

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TERMINATION OF AN EASEMENT LOCATED ON INTRACOASTAL CIRCLE IN EAGLE CREEK SUBDIVISION.

RECITALS

WHEREAS, the owners of property in Eagle Creek Subdivision, Stephen J. Larew and Deborah S. Kamm, have requested the County execute a Termination of an Easement for a well site located on their lot that is no longer in use, attached hereto as Exhibit "A" and Exhibit "B" incorporated by reference and made a part hereof; and

WHEREAS, St. Johns County Utility Department maintained Eagle Creek Water and Wastewater Facilities and on May 22, 2001 the BCC approved to surplus the water and sewer plant equipment, attached hereto as Exhibit "C", incorporated by reference and made a part hereof; and

WHEREAS, the Utility Department has stated in a letter, attached hereto as Exhibit "D" incorporated by reference and made a part hereof, that there is a long-term agreement with the City of St. Augustine to provide wholesale water to the County in this area and the County no longer has use for the well; and

WHEREAS, the wastewater treatment plant was removed and the percolation/evaporation ponds were leveled. Plant abandonment procedures were implemented as required by Department of Environmental Protection, attached hereto as Exhibit "E", incorporated by reference and made a part hereof, and all aspects of the inspection were satisfactory and the file for this facility was closed.

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.

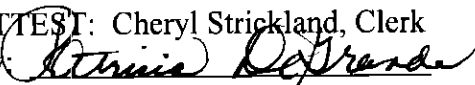
Section 2. The Termination of an Easement as noted in Exhibit "A", is hereby accepted in the form attached hereto and authorization for the County Administrator to execute the Termination of Easement.

Section 3. The Clerk is instructed to record the original Termination of an Easement in the Official Records Book of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 20th day of October, 2004.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Karen R. Stern, Chairman

ATTEST: Cheryl Strickland, Clerk
By: 
Deputy Clerk

RENDITION DATE 10-21-04



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

Exhibit A To Resolution

TERMINATION OF AN EASEMENT

THIS TERMINATION OF AN EASEMENT made this ____ day of _____, 2004, by and between **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called party of the first part and **EAGLE CREEK ASSOCIATES, INC.**, whose address is 5980 U.S. 1 North, St. Augustine, Florida 32095 hereinafter called party of the second part.

WHEREBY, the party of the first part does hereby cancels and terminates that certain easement described in O.R. Book 1113, page 0412 of the public records of St. Johns County, Florida, as to all the land situate, lying and being in St. Johns County, State of Florida and being more particularly described as follows:

Described in Exhibit "A" attached hereto.

In consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt of which is hereby acknowledged by the party of the first part St. Johns County, Florida, does hereby terminate that easement described above, effective this date. Nothing herein contained shall in anywise impair, alter or diminish the effect of the remaining part of such land in said easement or any rights of the party of the first thereof.

IN WITNESS WHEREOF, party of the first part has executed this Termination on the day and year first above written.

Signed, sealed and delivered
in the presence of:

ST. JOHNS COUNTY, FLORIDA

Print Name: _____

By: _____
Ben W. Adams, Jr.,
County Administrator

Print Name _____

STATE OF FLORIDA

COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Ben W. Adams the County Administrator of St. Johns County, on behalf of the County. He is personally known to me.

