

RESOLUTION NO. 2003- 235

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF AND AUTHORIZING THE ST. JOHNS COUNTY ADMINISTRATOR TO EXECUTE TWO PARTIAL RELEASE OF DRAINAGE EASEMENT AGREEMENTS IN CONNECTION WITH THE REDESIGNED AND RELOCATED DRAINAGE SYSTEM IN SOUTH HAMPTON UNIT TWO-B AND UNIT THREE SUBDIVISIONS.

RECITALS

WHEREAS, Crescent Resources, LLC, a Georgia limited liability company and South Hampton Developers, Ltd, a Florida limited partnership granted to St. Johns County certain drainage easements as set forth in Drainage Easement Agreements recorded in Official Records Book 1565, page 1729 and Official Records Book 1759, page 1920, of the public records of St. Johns County, Florida, serving the lands platted as South Hampton Unit Two-B and Unit Three Subdivisions; and

WHEREAS, in connection with the development of certain adjacent lands being platted as South Hampton Unit Four-A and Unit Four-B, the Developer has redesigned and relocated portions of the drainage system serving Unit Two-B and Unit Three to become part of the drainage system located within said adjacent lands and has asked the County to execute two Partial Release of Easement Agreements, attached hereto as Exhibit "A" and Exhibit "B", incorporated by reference and made a part hereof, releasing certain land from the above mentioned easements that will no longer serve Unit Two-B and Unit Three; and

WHEREAS, the County has approved the Unit Four-A and Unit Four-B engineering plans that incorporate the revised location of the drainage system; and

WHEREAS, it is in the best interest of the County to accept this Partial Release for the health, safety and welfare of the citizens in that area.

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

Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Board hereby approves the terms of and authorizes the St. Johns County Administrator to execute the above described Partial Release of Drainage Easement Agreements attached and incorporated hereto.

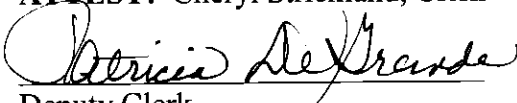
Section 3. The Clerk of the Circuit Court is instructed to record the original Partial Release of Drainage Easement Agreements in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 9 day of December, 2003.

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

By: 
Karen R. Stern, Chair

ATTEST: Cheryl Strickland, Clerk


Deputy Clerk

RENDITION DATE 12-9-03



Exhibit "A" to Resolution

Prepared by and return to:
Bert C. Simon, Esquire
Gartner, Brock and Simon
1660 Prudential Drive, Suite 203
Jacksonville, Florida 32207

**PARTIAL RELEASE OF
DRAINAGE EASEMENT AGREEMENT**
(South Hampton Unit Two-B)

This Partial Release of Drainage Easement Agreement is made as of _____,
2003 by **THE SOUTH HAMPTON ASSOCIATION, INC.**, a Florida not for profit corporation
(the "Association"), whose address is 10161 Centurion Parkway North, Suite 190, Jacksonville,
Florida 32256 and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of
Florida (the "County"), whose address is _____.

WITNESSETH:

Reference is made to that Drainage Easement Agreement dated February 6, 2001 between Crescent Resources, LLC, as Golf Course Owner, South Hampton Developers, Ltd., as Residential Developer, The South Hampton Association, Inc. and St. Johns County, Florida, recorded in Official Records Book 1565, page 1729 of the Public Records of St. Johns County, Florida (the "Drainage Easement"). Pursuant to the Drainage Easement, the Association and the County were granted drainage easements to serve those lands platted as South Hampton Unit Two-B. In connection with the development of certain adjacent lands being platted as South Hampton Unit Four-A, the Residential Developer has redesigned portions of the drainage system serving Unit Two-B and has relocated the redesigned portions of that drainage system to become a part of the system located within the lands being platted as South Hampton Unit Four-A. The County and the Association have approved the redesigned and relocated drainage system, and now desire to release those portions of lands subject to the Drainage Easement that no longer serve South Hampton Unit Two-B.

NOW THEREFORE, in consideration of the foregoing premises and Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by each party, the undersigned hereby release and discharge those lands described on Exhibit "A" hereto from the terms and conditions of the Drainage Easement.

