

RESOLUTION NO. 2010- 94

**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 THE SHOPPES OF MISSION TRACE AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM.**

**RECITALS**

**WHEREAS**, Royal College Plaza, 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 the Shoppes of Mission Trace on State Road 16; and

**WHEREAS**, HP Mission Trace Properties, LLC, has 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.

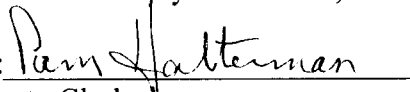
Section 3. The Clerk of the Circuit Court is instructed to record the original Easement for Utilities and file the Bill of Sale in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 4<sup>th</sup> day of May, 2010.

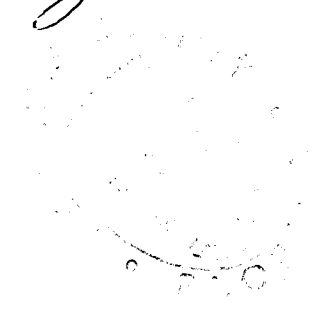
**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA**

By:   
Ron Sanchez, Chair

ATTEST: Cheryl Strickland, Clerk

By:   
Deputy Clerk

RENDITION DATE 5/6/10



**EASEMENT FOR UTILITIES**

THIS EASEMENT executed and given this 16<sup>th</sup> day of SEPTEMBER, 2007 by ROYAL COLLEGE PLAZA, LLC, with an address of 232 WEST KING STREET, ST. AUGUSTINE, FL 32284 hereinafter called "Grantor" to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine FL 32084, hereinafter called "Grantee".

**WITNESSETH:**

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor agrees 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 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 (the "Easement Area"); together with rights of ingress and egress to access the Easement Area as necessary for the use and enjoyment of the easement herein granted. The location of the ingress and egress area to the Easement area has been mutually agreed upon by the Grantor and Grantee. This easement is for water and/or sewer utility services only and does not convey any right to install other utilities such as cable television service lines.

**TO HAVE AND TO HOLD**, unto Grantee, his successors and assigns for the purposes aforesaid. Said Grantor is lawfully seized of said land in fee simple and thereby has the authority to grant said easement.

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

(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. WATER SYSTEM - 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 surface improvements which are required to be removed in connection with installation, construction, repair, replacement or removal of utility lines or equipment. To the extent permitted by law, however, Grantee shall be responsible for damage to improvements that are caused by Grantee's negligence.

4. This Grant of Easement shall inure to the benefit of and be binding 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:

Don Patrick  
Witness

Don Patrick  
Print Name

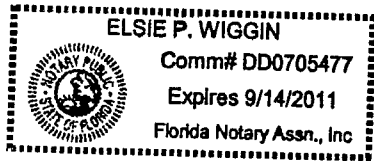
Marc Jacalone  
Witness

MARC JACALONE  
Print Name

By: A.J.M. Guinness  
Its: MANAGING MEMBER

State of FLORIDA  
County of ST. JOHN

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of September, 2009, by A. J. M. Guinness who is personally known to me or has produced \_\_\_\_\_ as identification.



Elsie P. Wiggins  
Notary Public

**SKETCH OF DESCRIPTION**

**THIS IS NOT A SURVEY  
SJCUD EASEMENT**

A parcel of land lying in Section 10, Township 7 South, Range 29 East, St. Johns County, Florida, and being more particularly described as follows:

Begin at the northeast corner of Tract F, Mission Trace Plat, Book 63, Page 47-55 of the Public Records of St. Johns County, Florida (being also on the Westerly right-of-way line of Kenton Morrison Road) run South 89°08'35" West, along the North line of said Tract F for a distance of 19.00 feet; Thence departing said line run North 00°09'30" West for a distance of 15.00 feet; Thence run North 89°08'35" East for a distance of 19.00 feet to a point on the Westerly right-of-way line of Kenton Morrison Road; Thence along said right-of-way line run South 00°09'30" East for a distance of 15.00 feet to the Point of Beginning.

Containing 285 square feet or 0.0065 acres more or less.

