

RESOLUTION NO. 2003- 8

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE EXECUTION OF AN ABANDONMENT AND RELEASE OF EASEMENT AS RESERVED IN COUNTY DEED.

WHEREAS, in Resolution No. 2002-64 the Board of County Commissioners approved an exchange of real property in which a County Deed conveys certain land to Cobblestone Village at St. Augustine, L.L.C.; and

WHEREAS, as a part of said deed an easement was reserved unto the County to continue to access, maintain and use the drainage pond located on said land until adequate replacement is provided; and

WHEREAS, due to the construction of an alternate retention pond by Cobblestone Village at St. Augustine, L.L.C., the County's necessity for the easement no longer exists; and

WHEREAS, Cobblestone has requested an Abandonment and Release of Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, be executed by the County to release said easement; and

WHEREAS, St. Johns County Development Review Engineer has inspected and approved the alternate retention pond as adequate replacement for the pond mentioned in said reservation. (See letter attached hereto as Exhibit "B", incorporated by reference and made a part hereof.)

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of St. Johns County, Florida, as follows:

1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.
2. The Board hereby approves the execution of Abandonment and Release of Easement by the Chairman of the Board.
3. The Clerk is instructed to record the original Abandonment and Release of Easement in the public records of St. Johns County, Florida.

PASSED AND ADOPTED, this 14 day of January, 2003.

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

James E. Bryant
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrasse
Deputy Clerk

RENDITION DATE 01-16-03



Exhibit "A" to Resolution

Prepared by:
St. Johns County
4020 Lewis Speedway
St. Augustine, Florida 32084

ABANDONMENT AND RELEASE OF EASEMENT

WHEREAS, ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida (herein, the "Grantee") by that certain Warranty Deed, bearing the date of the 15th day of November, 1993, and recorded in the office of the Clerk of the Circuit Court in and for the County of St. Johns, State of Florida, in Official Records Book 1022, page 977, and by that certain County Deed bearing the date of the 18th day of April, 2002, and recorded in the office of the Clerk of the Circuit Court in and for the County of St. Johns, State of Florida, in Official Records Book 1762, page 1508, was the grantee of the right to use the property described in Exhibit "A", attached hereto and incorporated by reference and made a part hereof, for access to and installation and maintenance of a retention pond (hereinafter, the "Easement");

AND WHEREAS, due to the construction of an alternate retention pond by Cobblestone Village at St. Augustine, L.L.C., Grantee's necessity for the Easement no longer exists:

NOW, THEREFORE, KNOW YE, That Grantee in consideration of the premises as of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby declare that the Easement granted to Grantee under the terms of the foregoing deeds is hereby abandoned, and Grantee does release all of its right, title and interest in and to the Easement in favor of Cobblestone Village at St. Augustine, L.L.C.,

IN WITNESS WHEREOF, the said **ST. JOHNS COUNTY, FLORIDA** has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of the Board, this ____ day of _____, A.D. 2003.

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

By: _____
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: _____
Deputy Clerk

**STATE OF FLORIDA
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this ____ day of _____, 2003, by James E. Bryant, Chairman of the Board of County Commissioners of St. Johns County, Florida, on behalf of the Board, who is personally known to me.

Notary Public State of Florida

My Commission Expires: _____

ST. JOHNS COUNTY, FLORIDA
Board of County Commissioners



*Growth Management Services
Development Services Division
Development Review Program*

*P.O. Drawer 349
Saint Augustine, FL
32085-0349*

*Telephone (904) 823-2490
Fax (904) 823-2699
devrev@co.st-johns.fl.us*

January 8, 2003

Mr. Bob Elliott
Project Coordinator
CBL & Associates Properties, Inc.
2030 Hamilton Place Boulevard
Suite 500
Chattanooga, TN 37421-6000

Re: Cobblestone Village at St. Augustine
Development Services File COMM 2001000081

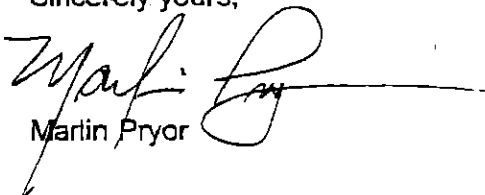
Dear Mr. Elliott

We have completed our re-inspection of the part of the Cobblestone Village storm drainage system that serves Old Moultrie Road. All pipe runs associated with this function have been satisfactorily reinstalled, and the concrete mounds in the bottoms of drainage catch basins or manholes have been removed. Therefore, you may now fill the county detention basin located on-site near the Publix store.

Be advised however, a St. Johns County approved and recorded drainage easement over that part of the system conveying Old Moultrie Road storm water must be in place before a Certificate of Completion or Certificate of Occupancy for the site will be issued by the county.

Should you need any additional information, please do not hesitate to call me at 904-823-2494.

Sincerely yours,


Martin Pryor

xc: Michael Griffin, CBO
Director of Development Services

Cc: R. Wayne McCoy, P.E.
McCoy & Sadler, Inc.

Bc:

File: