

**RESOLUTION NO. 2001-1**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN ACCESS EASEMENT TO A COMMUNICATIONS TOWER SITE LOCATED OFF STATE ROAD 16-A.**

**WHEREAS**, the St. Johns County Land Development Code Section 6.08.12 requires the dismantling and removal of telecommunications towers after abandonment; and

**WHEREAS**, Section 6.08.12(S) of the Zoning Ordinance requires the fee owner of the land underlying telecommunications tower to grant an easement to St. Johns County for access to the tower site for removal of an abandoned tower; and

**WHEREAS**, the Easement as described in Exhibit "A", incorporated by reference and made a part hereof, conveys to St. Johns County the required access.

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

Section 1. The acceptance of the Temporary Access Easement attached hereto, as Exhibit "A" is hereby approved.

Section 2. The Clerk is instructed to record the original Temporary Access Easement in the Official Records of St. Johns County, Florida.

**PASSED AND ADOPTED**, this 9<sup>th</sup> day of January, 2000.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA.**

By: Mary F. Kojnke  
**Mary F. Kojnke, Chair**

**ATTEST:** Cheryl Strickland, Clerk

Alicia A. Grande  
Deputy Clerk

EXHIBIT "A" TO RESOLUTION

TEMPORARY ACCESS EASEMENT

This Temporary Access Easement, made 22<sup>nd</sup> day of June 2000, by Troy A Masters and Donna M. Masters, as husband and wife, having an address of 7665 C.R. 16A St. Augustine FL 32092 ("Grantor"), to ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, P.O. Drawer 349, St. Augustine Florida 32085-0349 ("Grantee").

WITNESSETH:

WHEREAS, Grantor, as Optionor, has entered into that Option and Ground Lease Agreement dated August 7, 1996 (the "Lease") with BellSouth Mobility Inc. whose successor is CROWN COMMUNICATIONS INC., a Delaware corporation, doing business in Florida as Crown COMM Inc., ("Optionee") regarding a parcel of land located at 8960 C. R 16A Orangedale, FL 32059, County of St. Johns, State of Florida, more particularly described on **Exhibit A** attached hereto (the "Leased Premises");

WHEREAS, the Lease contemplates the construction by Optionee of a telecommunications tower (the "Tower") on the Leased Premises;

WHEREAS, Section 6.08.12 of the St. Johns County Land Development Code (the "Zoning Ordinance") requires the dismantling and removal of telecommunications towers after abandonment;

WHEREAS, section 6.08.12(S) of the Zoning Ordinance requires the fee owner of the land underlying telecommunications tower to grant an easement to St. Johns County for access to the tower site for removal of an abandoned tower;

NOW, THEREFORE, Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to them in hand paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, hereby grants to the Grantee, its successors and assigns, an easement over the lands of Grantor more particularly described on **Exhibit B** hereto (the "Easement Area") for ingress and egress to the Leased Premises only for the purpose of removing the Tower if the Tower is in violation of Section 6.08.12 (N) of the Zoning Ordinance, with the right, privilege, and authority of Grantee, its successors and assigns, to enter on to the Leased Premises and to remove the Tower therefrom in accordance with and subject to the requirements of Section 6.08.12 (N) of the Zoning Ordinance.

The Grantor warrants to Grantee that it has good and indefeasible fee simple title to the above described land and the authority to enter into this Easement.

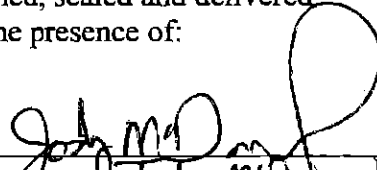
This Easement shall terminate automatically upon removal of the Tower from the Leased Premises, whether removed by the Lessee, Grantor or Grantee. At the request of Grantor, Grantee shall execute a recordable document evidencing such termination. If Grantee shall fail to execute such a document within thirty (30) days of Grantor's request, Grantor may record an affidavit certifying that the Tower has been removed and that this Easement has terminated.

Grantor reserves the right as its expense to relocate the Easement Area at any time and from time to time to permit convenient use of Grantor's property, provided that the relocated easement shall provide to Grantor substantially the same ingress and egress rights herein granted. Any such relocated easement shall be evidenced by an amendment to the Easement executed by Grantor and Grantee.


IN WITNESS WHEREOF, the Grantor has hereunto set hand and seal the day and year first above written.


