

RESOLUTION NO. 2004- 11

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING FOUR TEMPORARY CONSTRUCTION EASEMENTS FOR TEMPORARY ACCESS AND USE DURING THE CONSTRUCTION OF A PUBLIC SIDEWALK WITHIN THE RIGHT-OF-WAY ALONG THE WEST SIDE OF LEWIS SPEEDWAY.**

**RECITALS**

**WHEREAS**, Four property owners who own property along the west side of Lewis Speedway have presented to the County executed Temporary Construction Easements, attached hereto as Exhibit "A", "B", "C", and "D", incorporated by reference and made a part hereof; and

**WHEREAS**, St. Johns County Engineering Department requested these Temporary Construction Easements for temporary access and use during the construction of the sidewalk which will be within the right-of-way beginning at Old School House Road and ending at Avenue A; and

**WHEREAS**, it is in the best interest of the public for the County to accept these Temporary Construction Easements 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 Temporary Construction Easements are hereby accepted by the Board of County Commissioners of St. Johns County.

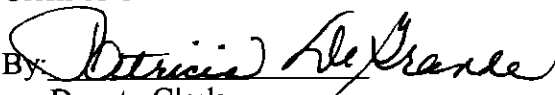
Section 3. The Clerk of Circuit Court is instructed to record the original Temporary Construction Easements in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED this 20 day of January, 2004.

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

By:   
Karen R. Stern, Chair

**ATTEST:** Cheryl Strickland  
Clerk of Circuit Court

By:   
Deputy Clerk



**TEMPORARY CONSTRUCTION EASEMENT**

**THIS EASEMENT** made this 25<sup>th</sup> day of November, 2003, by and between TWC NINETY-SIX, LTD, a Florida Limited Partnership whose address is 655 North Franklin St. Suite 2200, Tampa FL 33602, grantor and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, grantee.

**WITNESSTEH**, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property as described below for such purposes as a staging area for equipment and materials required for the sidewalk improvements and other uses as is reasonably necessary to enable the grantee to complete the Countywide Sidewalk project. This Easement is over the land in St. Johns County, Florida, described as follows:


The east ten feet of the north 100 feet of the property described in Official Records Book 1205, Page 1812, of the Public Records of St. Johns County, Florida.

It is understood and agreed by the parties hereto that the rights granted herein shall automatically terminate one hundred fifty (150) days from the date of recording this instrument. Upon completion of the project the property shall be returned to a condition that is reflective of, or comparable to, the original condition by the Grantee at its sole cost. This provision shall survive termination of the duration of this Agreement.

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

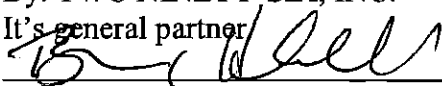
Signed, sealed and delivered in  
Our presence as Witnesses:

TWC NINETY-SIX, LTD.  
A Florida Limited Partnership

  
Print Name: Lisa H. Carver

By: TWC NINETY-SIX PRS, LTD.  
It's general partner

  
Print Name: VIRGINIA J PAUL

By: TWC NINETY-SIX, INC.  
It's general partner  
  
By: Barry Hanerfeld  
Its: Chief Operating Officer

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of November, 2003 by Barry Hanerfeld of TWC NINETY-SIX, INC, its Chief Operating Officer who ~~has produced~~ N/A ~~as identification or~~ is personally known to me.

Wanita L. Misico  
Notary Public



Wanita L. Misico  
Commission # CC 902412  
Expires Feb. 9, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 22 day of September, 2003, by and between Wayne R. Cheshire and Shirley A. Cheshire, his wife, whose address is 3595 Lewis Speedway, St. Augustine FL 32084, grantor and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, grantee.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property as described below for such purposes as a staging area for equipment and materials required for the sidewalk improvements and other uses as is reasonably necessary to enable the grantee to complete the Countywide Sidewalk project. This Easement is over the land in St. Johns County, Florida, described as follows:

The east five feet of the property described in Official Records Book 472, Page 196, of the Public Records of St. Johns County, Florida.

It is understood and agreed by the parties hereto that the rights granted herein should terminate one hundred fifty (150) days from the date construction begins. Upon completion of the project the property shall be returned to its original state.

