 5.00 FEET; THENCE NORTH $88^{\circ}36'36''$ EAST, PARALLEL TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOLANO ROAD, A DISTANCE OF 386.69 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD A-1-A (A 188 FOOT RIGHT-OF-WAY, AS NOW ESTABLISHED), SAID RIGHT-OF-WAY LINE BEING THE ARC OF A CURVE LEADING SOUTHERLY, THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG AND AROUND THE ARC OF SAID CURVE LEADING SOUTHERLY, CONCAVE EASTERLY, HAVING A RADIUS OF 2952.93 FEET, AN ARC DISTANCE OF 5.06 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $10^{\circ}00'36''$ EAST, 5.06 FEET, THENCE SOUTH $88^{\circ}36'36''$ WEST, PARALLEL TO AND 10 FEET PERPENDICULAR TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOLANO ROAD, A DISTANCE OF 387.47 FEET TO THE POINT OF BEGINNING.

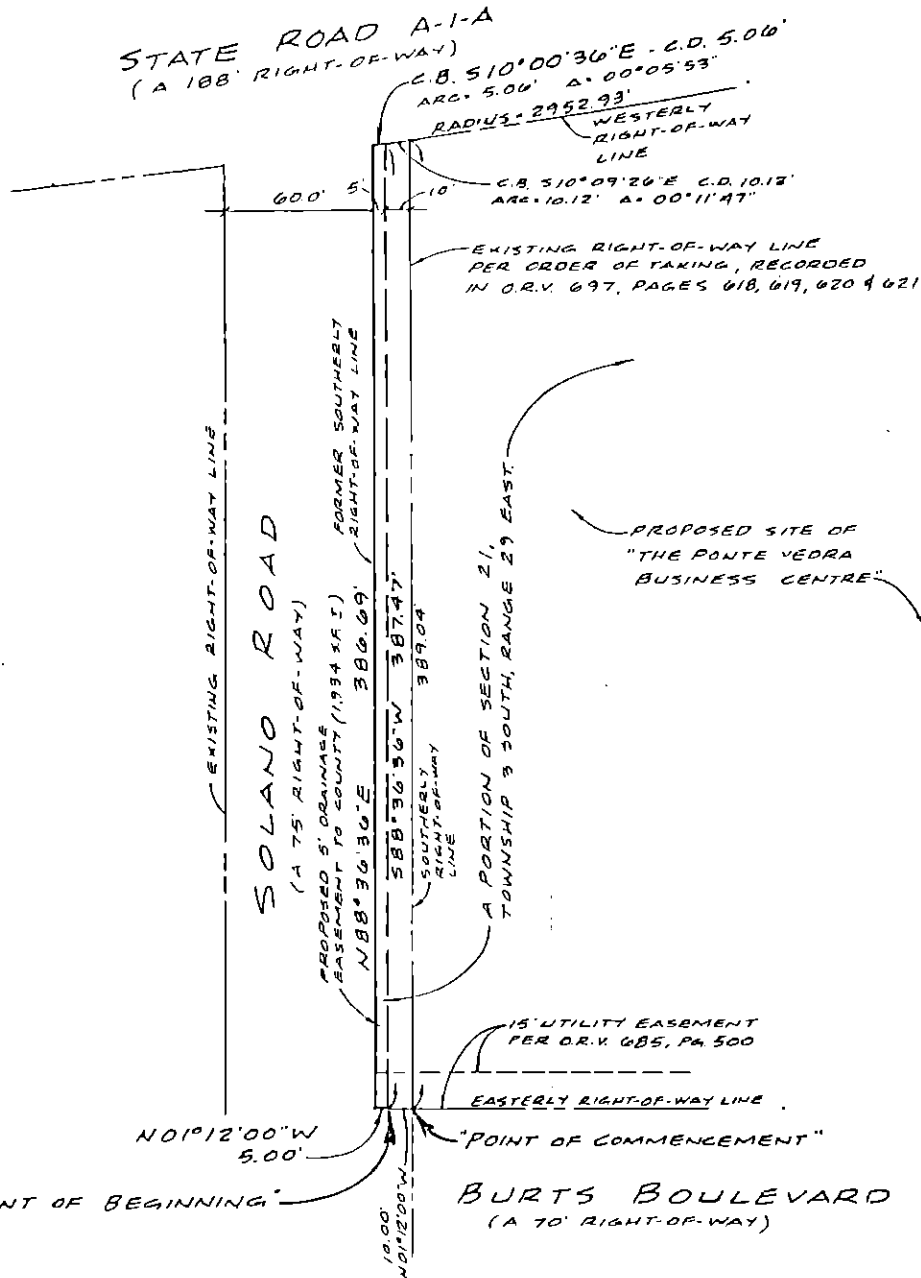
LANDS THUS DESCRIBED CONTAIN 1934 SQUARE FEET, MORE OR LESS, IN AREA.

MAP SHOWING SURVEY OF

A PORTION OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 29 EAST,
ST. JOHNS COUNTY, FLORIDA. (SEE ATTACHED LEGAL DESCRIPTION)

FOR: DEVELOPMENT SERVICES GROUP

NOTE: NO TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR BOUNDARY TO THE SUBJECT PROPERTY HAVE BEEN PROVIDED. IT IS POSSIBLE THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES.



SOUTHTECH SURVEYORS, INC.

6501 ARLINGTON EXPRESSWAY BUILDING "B" SUITE 210
JACKSONVILLE, FLORIDA 32211 PHONE NO. (904) 720 - 0231

I HEREBY CERTIFY THAT THIS MAP
PERFORMED UNDER MY RESPONSIBLE DIRECTION, MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 21H1-6, FLA. ADMINISTRATIVE CODE (PURSUANT TO SECTION 412.021, FLORIDA STATUTES),

SURVEYED JUNE 29, 1993.

Charles R. Bassett Jr.
CHARLES R. BASSETT JR., REG. LAND SURVEYOR FLA. NO. 4591
SOUTHTECH SURVEYORS, INC. L. B. NO. 5613

BEARING DATUM BASED ON THE SOUTH RIGHT-OF-WAY LINE OF SOLANO ROAD AS $N 88^{\circ} 36' 30'' E$
FLOOD ZONE(S) C AS BEST ASCERTAINED FROM THE FLOOD INSURANCE RATE MAP,
COMMUNITY PANEL NUMBER 125147-0183D DATED 9-18-85
FIELD BOOK NO. ~ PAGE(S) ~ LEGAL PUBCZ ORDER NO. 06-93-18
COMPUTER FILE: SOLANO ACAD FILE: N/A SCALE: 1"=00' FILE NO. ST-400