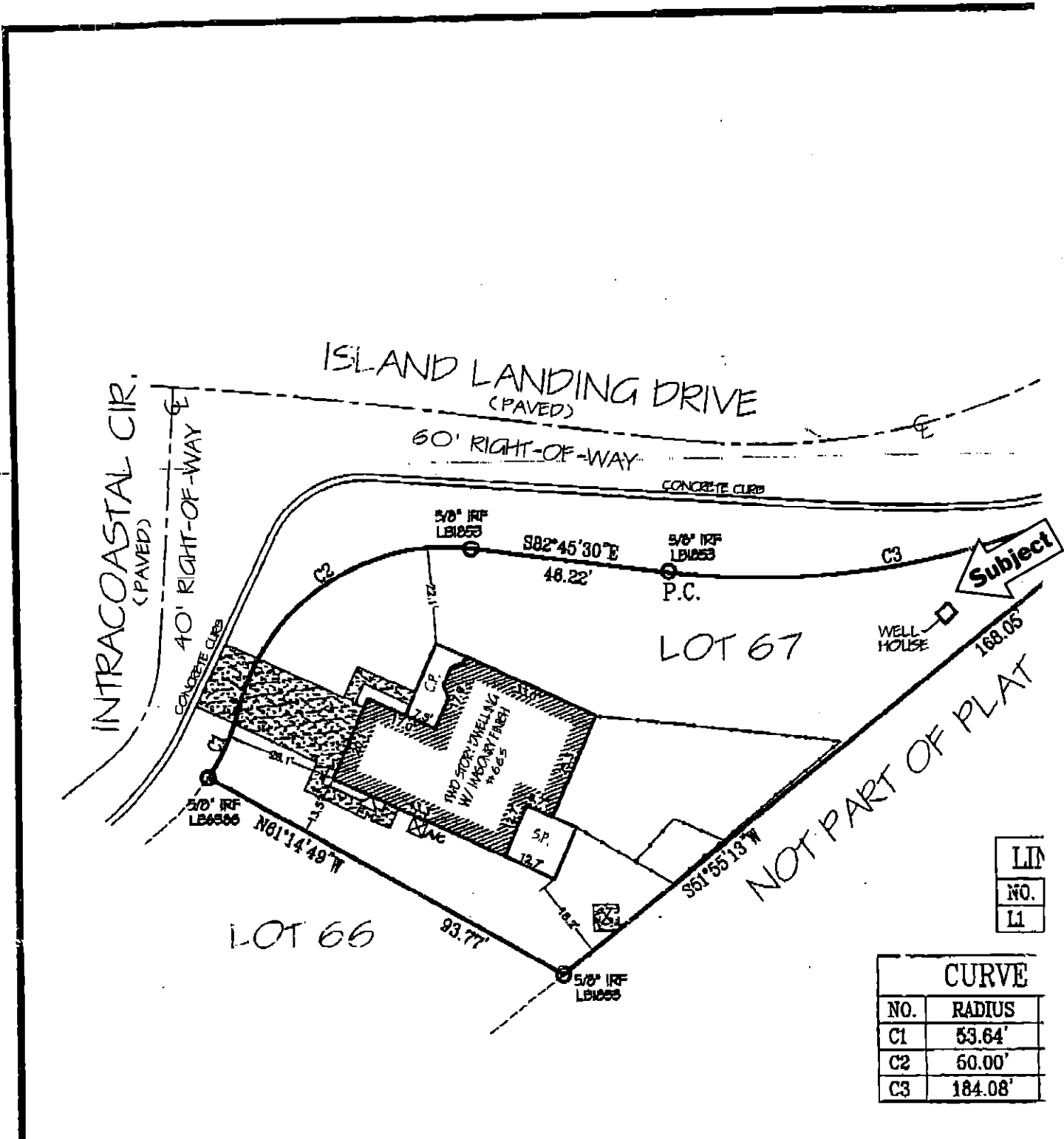
Notary Public

My commission expires: _____

O.R. 1113 PG 0412

EXHIBIT "A"

BEING A PART OF LOT 67 AS SHOWN ON THE PLAT OF EAGLE CREEK OF ST. AUGUSTINE, AS RECORDED IN MAP BOOK 28, PAGE 110, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE MOST SOUTHERLY CORNER OF SAID LOT 67; THENCE NORTH 38 DEGREES 04 MINUTES 47 SECONDS WEST LEAVING SAID SOUTHERLY CORNER A DISTANCE OF 15.00 FEET; THENCE NORTH 51 DEGREES 55 MINUTES 13 SECONDS EAST, A DISTANCE OF 79.00 FEET; THENCE NORTH 38 DEGREES 04 MINUTES 47 SECONDS WEST ALONG A LINE TO ITS INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF ISLAND LANDING DRIVE (A 60 FOOT RIGHT-OF-WAY AS SHOWN ON SAID PLAT), A DISTANCE OF 38.48 FEET TO A POINT ON A CURVE, SAID CURVE BEING CONCAVE NORTHERLY HAVING A RADIUS OF 184.08 FEET; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF ISLAND LANDING DRIVE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 19.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 87 DEGREES 03 MINUTES 19 SECONDS EAST AND A CHORD DISTANCE OF 19.88 FEET TO THE END OF SAID CURVE; THENCE SOUTH 38 DEGREES 04 MINUTES 47 SECONDS EAST LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF ISLAND LANDING DRIVE AND ALONG A LINE TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF SAID LOT 67, A DISTANCE OF 40.43 FEET; THENCE SOUTH 51 DEGREES 55 MINUTES 13 SECONDS WEST ALONG SAID SOUTHERLY LINE OF LOT 67, A DISTANCE OF 94.00 FEET TO THE POINT OF BEGINNING.



