

RESOLUTION NO. 2006- 113

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AN EASEMENT TO THE CITY OF ST. AUGUSTINE TO PROVIDE WATER SERVICE TO THE NEW BUILDINGS BEING CONSTRUCTED AT THE ST. JOHNS COUNTY JUDICIAL CENTER COMPLEX ON LEWIS SPEEDWAY AND TO EXECUTE A BILL OF SALE CONVEYING THE UTILITY LINES TO THE CITY OF ST. AUGUSTINE.**

**RECITALS**

**WHEREAS**, the City of St. Augustine has requested an Easement from St. Johns County, to be executed by the Chairman of the Board, to allow installation of utility lines on the St. Johns County Judicial Center Complex property on Lewis Speedway, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

**WHEREAS**, the City of St. Augustine has also requested a Bill of Sale conveying the utility lines associated with the water system, attached hereto as Exhibit "B", incorporated by reference and made a part hereof, to be executed by the Chairman of the Board; and

**WHEREAS**, it is in the best interest of the County to grant this Easement for the health, safety and welfare of the citizens visiting the complex.

**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 of County Commissioners of St. Johns County hereby authorizes the Chairman of the Board to execute the Easement and Bill of Sale on behalf of the County

Section 3. The Clerk of the Circuit Court is instructed to record the original Easement and file the Bill of Sale in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 18<sup>th</sup> day of April, 2006.

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

By: James E. Bryant  
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Cherice A. Strickland  
Deputy Clerk

RENDITION DATE 4-20-06



Exhibit "A" to Resolution

This instrument was prepared under the supervision and direction of James P. Wilson, City Attorney, and P.O. BOX 210, ST. AUGUSTINE, FL, 32085

**EASEMENT**

THIS EASEMENT, made by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter referred to as "Grantor," to **THE CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation, E.I.D. No. 59-6000420, whose address is P.O. Box 210, St. Augustine, Florida, 32085-0210, hereinafter referred to as "Grantee."

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to Grantee, its successors, legal representatives and assigns forever, a non-exclusive easement for the construction, installation and maintenance of utility lines on, over and underneath the following described real property situated in St. Johns County, Florida, to-wit:

PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER SAID PROPERTY FOR THE PURPOSES OF MAINTAINING SAID UTILITIES.

The undersigned Grantor hereby reserves the right to use the real property described herein for all purposes which will not interfere with the easement granted herein and further reserves the right to grant easements to other parties on, over and under said real property; provided, however, that any additional utilities to be installed within said easements must be installed in accordance with federal, state and local regulations and shall not interfere with the City of St. Augustine's facilities or use of the subject property.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this \_\_\_\_ day of \_\_\_\_\_, 2006.

**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

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, James E. Bryant, Chairman of the Board of County Commissioners of St. Johns County, Florida, who is personally known to me or who has produced \_\_\_\_\_ as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal in St. Johns County, State of Florida, this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

EXHIBIT "A" to Easement

A 20 foot easement for utilities lying 10 feet on each side of the physical location of the water line and facilities lying within the following described property:

