

RESOLUTION NO. 2008- 92

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A TERMINATION OF EASEMENT AND NEW GRANT OF EASEMENT FOR WATER AND SEWER SERVICE TO FLORENTINE PHASE III SUBDIVISION AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE EASEMENT.**

**RECITALS**

**WHEREAS**, GC Land Development, Inc., a Florida corporation, has executed and presented a Termination of Grant of Easement and New Grant of Easement to St. Johns County for water and sewer service to Florentine Phase III Subdivision, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

**WHEREAS**, KB Home Jacksonville, LLC, a Delaware limited liability company granted an easement to St. Johns County for water and sewer service and access thereto, over and across the easement parcels contained in an Easement for Utilities dated February 15, 2007, and recorded in Official Records Book 2874 Page 1171 of the public records of St. Johns County, Florida (the "Original Easement") which was recorded prior to submittal to the County; and

**WHEREAS**, when staff reviewed the easement it was found that KB Home did not own the easement area therefore the recorded easement must be terminated and a new easement granted by the correct property owner which is GC Land Development; and

**WHEREAS**, St. Johns County Utility Department has reviewed and approved the document mentioned above as stated in a memo attached hereto as Exhibit "B", incorporated by reference and made a part hereof.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of St. Johns County, 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 Easement and New Grant of Easement is hereby accepted by the Board of County Commissioners and the Chairman of the Board is hereby authorized to execute the Termination of Easement and New Grant of Easement.

Section 3. The Clerk of the Court is instructed to record the original Termination of Easement and New Grant of Easement in the Official Records of St. Johns County, Florida.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 1st day of April, 2008.

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

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

ATTEST: Cheryl Strickland, Clerk

By: *Pam Halterman*  
Deputy Clerk

RENDITION DATE 4/4/08

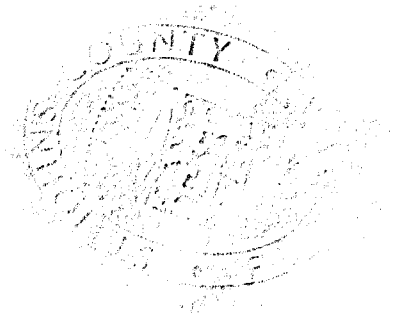


Exhibit "A" to Resolution

Prepared by:  
Nanette Bradbury  
St. Johns County Real Estate Division  
4020 Lewis Speedway  
St. Augustine FL 32084

**TERMINATION OF GRANT OF EASEMENT  
AND  
NEW GRANT OF EASEMENT**

THIS INSTRUMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between **GC LAND DEVELOPMENT, INC.**, a Florida corporation, ("Grantor"), whose address is 1400 Marsh Landing Parkway Suite 108, Jacksonville, Florida 32256, and **ST. JOHNS COUNTY, FLORIDA**, a Political Subdivision of the State of Florida, ("Grantee"), whose address is 4020 Lewis Speedway, St. Augustine FL 32084.

**WITNESSETH:**

WHEREAS, KB Home Jacksonville, LLC, a Delaware limited liability company granted an easement for water and sewer service and access thereto, over and across the easement parcels contained in an Easement dated February 15, 2007, and recorded in Official Records Book 2874 Page 1171 of the public records of St. Johns County, Florida (the "Original Easement"); and

WHEREAS, Grantor and Grantee have agreed to terminate the Original Easement since the Grantor that granted the easement was not the title holder of the property and substitute therefore and grant a new easement for the same purposes.

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Grantee does hereby remise, release and forever terminate all easement rights granted over and across the portion of the land described in the Original Easement referenced above and be reference made a part hereof (referred to herein as "Released Easement Property"), and said portion of the Original Easement over and across the Released Easement Property is terminated and shall be of no further force, effect or encumbrance on the Released Easement Property and the owner of all or any part of the Released Easement Property may occupy, transfer, encumber or convey the Released Easement Property free and clear of the terms and conditions of the Original Easement.