LIN
NO.
L1

CURVE	
NO.	RADIUS
C1	53.64'
C2	60.00'
C3	184.08'

NOTES:

- The parcel of land as shown hereon lies within Federal Flood Zone C as depicted on Flood Insurance Rate Map Community-Fund No. 125167 001 - F for St. Johns County, Florida as revised 7/15/1992.
- Basis of bearing structures. SEE SURVEYOR'S NOTES.
- Encroachments as shown hereon are only those above-ground, visible objects observed by the surveyor.
- No underground structures, utilities or foundations were located or determined by this survey.

- This survey not valid unless signed and embossed with raised seal.
- This survey made without benefit of an abstract of title. No right-of-ways or easements of record were furnished to this firm except as shown.
- All distances, bearings or angles are as field measured. Dead or pick measurements are noted if different.
- Basis of elevations. N/A
- The certification, as provided on this survey is a statement of professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.

CERTIFY TO: _____
STEPHEN J. LAREW
PROSPERITY BANK
ACTION TITLE SERVICES
AMERICAN PIONEER TITLE

EXHIBIT "B" TO RESOLUTION

September 10, 2004

Debbie Taylor
Real Estate Division
St. Johns Water Management
4020 Lewis Speedway
St. Augustine, Florida 32084

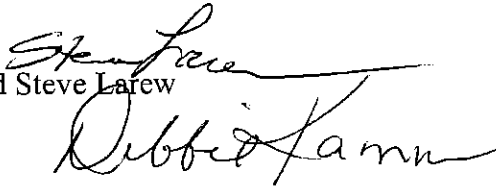
Ms. Taylor,

The property at 665 Intracoastal Circle, St. Augustine, 32095 belonging to myself and Steve Larew has an easement that is no longer being used by the county. We are requesting that the county terminate that easement.

We are not asking the county to cap off the well or remove their equipment.
Thank you for your attention to this matter.

Sincerely,

Debbie Kamm and Steve Larew

The image shows two handwritten signatures in black ink. The top signature is for Steve Larew, written in a cursive style. The bottom signature is for Debbie Kamm, also in cursive. The signatures are positioned to the right of the typed names.

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


4020 LEWIS SPEEDWAY
ST. AUGUSTINE, FLORIDA

CONSENT AGENDA

May 22, 2001

1. Motion to adopt Resolution approving the terms of a Special Use Permit from the State of Florida Department of Transportation to St. Johns County to construct the Nature Boardwalk at Vilano Beach and authorizing the County Administrator to apply for said permit.

Adopted Resolution No. 2001-102, approving the terms of a Special Use Permit from the State of Florida Department of Transportation to St. Johns County to construct the Nature Boardwalk at Vilano Beach and authorizing the County Administrator to apply for said permit.

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2. Motion to approve the surplus of the water & sewer plant equipment located at the former County maintained Eagle Creek Water and Wastewater Facilities.

Approved declaring surplus the water and sewer plant equipment located at the County formerly maintained Eagle Creek Water & Wastewater Facilities.

3. Motion to adopt a Resolution approving a 2nd Amendment to Project Special Care's Lease Agreement to extend their respective commencement date and expiration date.

Adopted Resolution No. 2001-103, approving a 2nd amendment to Project Special Care's Lease Agreement to extend their respective commencement date and expiration date.

4. Motion to adopt a Resolution authorizing the Clerk of Courts to file the survey map of Morrison Road claiming a vested interest in St. Johns County in the right-of-way.

Adopted Resolution No. 2001-104, authorizing the Clerk of Courts to file the survey map of Morrison Road claiming a vested interest in St. Johns County in the right-of-way described in this survey by prescriptive rights of the public per Berger vs. City of Coral Gables 101 So.2d 396 (Fla. Dist. Ct. App. 3d Dist. 1958)

5. Motion to adopt a Resolution authorizing the Clerk of Courts to file the survey map of Francis Road claiming a vested interest in St. Johns County in the right-of-way.