PARCEL ONE

A PARCEL OF LAND IN SECTION 36, THE FRANCIS J. FATIO GRANT SECTIONS 55, 56 AND THE JOS. DELESRODE GRANT SECTION 57, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, BEGIN AT A 1/2" IRON PIPE AT THE NORTHWESTERLY CORNER OF GOVERNMENT LOT 3, SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 08°52'40" WEST, ALONG THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 476.39 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB6824" ON THE SOUTHERLY RIGHT OF WAY LINE OF LEWIS SPEEDWAY (COUNTY ROAD 16-A, FORMERLY STATE ROAD 16-A) A VARIABLE WIDTH RIGHT OF WAY; THENCE NORTH 81°43'09" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 577.76 FEET TO A 4"x4" CONCRETE MONUMENT, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 168 OF SAID PUBLIC RECORDS; THENCE NORTH 81°43'42" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY AND THE NORTHERLY LINE OF SAID LANDS, A DISTANCE OF 5.31 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#5167" AND THE NORTHEASTERLY CORNER OF SAID LANDS AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF FLORIDA EAST COAST RAILWAY COMPANY, A 100 FOOT WIDE RIGHT OF WAY; THENCE SOUTH 27°56'43" EAST, ALONG THE NORTHEASTERLY LINE OF SAID LANDS AND SAID SOUTHWESTERLY RIGHT OF WAY, A DISTANCE OF 142.89 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824" AND THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS 2814.93 FEET; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID FLORIDA EAST COAST RAILWAY COMPANY AND ALONG SAID NORTHEASTERLY LINE OF SAID LANDS, THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 165, THE NORTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171, (PARCEL 2) ALL OF SAID PUBLIC RECORDS AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°07'19", AN ARC DISTANCE OF 1135.97 FEET; SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 16°23'04" EAST, 1128.28 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#5167" AND THE SOUTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171; THENCE NORTH 83°51'30" WEST, DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY LINE, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171, (PARCELS 1 AND 2) AND OFFICIAL RECORDS BOOK 1165, PAGE 175, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF 1,388.20 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#5167", SAID POINT BEING ON THE SOUTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551, SAID POINT ALSO BEING THE WESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171, ALL OF SAID PUBLIC RECORDS; THENCE SOUTH 62°04'10" WEST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 529.61 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID POINT BEING THE SOUTHWESTERLY CORNER OF SAID LANDS AND THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 61, PAGE 505, OF SAID PUBLIC RECORDS; THENCE NORTH 28°39'04" WEST, ALONG SAID SOUTHWESTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551 AND DEED BOOK 61, PAGE 505, A DISTANCE OF 545.03 FEET TO THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 923, PAGE 481, OF SAID PUBLIC RECORDS, AND THE MOST WESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551, OF SAID PUBLIC RECORDS; THENCE SOUTH 81°45'52" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 15 FEET MORE OR LESS TO

THE WESTERLY LINE OF SAID LANDS, SAID WESTERLY LINE ALSO BEING THE CENTERLINE OF A CREEK; THENCE NORTHERLY, ALONG SAID CENTERLINE AND THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 910, PAGE 697, OF SAID PUBLIC RECORDS, A DISTANCE OF 740 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY OF SAID LEWIS SPEEDWAY; THENCE NORTH 81°44'52" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 155 FEET MORE OR LESS TO A 4"x4" CONCRETE MONUMENT AT THE NORTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 772, PAGE 1482, OF SAID PUBLIC RECORDS, SAID POINT ALSO BEING AT THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE AND THE SOUTHWESTERLY LINE OF SECTION 55, OF SAID TOWNSHIP AND RANGE; THENCE SOUTH 31°27'38" EAST, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, ALONG THE SOUTHWESTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 772 PAGE 1482, THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 372, PAGE 324, ALL OF SAID PUBLIC RECORDS, AND THE SOUTHWESTERLY LINE OF SAID SECTION 55, A DISTANCE OF 506.90 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID POINT BEING THE SOUTHWESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 372, PAGE 324; THENCE NORTH 81°45'45"EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS, THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1116, PAGE 39 AND THE NORTHERLY LINE SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF 773.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,562,782 SQUARE FEET OR 35.88 ACRES, MORE OR LESS.

PARCEL TWO

A PARCEL OF LAND LYING IN A PORTION OF SECTION 36 AND A PORTION OF THE FRANCIS J. FATIO GRANT SECTION 55, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS AS DESCRIBED IN DEED BOOK 57, PAGE 267 OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT A ½" IRON PIPE AT THE NORTHWESTERLY CORNER OF GOVERNMENT LOT 3, SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 35°50'50" EAST, ALONG THE NORTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 651, PAGE 1551, A DISTANCE OF 218.40 FEET TO THE SOUTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551; THENCE SOUTH 62°04'10" WEST, ALONG SAID SOUTHEASTERLY LINE TO A FOUND 5/8" IRON ROD IDENTIFIED, LB 5167, A DISTANCE OF 701.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 83°51'30" EAST, DEPARTING SAID SOUTHEASTERLY LINE AND ALONG THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171 (PARCELS 1 AND 2), AND THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 175, ALL OF SAID PUBLIC RECORDS TO A FOUND 5/8" IRON ROD, AS LB 5167, A DISTANCE OF 1,388.20 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY (A 100 FOOT WIDTH RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 60°16'53" WEST DEPARTING WESTERLY RIGHT OF WAY LINE TO A SET ½" IRON PIPE, AS LB 6824, A DISTANCE OF 1,069.51 FEET; THENCE NORTH 33°37'32" WEST, A DISTANCE OF 815.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 434,874 SQUARE FEET OR 9.98 ACRES, MORE OR LESS.

