

RESOLUTION NO. 2009- 20

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY TO ALLOW RELOCATION OF CONCRETE TRANSMISSION POLES ON THE CORNER OF DEERPARK BOULEVARD AND STATE ROAD 207.**

**RECITALS**

**WHEREAS**, Florida Power & Light Company (hereinafter "FPL") has requested an easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, in order to relocate concrete transmission poles along State Road 207 and has offered compensation for the proposed easement; and

**WHEREAS**, the County has authority to grant such rights, easements, permits and privileges and it is found that it is necessary for protection of the County and the public for the County to grant "FPL" an easement to efficiently provide electrical service to the citizens of St. Johns County; and

**WHEREAS**, "FPL" has met with County staff regarding the installation of the transmission poles and is satisfied that the installation will not interfere with the current underground utilities located on the County property; 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**, that the Board of County Commissioners of St. Johns County, Florida, that St. Johns County, hereby grants to "FPL" an easement for the purposes mentioned above.

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 above described "FPL" Easement is hereby accepted by the Board of County Commissioners and the County Administrator is hereby authorized to execute said Easement.

Section 3. The Clerk of the Circuit Court is instructed to record the original "FPL" Easement in the Public Records of St. Johns County, Florida.

**PASSED AND ADOPTED** this 3rd day of February, 2009,  
by the Board of County Commissioners of St. Johns County, Florida

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

By: Cyndi Stevenson  
Cyndi Stevenson, Chair

**ATTEST:** Cheryl Strickland, Clerk

By: Yvonne King  
Deputy Clerk

RENDITION DATE 02/05/09



Work Order No. 4049-70-191  
Sec. 09, Twn 08 S, Rge 29  
Parcel I.D. # 136628-0000

## EASEMENT

This Instrument Prepared By:

Meier Wise  
Florida Power & Light Company  
P.O. Box 2851  
Daytona Beach FL 32174

The undersigned, in consideration of the payment of \$5,289.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement (10) ten feet in width described as follows:

PARCEL NO. 68

An easement lying in Section 09, Township 08 South, Range 29 East, St. Johns County, Florida, being more particularly described as part of the following described property.

### SEE EXHIBIT "A" ATTACHED

FLORIDA POWER & LIGHT AGREES TO PROVIDE NOTICE TO ST. JOHNS COUNTY PRIOR TO INSTALLATION OR RELOCATION OF ANY EQUIPMENT ON THE PREMISES AND FURTHER FLORIDA POWER & LIGHT SHALL BE RESPONSIBLE FOR ANY COSTS ASSOCIATED WITH SAID INSTALLATION OR RELOCATION OF ANY EQUIPMENT.

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on, \_\_\_\_\_, 2009.

Signed, sealed and delivered in  
the presence of:

ST. JOHNS COUNTY, FLORIDA  
a political subdivision of the State of Florida

\_\_\_\_\_  
(Witness' Signature)

By: \_\_\_\_\_  
Michael D. Wanchick, County Administrator

\_\_\_\_\_  
Print Name (Witness)

ATTEST:  
CHERYL STRICKLAND, CLERK OF COURT

\_\_\_\_\_  
(Witness' Signature)

