

RESOLUTION NO. 2009-363

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE SIX MILE CREEK NORTH UNIT 1 PARCEL 9 – LATERRA LINKS AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM.

RECITALS

WHEREAS, SJ Land Associates, LLC, a Florida limited liability company, has executed and presented to the County an Easement for Utilities, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, for water and sewer service to serve Six Mile Creek North Unit 1 Parcel 9 – Laterra Links; and

WHEREAS, SJ Land Associates has also executed a Bill of Sale and provided a schedule of values conveying all personal property associated with the water and sewer system which is attached hereto as Exhibit “B”, incorporated by reference and made a part hereof; and

WHEREAS, St. Johns County Utility Department has reviewed and approved the documents mentioned above, as stated in a memo attached hereto as Exhibit “C”, incorporated by reference and made a part hereof; and

WHEREAS, to the extent that there are scrivener, typographical 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 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 above described Easement for Utilities and Bill of Sale attached and incorporated hereto, are hereby accepted by the Board of County Commissioners.

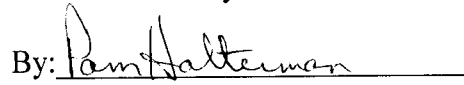
Section 3. The Clerk of the Circuit Court is instructed to record the original Easement for Utilities and file the Bill of Sale in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 15th day of December, 2009.

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

By: 
Ron Sanchez, Chair

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 12/16/09



Exhibit "A" to Resolution

THIS DOCUMENT PREPARED
BY AND RETURN TO:

KATHRYN F. WHITTINGTON, ESQUIRE
PAPPAS METCALF JENKS & MILLER, P.A.
245 RIVERSIDE AVENUE, SUITE 400
JACKSONVILLE, FL 32202-4327
(904) 353-1980

EASEMENT FOR UTILITIES
SIX MILE CREEK NORTH

**PARCEL 9 – LATERRA LINKS
AND ASSOCIATED IMPROVEMENTS**

THIS EASEMENT is executed and given this 25th day of April, 2006, by **SJ LAND ASSOCIATES, LLC**, with an address of c/o Davidson Development, Inc., 101 East Town Place, Suite 200, St. Augustine, Florida, 32092 (hereinafter called "Grantor") to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is c/o Clerk of Courts, P. O. Drawer 349, St. Augustine, Florida, 32085 (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, Grantor does hereby agree as follows:

1. Grantor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee a non-exclusive permanent easement and right-of-way to install, construct, operate, maintain, repair, replace and remove pipes and mains constituting the underground water distribution system and sewer collection system, (including lift stations if applicable) and all other equipment and appurtenances as may be necessary or convenient for the operation of the underground water and sewer utility services (hereinafter referred to as "Utility Lines and Associated Equipment") over and upon the real property described on **Exhibit "A"** attached hereto containing approximately **4.46** acres (the "Easement Area"); together with rights of ingress and egress on and over the Easement Area as necessary for the use and enjoyment of the easement herein granted. This easement is for water and sewer utility services only and does not convey any right to install other utilities such as cable television service lines.

The easement herein granted is subject to covenants, restrictions, easements, liens and encumbrances of record, if any.

(a) Grantor reserves the right and privilege to use and occupy and to grant to others the right to use and occupy (i) the surface and air space over the Easement Area for any purpose which is consistent with the rights herein granted to Grantee; and (ii) subsurface of the Easement Area for other utility services or other purposes which do not interfere with the rights herein granted to Grantee, including, without limitation, the right to install, construct, operate, maintain, repair, replace and remove telecommunications, telephone, telegraph, electric, gas and drainage facilities and foundations, footing and/or anchors for surface improvements.

(b) All Utility Lines and Associated Equipment will be installed, operated and maintained at all times beneath the surface of the Easement Area provided that the same may be temporarily exposed or removed to the surface when necessary or desirable for the purpose of repairing and/or replacing the same. Provided, however, that Associated Equipment that is customarily installed above ground may be installed above ground subject to the right of Grantor, consistent with good engineering practices to approve the location of such above ground installation in its reasonable discretion.