Provided however, nothing herein shall be deemed to release or discharge any other lands from the Drainage Easement, except those lands described on Exhibit "A" hereto.

IN WITNESS WHEREOF, the undersigned have executed this Partial Release of Drainage Easement Agreement to be effective as of the day and year first above written.

Witnesses:

THE SOUTH HAMPTON ASSOCIATION, INC.
a Florida not for profit corporation

Print Name:

By: _____
Print Name: _____
Title: _____

Print Name:

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing Partial Release of Drainage Easement Agreement was acknowledged before me this _____ day of _____, 2003, by _____, the _____ of The South Hampton Association, Inc., a Florida not for profit corporation, on behalf of said corporation. He/she is personally known to me or has produced _____ as identification.

Notary Public

Print Name
My commission expires:

[counterpart signature page to Partial Release of Drainage Easement Agreement]

Witnesses:

ST. JOHNS COUNTY, FLORIDA,
a political subdivision of the State of Florida

Print Name:

By: _____

Print Name: _____

Title: _____

Print Name:

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing Partial Release of Drainage Easement Agreement was acknowledged before me this _____ day of _____, 2003, by _____, the _____ of St. Johns County, Florida, a political subdivision of the State of Florida, on behalf of said county. He/she is personally known to me or has produced _____ as identification.

Notary Public

Print Name

My commission expires:

EXHIBIT "A"

