

RESOLUTION NO. 94- 153

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE EXECUTION OF A GRANT
OF EASEMENT FOR DRAIN FIELD MOUND EMBANKMENT FROM ST. JOHNS COUNTY
TO JOEL G. AND ANTOINETTE ADAMS, 115 SEGOVIA ROAD,
ST. AUGUSTINE SOUTH SUBDIVISION

WHEREAS, Joel G. and Antoinette Adams, as owners of the property more fully described in the Grant of Easement for Drain Field Mound Embankment, attached hereto as Exhibit A, incorporated by reference and made a part hereof, have submitted application through the State of Florida for the relocation of their failing septic system; and

WHEREAS, the only operable relocation would extend the side slope of the mound system into County property ten and one half (10 1/2') feet, as more fully shown on Exhibit B; and

WHEREAS, it is the opinion of the Public Works Department that the proposed embankment will not interfere with the maintenance of the County drainage ditch; and

WHEREAS, the State of Florida has paid St. Johns County \$445.00 for the easement which is the valued amount as stated by the Property Appraiser in his letter attached hereto as Exhibit C, incorporated by reference and made a part hereof; and

WHEREAS, due to the size, shape and location of said easement it is of use only to Joel G. and Antoinette Adams, adjacent land owners; and

WHEREAS, notice sale of this easement has been given to all adjacent land owners and no response has been received.

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

1. The Grant of Easement as described in Exhibit A is valued at less than \$5,000 and due to its size, shape and location is of use only to Joel G. and Antoinette Adams.

2. The Grant of Easement for Drain Field Mound Embankment in substantially the form attached hereto in favor of Joel G. and Antoinette Adams is approved and shall be executed by the County Administrator.

3. The Clerk is instructed to record the Grant of Easement in the official public records of St. Johns County, Florida, and forward a certified copy of this Resolution and the recorded Easement to Mr. & Mrs. Joel G. Adams, 117 Segovia Road, St. Augustine, FL 32086.

PASSED AND ADOPTED this 23rd day of August, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Alan Roberts
Chairman

ATTEST: Carl "Bud" Markel, Clerk

BY: Wynne Carter
Deputy Clerk

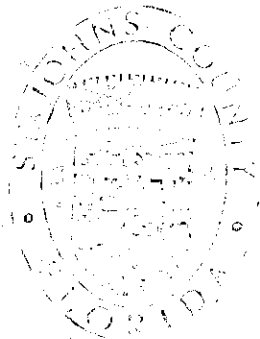


EXHIBIT A

GRANT OF EASEMENT FOR DRAIN FIELD MOUND EMBANKMENT

This Grant of Easement is made and executed as of this 23rd day of August, 1994, by St. Johns County, a political subdivision of the State of Florida, hereinafter called "Grantor" to Joel G. Adams and Antoinette Adams, his wife, hereinafter called "Grantee", 115 Segovia Road, St. Augustine, Florida, 32086.

W I T N E S S E T H

In consideration of the sum of Ten and no/100 dollars (\$10.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor, as owner of the County Park and Drainage area as shown in Exhibit A attached hereto and made a part hereof, hereby grant, bargain, sell, convey and confirm to the Grantee and his successors and assigns a non-exclusive easement under and across that portion of property as described below for the purpose of constructing, examining, repairing, maintaining and replacing a septic tank drain field mound embankment for the benefit of the Grantee; to wit:

The Westerly ten and one half (10 1/2) feet of the County Park and Drainage Area lying immediately adjacent to Lots 2169 and 2170, St. Augustine South Subdivision Unit 8, as recorded in Map Book 8, Page 41 of the Official Public Records of St. Johns County, Florida, being bounded on the north by the easterly prolongation of the northerly line of said Lot 2170 and being bounded on the south by the easterly prolongation of the southerly line of said Lot 2169.

In connection with the above granted easement rights, the parties hereto agree as follows:

1. By acceptance of this easement, Grantee hereby agrees with the Grantor that Grantee shall assume full responsibility for maintenance of the septic tank drain field mound embankment and all openings or excavations made in or upon the given area in order to construct, examine, maintain, repair or replace any portion of the drain field, which shall be properly refilled and the surface replaced in a good and safe condition, and shall be landscaped to a condition comparable to its condition prior to excavation.

Recorded in Public Records, St. Johns County, FL
Clerk # 94032048 O.R. 1074 PG 1336 12:48PM 09-27-94
Recording 17.00 Surcharge 2.50

Joel G. Adams - Irma Pacetti
- Bill Co -
Rec - 17.00
Sur - 2.50

2. This easement, and all the rights, privileges and responsibilities arising hereunder shall be binding upon the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, Grantor and Grantee have caused this Grant of Easement to be executed as of the day and year first written above.

