

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A DEED OF EASEMENT FROM THE COUNTY TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY.

WHEREAS, it is necessary for St. Johns County to grant an easement as described in Deed of Easement attached hereto as Exhibit A and made a part hereof, to Southern Bell Telephone and Telegraph Company for the placement of additional equipment in Cypress Lakes Subdivision to handle expansion of telephone lines; and

WHEREAS, it is in the best interest of St. Johns County and the public to grant the easement to Southern Bell Telephone and Telegraph Company for the use and benefit of the Southern Bell Telephone and Telegraph Company.

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

1. A Deed of Easement in substantially the form attached hereto as Exhibit A in favor of the Southern Bell Telephone and Telegraph Company shall be executed by the Chairman of the Board of County Commissioners and forwarded to Southern Bell Telephone and Telegraph Company, in care of Volt Industries, contracting agents for Southern Bell Telephone and Telegraph Company along with a certified copy of this resolution, by registered mail to the attention of Linda Jones, Right of Way Agent, 1851 Executive Center Drive, Suite 200, Jacksonville, Florida, 32207.

2. The Deed of Easement shall be duly recorded by Southern Bell Telephone and Telegraph Company in the official public records of St. Johns County, Florida.

PASSED AND ADOPTED this 9 day February 1993.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Luca Balsavage  
Its Chairman

ATTEST: Carl "Bud" Markel, Its Clerk

By: Amy Bennett  
Deputy Clerk

## DEED OF EASEMENT

St. Johns County, Florida, owner of the premises and herein described ("Grantor"), for and in consideration of \$10.00 and other good and valuable consideration, the adequacy and receipt of which are acknowledged, hereby grants, sells and conveys to Southern Bell Telephone and Telegraph Company, a Georgia Corporation authorized to do business in Florida, whose post office address is 20A53 Southern Bell Center, Atlanta, Georgia, 30375, its successors, assigns and affiliated and associated companies ("Grantee"), an exclusive easement for the construction, operation and maintenance of telecommunications electrical equipment structures and associated cables, as well as appurtenant facilities reasonably required for the support, use, operation and maintenance of such equipment structures to be installed from time to time with the right to reconstruct, improve, add to, enlarge and remove the same on, in or over the premises described in the attached Exhibit "A", which is incorporated by reference and made a part hereof.

Grantee shall have the right of ingress, egress, and regress to and upon said Premises at all times for the purposes of installing, constructing, operating, inspecting, and maintaining its facilities. The Grantee shall have the right to clear and keep the premises clear of all trees, undergrowth, or other obstructions and trim, cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside the premises which might interfere with the lines or systems of communication or electric power serving the Grantee, as permitted by the County tree clearing ordinance #90-11.

The grant of this Easement shall in no way restrict the right and interest of the Grantor in the use, maintenance and quiet enjoyment of the Premises to the extent that such uses do not interfere with the rights granted herein. Any ad valorem taxes accruing from Grantee's improvements shall be chargeable to and paid by Grantee when due if separately assessed by the taxing authority as the personal or real property of Grantee. The Grantee shall be liable for personal injuries and damage to real or personal property that may result from its use of the Premises, and shall indemnify the Grantor in the event Grantor is required to pay any claim arising from said use by Grantee.

This Easement shall run with the land in perpetuity and shall be binding on and shall inure to the benefits of the parties hereto, their successors or assigns.

IN WITNESS WHEREOF, the undersigned Grantor has executed this Deed of Easement, this 9th day of February 1993.

Signed, Sealed and Delivered in the presence of:

[Signature]

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: [Signature]  
Its Chairman

Witness

ATTEST: CARL "BUD" MARKEL, CLERK

By: [Signature]  
Deputy Clerk

I am a notary public of the State of Florida, and my commission expires: February 3, 1996.

THE FOREGOING INSTRUMENT was acknowledged before me on February 9, 1993, by Linda Balsavage, as Chairman, who is personally known to me or who has produced \_\_\_\_\_ as identification and (did) (did not) take an oath.



YVONNE CARTER  
MY COMMISSION # CC 177554 EXPIRES  
February 3, 1996  
BONDED THRU TROY FAIR INSURANCE, INC.

[Signature]  
Notary Public, State of Florida  
Print Name: Yvonne Carter

I am a notary public of the State of Florida, and my commission expires: February 3, 1996.