PARCEL THREE

A PORTION OF SECTION 36 AND A PORTION OF SECTION 55 FRANCIS J. FATIO GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 29 EAST, CITY OF ST. AUGUSTINE, ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF SAN MARCO AVENUE, ALSO KNOWN AS U.S. HIGHWAY NO. 1, A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED, WITH THE CENTERLINE OF STATE ROAD NO. 16, A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78060-2506; THENCE SOUTH 77 DEGREES 33 MINUTES 46 SECONDS WEST, ALONG SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 1171.22 FEET TO ITS INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN DEED BOOK 66, PAGE 168, OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE NORTH 23 DEGREES 50 MINUTES 52 SECONDS WEST, DEPARTING SAID CENTERLINE AND ALONG SAID SOUTHERLY PROLONGATION AND SAID WESTERLY LINE, TO 6016.37 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF SECTION 52, FATIO OR DELESPINE GRANT, OF SAID TOWNSHIP 7 SOUTH, RANGE 29 EAST; THENCE SOUTH 82 DEGREES 27 MINUTES 09 SECONDS WEST, DEPARTING SAID WESTERLY LINE, AND ALONG SAID SOUTHERLY LINE, 233.88 FEET TO ITS INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE NORTHEASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 141, PAGE 1, OF SAID PUBLIC RECORDS; THENCE NORTH 28 DEGREES 30 MINUTES 26 SECONDS WEST, DEPARTING SAID SOUTHERLY LINE, AND ALONG SAID SOUTHERLY PROLONGATION AND ALONG SAID NORTHEASTERLY LINE, 1884.83 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2103, PAGE 1233, OF SAID PUBLIC RECORDS; THENCE NORTH 76 DEGREES 10 MINUTES 52 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS, AND ALONG ITS EASTERLY PROLONGATION, 590.25 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1876, PAGE 1922, OF SAID PUBLIC RECORDS; THENCE SOUTH 33 DEGREES 34 MINUTES 45 SECONDS EAST, DEPARTING SAID SOUTHERLY LINE, AND ALONG SAID SOUTHWESTERLY LINE, 346.69 FEET TO THE SOUTHERLY MOST CORNER OF SAID LANDS AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING THENCE NORTH 60 DEGREES 20 MINUTES 47 SECONDS EAST, ALONG SAID SOUTHEASTERLY LINE OF

LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1876, PAGE 1922, A DISTANCE OF 1069.62 FEET TO A POINT ON A CURVE, SAID POINT LYING ON THE WESTERLY LINE OF A FLORIDA EAST COAST RAILROAD, RIGHT OF WAY, A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED; THENCE SOUTHERLY, DEPARTING SAID SOUTHEASTERLY LINE AND ALONG SAID WESTERLY RIGHT OF WAY LINE, THE FOLLOWING FOUR COURSES; COURSE 1, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2814.79 FEET, THROUGH A CENTRAL ANGLE OF 00 DEGREES 52 MINUTES 17 SECONDS, AN ARC LENGTH OF 42.81 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 21 MINUTES 31 SECONDS EAST, 42.81 FEET; COURSE 2, THENCE SOUTH 03 DEGREES 55 MINUTES 23 SECONDS EAST, 567.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2914.79 FEET; COURSE 3, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23 DEGREES 57 MINUTES 52 SECONDS, AN ARC LENGTH OF 1219.13 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15 DEGREES 54 MINUTES 19 SECONDS EAST, 1210.26 FEET; COURSE 4, THENCE SOUTH 27 DEGREES 53 MINUTES 10 SECONDS EAST, 179.96 FEET, THENCE SOUTH 62 DEGREES 06 MINUTES 50 SECONDS WEST, DEPARTING SAID WESTERLY RIGHT OF WAY LINE, 287.18 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 350.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 112 DEGREES 18 MINUTES 26 SECONDS, AN ARC LENGTH OF 686.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61 DEGREES 43 MINUTES 58 SECONDS WEST, 581.37 FEET, THENCE NORTH 05 DEGREES 34 MINUTES 45 SECONDS WEST, 423.34 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 440.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34 DEGREES 00 MINUTES 00 SECONDS, AN ARC LENGTH OF 261.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 22 DEGREES 34 MINUTES 45 SECONDS WEST, 257.29 FEET; THENCE NORTH 39 DEGREES 34 MINUTES 45 SECONDS WEST, 557.12 FEET; THENCE NORTH 36 DEGREES 09 MINUTES 10 SECONDS WEST, 214.71 FEET TO THE POINT OF BEGINNING.