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

Signed, sealed and delivered in  
Our presence as Witnesses:

Susan M. Pahl  
Print Name: Susan M. Pahl

Wayne R. Cheshire  
Wayne R. Cheshire

Correthamccants  
Print Name: Correthamccants

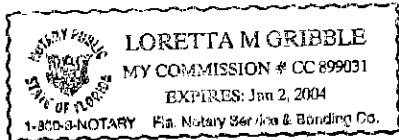
Shirley Cheshire  
Shirley A. Cheshire

two separate witnesses

State of Florida

County of Putnam

The foregoing instrument was acknowledged before me this 22 day of Sept, 2003 by Wayne R. Cheshire and Shirley A. Cheshire, his wife, who has produced Florida Drivers License as identification or is personally known to me.



Loretta M Gribble  
Notary Public

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 9<sup>TH</sup> day of August, 2003, by and between John W. Holstein and Anna Mae Holstein, his wife, and Paul E. Holstein, A single man whose address is 3565 Lewis Speedway, St. Augustine FL 32084, grantor and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, grantee.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged; the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property as described below for such purposes as a staging area for equipment and materials required for the sidewalk improvements and other uses as is reasonably necessary to enable the grantee to complete the Countywide Sidewalk project. This Easement is over the land in St. Johns County, Florida, described as follows:

The east five feet of the property described in Official Records Book 1644, Page 1447, of the Public Records of St. Johns County, Florida.

It is understood and agreed by the parties hereto that the rights granted herein should terminate one hundred fifty (150) days from the date construction begins. Upon completion of the project the property shall be returned to its original state.

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

Signed, sealed and delivered in  
Our presence as Witnesses:

Ginger Holstein  
Print Name: Ginger Holstein

Adam Clark Cappalia  
Print Name: ADAM Clark CAPALIA

John W. Holstein  
John W. Holstein

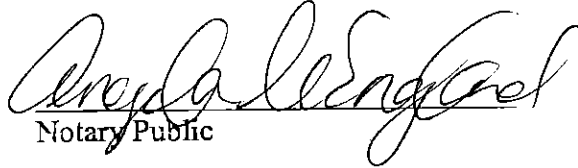
Anna Mae Holstein  
Anna Mae Holstein

Paul E. Holstein  
Paul E. Holstein

two separate witnesses

State of Florida  
County of Johns

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of August, 2003 by John W. Holstein and Anna Mae Holstein, his wife, and Paul E. Holstein, who has produced \_\_\_\_\_ as identification or is personally known to me.

  
Notary Public



**ANGELA M. ENGLAND**  
Notary Public, State of Florida  
My comm. expires April 10, 2007  
Comm. No. DD 202232

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 11 day of August, 2003, by and between NORTH FLORIDA COMMERCE CENTER, whose address is 25 Old Missions Ave., St. Augustine FL 32084, grantor and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, grantee.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property as described below for such purposes as a staging area for equipment and materials required for the sidewalk improvements and other uses as is reasonably necessary to enable the grantee to complete the Countywide Sidewalk project. This Easement is over the land in St. Johns County, Florida, described as follows:

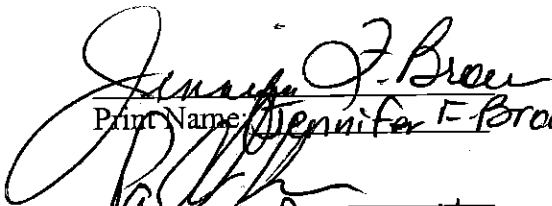
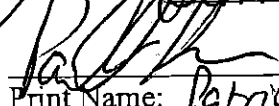
The northerly forty feet and westerly ten feet in the southeast corner of the property described in Official Records Book 1464, Page 1057, of the Public Records of St. Johns County, Florida.


It is understood and agreed by the parties hereto that the rights granted herein should terminate one hundred fifty (150) days from the date construction begins. Upon completion of the project the property shall be returned to its original state.

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

Signed, sealed and delivered in  
Our presence as Witnesses:

NORTH FLORIDA COMMERCE  
CENTER, L.L.C.

  
Print Name: Jennifer F. Brown  
  
Print Name: Patrick Harvan

By:   
Its: Member

State of Florida  
County of St. Johns

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of August, 2003 by Robert A. Crawford of North Florida Commerce Center, who has produced \_\_\_\_\_ as identification or is personally known to me.

Debbie Taylor  
Notary Public



Debbie Taylor  
Commission # CC 913963  
Expires April 14, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.