(c) The easement granted by this instrument may be relocated to a location acceptable to the Grantee at any time upon Grantor's request provided that Grantor bears the cost of relocating the underground water and sewer utility lines and facilities located within the Easement area. At Grantor's request, and upon relocation of such lines at Grantor's expense, Grantee and Grantor shall execute an instrument in recordable form relocating the easement hereby granted to the new Easement Area designated by and in the title of the Grantor.

(d) Grantee shall exercise the easement rights conveyed herein in a manner which will not unreasonably interfere with use and occupancy of residential or commercial improvements constructed upon the adjacent property owned by Grantor.

2. Grantee, by acceptance of this Easement, hereby agrees to maintain sewer force mains and gravity sewer lines located within the Easement Area. The Grantee's maintenance of gravity sewer lines shall extend "manhole to manhole", but shall not include a responsibility for maintenance of sewer service laterals. The Grantor or Grantor's successors and assigns shall be responsible for the maintenance of such sewer service laterals. Grantor hereby specifically indemnifies and holds Grantee harmless from and against costs and expenses associated with installation, maintenance, repair or replacement of sewer service laterals. The Grantee shall maintain all water mains and other elements of the water distribution system up to and including the water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines between the water meter and the improvements served by the utility system.

3. After any installation, construction, repair, replacement or removal of any utility lines or equipment as to which easement rights are granted, Grantee shall refill any holes or trenches in a proper and workmanlike manner to the condition existing prior to such installation, construction, repair, replacement or removal, but Grantee shall not be responsible for restoration of sod, landscaping, planting, pavement or other similar surface improvements. Grantor or Grantor's successors and assigns shall be solely responsible for replacement of any such sod, landscaping, planting, pavement or other surface improvements which are required to be removed in connection with installation, construction, repair, replacement or removal of utility lines or equipment. Nothing in this section shall, however, relieve Grantee of liability to the extent permitted by law for damage caused to improvements by Grantee's negligence.

4. This Grant of Easement shall inure to the benefit of and be binding upon Grantee and its successors and assigns.

5. For the purposes of the terms and conditions of this Grant of Easement, "Grantor" means the owner from time to time of the Easement Area or any part thereof.

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

Signed, sealed and delivered
in the presence of:

VJ Cunningham
Name: VJ Cunningham

Sandra L. St. Denis
Name: Sandra L. St. Denis

SJ LAND ASSOCIATES, LLC, a Delaware
limited liability company

By: [Signature]
Name: _____

James E. Davidson, Jr.
Executive Vice President
Development Administration/ Manager

STATE OF FLORIDA)
)SS
COUNTY OF St. Johns)

The foregoing instrument was acknowledged before me this 25th day of April, 2006, by JAMES E. DAVIDSON, JR., as Manager and Executive Vice President of Development Administration of SJ LAND ASSOCIATES, LLC, a Delaware limited liability company, on behalf of the company.

VJ Cunningham
NOTARY PUBLIC
State of Florida at Large Commission # DD182681
My Commission Expires:
Personally Known or Produced I.D. _____
[check one of the above]
Type of Identification Produced

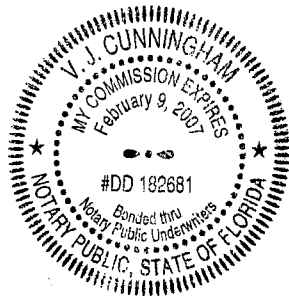


EXHIBIT "A" to Easement

(Easement Area)

TRACT 9A EASEMENT FOR UTILITIES (SAINT JOHNS SIX MILE CREEK
NORTH UNIT ONE)

