

RESOLUTION NO. 2009- 72

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 INSTALL ELECTRICAL SERVICE TO THE COUNCIL ON AGING RIVER HOUSE ON MARINE STREET .

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 Council on Aging Senior Community Center on Marine Street (hereinafter "River House"); and

WHEREAS, the St. Johns County Council on Aging is building "River House" on a parcel leased from St. Johns County with permission for construction granted by the Board of County Commissioners in Resolution 2007-278; 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 "River House"; 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 7th day of April, 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: Pam Halterman
Deputy Clerk

RENDITION DATE 4/9/09

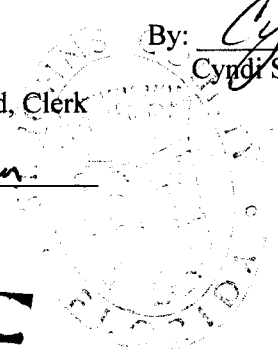


EXHIBIT "A" TO RESOLUTION

COA River House – Marine St
Sec. 20, Twp 7 S, Rge 30 E
Parcel I.D. #203550 0000 and
203552 0000
(Maintained by County Appraiser)

EASEMENT

This Instrument Prepared By

Name: Charlie Sohm
Co. Name: Florida Power & Light Company
Address: 303 Hastings Rd.
St. Augustine, FL 32084

Form 3722 (Stocked) Rev. 7/94

pg 1 of 1.

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 20 feet in width described as follows:

Reserved for Circuit Court

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:

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, 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

EXHIBIT "A" TO EASEMENT

PROPOSED 20' x 125' FPL EASEMENT

THE SOUTHERLY 20 FEET OF THE WESTERLY 125 FEET OF THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND LYING IN BLOCK 49 (POWDER HOUSE LOT), ST. AUGUSTINE, TOWNSHIP 7 SOUTH, RANGE 30 EAST, TALLAHASSEE MERIDIAN, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A MONUMENT ON THE NORTH LINE OF SAID BLOCK 49 AT THE WEST LINE OF MARINE STREET; THENCE NORTH 82°13'07" EAST ALONG THE NORTH LINE OF SAID BLOCK 49, A DISTANCE OF 431.38 FEET; THENCE SOUTH 44°26'07" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 49, A DISTANCE OF 64.02 FEET; THENCE SOUTH 17°18'53" EAST, ALONG THE EASTERLY LINE OF SAID BLOCK 49, A DISTANCE OF 479.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EASTERLY LINE SOUTH 17°18'53" EAST, 183.44 FEET; THENCE SOUTH 68°21'07" WEST, ALONG THE NORTHERLY LINE OF THOSE LANDS LEASED TO THE ARMORY BOARD OF THE STATE OF FLORIDA PER ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION 79-32 AND ITS WESTERLY PROLONGATION, A DISTANCE OF 240.45 FEET; THENCE NORTH 33°05'00" WEST A DISTANCE OF 127.81 FEET; THENCE NORTH 01°14'45" WEST A DISTANCE OF 27.71 FEET TO A POINT OF CURVE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 38.00 FEET; THENCE ALONG AND WITH THE ARC OF SAID CURVE A CHORD BEARING OF NORTH 21°43' 56" WEST A DISTANCE OF 26.60 FEET TO A POINT ON SAID CURVE; THENCE NORTH 67°16'39" EAST, ALONG THE SOUTHERLY LINE OF THOSE LANDS LEASED TO THE ST. JOHNS WELFARE FEDERATION PER ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NO. 2007-35; A DISTANCE OF 270.07 FEET TO THE POINT OF BEGINNING. CONTAINING 1.08 ACRES, MORE OR LESS. THE BEARINGS HEREIN ARE REFERRED TO STATE PLANE COORDINATES FLORIDA EAST ZONE NAD1983/90 ADJUSTMENT.