

RESOLUTION NO. 2008- 218

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A UTILITY EASEMENT FROM THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA FOR AN EXISTING LIFT STATION LOCATED IN ANASTASIA STATE PARK AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE SAID EASEMENT ONCE GRANTED WITHOUT FURTHER APPROVAL BY THE BOARD.**

**RECITALS**

**WHEREAS**, Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (hereafter "TIITF") has an application process to secure any Easement that requires a Resolution be adopted by the Board of County Commissioners before they will grant the Easement; and

**WHEREAS**, Upon adoption of this Resolution and after all requirements of the application, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, have been met, TIITF will grant a Utility Easement for an existing lift station located in the Anastasia State Park property; and

**WHEREAS**, the lift station was constructed in the early 1980's and was previously serviced by Anastasia Sanitary District, however, a utility easement was never granted. St. Johns County Utility Department merged with Anastasia Sanitary District in 1991 and is hereby requesting the easement from TIITF; and

**WHEREAS**, it is in the best interest of the County to accept this Easement 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 of County Commissioners hereby authorizes staff to move forward with the application process and authorizes the County Administrator to execute said Utility Easement once granted by TIITF without further approval by the Board.

PASSED AND ADOPTED this 19<sup>th</sup> day of August, 2008.



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

By: *Thomas G. Manuel*  
Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

*Pam Halterman*  
Deputy Clerk

**RENDITION DATE** 8/25/08

**UPLAND EASEMENT APPLICATION  
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND  
OF THE STATE OF FLORIDA**

This application is to be used in order to apply for easement interest in land, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees). If you have any questions, after reading this application form, you may call (850) 245-2721 for assistance.

**SPECIAL NOTE TO ALL APPLICANTS: SUBMITTAL OF A COMPLETE APPLICATION SHALL NOT OPERATE TO CREATE ANY RIGHTS OR CONSTITUTE ANY GROUNDS FOR THE DEPARTMENT TO RECOMMEND APPROVAL OF ANY EASEMENT. THE BOARD OF TRUSTEES HAS THE AUTHORITY AND RESERVES THE RIGHT TO DENY ANY EASEMENT APPLICATION. ALL COSTS INCURRED BY APPLICANTS COMPLYING WITH THE REQUIREMENTS OF THIS APPLICATION SHALL BE AT THEIR OWN RISK. COSTS ASSOCIATED WITH OBTAINING AN EASEMENT ARE NON-REFUNDABLE AND SHALL BE ASSUMED BY THE APPLICANT INCLUDING, BUT NOT LIMITED TO, ALL APPRAISALS, ALL SURVEYS, ALL TITLE SEARCHES, AND ALL RECORDING FEES.**

**PRIOR TO COMPLETING THE APPLICATION, PLEASE BE ADVISED THAT:**

Any application to use state land which would result in significant adverse impact to state land or associated resources shall not be approved unless the applicant demonstrates there is no other alternative and proposes compensation or mitigation acceptable to the Board of Trustees pursuant to paragraph 18-2.018(2)(i), Florida Administrative Code. Any requested use of state land which has been acquired for a specific purpose, such as conservation and recreation lands, shall be consistent with the original specified purpose for acquiring such land pursuant to paragraph 18-2.018(2)(c), Florida Administrative Code. Applicants applying for an easement across state land which is managed for the conservation and protection of natural resources shall be required to provide net positive benefit pursuant to subsection 18-2.017(39), Florida Administrative Code, if the proposed easement is approved.

Type of Easement: <input type="checkbox"/> Private <input checked="" type="checkbox"/> Federal, Regional or Local Agency <input type="checkbox"/> State Agency	
<b>Applicant Information:</b>	
Name: <u>St. Johns County, Florida</u>	Home Phone: _____
Mailing Address: <u>4020 Lewis Speedway Attn: Real Estate Division</u>	Work Phone: <u>(904) 209-0788</u>
City: <u>St. Augustine</u> State: <u>FL</u> Zip: <u>32084</u>	Fax Number: <u>(904) 209-0789</u>
Email Address: <u>nbradbury@sjcfl.us</u>	
<b>Representative Information: Only complete if someone will be handling this transaction on your behalf.</b>	
Name: _____	Home Phone: _____
Mailing Address: _____	Work Phone: _____
City: _____    State: _____    Zip: _____	Fax Number: _____
Email Address: _____	
<b>Property Information:</b>	
County: <u>St. Johns</u>	Property Appraiser's Parcel Number: <u>161060-0000</u>
Section: <u>27</u> Township: <u>7</u> Range: <u>30</u> Zoning Designation: <u>GU (government use)</u>	
Intended Use of Property: <u>existing lift station</u>	
<b>Include the Following with the Application: Please check all that are included</b>	
<input type="checkbox"/> (Private Easements Only) A check in the amount of \$300 made payable to the Department of Environmental Protection. This fee is non-refundable.	
<input type="checkbox"/> (Private Easements Only) A written commitment to pay for a appraisal and easement fee based on the appraised market value of the proposed easement.	
<input checked="" type="checkbox"/> (Local Governments Only) A formal resolution adopted by the Board of County/City Commissioners requesting the proposed easement.	
<input checked="" type="checkbox"/> Recent aerial photograph with the boundaries of proposed easement area identified.	
<input checked="" type="checkbox"/> A statement describing the public benefits that will occur as a result of the proposed easement.	
<input checked="" type="checkbox"/> A letter from the applicable local planning agency stating that the proposed easement is consistent with the local government comprehensive plan adopted pursuant to section 163-3167, Florida Statutes.	
<input checked="" type="checkbox"/> Two prints of a certified survey, of the easement area meeting the minimum technical standards of Chapter 61G17-6 Florida Administrative Code, which contain the boundaries, legal descriptions, and acreage of the property.	
<input type="checkbox"/> A statement of written approval from the managing agency along with a statement from the managing agency describing how the proposed easement conforms with the management plan when the easement application involves state land which is under lease, sublease, easement, or management agreement.	
<input checked="" type="checkbox"/> Applications for easements across state land shall include a statement of intended use which shall include, at a minimum, the following:	
1. The requested term for the proposed easement which shall not be greater than is necessary to provide for the reasonable use of the state land.	
2. The need for the proposed easement and written evidence that all other alternatives to the use of state land have been denied.	
3. Projected revenue to be generated from the use of the state land.	
4. Whether the intended use is public or private and the extent of public access for such use.	
5. A description of the type of facility proposed for the easement area (e.g. road, overhead utility, pipes, etc.)	
<b>***General Information:</b> The granting or approval of an easement that will negatively affect the Board of Trustees' ability to manage uplands in a manner that achieves maximum public benefit will be discouraged pursuant to paragraph 18-2.018(2)(b), Florida Administrative Code. The successful grantee shall assume all liability for the property covered by the easement.	