Adopted Resolution No. 2001-105 authorizing the Clerk of Courts to file the survey map of Francis Road claiming a vested interest in St. Johns County in the right-of-way described in this survey by prescriptive rights of the public per Berger vs. City of Coral Gables 101 So.2d 396 (Fla. Dist. Ct. App.-3d Dist. 1958)

6. Motion to adopt a Resolution authorizing the execution of a Certain Agreement, Warranty Deed, Grant of Easement and Assignment of Easement between Charles R. Usina and St. Johns County whereby St. Johns County will accept and maintain that certain right-of-way known as Commercial Drive.

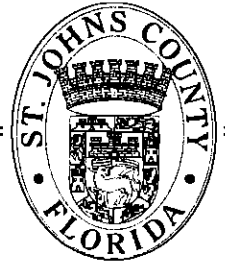
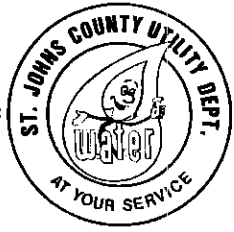
Adopted Resolution No. 2001-106 authorizing the execution of a Certain Agreement, Warranty Deed, Grant of Easement and Assignment of Easement between Charles R. Usina and St. Johns County whereby St. Johns County will accept and maintain that certain right-of-way known as Commercial Drive.

7. Proofs. ***Approved.***

End of Consent Agenda

ST. JOHNS COUNTY, FLORIDA

Board of County Commissioners



P.O. Box 3006
St. Augustine, Florida 32085-3006
Phone: (904) 471-2161 p Toll Free: 1-877-837-2311
Fax: (904) 461-3995

August 31, 2004

Debbie Taylor
Real Estate Coordinator
St. Johns County, Real Estate Division

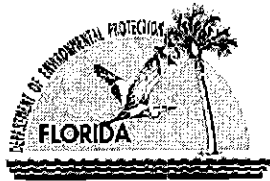
Dear Ms. Taylor,

The St. Johns County Utility Department currently owns a water well that is located in a residents yard at the southeast corner of Island Landing Drive and Intercoastal Circle in the Eagle Creek subdivision. We no longer have a use for this well because the treatment facility that originally served this area has been surplus and removed. We have a long-term agreement with the City of St. Augustine to provide wholesale water to the county for this area. St. Johns County Utility Department would like to terminate the existing easement on Lot 67 Eagle Creek Subdivision. St. Johns County Utility Department would not be responsible for removing any of the equipment or capping of the well.

If you have any additional questions please call me at 471-84846. Thank You.

Sincerely,

Barry Stewart
Water Operations Superintendent



Department of Environmental Protection

Jeb Bush
Governor

Northeast District
7825 Baymeadows Way, Suite B-200
Jacksonville Florida 32256-7590

David B. Struhs
Secretary

May 13, 2003

Mr. Ram S. (Neal) Shinkre
Utility Engineer
St. Johns County Utility Department
Post Office Drawer 3006
St. Augustine, Florida 32085

Dear Mr. Shinkre:

St. Johns County - Domestic Waste
Eagle Creek WWTF - FLA011776
Compliance Evaluation Inspection

An inspection was conducted at the former site of the Eagle Creek Wastewater Treatment Facility on May 12, 2003. The wastewater treatment plant was taken out of service on March 26, 2001 and flow was routed to the City of St. Augustine No. 1 Wastewater Treatment Facility. A permit to construct the collection/transmission system was issued on May 19, 2000. The Certification of Completion of this system was accepted on March 29, 2001.

The wastewater treatment plant was removed and the percolation/ evaporation ponds were leveled. Plant abandonment procedures were implemented as required by Rules 62.600.410(7) and 62-610.320(4), Florida Administrative Codes (FAC). All aspects of the inspection were satisfactory and the file for this facility was closed. If you have any questions, please contact me at (904) 807-3338.

Sincerely,

Kathleen H. Gerard
Engineer

cc: Mr. Harvey Devane, Eagle Creek Development
Mr. Gerald E. "Bubba" Solana, St. Johns County
St. Johns County Heath Department