**NOTES:**

1. "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER."
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO ASSUMED DATA, BASED ON THE WESTERLY RIGHT OF WAY LINE OF KENTON MORRISON ROAD AS BEING SOUTH 00°09'30" EAST.
4. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY.
6. THIS IS NOT A BOUNDARY SURVEY AND DOES NOT DEFINE OWNERSHIP.

**LEGEND:**

- R/W - RIGHT OF WAY
- ORB - OFFICIAL RECORDS BOOK
- PG - PAGE
- CHB - CHORD BEARING
- CH - CHORD
- △ - DELTA ANGLE
- L - LENGTH
- R - RADIUS
- N.T.S. - NOT TO SCALE
- PCS - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT

For the Firm By: \_\_\_\_\_

*Arthur A. Mastricola Jr.*  
 Arthur A. Mastricola Jr., P.S.M.  
 Professional Surveyor and Mapper  
 Florida Registration No. LS 4166

9-14-09  
 REVISED 12-09-09

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED "SURVEYOR AND MAPPER".



**Engineers  
 Architects  
 Surveyors  
 Planners  
 Landscape Architects  
 Environmental Scientists  
 Construction Management  
 Design / Build**

**The Concourse III  
 5200 Belfort Road  
 Suite 220  
 Jacksonville, FL 32256  
 Phone 904 332-0999  
 Fax 904 332-0997**

**SKETCH OF DESCRIPTION**  
 MISSION TRACE  
 SJCUD EASEMENT  
 HALLMARK PARTNERS  
 ST. JOHNS COUNTY, FLORIDA  
 Certificate of Authorization No. LB7143

**PAGE  
 1 OF 2**  
**H7305**  
 © 2009

**SKETCH OF DESCRIPTION**

THIS IS NOT A SURVEY  
SJCUD EASEMENT



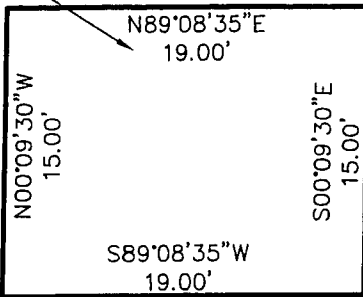
1" = 10'

SHOPS OF MISSION TRACE

S00°09'30"E  
WESTERLY R/W OF KENTON MORRISON ROAD  
(BEARING BASIS)

KENTON MORRISON ROAD  
R/W VARIES

SJCUD EASEMENT  
285 SQ. FT



**POB**  
NE CORNER TRACT F  
MISSION TRACE PLAT BOOK 63  
PG. 47-55 PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLORIDA

LOT 10

TRACT F

MISSION TRACE  
PLAT BOOK 63, PAGES 47-55

9-14-09  
REVISED 12-09-09



Engineers  
Architects  
Surveyors  
Planners  
Landscape Architects  
Environmental Scientists  
Construction Management  
Design/Build

The Concourse III  
5200 Belfort Road  
Suite 220  
Jacksonville, FL 32256  
Phone 904 332-0999  
Fax 904 332-0997

SKETCH OF DESCRIPTION  
MISSION TRACE  
SJCUD EASEMENT  
HALLMARK PARTNERS  
ST. JOHNS COUNTY, FLORIDA

PAGE  
2 OF 2

H7305

Certificate of Authorization No. LB7143

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**BILL OF SALE**  
**UTILITY IMPROVEMENTS**  
**for**

**The Shoppes at Mission Trace**

HP Mission Trace Properties, LLC (the "Seller") 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:

"See attached Exhibit A"

The Seller does, for itself and its successors and assigns, covenant to and with St. Johns County and its successors and assigns, that it is lawful owner of said personal property; that the personal property is free of all encumbrances; that it has good rights 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**, the Seller has caused this instrument to be duly executed and delivered by its duly authorized office on this 14<sup>th</sup> of Sept., 2009

**WITNESS:**

Coen V. Purvis III  
Witness Signature

COEN V. PURVIS III  
Print Witness Name

**OWNER: HP Mission Trace Properties, LLC**

Jeffrey A. Coon  
Owner's Signature

JEFFREY A. COON  
Print Owner's Name

State of Florida  
County of Duval

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of September 2009, by Jeffrey A. Coon who is personally known to me or has produced \_\_\_\_\_ as identification.