**BILL OF SALE**

KNOW ALL MEN BY THESE PRESENTS that **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, party of the first part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration to it paid by **THE CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized under the laws of Florida, whose address is P.O. Box 210, St. Augustine, Florida, 32085-0210, party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer and deliver unto the said party of the second part, the following goods and chattels:

THOSE CERTAIN UTILITY LINES INSTALLED ON, OVER OR UNDERNEATH THE PROPERTY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

TO HAVE AND TO HOLD the same unto the said party of the second part forever.

And it does covenant to and with the said party of the second part that it is the lawful owner of the said goods and chattels, that it has good right to sell the same as aforesaid, and that it will warrant and defend the sale of said property, goods and chattels hereby made, unto the said party of the second part, against the lawful claims and demands of all persons whomsoever.

Party of the second part, by its acceptance of this Bill of Sale, hereby assumes all responsibility for the maintenance and repair of the above described personal property, except that party of the first part agrees to provide a one-year warranty against materials and workmanship defects.

Party of the second part further agrees to restore the property described above to the condition existing prior to any installation, construction or repair performed by the party of the second part on the personal property conveyed herein.

IN WITNESS WHEREOF, the party of the first part has hereunto set their hands and seals, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

ST. JOHNS COUNTY, FLORIDA

BY: \_\_\_\_\_  
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: \_\_\_\_\_  
Deputy Clerk

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, James E. Bryant, Chairman of the Board of County Commissioners of St. Johns County, Florida, who is personally known to me or who has produced \_\_\_\_\_ as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

EXHIBIT "A" to bill of sale

A 20 foot easement for utilities lying 10 feet on each side of the physical location of the water line and facilities lying within the following described property:

PARCEL ONE

A PARCEL OF LAND IN SECTION 36, THE FRANCIS J. FATIO GRANT SECTIONS 55, 56 AND THE JOS. DELESRODE GRANT SECTION 57, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, BEGIN AT A 1/2" IRON PIPE AT THE NORTHWESTERLY CORNER OF GOVERNMENT LOT 3, SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 08°52'40" WEST, ALONG THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 476.39 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB6824" ON THE SOUTHERLY RIGHT OF WAY LINE OF LEWIS SPEEDWAY (COUNTY ROAD 16-A, FORMERLY STATE ROAD 16-A) A VARIABLE WIDTH RIGHT OF WAY; THENCE NORTH 81°43'09" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 577.76 FEET TO A 4"x4" CONCRETE MONUMENT, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 168 OF SAID PUBLIC RECORDS; THENCE NORTH 81°43'42" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY AND THE NORTHERLY LINE OF SAID LANDS, A DISTANCE OF 5.31 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#5167" AND THE NORTHEASTERLY CORNER OF SAID LANDS AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF FLORIDA EAST COAST RAILWAY COMPANY, A 100 FOOT WIDE RIGHT OF WAY; THENCE SOUTH 27°56'43" EAST, ALONG THE NORTHEASTERLY LINE OF SAID LANDS AND SAID SOUTHWESTERLY RIGHT OF WAY, A DISTANCE OF 142.89 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824" AND THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS 2814.93 FEET; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID FLORIDA EAST COAST RAILWAY COMPANY AND ALONG SAID NORTHEASTERLY LINE OF SAID LANDS, THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 165, THE NORTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171, (PARCEL 2) ALL OF SAID PUBLIC RECORDS AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°07'19", AN ARC DISTANCE OF 1135.97 FEET; SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 16°23'04" EAST, 1128.28 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#5167" AND THE SOUTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171; THENCE NORTH 83°51'30" WEST, DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY LINE, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171, (PARCELS 1 AND 2) AND OFFICIAL RECORDS BOOK 1165, PAGE 175, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF 1,388.20 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#5167", SAID POINT BEING ON THE SOUTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551, SAID POINT ALSO BEING THE WESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171, ALL OF SAID PUBLIC RECORDS; THENCE SOUTH 62°04'10" WEST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 529.61 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID POINT BEING THE SOUTHWESTERLY CORNER OF SAID LANDS AND THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 61, PAGE 505, OF SAID PUBLIC RECORDS; THENCE NORTH 28°39'04" WEST, ALONG SAID SOUTHWESTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551 AND DEED BOOK 61, PAGE 505, A DISTANCE OF 545.03 FEET TO THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 923, PAGE 481, OF SAID PUBLIC RECORDS, AND THE MOST WESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551, OF SAID PUBLIC RECORDS; THENCE SOUTH 81°45'52" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 15 FEET MORE OR LESS TO