2. Grantor does hereby and be these presents assign, convey, remise, release and grant unto Grantee a new water and sewer easement, over, under and across the parcel or parcels of real property described on "Exhibit A" attached hereto and be reference made a part hereof (the "Easement Property"). The foregoing easement is a covenant running with the land and shall be binding upon the owners of the Easement Property, their successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed the day and year first above written.

Signed, sealed and delivered  
In the presence of:

GC LAND DEVELOPMENT, INC.  
a Florida corporation

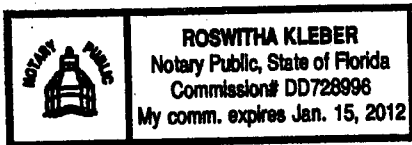
Sign: [Signature]  
Print Name: W.A. Torrence

By: [Signature]  
Title: PRESIDENT

Sign: [Signature]  
Print Name: Rose Kleber

STATE OF FLORIDA  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 4th day of March, 2008, by Roswitha Kleber ~~Gary Garrison~~ of GC Land Development, Inc. Who is personally known to me or has produced FLDL as identification.



[Signature]  
Notary Public  
My Commission Expires: 01-15-2012

Signed and sealed in the  
Presence of:

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

\_\_\_\_\_  
Witness \_\_\_\_\_

By: \_\_\_\_\_  
Thomas G. Manuel, Chairman

\_\_\_\_\_  
Witness

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 2008, by Thomas G. Manuel, Chairman of the Board of County  
Commissioners of St. Johns County, Florida. Who is personally known to me.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**Parcel 2: 5.0' Utility Easement - Rembrandt Avenue  
(Lot 8-10)**

**Block 14**

A portion of Block 14, Subdivision of Hilden, as recorded in Map Book 3, Page 59 of the Public Records of St. Johns County, Florida, together with a portion of Fourth Street, a 40 foot right of way as shown on said plat of Subdivision of Hilden, vacated by St. Johns County Board of County Commissioners Resolution No. 2005-326, dated October 18, 2005, and being more particularly described as:

For a Point of Beginning, commence at the Northwesterly corner of said Block 14; thence North  $39^{\circ}49'43''$  West, departing said Northwesterly corner, a distance of 40.01 feet to the Southwesterly corner of Block 21, said Subdivision of Hilden; thence North  $49^{\circ}10'26''$  East, along the Southerly line of said Block 21, a distance of 5.00 feet; thence South  $39^{\circ}49'43''$  East, departing said Southerly line, a distance of 40.01 feet to a point lying on the Northerly line of said Block 14; thence continue South  $39^{\circ}49'43''$  East, departing said Northerly line, a distance of 110.00 feet; thence South  $49^{\circ}10'26''$  West, a distance of 5.00 feet to a point lying on the Westerly line of said Block 14; thence North  $39^{\circ}49'43''$  West, along said Westerly line of said Block 14, a distance of 110.00 feet to the Point of Beginning.

**Parcel 3: 5.0' Utility Easement - Rembrandt Avenue  
(From DaVinci Blvd. To Medici Road)  
(Lot 1-7)**

**Block 21**

A portion of Block 21, Subdivision of Hilden, as recorded in Map Book 3, Page 59 of the Public Records of St. Johns County, Florida, and being more particularly described as:

The Westerly 5.00 feet of said Block 21.

Together with a triangular-shaped parcel lying on the Northwesterly corner of said Block 21 described as:

Beginning at said Northwesterly corner, run Easterly along the Northerly line of said Block 21, a distance of 25.00 feet; run thence Southwesterly to a point on the Westerly line of said Block 21, lying 25.00 feet from said Point of Beginning; run thence Northerly along said Westerly line 25.00 feet to the Point of Beginning.

**Parcel 4: 5.0' Utility Easement - Rembrandt Picasso Avenue  
(Lot 14-29)**

**Block 20**

A portion of Block 20, Subdivision of Hilden, as recorded in Map Book 3, Page 59 of the Public Records of St. Johns County, Florida, and being more particularly described as:

The Southerly 5.00 feet and the Westerly 5.00 feet and the Easterly 5.00 feet of said Block 20.