OFFSITE DRAINAGE EASEMENT FOR SOUTH HAMPTON UNIT TWO-B

50' DRAINAGE EASEMENT

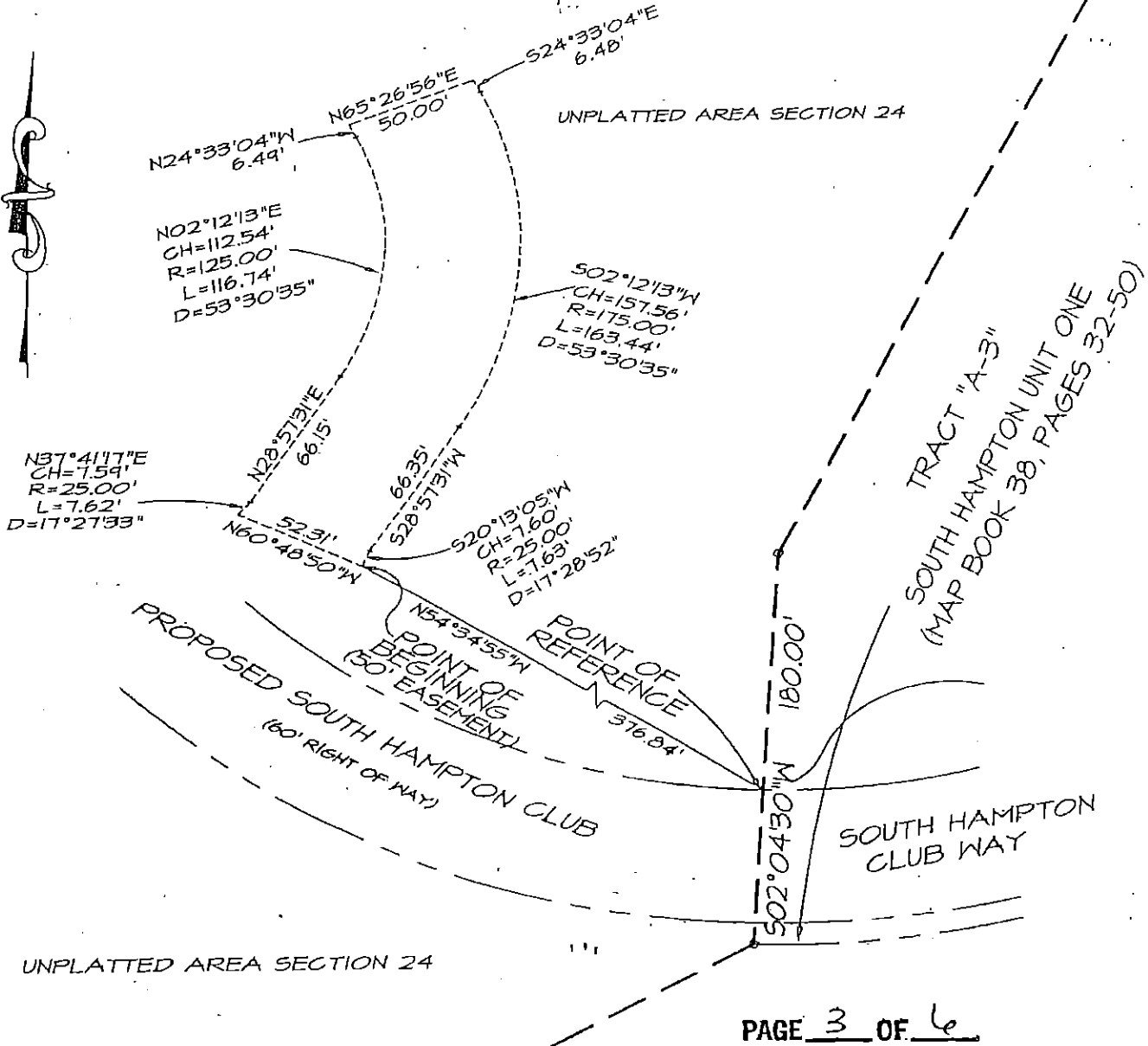
A PORTION OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF SOUTH HAMPTON CLUB WAY, WITH THE WESTERLY LINE OF TRACT "A-3", BOTH AS SHOWN ON THE PLAT OF SOUTH HAMPTON UNIT ONE, (MAP BOOK 38, PAGES 32 THROUGH 50) OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 54°34'55" WEST A DISTANCE OF 376.84 FEET TO THE POINT OF BEGINNING; THENCE NORTH 60°48'50" WEST A DISTANCE OF 52.31 FEET TO A POINT IN A CURVE, OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 7.62 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 37°41'17" EAST A CHORD DISTANCE OF 7.59 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 28°57'31" EAST A DISTANCE OF 66.15 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 125.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 116.74 FEET, SAID CURVE BEING SUBTENDED BY A CHORD DISTANCE OF NORTH 02°12'13" EAST AND A CHORD DISTANCE OF 112.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 24°33'04" WEST A DISTANCE OF 6.49 FEET; THENCE NORTH 65°26'56" EAST A DISTANCE OF 50.00 FEET; THENCE SOUTH 24°33'04" EAST A DISTANCE OF 6.48 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 175.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 163.44 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF SOUTH 02°12'13" EAST AND A CHORD DISTANCE OF 157.56 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 28°57'31" WEST A DISTANCE OF 66.35 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 7.63 FEET, SAID CURVE BEING SUBTENDED BY A CHORD OF SOUTH 20°13'05" WEST AND A CHORD DISTANCE OF 7.60 FEET TO THE POINT OF BEGINNING. CONTAINING 0.25 ACRES, MORE OR LESS (11,022 SQUARE FEET).

10' DRAINAGE EASEMENT

A PORTION OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF SOUTH HAMPTON CLUB WAY, WITH THE WESTERLY LINE OF TRACT "A-3", BOTH AS SHOWN ON THE PLAT OF SOUTH HAMPTON UNIT ONE, (MAP BOOK 38, PAGES 32 THROUGH 50) OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 15°03'53" WEST, A DISTANCE OF 319.64 FEET; THENCE NORTH 68°41'21" WEST A DISTANCE OF 178.73 FEET TO A POINT IN A CURVE, OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 175.00 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 12°12'22" WEST AND A CHORD DISTANCE OF 74.83 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 24°33'04" WEST A DISTANCE OF 6.48 FEET; THENCE SOUTH 65°26'56" WEST A DISTANCE OF 13.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 65°26'56" WEST A DISTANCE OF 10.00 FEET; THENCE NORTH 22°27'56" WEST A DISTANCE OF 218.45 FEET; THENCE SOUTH 67°37'36" WEST A DISTANCE OF 24.73 FEET; THENCE NORTH 74°25'47" WEST A DISTANCE OF 65.72 FEET; THENCE NORTH 15°34'13" EAST A DISTANCE OF 10.00 FEET; THENCE SOUTH 74°25'47" EAST A DISTANCE OF 62.28 FEET; THENCE NORTH 67°37'36" EAST A DISTANCE OF 31.27 FEET; THENCE SOUTH 22°27'56" EAST A DISTANCE OF 228.07 FEET TO THE POINT OF BEGINNING. CONTAINING 0.07 ACRES, MORE OR LESS (3,151 SQUARE FEET).