Signed, sealed and delivered  
in the presence of:

**GRANTOR:**

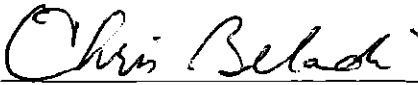
  
Name: Jody McDaniel

By:   
Print Name: Troy A. Masters

  
Name: CHRIS BELADI

  
Name: Jody McDaniel

By:   
Print Name: Donna M. Masters

  
Name: CHRIS BELADI

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 22 day of June 2000, by Troy Masters, as husband, who is either ( ) personally known to me or (  ) has produced dr lic identification.

Colleen K. Carroll

Notary Public, State of Florida

Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



STATE OF FLORIDA  
COUNTY OF ST. JOHNS

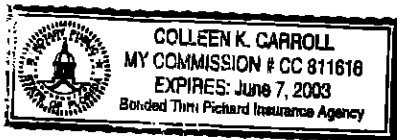
The foregoing instrument was acknowledged before me this 22 day of June 200, by Donna Masters, as Wife, who is either ( ) personally known to me or (  ) had produced dr lic identification.

Colleen K. Carroll

Notary Public, State of Florida

Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



GRANTEE:

ST. JOHNS COUNTY, FLORIDA

A political subdivision of the State of Florida

Judith M. Hamilton  
Name: Judith M. Hamilton

Yvonne King  
Name: Yvonne King

By: James E. Bryant  
Print Name: James E. Bryant

Title: Chairman

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of July 2000, by James E. Bryant, the Chairman, Bid County Comm. of St. Johns County, Florida, a political subdivision of the State of Florida, on behalf of the County. He/~~she~~ is personally known to me, or produced \_\_\_\_\_ identification.



*Patricia De Grande*

Notary Public, State of Florida

Print Name: Patricia De Grande

My Commission Expires: 01-26-2004

**Exhibit "A"**

**Leased Premises**

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" DIAMETER IRON PIPE AT THE SOUTHEAST CORNER OF SAID SECTION 33, SAID POINT LYING IN THE CENTERLINE OF COUNTY ROAD NO. 16-A (80 FOOT RIGHT OF WAY), PROCEED NORTH 90° 00' 00" WEST ALONG SAID CENTERLINE A DISTANCE OF 404.75 FEET; THENCE NORTH 00° 10' 59" WEST A DISTANCE OF 40.00 FEET TO A 3/4" IRON PIPE WITH CAP STAMPED "LB 3857" ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD NO. 16-A; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, CONTINUE NORTH 00° 10' 59" WEST A DISTANCE OF 649.82 FEET TO A 3/4" IRON PIPE; THENCE CONTINUE NORTH 00° 10' 59" WEST A DISTANCE OF 24.23 FEET; THENCE NORTH 90° 00' 00" WEST A DISTANCE OF 262.50 FEET; THENCE SOUTH 00° 10' 59" EAST A DISTANCE OF 59.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90° 00' 00" EAST A DISTANCE OF 62.50 FEET; THENCE SOUTH 00° 10' 59" EAST A DISTANCE OF 60.00 FEET; THENCE NORTH 90° 00' 00" WEST A DISTANCE OF 90.00 FEET; THENCE NORTH 00° 10' 59" WEST A DISTANCE OF 60.00 FEET; THENCE SOUTH 90° 00' 00" EAST A DISTANCE OF 27.50 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 5,400 SQUARE FEET.