Signed, Sealed and delivered in the presence of:

St. Johns County, Florida

ST. JOHNS COUNTY

Yvonne Carter
Print Name Yvonne Carter

Nicholas M. Meiszer
Nicholas M. Meiszer
County Administrator
P. O. Drawer 349
St. Augustine, FL 32085

Irma Pacetti
Print Name Irma Pacetti

Dated: Aug. 29, 1994

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Nicholas M. Meiszer, personally known to me and who executed the foregoing Grant of Easement, and he acknowledged to and before me that he signed the same freely and voluntarily for the uses and purposes therein expressed.

Witness my hand and official seal in the County and State aforesaid, this 29 day of August, 1994.

Patricia DeGrande
Notary Public
State of Florida at Large
Commission expires: 1-26-96

Seal



PATRICIA DEGRANDE
MY COMMISSION # CC 175832 EXPIRES
January 26, 1996
BONDED THROUGH TRACY FAIR INSURANCE, INC.

St. Augustine South Subdivision Unit 8 Map Book 8 Page 41
Platted and Dedicated Park area to St. Johns County, Florida.

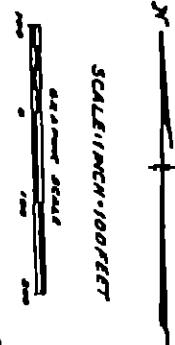
ST. AUGUSTINE SOUTH
ST. JOHNS COUNTY-FLORIDA.

UNIT No. 8.

MB. & P. 41

SHEET 4 OF 4 SHEETS

SCALE: 1 INCH = 100 FEET



U.S. HIGHWAY No. 1.

U.S. HIGHWAY No. 1.

Unit No. 8 of St. Augustine South

ST. AUGUSTINE DRIVE

CORNELL ROAD

FLAMINGO RD.

Proposed Mound Location

HERON RD.

Drainage Ditch

MARLIN RD.

OSPREY RD.

PELICAN RD.