MAP SHOWING MAP OF

A PORTION OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA.
SEE SHEET 1 OF 2 SHEETS FOR LEGAL DESCRIPTION.



PAGE 3 OF 6

TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR BOUNDARY TO THE SUBJECT PROPERTY HAVE BEEN PROVIDED. IT IS POSSIBLE THERE ARE DEEDS, RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES. THIS SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VAUD WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL.

3. NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF SURVEYOR.

CHARLES BASSETT & ASSOC., INC.

SURVEYORS - ENGINEERS - LAND PLANNERS
200 CENTURY 21 DRIVE - JACKSONVILLE, FLORIDA - 32216 - PHONE (904) 724-9433

I HEREBY CERTIFY THAT THIS MAP SURVEY, PREPARED UNDER MY RESPONSIBLE DIRECTION, MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 112, F.S., FLA. ADMINISTRATIVE CODE (PURSUANT TO SECTION 472.027, FLORIDA STATUTES), AND FURTHER CERTIFY THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE SUBJECT PROPERTY EXCEPT AS SHOWN ON THIS SURVEY.

Charles R. Bassett
CHARLES R. BASSETT, REGISTERED LAND SURVEYOR FLA. NO. 1678

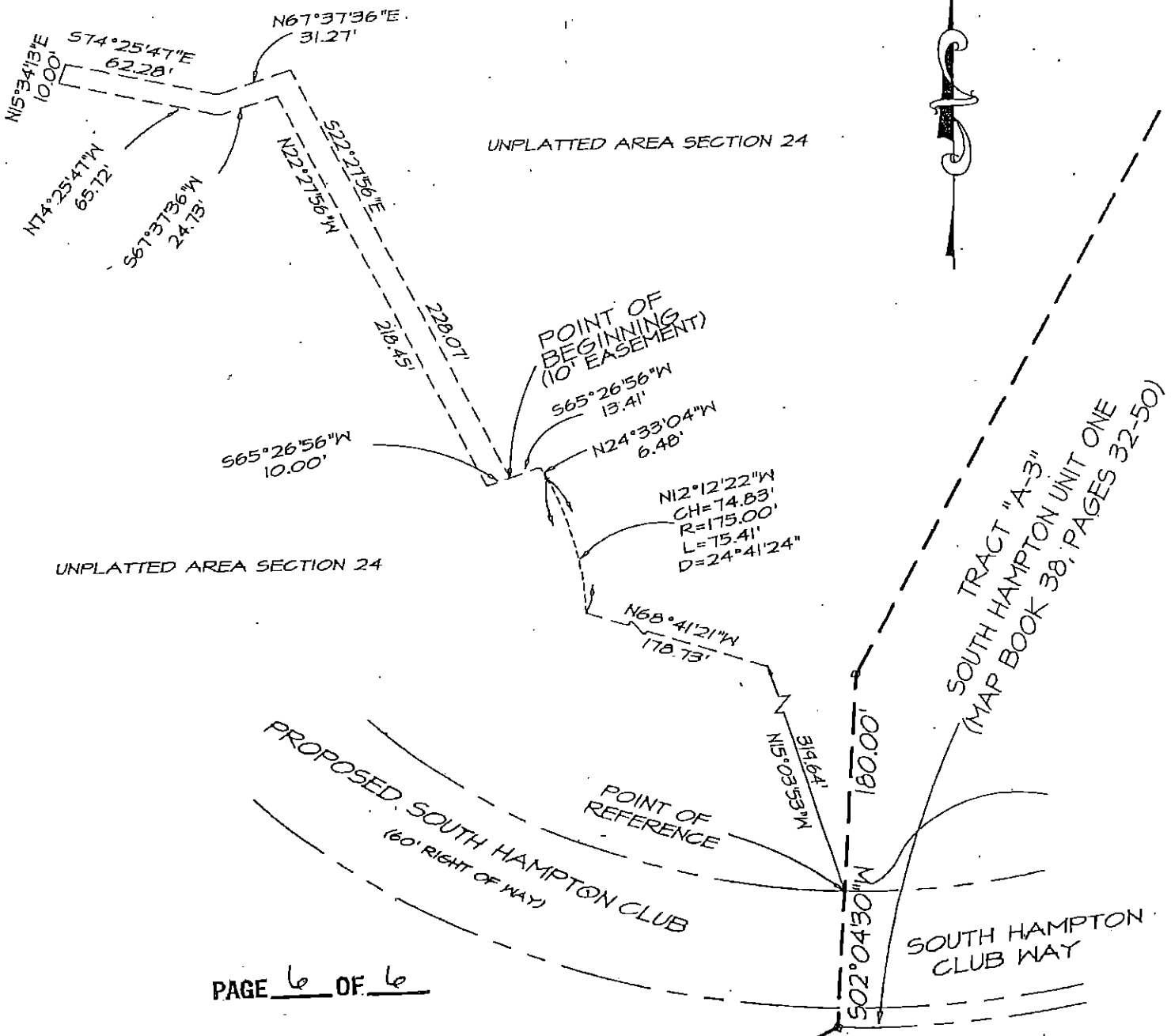
DATED OCTOBER 13, 2000
THE DATUM BASED ON WEST LINE OF SOUTH HAMPTON CLUB WAY BEING S 02°04'30"W PER M.B. 38, PGS. 32-50