## Exhibit "B"

### Easement Area

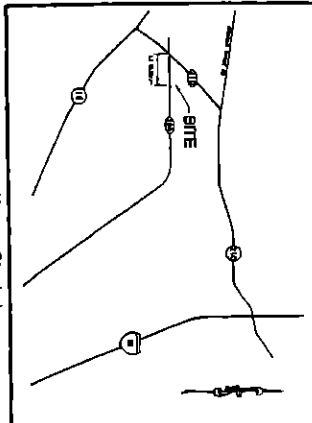
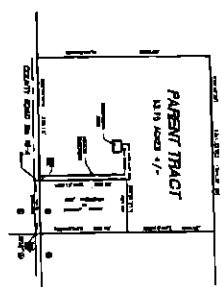
A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" DIAMETER IRON PIPE AT THE SOUTHEAST CORNER OF SAID SECTION 33, SAID POINT LYING IN THE CENTERLINE OF COUNTY ROAD NO. 16-A (80 FOOT RIGHT OF WAY). PROCEED NORTH 90° 00' 00" WEST ALONG SAID CENTERLINE A DISTANCE OF 404.75 FEET; THENCE NORTH 00° 10' 59" WEST A DISTANCE OF 40.00 FEET TO A 3/4" IRON PIPE WITH CAP STAMPED "LB 3857" ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD NO. 16-A, SAID POINT BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT OF WAY LINE, CONTINUE NORTH 00° 10' 59" WEST A DISTANCE OF 649.82 FEET TO A 3/4" DIAMETER IRON PIPE; THENCE CONTINUE NORTH 00° 10' 59" WEST A DISTANCE OF 24.23 FEET; THENCE NORTH 90° 00' 00" WEST A DISTANCE OF 262.50 FEET; THENCE SOUTH 00° 10' 59" EAST A DISTANCE OF 59.00 FEET; THENCE SOUTH 90° 00' 00" EAST A DISTANCE OF 35.00 FEET; THENCE NORTH 00° 10' 59" WEST A DISTANCE OF 24.00 FEET; THENCE SOUTH 90° 00' 00" EAST A DISTANCE OF 192.50 FEET; THENCE SOUTH 00° 10' 59" EAST A DISTANCE OF 639.06 FEET TO A POINT ON AFOREMENTIONED NORTH RIGHT OF WAY LINE OF COUNTY ROAD No. 16-A; THENCE SOUTH 90° 00' 00" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 32,394.6 SQUARE FEET.

EXHIBIT B

Sketch Of Parent Tract



Location Sketch

DESCRIPTION OF PARENT TRACT

DESCRIPTION OF PARENT TRACT  
 (PART IN SQUARE)  
 The Parent Tract is a certain parcel of land situated in the County of Orange, State of Florida, and is more particularly described as follows: ...

DESCRIPTION OF COMPOUND AREA

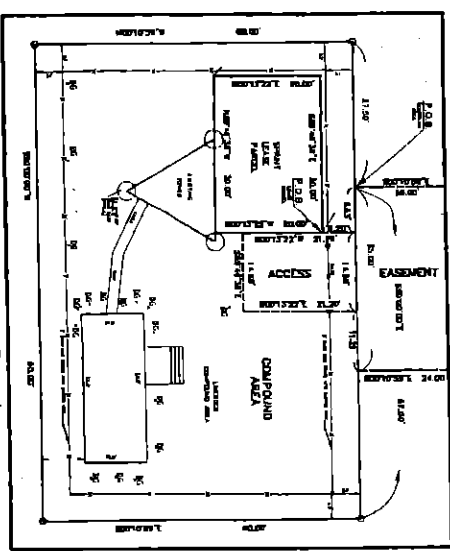
DESCRIPTION OF COMPOUND AREA  
 The Compound Area is a certain parcel of land situated in the County of Orange, State of Florida, and is more particularly described as follows: ...

