

RESOLUTION NO. 2009-345

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN EASEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY, IN ORDER TO INSTALL ELECTRICAL SERVICE TO THE ST. JOHNS COUNTY TRANSIT CENTER LOCATED OFF OLD MOULTRIE ROAD.**

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 install electrical service to the St. Johns County Transit Center off Old Moultrie Road; and

WHEREAS, "FPL" requires that a customer desiring electric service must provide "FPL" with access and rights-of-way which in the opinion of "FPL" are necessary for the rendering of service to the customer and 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 Transit Center; and

WHEREAS, to the extent that there are typographical, scrivener's or administrative 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 Board of County Commissioners of St. Johns County, Florida, that:**

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 grants to "FPL" an easement for the purposes mentioned above.

Section 3. The above described "FPL" Easement is hereby accepted by the Board of County Commissioners and the County Administrator, or designee, is hereby authorized to execute said Easement.

Section 4. 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 1st day of December, 2009.  
by the Board of County Commissioners of St. Johns County, Florida.

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

By: Ron Sanchez  
Ron Sanchez, Chair

ATTEST: Cheryl Strickland, Clerk  
By: Pam Halterman  
Deputy Clerk

RENDITION DATE 12/3/09

Exhibit "A" to Resolution

Work Request No. \_\_\_\_\_  
Sec. 36, Twn 7 S, Rge 29  
Parcel I.D. # 101810-0000 and 0010  
Form 3722 (Stocked) Rev. 7/94

EASEMENT

This Instrument Prepared By:  
Nanette Bradbury  
St. Johns County Real Estate Division  
500 San Sebastian View  
St. Augustine FL 32084

The undersigned, in consideration of the payment of \$1.00 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:

SEE EXHIBIT "A" ATTACHED

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, A POLITICAL SUBDIVISION  
OF THE STATE OF FLORIDA

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

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

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

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

\_\_\_\_\_  
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

## Exhibit "A" to Easement

The West ten feet of the East forty feet of the parcels described below lying west of Old Moultrie Road:

### Parcel A

The land referred to in this Exhibit is located in the County of St. Johns and the State of Florida in Deed Book 973, at Page 125 and described as follows:

For a Point of Reference BEGIN at the Northeast corner of the South  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 36, Township 7 South, Range 29 East; thence South 87 degrees 42 minutes 58 seconds West 33.00 feet to the West Right-of-Way of State Road 5-A and the POINT OF BEGINNING; thence South 02 degrees 08 minutes 00 seconds East along said West Right-of-Way 139.00 feet; thence South 87 degrees 42 minutes 58 seconds West, 214.00 feet; thence North 02 degrees 08 minutes 00 seconds West, 29.00 feet; thence South 87 degrees 42 minutes 58 seconds West 440.00 feet; thence North 02 degrees 08 minutes 00 seconds West, 80.00 feet; thence North 87 degrees 42 minutes 58 seconds East, 754 feet to the POINT OF BEGINNING.

### Parcel B

Being a part of the South Half of the Northeast Quarter of the Southeast Quarter of Section 36, Township 7 South, Range 29 East, and described as follows:

Commence at the Northeast corner of the South Half of the Northeast Quarter of the Southeast Quarter of said Section 36, and run thence with said North line of said South Half, South 87 degrees 42 minutes 58 seconds West, 15 feet to the West line of Old Moultrie Road, (and being the starting point of a conveyance to James A. and Priscilla F. Bolton, recorded in Official Records Book 105, Page 431 and run thence with the West side of said Road South 02 degrees 08 minutes East, a distance of 139.00 feet, to the point of beginning at the Northeast corner of the herein described parcel of land, thence continue South 02 degrees 08 minutes East along said West side of Old Moultrie Road a distance of 142.82 feet, thence leaving said road and running South 87 degrees 42 minutes 58 seconds West, a distance of 753.81 feet (old deed calls for 772.20 feet) thence North 02 degrees 08 minutes West, a distance of 201.82 feet, thence North 87 degrees 42 minutes 58 seconds East, a distance of 440.00 feet, thence South 02 degrees 08 minutes East, a distance of 59.00 feet, thence North 87 degrees 42 minutes 58 seconds East, a distance of 314.00 feet to the point of beginning.