FLOOD ZONE AS BEST ASCERTAINED FROM THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. DATED
LEGAL: N/A ORDER NO.: 7-00-16

BOOK NO.: PAGE: SCALE: 1" = 60' FILE NO.: L-5629-N-1
PLOT FILE: sh-2b-plat.dwg

MAP SHOWING MAP OF

A PORTION OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA.
SEE SHEET 1 OF 3 SHEETS FOR LEGAL DESCRIPTION.



PAGE 6 OF 6

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. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL.

I, NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF SURVEYOR.

CHARLES BASSETT & ASSOC., INC.

SURVEYORS - ENGINEERS - LAND PLANNERS
200 CENTURY 21 DRIVE - JACKSONVILLE, FLORIDA - 32216 - PHONE (904) 724-9433

HEREBY CERTIFY THAT THIS MAP SURVEY, PERFORMED UNDER MY RESPONSIBLE DIRECTION, MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 1G17-6, FLA. ADMINISTRATIVE CODE (PURSUANT TO SECTION 472.027, FLORIDA STATUTES) AND FURTHER CERTIFY THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE SUBJECT PROPERTY EXCEPT AS SHOWN ON THIS SURVEY.

Charles R. Bassett
CHARLES R. BASSETT, REGISTERED LAND SURVEYOR FLA. NO. 1678

SURVEYED OCTOBER 13, 20 00

READING DATUM BASED ON WEST LINE OF SOUTH HAMPTON CLUB WAY BEING S 02°04'30"W PER M.B. 38, PGS. 32-50

FLOOD ZONE AS BEST ASCERTAINED FROM THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. DATED _____

FIELD BOOK NO.: _____ PAGE: _____ LEGAL: N/A ORDER NO.: 7-00-16

COMPUTER FILE: sh-2b-plat.dwg SCALE: 1" = 60' FILE NO.: L-5629-N-1

Exhibit "B" to Resolution

Prepared by and return to:
Bert C. Simon, Esquire
Gartner, Brock and Simon
1660 Prudential Drive, Suite 203
Jacksonville, Florida 32207

**PARTIAL RELEASE OF
DRAINAGE EASEMENT AGREEMENT**
(South Hampton Unit Three)

This Partial Release of Drainage Easement Agreement is made as of _____,
2003 by **THE SOUTH HAMPTON ASSOCIATION, INC.**, a Florida not for profit corporation
(the "Association"), whose address is 10161 Centurion Parkway North, Suite 190, Jacksonville,
Florida 32256 and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of
Florida (the "County"), whose address is _____.