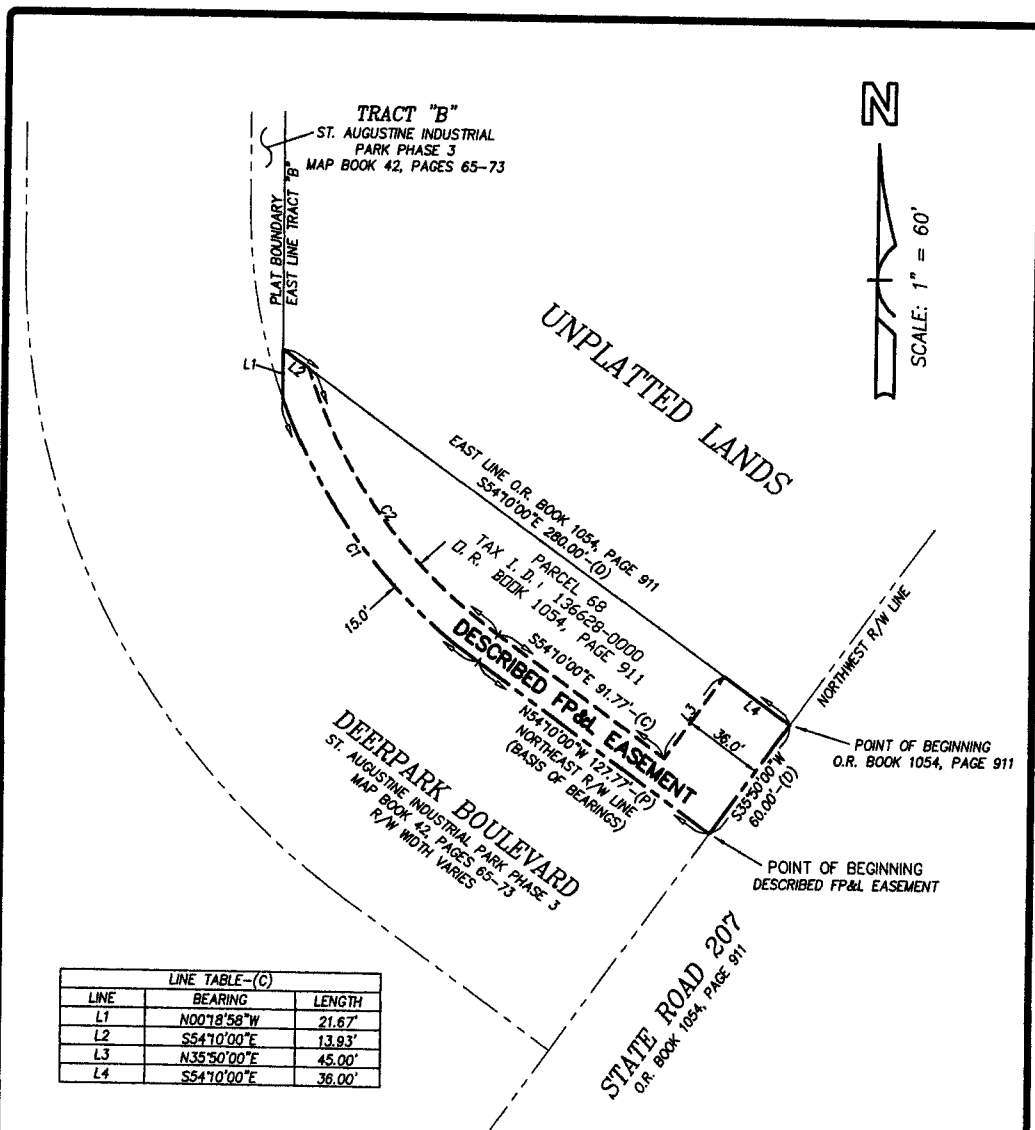
By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Print Name (Witness)

STATE OF FLORIDA  
COUNTY OF ST. JOHNS.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by Michael D. Wanchick, County Administrator, on behalf of said entity, who is personally known to me and who did not take an oath.

\_\_\_\_\_  
(SEAL) NOTARY PUBLIC SIGNATURE



FP&L EASEMENT AS DESCRIBED CONTAINS 5,877 ± SQUARE FEET OR 0.13 ACRES, MORE OR LESS

**PARCEL 68**

**SURVEYOR'S NOTES:**

- 1.) This Description Sketch prepared for the purpose of preparation of legal descriptions and sketches for proposed easements across various ownerships for Florida Power and Light Company. This Description Sketch should not be considered complete without the attached Exhibit "A" Legal Description (Page 2 of 2).
- 2.) North and the bearings shown hereon are referenced to a plat bearing of North 54°10'00" West for the east right of way line of Deerpark Boulevard as shown on the plat of St. Augustine Industrial Park Phase 3, Map Book 42, Pages 65-73, Public Records of St. Johns County, Florida.
- 3.) The Parcel Number and recording information shown were taken from Ownership and Encumbrance Report prepared by Spencer For Hire Title Services, Inc. (File No.: 05-3042SJC, dated June 12, 2006).
- 4.) THIS DESCRIPTION SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED UNDER THE DIRECTION OF:

KENNETH T. GLASS, P.S.M.  
FLORIDA REGISTRATION No. 5713  
KEITH AND SCHNARS, P.A.  
FLORIDA REGISTRATION No. LB 1337

02/14/08  
DATE:

**NOT A SURVEY**

**DESCRIPTION SKETCH**  
FOR FLORIDA POWER AND LIGHT COMPANY  
OF PROPOSED EASEMENT - PARCEL 68

ST. JOHN PELLICER-PRINGLE  
DRAWING DATE: 02/14/08 1741901e68.dwg  
DRAWN BY: D.M.W. PAGE 1 OF 3  
K&S PROJECT NO.: 17419.01

**Keith and Schnars, P.A.**  
ENGINEERS - PLANNERS - SURVEYORS  
2825 Orange Field Rd. Suite 7 Lakeland, FL 33811 Tel: 883-444-4771

EXHIBIT "A" to Easement

Parcel Number: 68

Parcel Identification No.: 136628-0000

A Florida Power and Light Company utility easement lying in Section 9, Township 8 South, Range 29 East, St. Johns County, Florida, being over and across a portion of the following parcel of land described and recorded in Official Records Book 1054, Page 911, public records of St. Johns County, Florida:

(Per deed)

A part of Section 9, Township 8 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

Commencing at the southeasterly corner of said Section 9; thence along the easterly line of said Section 9, North 01°23'54" West, 195.01 feet; thence South 88°16'50" West, 1759.70 feet; thence North 01°14'43" West, 2357.61 feet to a point on the southeasterly right of way line of State Road No. 207; thence North 53°48'00" West, 182.00 feet to a point on the northwesterly right of way line of said State Road No. 207; thence along said northwesterly right of way line of State Road No. 207, South 36°12'00" West, 491.73 feet; thence, continuing along said northwesterly right of way line, South 35°50'00" West, 308.26 feet to the Point of Beginning of the parcel of land to be described; thence continue South 35°50'00" West 370.98 feet to the easterly line of that certain parcel of land described as Parcel Two in Official Records Book 789, Page 156 of the public records of St. Johns County, Florida; thence North 02°23'40" West along said easterly line 200.00 feet; thence, continuing along said easterly line, North 00°18'58" West, 264.86 feet; thence South 54°10'00" East, 280.00 feet to the Point of Beginning.

Said Florida Power and Light Company utility easement being more particularly described as follows:

Begin at the intersection of the northwest right of way line of State Road 207 as described in Official Records Book 1054, Page 911, Public Records of St. Johns County, Florida and the northeast right of way line of Deerpark Boulevard as shown on the plat of St. Augustine Industrial Park Phase 3, as recorded in Map Book 42, Pages 65 through 73, inclusive, Public Records of St. Johns County, Florida and run northwesterly along said northeast right of way line of Deerpark Boulevard for the following two (2) courses: (1) North 54°10'00" West, a distance of 127.77 feet to the beginning of a curve concave to the northeast and having the following elements: a radius of 250.00 feet, a central angle of 33°54'08", a chord distance of 145.78 feet and a chord bearing of North 37°12'56" West; (2) thence run northwesterly along the arc of said curve, a distance of 147.93 feet to a point on the east line of Tract "B" as shown on said plat of St. Augustine Industrial Park Phase 3; thence run North 00°18'58" West along said east line of Tract "B", a distance of 21.67 feet to a point on the east line of aforesaid parcel of land described in Official Records Book 1054, Page 911; thence run South 54°10'00" East along said east line, a distance of 13.93 feet to the beginning of a non-tangent curve concave to the northeast and having the following elements: a radius of 235.00 feet, a central angle of 36°02'59", a chord

distance of 145.43 feet and a chord bearing of South 36°08'31" East; thence run southeasterly along the arc of said curve, a distance of 147.86 feet, said curve being concentric with and 15.00 feet northeast of aforesaid northeast right of way line of Deerpark Boulevard; thence run South 54°10'00" East along a line that is 15.00 feet northeast of and parallel with said northeast right of way line of Deerpark Boulevard, a distance of 91.77 feet; thence run North 35°50'00" East along a line that is 36.00 feet northwesterly of and parallel with aforesaid northwest right of way line of State Road 207, a distance of 45.00 feet to a point on the aforesaid east line of a parcel of land described in Official Records Book 1054, Page 911; thence run South 54°10'00" East along said east line, a distance of 36.00 feet to the aforesaid northwest right of way line of State Road 207; thence run South 35°50'00" West along said northwest right of way line, a distance of 60.00 feet to the Point of Beginning.

Easement as described contains 5,877 ± square feet (0.13 acres, more or less).