Together with a triangular-shaped parcel lying at the Southwesterly corner of Lot 1, said Block 20 described as:

Beginning at said Southwesterly corner, run Northerly along the Westerly line of said Lot 1, Block 20, a distance of 25.00 feet; run thence Southeasterly to a point on the Southerly line of said Lot 1, Block 20, lying 25.00 feet from said Point of Beginning; run thence Westerly along said Southerly line 25.00 feet to the Point of Beginning;

Together with a triangular-shaped parcel lying at the Southeasterly corner of Lot 2, Block 20 described as:

Beginning at said Southeasterly corner, run Northerly along the Easterly line of said Lot 2, Block 20, a distance of 25.00 feet; run thence Southwesterly to a point on the Southerly line of said Lot 2, Block 20, lying 25.00 feet from the Point of Beginning; run thence Easterly along said Southerly line 25.00 feet to the Point of Beginning;

Together with a triangular-shaped parcel lying on the Northwesterly corner of said Block 20 described as:

Beginning at said Northwesterly corner, run Easterly along the Northerly line of said Block 20, a distance of 25.00 feet; run thence Southwesterly to a point on the Westerly line of said Block 20, lying 25.00 feet from said Point of Beginning; run thence Northerly along said Westerly line 25.00 feet to the Point of Beginning.

Together with a triangular-shaped parcel lying on the Northeasterly corner of said Block 20 described as:

Beginning at said Northeasterly corner, run Southerly along the Easterly line of said Block 20, a distance of 25.00 feet; run thence Northwesterly to a point on the Northerly line of said Block 20, lying 25.00 feet from said Point of Beginning; run thence Easterly along said Northerly line 25.00 feet to the Point of Beginning.

**Parcel 5: 5.0' Utility Easement - Rembrandt Picasso Avenue  
(Lot 11-13; 30-32)**

**Block 13**

A portion of Block 13, Subdivision of Hilden, as recorded in Map Book 3, Page 59 of the Public Records of St. Johns County, Florida, and being more particularly described as:

The Easterly 5.00 feet of said Block 13 except the Easterly 5.00 feet of Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24; and the Westerly 5.00 feet of said Block 13 except the Westerly 5.00 feet of Lots 1, 3, 5, 7, 9; 11, 13, 15, 17, 19, 21 and 23; and the Southerly 5.00 feet of Lots 25 and 26, said Block 13.

Together with a triangular-shaped parcel lying at the Southwesterly corner of said Lot 25, said Block 13 described as:

Beginning at said Southwesterly corner, run Northerly along the Westerly line of said Lot 25, said Block 13 a distance of 25.00; run thence Southeasterly to a point on the Southerly line of said Lot 25, said Block 13 lying 25.00 feet from the Point of Beginning; run thence Westerly along said Southerly line 25.00 feet to the Point of Beginning.

Together with a triangular-shaped parcel lying at the Southeasterly corner of said Lot 26, said Block 13 described as:

Beginning at said Southeasterly corner, run Northerly along the Easterly line of said Lot 26, said Block 13 a distance of 25.00; run thence Southwesterly to a point on the Southerly line of said Lot 26, said Block 13 lying 25.00 feet from the Point of Beginning; run thence Easterly along said Southerly line 25.00 feet to the Point of Beginning.

Together with a triangular-shaped parcel lying at the Northeasterly corner of said Block 13 described as:

Beginning at said Northeasterly corner, run Southerly along the Easterly line of said Block 13 a distance of 25.00; run thence Northwesterly to a point on the Northerly line of said Block 13 lying 25.00 feet from the Point of Beginning; run thence Easterly along said Northerly line 25.00 feet to the Point of Beginning.

Together with a triangular-shaped parcel lying at the Northwesterly corner of said Block 13 described as:

Beginning at said Northwesterly corner, run Southerly along the Westerly line of said Block 13 a distance of 25.00; run thence Northeasterly to a point on the Northerly line of said Block 13 lying 25.00 feet from the Point of Beginning; run thence Westerly along said Northerly line 25.00 feet to the Point of Beginning.