WITNESSETH:

Reference is made to that Drainage Easement Agreement dated May 16, 2002 between Crescent Resources, LLC, as Golf Course Owner, South Hampton Developers, Ltd., as Residential Developer, The South Hampton Association, Inc. and St. Johns County, Florida, recorded in Official Records Book 1759, page 1920 of the Public Records of St. Johns County, Florida (the "Drainage Easement"). Pursuant to the Drainage Easement, the Association and the County were granted drainage easements to serve those lands platted as South Hampton Unit Three. In connection with the development of certain adjacent lands being platted as South Hampton Unit Four-B, the Residential Developer has redesigned portions of the drainage system serving Unit Three and has relocated the redesigned portions of that drainage system to become a part of the system located within the lands being platted as South Hampton Unit Four-B. The County and the Association have approved the redesigned and relocated drainage system, and now desire to release those portions of lands subject to the Drainage Easement that no longer serve South Hampton Unit Three.

NOW THEREFORE, in consideration of the foregoing premises and Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by each party, the undersigned hereby release and discharge those lands described on Exhibit "A" hereto from the terms and conditions of the Drainage Easement.

Provided however, nothing herein shall be deemed to release or discharge any other lands from the Drainage Easement, except those lands described on Exhibit "A" hereto.

IN WITNESS WHEREOF, the undersigned have executed this Partial Release of Drainage Easement Agreement to be effective as of the day and year first above written.

Witnesses:

**THE SOUTH HAMPTON
ASSOCIATION, INC.**
a Florida not for profit corporation

Print Name:

By: _____
Print Name: _____
Title: _____

Print Name:

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing Partial Release of Drainage Easement Agreement was acknowledged before me this _____ day of _____, 2003, by _____, the _____ of The South Hampton Association, Inc., a Florida not for profit corporation, on behalf of said corporation. He/she is personally known to me or has produced _____ as identification.

Notary Public

Print Name
My commission expires:

[counterpart signature page to Partial Release of Drainage Easement Agreement]

Witnesses:

ST. JOHNS COUNTY, FLORIDA,
a political subdivision of the State of Florida

Print Name:

By: _____

Print Name: _____

Title: _____

Print Name:

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing Partial Release of Drainage Easement Agreement was acknowledged before me this _____ day of _____, 2003, by _____, the _____ of St. Johns County, Florida, a political subdivision of the State of Florida, on behalf of said county. He/she is personally known to me or has produced _____ as identification.

Notary Public

Print Name

My commission expires:

EXHIBIT "A"

Charles Bassett & Associates, Inc.

SURVEYORS • LAND PLANNERS • MAPPERS

A PART OF ORV 1759, PAGE 1920 TO BE VACATED

A PART OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF LOT 372, SOUTH HAMPTON UNIT THREE AS RECORDED IN MAP BOOK 44, PAGES 7 THROUGH 24, INCLUSIVELY, OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, SAID POINT ALSO BEING ON A WESTERLY LINE OF SAID SOUTH HAMPTON UNIT THREE; THENCE SOUTH 15° 22' 11" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 6.47 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15° 22' 11" WEST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 24.38 FEET; THENCE SOUTH 11° 50' 11" WEST, ALONG A WESTERLY LINE OF SAID SOUTH HAMPTON UNIT THREE, A DISTANCE OF 6.65 FEET; THENCE SOUTH 89° 51' 21" WEST, DEPARTING SAID WESTERLY LINE, A DISTANCE OF 170.41 FEET; THENCE SOUTH 22° 52' 28" WEST, A DISTANCE OF 31.89 FEET; THENCE SOUTH 00° 40' 24" EAST, A DISTANCE OF 129.46 FEET; THENCE SOUTH 86° 53' 05" WEST, A DISTANCE OF 30.03 FEET; THENCE NORTH 00° 40' 24" WEST, A DISTANCE OF 137.00 FEET; THENCE NORTH 22° 52' 28" EAST, A DISTANCE OF 58.00 FEET; THENCE NORTH 89° 51' 21" EAST, A DISTANCE OF 198.16 FEET TO THE POINT OF BEGINNING.



MAP SHOWING SKETCH AND DESCRIPTION OF

(LEGAL DESCRIPTION FURNISHED SEPERATELY)