BEING A PART OF TRACT 9A AS SHOWN ON THE PLAT OF SAINT JOHNS SIX MILE CREEK NORTH UNIT ONE, AS RECORDED IN MAP BOOK 37 PAGES 21 THROUGH 44 INCLUSIVE OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHEAST CORNER OF TRACT 9B AND THE SOUTHWEST CORNER OF SAID TRACT 9A IN THE NORTHERLY RIGHT-OF-WAY LINE OF REGISTRY BOULEVARD (AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), ALL SHOWN ON THE SAID PLAT OF SAINT JOHNS SIX MILE CREEK NORTH UNIT ONE, SAID POINT BEING ON A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 50.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 73.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 22°29'17" EAST AND A CHORD DISTANCE OF 66.90 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 19°30'00" WEST, A DISTANCE OF 45.02 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 32.09 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 01°06'54" WEST AND A CHORD DISTANCE OF 31.54 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 50.06 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 23.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 03°38'06" EAST AND A CHORD DISTANCE OF 23.60 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 10°00'00" WEST, A DISTANCE OF 21.77 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 137.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 22.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 14°45'00" WEST AND A CHORD DISTANCE OF 22.69 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 19°30'00" WEST, A DISTANCE OF 51.92 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 225.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 50.12 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 13°07'08" WEST AND A CHORD DISTANCE OF 50.01 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 37.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 29.34 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 29°27'05" WEST AND A CHORD DISTANCE OF 28.57 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE

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NORTHEASTERLY, HAVING A RADIUS OF 75.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 69.45 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 25°38'10" WEST AND A CHORD DISTANCE OF 67.00 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 37.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 29.34 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 21°49'15" WEST AND A CHORD DISTANCE OF 28.57 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 225.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 48.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 38°23'55" WEST AND A CHORD DISTANCE OF 48.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 32°15'46" WEST, A DISTANCE OF 65.45 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 425.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 105.58 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 25°08'45" WEST AND A CHORD DISTANCE OF 105.31 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 18°01'45" WEST, A DISTANCE OF 111.17 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 675.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 169.93 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 25°14'28" WEST AND A CHORD DISTANCE OF 169.48 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 32°27'11" WEST, A DISTANCE OF 145.93 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 325.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 70.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 26°14'08" WEST AND A CHORD DISTANCE OF 70.40 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 20°01'05" WEST, A DISTANCE OF 142.48 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 163.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 117.81 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 00°41'13" EAST AND A CHORD DISTANCE OF 115.26 FEET TO THE POINT OF COMPOUND CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 179.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 154.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 46°11'10" EAST AND A CHORD DISTANCE OF 150.13 FEET TO THE POINT OF COMPOUND CURVE OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 138.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 61.47 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 83°44'25" EAST AND A CHORD DISTANCE OF 60.96 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 83°30'00" EAST, A DISTANCE OF 362.25 FEET TO

THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 138.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 146.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 53°00'00" EAST AND A CHORD DISTANCE OF 140.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 22°30'00" EAST, A DISTANCE OF 152.57 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 375.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 63.23 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 17°40'09" EAST AND A CHORD DISTANCE OF 63.16 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 12°50'19" EAST, A DISTANCE OF 46.92 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 475.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 136.76 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 21°05'12" EAST AND A CHORD DISTANCE OF 136.28 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 29°20'04" EAST, A DISTANCE OF 48.79 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 425.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 48.40 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 26°04'20" EAST AND A CHORD DISTANCE OF 48.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 22°48'36" EAST, A DISTANCE OF 126.48 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 366.43 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 23°50'42" WEST AND A CHORD DISTANCE OF 327.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 70°30'00" WEST, A DISTANCE OF 139.06 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 70.46 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 79°28'19" WEST AND A CHORD DISTANCE OF 70.18 FEET TO THE POINT OF COMPOUND CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 37.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 29.34 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 65°43'49" WEST AND A CHORD DISTANCE OF 28.57 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 20.10 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 50°41'46" WEST AND A CHORD DISTANCE OF 20.04 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 37.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 47.92 FEET, SAID ARC BEING SUBTENDED