DESCRIPTION OF EXISTING ACCESS EASEMENT

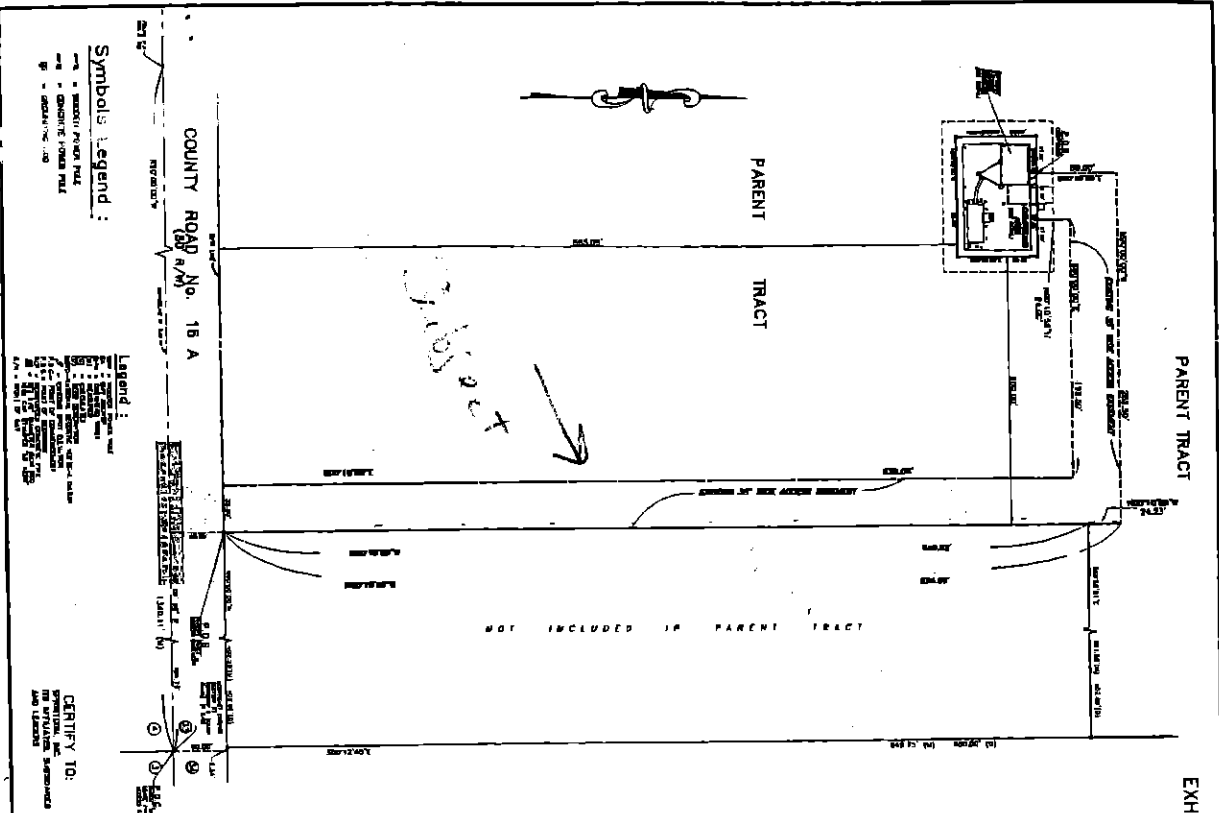
DESCRIPTION OF EXISTING ACCESS EASEMENT  
 The Existing Access Easement is a certain parcel of land situated in the County of Orange, State of Florida, and is more particularly described as follows: ...

Notes:

1. This is a plat of a certain parcel of land situated in the County of Orange, State of Florida, and is more particularly described as follows: ...
2. The boundaries of the tract are shown as they exist on the ground, and are not necessarily shown as they would be shown on a plat of the tract.
3. The boundaries of the tract are shown as they exist on the ground, and are not necessarily shown as they would be shown on a plat of the tract.
4. The boundaries of the tract are shown as they exist on the ground, and are not necessarily shown as they would be shown on a plat of the tract.
5. The boundaries of the tract are shown as they exist on the ground, and are not necessarily shown as they would be shown on a plat of the tract.



Detail of Lease Parcel



**County Road No. 18 A**

**Legend:**

- Symbol 1: Boundary of Parent Tract
- Symbol 2: Boundary of Lease Parcel
- Symbol 3: Boundary of Compound Area
- Symbol 4: Boundary of Access Easement
- Symbol 5: Boundary of Other Access Easement
- Symbol 6: Boundary of Other Access Easement
- Symbol 7: Boundary of Other Access Easement
- Symbol 8: Boundary of Other Access Easement
- Symbol 9: Boundary of Other Access Easement
- Symbol 10: Boundary of Other Access Easement
- Symbol 11: Boundary of Other Access Easement
- Symbol 12: Boundary of Other Access Easement
- Symbol 13: Boundary of Other Access Easement
- Symbol 14: Boundary of Other Access Easement
- Symbol 15: Boundary of Other Access Easement
- Symbol 16: Boundary of Other Access Easement
- Symbol 17: Boundary of Other Access Easement
- Symbol 18: Boundary of Other Access Easement
- Symbol 19: Boundary of Other Access Easement
- Symbol 20: Boundary of Other Access Easement

**CERTIFY TO:**

DATE: 8/20/99

**MORGAN & EKUND, INC.**  
 PROFESSIONAL SURVEY CONSULTANTS

1000 E. SPRINGWOOD BLVD. SUITE 100  
 JACKSONVILLE, FLORIDA 32216

DATE: 8/20/99

**EXHIBIT B**

1000 E. SPRINGWOOD BLVD. SUITE 100  
 JACKSONVILLE, FLORIDA 32216

DATE: 8/20/99

306.6 ac

1-3

E 10 270 - 0030

47.4 ac

(RTOL)

1360'±

1320'±

1341'

640'±

2

4 AC.

6

-010310-

1287'±

1287'±

400'

-010320-

7

6 AC.

33 63 ACL

Subject

650'

33 34  
4 3

1320'±

1350'±

S R. N O. 16-A

1350'±

1320'±

SEE 2D/3X

