

RESOLUTION NO. 2009- 1

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF SIDEWALK EASEMENT FOR A PUBLIC SIDEWALK ALONG THE ENTRANCE OF THE LOFTS AT SEBASTIAN COVE.

RECITALS

WHEREAS, D. R. Horton, Inc-Jacksonville has executed and presented to St. Johns County a Grant of Sidewalk Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, this easement will allow the public's use of a sidewalk that follows the entrance of the Lofts at Sebastian Cove and connects with the public sidewalk along Stratton Boulevard; and

WHEREAS, it is in the best interest of the County to accept this easement for the health, safety, and welfare of the citizens of St. Johns County; and

WHEREAS, to the extent that there are typographical errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

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 into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Grant of Sidewalk Easement is hereby accepted by the Board of County Commissioners of St. Johns County, Florida.

Section 3. The Clerk is instructed to record the original Grant of Sidewalk Easement in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 6th day of January, 2008.

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

By: Cyndi Stevenson
Cyndi Stevenson, Chair

ATTEST: Cheryl Strickland, Clerk

By: Robin L. Platt
Deputy Clerk

RENDITION DATE 1/9/09

PREPARED BY AND RETURN TO:
ELLEN AVERY-SMITH, ESQ.
ROGERS TOWERS, P.A.
170 MALAGA STREET
ST. AUGUSTINE, FLORIDA 32084

GRANT OF SIDEWALK EASEMENT

THIS GRANT OF SIDEWALK EASEMENT (the "Easement") is executed and given this 26th day of November, 2008, by D.R. HORTON, INC.-JACKSONVILLE, a Delaware corporation, whose address is 9456 Philips Highway, Suite 1, Jacksonville, Florida 32256 (hereinafter called "Grantor"), in favor of ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084 (hereinafter called "Grantee").

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, said Grantor hereby gives, grants, dedicates and conveys to the Grantee, its successors and assigns forever, an unobstructed right-of-way and non-exclusive permanent access easement over the sidewalk to be constructed by Grantor on, along, over, through, across or under the following described land, situate in St. Johns County, Florida, to wit:

Property as described on Exhibit "A" attached hereto and by reference made a part hereof (hereinafter the "Easement Parcel").

TOGETHER with the right to said Grantee, its successors and assigns, of ingress and egress to and over the Easement Parcel, and for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted, together with the right, easements, privileges and appurtenances in and to said Easement Parcel which may be required for the enjoyment of the rights herein granted. The Grantor hereby reserves the right to use the Easement Parcel for any and all purposes not incompatible with the easement granted herein.

Grantee hereby indemnifies and holds Grantor harmless from any and all damages and injuries, whether to persons or property, resulting from Grantee's or Grantee's invitee's use of the Easement Parcel to the extent allowed by Florida law.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officers as of the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