THE FOREGOING INSTRUMENT was acknowledged before me on February 17, 1993, by Amy Bennett, Deputy Clerk who is personally known to me or who has produced \_\_\_\_\_ as identification and (did) (did not) take an oath.



YVONNE CARTER  
MY COMMISSION # CC 177554 EXPIRES  
February 3, 1996  
BONDED THRU TROY FAIR INSURANCE, INC.

[Signature]  
Notary Public, State of Florida  
Print Name: Yvonne Carter

MAP OF SURVEY BOUNDARY SURVEY OF

A PROPOSED SOUTHERN BELL TELEPHONE EASEMENT IN A PORTION OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHN'S COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE CENTERLINE INTERSECTION OF CYPRESS LINKS BLVD. AND A 40 FOOT RIGHT OF WAY AS SHOWN IN PLAT OF CYPRESS LAKES - PHASE 1, ACCORDING TO MAP THEREOF AS FILED IN MAP BOOK 11, PAGE 5 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY AND MATANZAS WOODS PLACE A 50 FT. RIGHT OF WAY, AND THENCE TO BE BLUE GRASS STREET BY CANT PLAT 1 THENCE SOUTH 16° 44' 10" WEST, ALONG THE SOUTHWESTERLY PROLONGATION OF THE CENTERLINE OF SAID MATANZAS WOODS PLACE, A DISTANCE OF 40.0 FEET TO THE CURVED WESTERLY RIGHT OF WAY LINE OF SAID CYPRESS LINKS BLVD. FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH 73° 10' 42" WEST, ALONG SAID SOUTHWESTERLY PROLONGATION, A DISTANCE OF 20.0 FEET, THENCE NORTH 26° 44' 10" WEST, A DISTANCE OF 20.0 FEET, THENCE NORTH 16° 10' 42" EAST, A DISTANCE OF 20.0 FEET TO THE EASEMENT NEAR CURVED WESTERLY RIGHT OF WAY LINE OF CYPRESS LINKS BLVD. SAME BEING AN EASTERLY LINE OF LAND DESCRIBED IN 1992 REPORT IN THE OFFICIAL RECORDS OF SAID COUNTY IN MAP BOOK 11, PAGE 11-4, THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVED ROAD BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1000.00 FEET, A THIRD BEARING AND DISTANCE OF SOUTH 16° 44' 10" EAST, 40.0 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 440 SQUARE FEET MORE OR LESS.

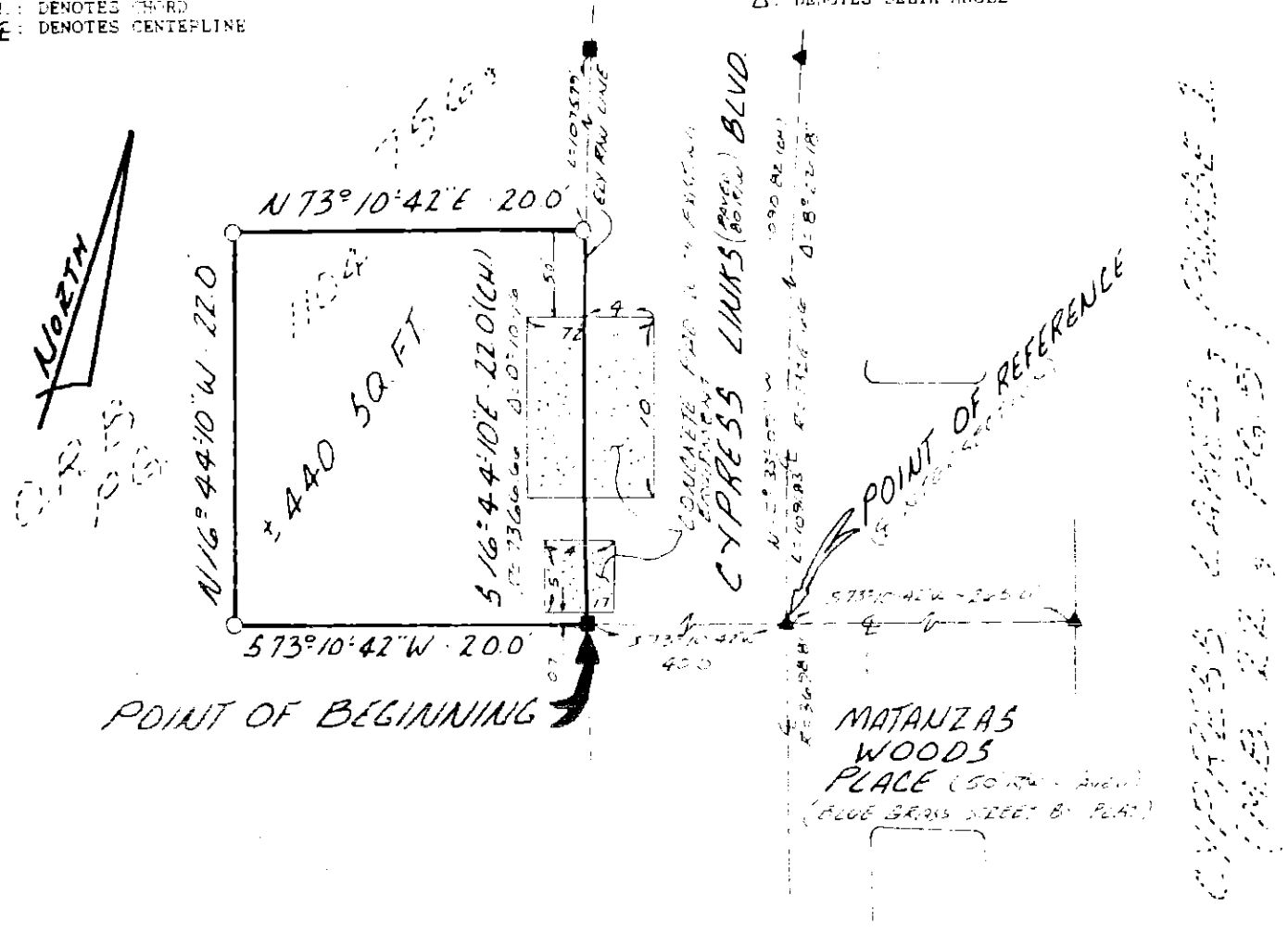
FOR NORTH FLORIDA TITLE COMPANY, AMERICAN FIDELITY TITLE INSURANCE CO. AND BELL SOUTH TELECOMMUNICATIONS INC.