THE WESTERLY LINE OF SAID LANDS, SAID WESTERLY LINE ALSO BEING THE CENTERLINE OF A CREEK; THENCE NORTHERLY, ALONG SAID CENTERLINE AND THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 910, PAGE 697, OF SAID PUBLIC RECORDS, A DISTANCE OF 740 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY OF SAID LEWIS SPEEDWAY; THENCE NORTH 81°44'52" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 155 FEET MORE OR LESS TO A 4"x4" CONCRETE MONUMENT AT THE NORTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 772, PAGE 1482, OF SAID PUBLIC RECORDS, SAID POINT ALSO BEING AT THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE AND THE SOUTHWESTERLY LINE OF SECTION 55, OF SAID TOWNSHIP AND RANGE; THENCE SOUTH 31°27'38" EAST, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, ALONG THE SOUTHWESTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 772 PAGE 1482, THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 372, PAGE 324, ALL OF SAID PUBLIC RECORDS, AND THE SOUTHWESTERLY LINE OF SAID SECTION 55, A DISTANCE OF 506.90 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID POINT BEING THE SOUTHWESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 372, PAGE 324; THENCE NORTH 81°45'45"EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS, THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1116, PAGE 39 AND THE NORTHERLY LINE SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF 773.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,562,782 SQUARE FEET OR 35.88 ACRES, MORE OR LESS.

## PARCEL TWO

A PARCEL OF LAND LYING IN A PORTION OF SECTION 36 AND A PORTION OF THE FRANCIS J. FATIO GRANT SECTION 55, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS AS DESCRIBED IN DEED BOOK 57, PAGE 267 OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT A ½" IRON PIPE AT THE NORTHWESTERLY CORNER OF GOVERNMENT LOT 3, SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 35°50'50" EAST, ALONG THE NORTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 651, PAGE 1551, A DISTANCE OF 218.40 FEET TO THE SOUTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551; THENCE SOUTH 62°04'10" WEST, ALONG SAID SOUTHEASTERLY LINE TO A FOUND 5/8" IRON ROD IDENTIFIED, LB 5167, A DISTANCE OF 701.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 83°51'30" EAST, DEPARTING SAID SOUTHEASTERLY LINE AND ALONG THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171 (PARCELS 1 AND 2), AND THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 175, ALL OF SAID PUBLIC RECORDS TO A FOUND 5/8" IRON ROD, AS LB 5167, A DISTANCE OF 1,388.20 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY (A 100 FOOT WIDTH RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 60°16'53" WEST DEPARTING WESTERLY RIGHT OF WAY LINE TO A SET ½" IRON PIPE, AS LB 6824, A DISTANCE OF 1,069.51 FEET; THENCE NORTH 33°37'32" WEST, A DISTANCE OF 815.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 434,874 SQUARE FEET OR 9.98 ACRES, MORE OR LESS.