BY A CHORD BEARING OF SOUTH 21°16'16" WEST AND A CHORD DISTANCE OF 44.64 FEET TO THE POINT OF COMPOUND CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 175.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 11.20 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 17°40'01" EAST AND A CHORD DISTANCE OF 11.20 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 19°30'00" EAST, A DISTANCE OF 51.92 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 137.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 22.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 24°15'00" EAST AND A CHORD DISTANCE OF 22.69 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 29°00'00" EAST, A DISTANCE OF 21.78 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 50.03 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 24.33 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 42°55'44" EAST AND A CHORD DISTANCE OF 24.09 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 50.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 32.60 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 38°10'44" EAST AND A CHORD DISTANCE OF 32.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 19°30'00" EAST, A DISTANCE OF 44.26 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 50.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 73.27 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 61°27'37" EAST AND A CHORD DISTANCE OF 66.89 FEET TO THE POINT OF CUSP OF A CURVE, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE AFORESAID REGISTRY BOULEVARD, SAID CURVE BEING CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 900.00 FEET; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 189.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 70°31'07" WEST AND A CHORD DISTANCE OF 189.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 15.01 ACRES MORE OR LESS.

LESS AND EXCEPT

A PART OF TRACT 9A, AS SHOWN ON THE PLAT OF SAINT JOHNS SIX MILE CREEK NORTH UNIT ONE, AS RECORDED IN MAP BOOK 37 PAGES 21 THROUGH 44 INCLUSIVE OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF TRACT 7B AS SHOWN ON SAID PLAT AND THE MOST EASTERLY CORNER OF SAID TRACT

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9A; THENCE NORTH 22°30'00" WEST ALONG SAID EASTERLY LINE OF SAID TRACT 9A, A DISTANCE OF 267.55 FEET; THENCE SOUTH 67°30'00" WEST LEAVING SAID EASTERLY LINE, A DISTANCE OF 200.82 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 175.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 285.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 23°50'42" WEST AND A CHORD DISTANCE OF 254.53 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 70°30'00" WEST, A DISTANCE OF 160.10 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 37.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 54.18 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 67°32'55" WEST AND A CHORD DISTANCE OF 49.47 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 75.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 110.17 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 67°40'40" WEST AND A CHORD DISTANCE OF 100.53 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 37.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 50.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 71°00'39" WEST AND A CHORD DISTANCE OF 46.32 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 32°15'46" WEST, A DISTANCE OF 73.05 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 375.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 93.16 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 25°08'45" WEST AND A CHORD DISTANCE OF 92.92 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 18°01'45" WEST, A DISTANCE OF 111.17 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 725.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 182.51 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 25°14'28" WEST AND A CHORD DISTANCE OF 182.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 32°27'11" WEST, A DISTANCE OF 145.93 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 275.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 59.69 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 26°14'08" WEST AND A CHORD DISTANCE OF 59.57 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 20°01'05" WEST, A DISTANCE OF 51.07 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 175.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 355.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 38°14'28" EAST AND A CHORD DISTANCE OF 297.65 FEET TO THE

POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 83°30'00" EAST, A DISTANCE OF 152.66 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 225.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 155.32 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 63°43'29" EAST AND A CHORD DISTANCE OF 152.25 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 43°56'57" EAST, A DISTANCE OF 53.76 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 325.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 176.47 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 28°23'38" EAST AND A CHORD DISTANCE OF 174.31 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 12°50';19" EAST, A DISTANCE OF 46.92 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 525.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 151.15 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 21°05'12" EAST AND A CHORD DISTANCE OF 150.63 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 29°20'04" EAST, A DISTANCE OF 48.79 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 375.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 42.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 26°04'20" EAST AND A CHORD DISTANCE OF 42.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 22°48'36" EAST, A DISTANCE OF 126.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.55 ACRES MORE OR LESS.

CONTAINING IN AGGREGATE 4.46 ACRES MORE OR LESS.