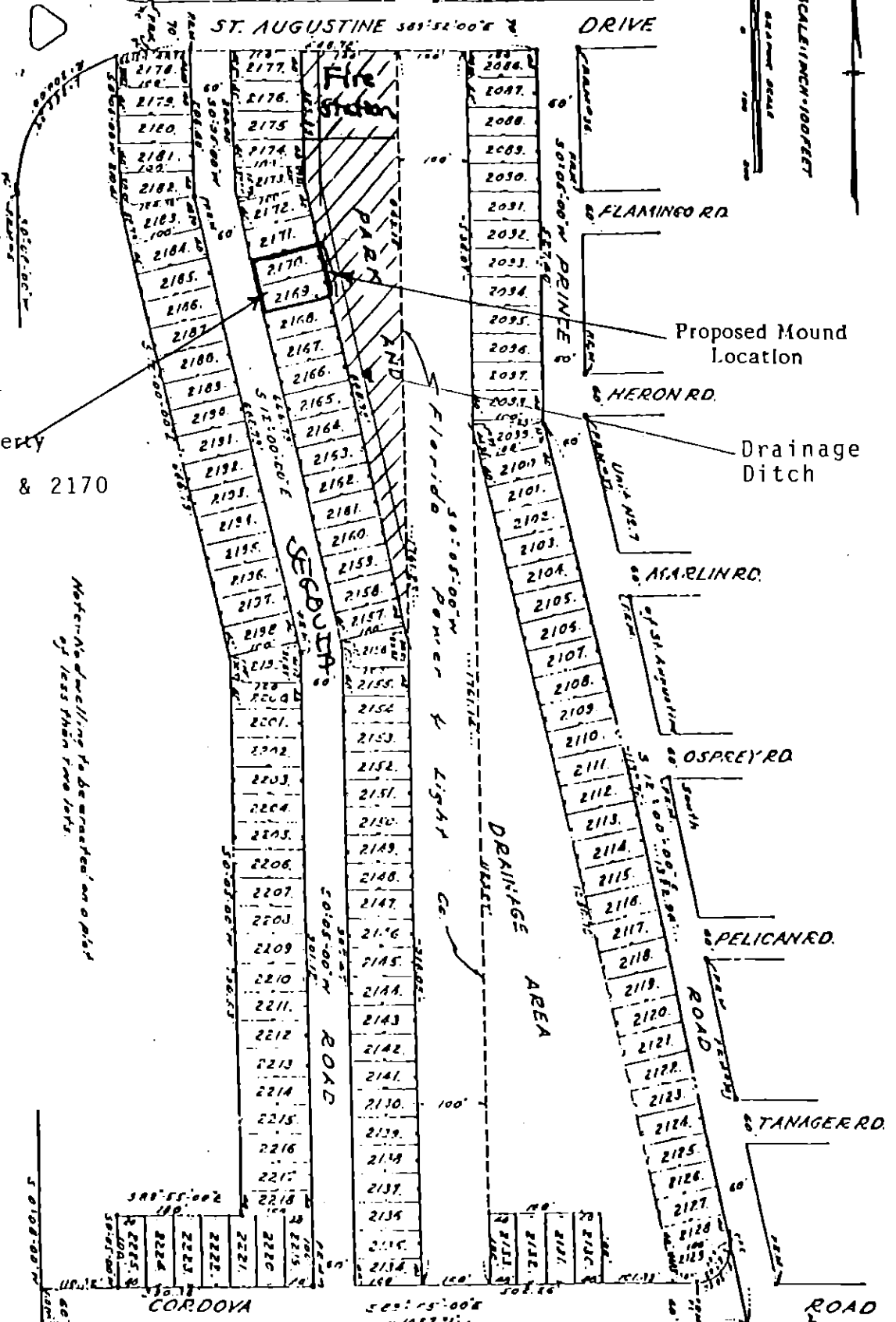
ROAD

TAMAGER RD.

ROAD

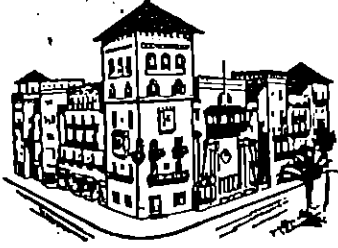
Subject Property
115 Segovla
Lots 2169 & 2170

Note: No dwelling to be erected on a plot
of less than two lots.



2086	2177	2087	2178
2088	2176	2089	2179
2090	2175	2091	2180
2092	2174	2093	2181
2094	2173	2095	2182
2096	2172	2097	2183
2098	2171	2099	2184
2100	2170	2101	2185
2102	2169	2103	2186
2104	2168	2105	2187
2106	2167	2107	2188
2108	2166	2109	2189
2110	2165	2111	2190
2112	2164	2113	2191
2114	2163	2115	2192
2116	2162	2117	2193
2118	2161	2119	2194
2120	2160	2121	2195
2122	2159	2123	2196
2124	2158	2125	2197
2126	2157	2127	2198
2128	2156	2129	2199
2130	2155	2131	2200
2132	2154	2133	2201
2134	2153	2135	2202
2136	2152	2137	2203
2138	2151	2139	2204
2140	2150	2141	2205
2142	2149	2143	2206
2144	2148	2145	2207
2146	2147	2147	2208
2148	2146	2149	2209
2150	2145	2151	2210
2152	2144	2153	2211
2154	2143	2155	2212
2156	2142	2157	2213
2158	2141	2159	2214
2160	2140	2161	2215
2162	2139	2163	2216
2164	2138	2165	2217
2166	2137	2167	2218
2168	2136	2169	2219
2170	2135	2171	2220
2172	2134	2173	2221
2174	2133	2175	2222
2176	2132	2177	2223
2178	2131	2179	2224
2180	2130	2181	2225
2182	2129	2183	2226
2184	2128	2185	2227
2186	2127	2187	2228

EXHIBIT C



St. Johns County Courthouse

ALLEN F. POWERS, CFA
PROPERTY APPRAISER

Historical St. Johns County

P.O. BOX 125
ST. AUGUSTINE, FLORIDA 32085

TELEPHONE
904 / 823-2200

354-4444—Jax.
892-2199—Hastings

January 19, 1994

Mrs. Mary Ann Blount
Real Estate Officer
St. Johns County Public Works
St. Augustine, Florida 32085

Re: 10.5 Easement East of Lots 2169
& 2170, St. Augustine South Subd.

Dear Mrs. Blount:

It is the policy of the St. Johns County Property Appraiser's office to value easements, such as a utility easement or Florida Power & Light easement at thirty percent of the market value of the surrounding lots.

This percentage was derived from an analysis of sales of similar type properties several years ago. This percentage is an appraisal decision.

Considering Florida Statute 193.011, and in accordance with accepted appraisal methodology, it is my opinion the above referenced 840 square foot parcel would have a value of \$445.00.

Sincerely,

Sharon Outland
Sharon Outland
Assistant Property Appraiser

O.R. 1074 PG 1339