### PARCEL THREE

A PORTION OF SECTION 36 AND A PORTION OF SECTION 55 FRANCIS J. FATIO GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 29 EAST, CITY OF ST. AUGUSTINE, ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF SAN MARCO AVENUE, ALSO KNOWN AS U.S. HIGHWAY NO. 1, A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED, WITH THE CENTERLINE OF STATE ROAD NO. 16, A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78060-2506; THENCE SOUTH 77 DEGREES 33 MINUTES 46 SECONDS WEST, ALONG SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 1171.22 FEET TO ITS INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN DEED BOOK 66, PAGE 168, OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE NORTH 23 DEGREES 50 MINUTES 52 SECONDS WEST, DEPARTING SAID CENTERLINE AND ALONG SAID SOUTHERLY PROLONGATION AND SAID WESTERLY LINE, TO 6016.37 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF SECTION 52, FATIO OR DELESPINE GRANT, OF SAID TOWNSHIP 7 SOUTH, RANGE 29 EAST; THENCE SOUTH 82 DEGREES 27 MINUTES 09 SECONDS WEST, DEPARTING SAID WESTERLY LINE, AND ALONG SAID SOUTHERLY LINE, 233.88 FEET TO ITS INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE NORTHEASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 141, PAGE 1, OF SAID PUBLIC RECORDS; THENCE NORTH 28 DEGREES 30 MINUTES 26 SECONDS WEST, DEPARTING SAID SOUTHERLY LINE, AND ALONG SAID SOUTHERLY PROLONGATION AND ALONG SAID NORTHEASTERLY LINE, 1884.83 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2103, PAGE 1233, OF SAID PUBLIC RECORDS; THENCE NORTH 76 DEGREES 10 MINUTES 52 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS, AND ALONG ITS EASTERLY PROLONGATION, 590.25 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1876, PAGE 1922, OF SAID PUBLIC RECORDS; THENCE SOUTH 33 DEGREES 34 MINUTES 45 SECONDS EAST, DEPARTING SAID SOUTHERLY LINE, AND ALONG SAID SOUTHWESTERLY LINE, 346.69 FEET TO THE SOUTHERLY MOST CORNER OF SAID LANDS AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING THENCE NORTH 60 DEGREES 20 MINUTES 47 SECONDS EAST, ALONG SAID SOUTHEASTERLY LINE OF

LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1876, PAGE 1922, A DISTANCE OF 1069.62 FEET TO A POINT ON A CURVE, SAID POINT LYING ON THE WESTERLY LINE OF A FLORIDA EAST COAST RAILROAD, RIGHT OF WAY, A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED; THENCE SOUTHERLY, DEPARTING SAID SOUTHEASTERLY LINE AND ALONG SAID WESTERLY RIGHT OF WAY LINE, THE FOLLOWING FOUR COURSES; COURSE 1, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2814.79 FEET, THROUGH A CENTRAL ANGLE OF 00 DEGREES 52 MINUTES 17 SECONDS, AN ARC LENGTH OF 42.81 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 21 MINUTES 31 SECONDS EAST, 42.81 FEET; COURSE 2, THENCE SOUTH 03 DEGREES 55 MINUTES 23 SECONDS EAST, 567.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2914.79 FEET; COURSE 3, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23 DEGREES 57 MINUTES 52 SECONDS, AN ARC LENGTH OF 1219.13 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15 DEGREES 54 MINUTES 19 SECONDS EAST, 1210.26 FEET; COURSE 4, THENCE SOUTH 27 DEGREES 53 MINUTES 10 SECONDS EAST, 179.96 FEET, THENCE SOUTH 62 DEGREES 06 MINUTES 50 SECONDS WEST, DEPARTING SAID WESTERLY RIGHT OF WAY LINE, 287.18 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 350.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 112 DEGREES 18 MINUTES 26 SECONDS, AN ARC LENGTH OF 686.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61 DEGREES 43 MINUTES 58 SECONDS WEST, 581.37 FEET, THENCE NORTH 05 DEGREES 34 MINUTES 45 SECONDS WEST, 423.34 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 440.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34 DEGREES 00 MINUTES 00 SECONDS, AN ARC LENGTH OF 261.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 22 DEGREES 34 MINUTES 45 SECONDS WEST, 257.29 FEET; THENCE NORTH 39 DEGREES 34 MINUTES 45 SECONDS WEST, 557.12 FEET; THENCE NORTH 36 DEGREES 09 MINUTES 10 SECONDS WEST, 214.71 FEET TO THE POINT OF BEGINNING.