Stephanie Black  
Notary Public

**STEPHANIE BLACK**  
Notary Public, State of Florida  
My Comm. Expires March 25, 2011  
Comm. No. DD 654984



**St. Johns County Utility Department**  
 Asset Management  
 Schedule of Values

Project Name: The Shoppes at Mission Trace  
 Contractor: Earthmovers, Inc.  
 Developer: \_\_\_\_\_

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Force Mains (Size, Type &amp; Pipe Class)</b>				
3" PVC	LF	22	\$ 5.16	\$ 113.52
8" PVC	LF	241	\$ 16.29	\$ 3,925.89
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Sewer Valves (Size and Type)</b>				
8" MJ Gate Valve w/ PVC Megs	Ea	2	\$ 1,225.00	\$ 2,450.00
59-02 FLG Swing Check Valve Style 106A	Ea	1	\$ 516.08	\$ 516.08
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Gravity Mains (Size, Type &amp; Pipe Class)</b>				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Laterals (Size and Type)</b>				
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
<b>Manholes (Size and Type)</b>				
4-6 foot deep	EA		\$ -	\$ -
6-8 foot deep	EA		\$ -	\$ -
8-10 foot deep	EA		\$ -	\$ -
10-12 foot deep	EA		\$ -	\$ -
> 12 foot deep	EA		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Lift Station</b>				
Mechanical Equipment	Lump Sum		\$ -	\$ -
Process Piping	Lump Sum		\$ -	\$ -
Process Structure	Lump Sum		\$ -	\$ -
Process Electrical Equipment	Lump Sum		\$ -	\$ -
Other Improvements	Lump Sum		\$ -	\$ -
<b>Total Sewer System Cost</b>				<b>\$ 7,005.49</b>



**St. Johns County Utility Department**  
 Asset Management  
 Schedule of Values

Project Name: The Shoppes at Mission Trace  
 Contractor: Earthmovers, Inc.  
 Developer: \_\_\_\_\_

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Water Mains (Size, Type &amp; Pipe Class)</b>				
4 C900 DR18 PR150 Pipe(G) Blue	LF	17	\$ 22.14	\$ 376.38
	LF			\$ -
	LF			\$ -
	LF			\$ -
12 C900 DR18 PR150 Pipe(G) Blue	LF	20	\$ 32.25	\$ 645.00
<b>Water Valves (Size and Type)</b>				
10x4 Wet Tap Sleeve & Valve	Ea	1	\$ 3,485.00	\$ 3,485.00
4" MJ Gate Valve w/Megalugs	Ea	1	\$ 1,200.00	\$ 1,200.00
16x12 Wet Tap Sleeve & Valve	Ea	1	\$ 4,281.00	\$ 4,281.00
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Hydrants Assembly (Size and Type)</b>				
	Ea		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Sevices (Size and Type)</b>				
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
<b>Total Water System Cost</b>				<b>\$ 9,987.38</b>