**Parcel 6: 5.0' Utility Easement - Monet Avenue Medici Road  
(Lot 33; 41-48)**

**Block 19**

A portion of Block 19, Subdivision of Hilden, as recorded in Map Book 3, Page 59 of the Public Records of St. Johns County, Florida, and being more particularly described as:

The Southerly 5.00 feet and the Westerly 5.00 feet of said Block 19.

Together with a triangular-shaped parcel lying at the Southwesterly corner of Lot 1, said Block 19 described as:

Beginning at said Southwesterly corner, run Northerly along the Westerly line of said Lot 1, said Block 19, a distance of 25.00 feet; run thence Southeasterly to a point on the Southerly line of said Lot 1, Block 19, lying 25.00 feet from said Point of Beginning; run thence Westerly along said Southerly line 25.00 feet to the Point of Beginning;

Together with a triangular-shaped parcel lying at the Southeasterly corner of Lot 2, Block 19 described as:

Beginning at said Southeasterly corner, run Northerly along the Easterly line of said Lot 2, Block 19, a distance of 25.00 feet; run thence Southwesterly to a point on the Southerly line of said Lot 2, Block 19, lying 25.00 feet from the Point of Beginning; run thence Easterly along said Southerly line 25.00 feet to the Point of Beginning;

Together with a triangular-shaped parcel lying on the Northwesterly corner of Lot 39, said Block 19 described as:

Beginning at said Northwesterly corner, run Northeasterly along the Northerly line of said Lot 39, Block 19, a distance of 25.00 feet; run thence Southwesterly to a point on the Westerly line of said Lot 39, Block 19, lying 25.00 feet from said Point of Beginning; run thence Northerly along said Westerly line 25.00 feet to the Point of Beginning.

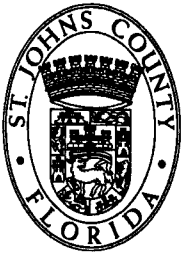
**Parcel 7: Lift Station Easement**

A portion of Block 13, Subdivision of Hilden, as recorded in Map Book 3, Page 59 of the Public Records of St. Johns County, Florida, together with a portion of Sixth Avenue, said Subdivision of Hilden, closed by St. Johns County Resolution No. 2005-326 and being more particularly described as follows:

For a Point of Reference, commence at the Northeasterly corner of said Block 13; run thence South  $39^{\circ}49'43''$  East, along the Easterly line of said Block 13, a distance of 250.04 feet to the Point of Beginning.

From the Point of Beginning thus described, run thence North  $49^{\circ}10'26''$  East, departing said Easterly line, a distance of 24.50 feet; run thence South  $39^{\circ}49'43''$  East, a distance of 40.00 feet; run thence South  $49^{\circ}10'26''$  West, a distance of 40.00 feet; run thence North  $39^{\circ}49'43''$  West to a point lying on the Southerly line of the lands described and recorded in Official Records, Book 2538, Page 407, said Public Records, a distance of 40.00; run thence North  $49^{\circ}10'26''$  East along said Southerly line, a distance of 15.50 feet to the Point of Beginning.

The lands thus described contain 1600 square feet, more or less.



# ST. JOHNS COUNTY

UTILITY DEPARTMENT

1205 STATE ROAD 16

St. Augustine, Florida 32084-8646

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## I N T E R O F F I C E   M E M O R A N D U M

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**TO:** Nanette Bradbury, Real Estate Coordinator  
**FROM:** Robert Zammataro, Chief Engineer - Development  
**SUBJECT:** Florentine Phase III  
**DATE:** October 31, 2007

Please present the easement documents to the Board of County Commissioners (BCC) for final approval and acceptance of Florentine Phase III.

After acceptance by BCC, please provide the utility department with a copy of the executed resolution and a recorded copy of the Easement for the utilities for our files.

Your support and cooperation as always are greatly appreciated.