(sign) [Signature]
(print) Mark Dearing

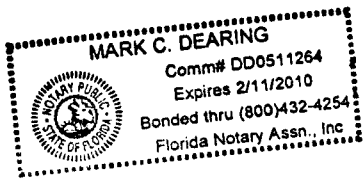
(sign) [Signature]
(print) Amber Lehman

Grantor:
D.R. HORTON, INC.- JACKSONVILLE,
a Delaware corporation

By: [Signature]
Name: Pedro A. Fernandez
Its: VICE PRESIDENT

STATE OF FLORIDA
COUNTY OF Duval

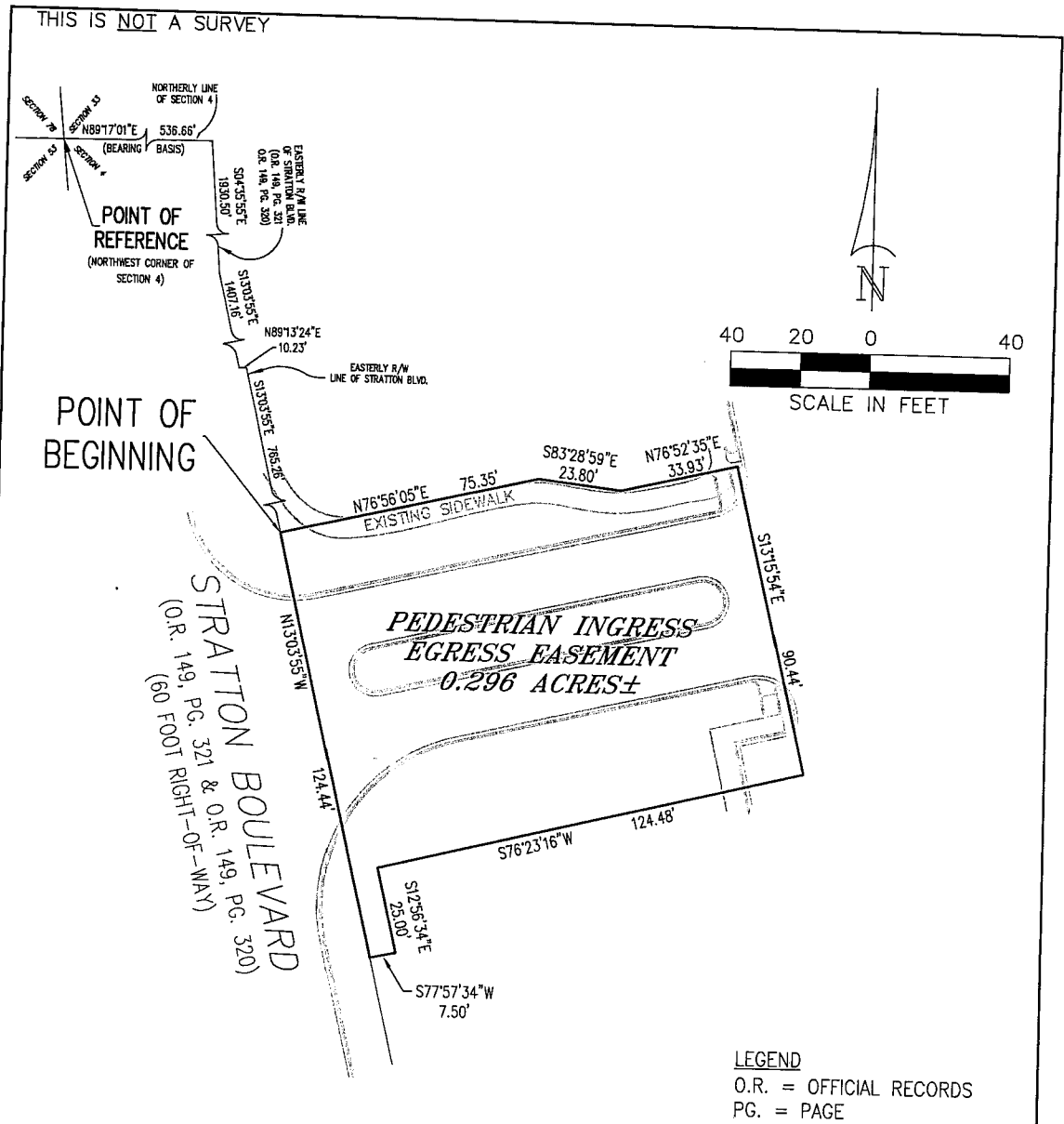
The foregoing instrument was acknowledged before me this 26th day of November, 2008, by Pedro A. Fernandez as Vice President of D.R. Horton, Inc.- Jacksonville, a Delaware corporation, on behalf of the corporation. Who is personally known to me or has produced _____ as identification.



[Signature]
Notary Public
My Commission expires: _____

EXHIBIT "A"

Easement Parcel



SURVEYOR'S NOTES

1. THE SKETCH DEPICTED HEREON IS FOR GRAPHIC REPRESENTATION ONLY AND DOES NOT REFLECT A FIELD SURVEY.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED TO OR PURSUED BY THE UNDERSIGNED.
3. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID
4. BEARINGS ARE BASED ON THE NORTHERLY LINE OF SECTION 4 BEING N89°17'01"E.