## St. Johns County Board of County Commissioners

Utility Department

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### INTEROFFICE MEMORANDUM

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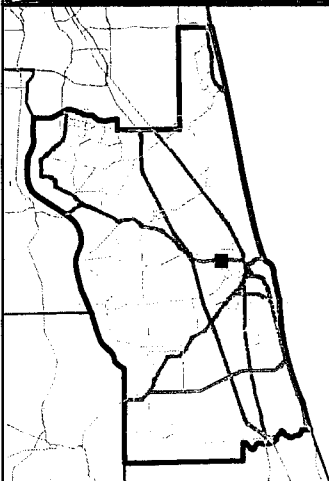
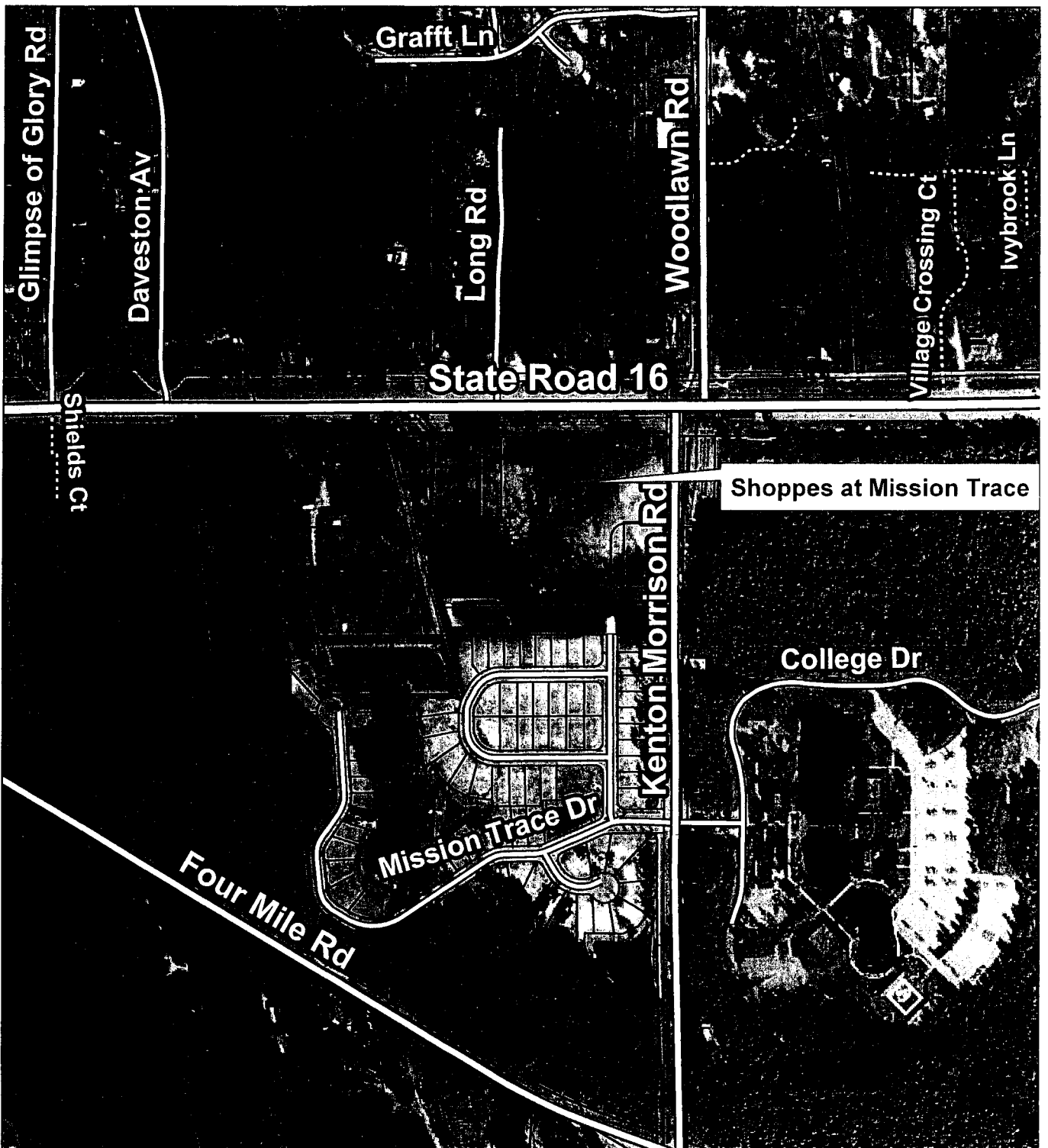
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TO: Nanette Bradbury, Real Estate Coordinator  
FROM: Melissa Caraway, Utility Review Coordinator  
SUBJECT: Shoppes of Mission Trace  
DATE: March 15, 2010

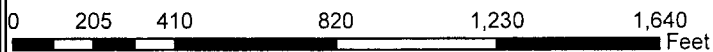
Please present the Easement, Bill of Sale, and Schedule of Values to the Board of County Commissioners (BCC) for final approval and acceptance of Shoppes of Mission Trace.

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.



## Shoppes at Mission Trace Easement for Utilities



St. Johns County  
Land Mgmt Systems  
Real Estate Division



Map Prepared:  
March 30, 2010  
(904) 209-0788



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