NOTES:

- 1) BEARINGS SHOWN HEREON REFER TO THE BEARING OF S 73° 10' 42" W FOR THE CENTERLINE OF MATANZAS WOODS PLACE (BLUE GRASS STREET BY PLAT) AS SHOWN ON PLAT OF CYPRESS LAKES - PHASE 1.
- 2) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE ABSTRACT.

LEGEND:

- DENOTES SET 1/2" IRON PIPE LB 4822
- ▲ DENOTES FOUND P.K. NAIL AND WASHER RLS 2048 PHILLIPS
- DENOTES FOUND CONCRETE MONUMENT RLS 2048 PHILLIPS
- R/W DENOTES RIGHT-OF-WAY
- L DENOTES ARC LENGTH
- CH DENOTES CHORD
- CL DENOTES CENTERLINE
- O.R.B. DENOTES OFFICIAL RECORDS BOOK
- R DENOTES RADIUS
- Δ DENOTES DELTA ANGLE

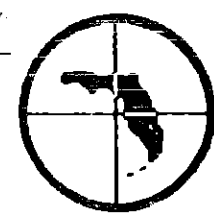


THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE BELOW SIGNED.

I HEREBY CERTIFY THAT THE ABOVE EASEMENT WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THE CORNERS IS/ARE LOCATED UPON SAME AS SHOWN AND THAT THERE ARE NO ENCROACHMENTS EITHER WAY, EXCEPT AS SHOWN.

**FLOOD CERTIFICATE:** THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS SHOWN TO BE IN FLOOD HAZARD ZONE AS PER F.I.R. MAPS, COMM. PANEL NO. FOR

DWN BY: P.P. CKD. BY: J.M.



**PRIVETT & ASSOC OF FLORIDA, INC.**  
 SURVEYORS AND LAND PLANNERS  
 2732 TOWNS END BOULEVARD  
 JACKSONVILLE, FL 32211  
 (904) 743-7650 FAX NO 4622

*John M. James*  
 PARK D. PRIVETT, JR.  
 REGISTERED SURVEYOR NO. 2218 GA  
 REGISTERED SURVEYOR NO. 2841 FL

JOHN M. JAMES  
 REGISTERED SURVEYOR NO. 4774 FL

CERTIFICATE: THIS SURVEY COMPLES WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

DATE: 5/26/1993

SCALE 1" = 10'