BILL OF SALE

**UTILITY IMPROVEMENTS / SIX MILE CREEK NORTH UNIT 1
PARCEL 9 AND ASSOCIATED IMPROVEMENTS**

SJ LAND ASSOCIATES, LLC, a Delaware limited liability company, for and in consideration of the sum of Ten and No/100 Dollars (\$10) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, transfers, and delivers to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, the following personal property:

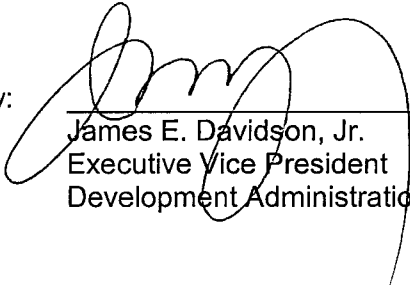
The personal property, fixtures and equipment comprising the sewage collection (the AImprovements@) for portions of Six Mile Creek North Unit One within the Saint Johns project. All of the Improvements are included on approved construction plan drawings prepared by Kimley-Horn and Associates, Inc., titled "Parcel 9 at The King and The Bear as Part of Six Mile Creek North Phase 1, MDP #2005-02, for Davidson Development, Inc., as Agent for SJ Land Assoc., LLC." last version dated **June 29, 2005**, as approved by St. Johns County Development Services Department on **July 19, 2005**, (the APlans@). Portions of the Improvements are lying within Parcel 9 and the right-of-way of Registry Boulevard, all as shown on the Saint Johns Six Mile Creek North Unit 1 Plat recorded at Map Book 37, pages 21-44 of the public records of St. Johns County, Florida. Said personal property, fixtures and equipment being more particularly described on the attached **Schedule A**.

SJ Land Associates, LLC does, for itself and its successors and assigns, covenant to and with St. Johns County and its successors and assigns, that it is the lawful owner of said personal property; that the personal property is free of all encumbrances; that it has good right to sell the same; and that it will warrant and defend the sale of the personal property against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, SJ Land Associates, LLC has caused this instrument to be duly executed and delivered by its duly authorized officer on this 25th day of April, 2006.

SJ LAND ASSOCIATES, LLC, a Delaware limited liability company

By: **SJ LAND COMPANY**, its managing member

By: 

James E. Davidson, Jr.
Executive Vice President
Development Administration



Mike Vallencourt – President

F.E. Vallencourt – Vice President

P.O. Box 65849 Orange Park, FL 32065 Phone: 291-9330 Fax: 291-4922

**Parcel 9 at The King & The Bear
Schedule of Values**

<u>Watermain</u>	Quantity	Unit	Unit Price	Project Total
8" DR18 PVC Watermain	3,440	LF	\$ 23.25	\$ 79,978.61
6" DR18 PVC Watermain	80	LF	\$ 20.00	\$ 1,600.00
8" Gate Valve	5	EA	\$ 1,200.00	\$ 6,000.00
6" Gate Valves	8	EA	\$ 800.00	\$ 6,400.00
Fire Hydrant	8	EA	\$ 2,300.00	\$ 18,400.00
Water Services	39	EA	\$ 5,516.50	\$ 215,143.49
Pressure Test	3,520	LF	\$ 1.10	\$ 3,872.00
Water Main Total				\$ 331,394.10

<u>Sanitary Sewer Main</u>	Quantity	Unit	Unit Price	Project Total
Type A Man hole	14	EA	\$ 3,576.00	\$ 50,064.00
Type B MH 6-8' deep	1	EA	\$ 8,000.00	\$ 8,000.00
8" SDR-26 Sewer Main	11,594	LF	\$ 11.60	\$ 134,524.98
6" Cleanouts	39	EA	\$ 258.00	\$ 10,062.00
Sewer Services	39	EA	\$ 532.00	\$ 20,748.00
TV Test Sewer Main	3,304	LF	\$ 3.47	\$ 11,464.88
Sanitary Sewer Main Total				\$ 234,863.86

Marcus M. Lenny
Marcus M[©] Lenny - P.M.



St. Johns County Board of County Commissioners

Utility Department

INTEROFFICE MEMORANDUM

TO: Nanette Bradbury, Real Estate Coordinator
FROM: Melissa Caraway, Utility Review Coordinator
SUBJECT: Parcel 9 @ King and the Bear
DATE: November 5, 2009

Please present the Easement, Bill of Sale, and Schedule of Values to the Board of County Commissioners (BCC) for final approval and acceptance of Parcel 9 @ King and the Bear.

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

Your support and cooperation as always are greatly appreciated.