See Sheet 2 of 2 for Legal Description

D.R. HORTON INC., - JACKSONVILLE

THE LOFTS AT SEBASTIAN COVE - PEDESTRIAN INGRESS & EGRESS EASEMENT

SCALE 1"=40'	DATE 11/24/08	DRAWN D.N.S.	CALCD A.S.	CHECKED T.W.S.
JOB No. 7748-044-025	SECTION 4	TOWNSHIP 7 SOUTH	RANGE 29 EAST	

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
Sketch and Legal Description not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.

King
ENGINEERING ASSOCIATES, INC.
6500 BOWDEN ROAD
SUITE 290
JACKSONVILLE, FLORIDA 32216
PHONE 904 • 632 • 8755
FAX 904 • 638 • 9533
E-MAIL king@kingengineering.com

[Signature]
TIMOTHY W. SCHRAM SR.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA # L.S.6533
CERTIFICATE OF AUTHORIZATION No. LB 2610

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THIS IS NOT A SURVEY

LEGAL DESCRIPTION:

THE LOFTS AT SEBASTIAN COVE - PROPOSED PEDESTRIAN INGRESS/EGRESS EASEMENT

A tract of land being a portion of that certain property as described in Official Records Book 2499, on Page 896 of the Public Records of St. Johns County, Florida and lying within Section 4, Township 7 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 4, for a point of reference; thence N89°17'01"E, along the northerly line of said Section 4, for 536.66 feet to the point of intersection with the easterly right-of-way line of Stratton Boulevard (a 60-foot right-of-way, as it is now established), as recorded in Official Records Book 149, on Page 321 and Official Records Book 149, on Page 320, all of the Public Records of St. Johns County, Florida; thence along said easterly right-of-way line, the following two (2) courses; (1) thence S04°35'55"E, for 1930.50 feet; (2) thence S13°03'55"E, for 1407.16 feet; thence N89°13'24"E, for 10.23 feet to the point of intersection with a line 10.00 feet East of and parallel to aforesaid easterly right-of-way line of said Stratton Boulevard, said point also being the point of intersection with the easterly right-of-way line of Stratton Boulevard; thence S13°03'55"E, along said easterly right-of-way line, for 765.26 feet to the POINT OF BEGINNING;

Thence departing said easterly right-of-way line of Stratton Boulevard N76°56'05"E, for 75.35 feet; thence S83°28'59"E, for 23.80 feet; thence N76°52'35"E, for 33.93 feet; thence S13°15'54"E, for 90.44 feet; thence S76°23'16"W, for 124.485 feet; thence S12°56'34"E, for 25.00 feet; thence S77°57'34"W, for 7.00 feet to a point on said easterly right-of-way line of Stratton Boulevard; thence N13°03'55"W, for 124.44 feet to the POINT OF BEGINNING and containing 12883.46 square feet or 0.296 acres, more or less.

This Sheet not valid without Sheet 1
See Sheets 1 for Sketch & Surveyors notes

D.R. HORTON, INC. - JACKSONVILLE

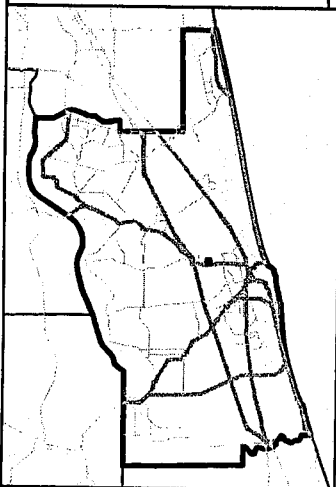
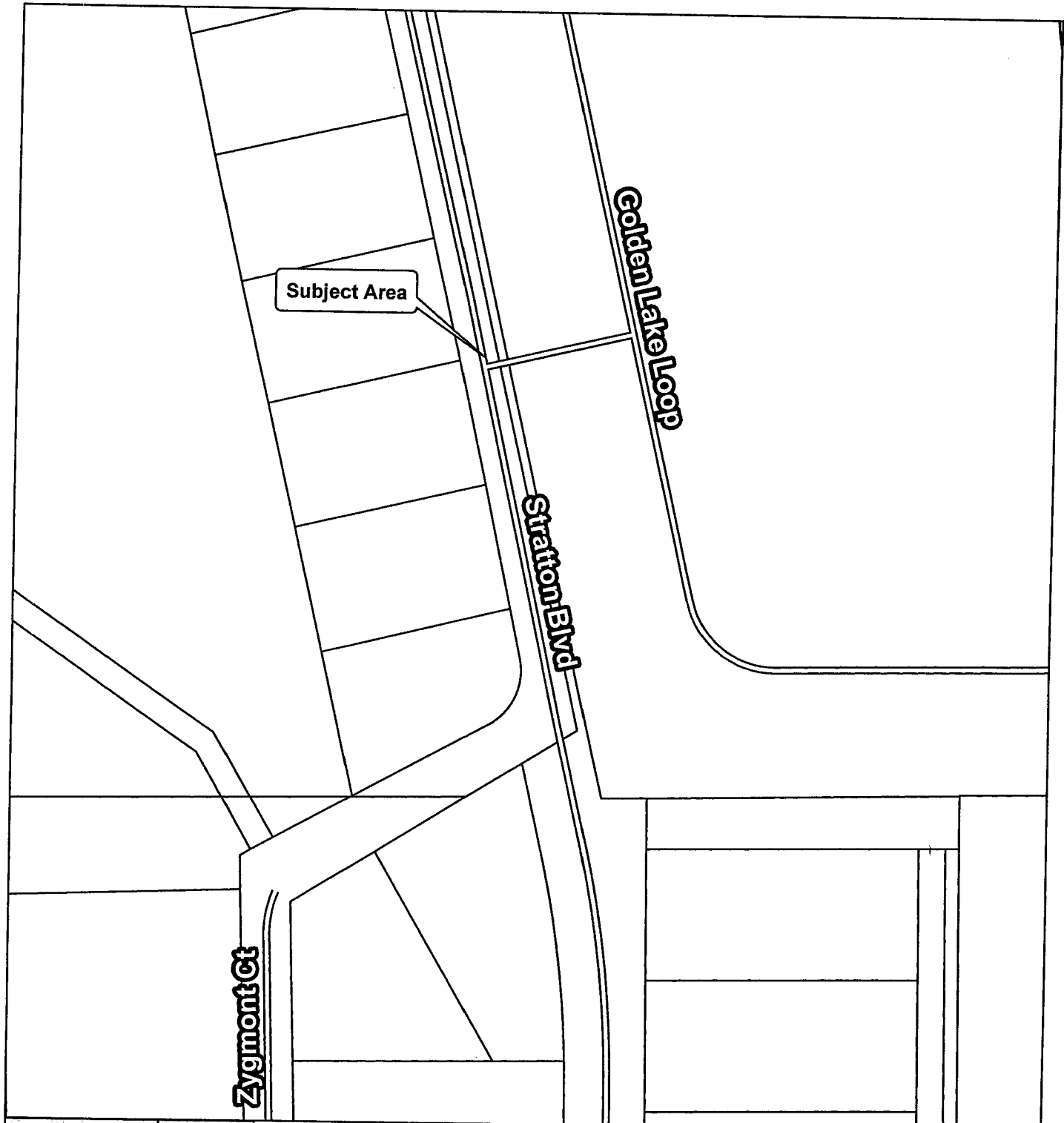
THE LOFTS AT SEBASTIAN COVE - PEDESTRIAN INGRESS & EGRESS EASEMENT

King
ENGINEERING ASSOCIATES, INC.

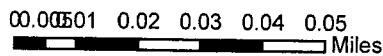
6500 BOWDEN ROAD
SUITE 280
JACKSONVILLE, FLORIDA 32216

PHONE 904 • 636 • 8755
FAX 904 • 636 • 9533
E-MAIL king@kingengineering.com

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**Easement for Sidewalk
Lofts at Sebastian Cove
Stratton Boulevard**



LOCATION MAP

St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
December 15, 2008
(904) 209-0790

DISCLAIMER.
This map is for reference use
only. Data provided are derived
from multiple sources with
varying levels of accuracy.