

RESOLUTION NO. 2011- 156

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE A GRANT OF NON-EXCLUSIVE EASEMENT TO THE CITY OF ST. AUGUSTINE FOR DRAINAGE IMPROVEMENTS IN CONNECTION WITH THE RIBERIA STREET DRAINAGE IMPROVEMENTS PROJECT PHASE II.**

**RECITALS**

**WHEREAS**, St. Johns County ("County") owns a vacant lot on Riberia Street within the City of St. Augustine limits; and

**WHEREAS**, the City of St. Augustine ("City") has plans to improve the drainage in that area as part of the Riberia Street Drainage Improvements Project Phase II which includes the installation and future maintenance of drainage culverts along Riberia Street; and

**WHEREAS**, per the requirements of Section 125.38, Florida Statutes, the City has made application to the County to execute a Grant of Non-Exclusive Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; granting an easement to the City across the front of the County's lot for a nominal fee for the purposes mentioned above; and

**WHEREAS**, granting the easement to the City is in the best interest of the County for the health, safety and welfare of its citizens.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of St. Johns County, Florida, as follows:

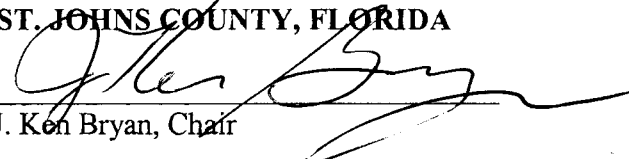
Section 1. The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby authorizes the Chair of the Board to execute the Grant of Non- Exclusive Easement on behalf of the Board.

Section 3. The Clerk is instructed to record the original Grant of Non-Exclusive Easement in the Public Records of St. Johns County, Florida.

**PASSED AND ADOPTED** this 21<sup>st</sup> day of June, 2011.

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

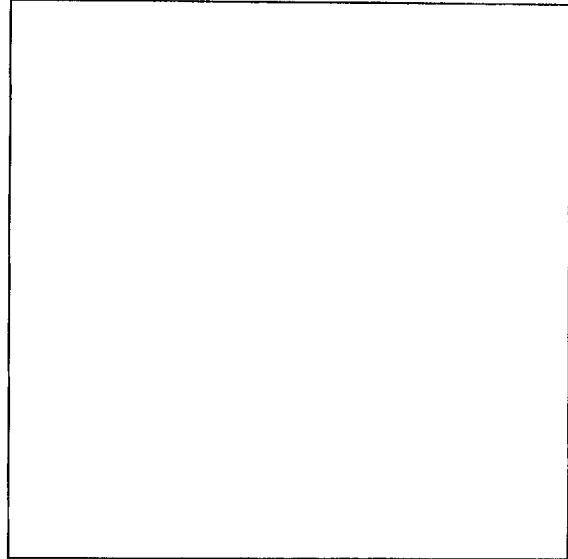
By:   
J. Ken Bryan, Chair

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

**RENDITION DATE** 6/24/11

Exhibit "A" to Resolution

This instrument was prepared under the supervision and direction of Ronald W. Brown, City Attorney, P.O. Box 210, St. Augustine, FL, 32085



**GRANT OF NON-EXCLUSIVE EASEMENT**

THIS EASEMENT is made by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, ST AUGUSTINE, FLORIDA 32084, hereinafter referred to as "Grantor," to **THE CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation, E.I.D. No. 59-6000420, whose address is P.O. Box 210, St. Augustine, Florida, 32085-0210, hereinafter referred to as "Grantee."

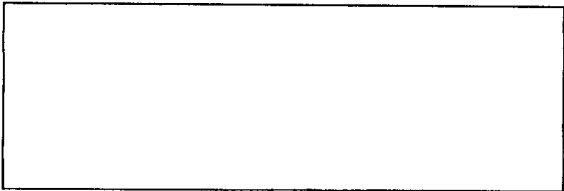
WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, including the mutual covenants and conditions as provided herein, the receipt and adequacy of which are hereby acknowledged, has granted, bargained and sold to Grantee, its successors, legal representatives and assigns forever, a permanent, non-exclusive easement for the construction, installation, maintenance and replacement of utility lines on, over and underneath the following described real property ("Property") situated in St. Johns County, Florida, to-wit:

**PROPERTY DESCRIBED IN EXHIBIT "A," UTILITY EASEMENT,  
ATTACHED HERETO,**

**TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS ON, OVER AND UNDER SAID PROPERTY FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, MAINTAINING AND REPLACING SAID UTILITIES.**

The undersigned Grantor hereby reserves the right to use the real property described herein for all purposes which will not interfere with the easement granted herein and further reserves the right to grant easements to other parties on, over and under said real property; provided, however, that any additional utilities to be installed within said easements must be installed in accordance with federal, state and local regulations and shall not interfere with the City of St. Augustine's facilities or use of the subject property.



The parties agree that this easement is granted and accepted only on the terms and for the uses described in this Grant of non-Exclusive Easement. The abandonment of said easement by the City shall void and terminate this easement, and the property shall be restored to its original condition.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ATTEST:

ST. JOHNS COUNTY, FLORIDA

BY: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

BY: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

(SEAL)

TATE OF FLORIDA  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, \_\_\_\_\_, as authorized representative of St. Johns County, Florida, who is personally known to me or who has produced \_\_\_\_\_ as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she) executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public, State of Florida

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_

\_\_\_\_\_  
COUNTY ATTORNEY

**ATTEST:**

**CITY OF ST. AUGUSTINE, FLORIDA**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: CITY CLERK \_\_\_\_\_

Title: CITY MANAGER \_\_\_\_\_

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
**CITY ATTORNEY**

SHEET 1 OF 2

**SURVEY DRAWING**  
**SKETCH OF LEGAL**  
**NOT A BOUNDARY SURVEY**  
 PARCEL #210260-0000  
 EASEMENT PARCEL

DESCRIPTION:

THAT PART OF LOT 42, BLOCK A, KEITH SUBDIVISION, IN THE CITY OF ST. AUGUSTINE ACCORDING TO THE OFFICIAL MAP OF SAID CITY RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT AN ANGLE POINT ON THE EAST RIGHT OF WAY LINE OF RIBERIA STREET, ACCORDING TO THE MAP OF SAID RIGHT OF WAY IN COUNTY ROAD PLAT BOOK 2, PAGES 36 THROUGH 42, OF SAID PUBLIC RECORDS, SAID ANGLE POINT BEING NOTED AS STATION 47+77.66 OFFSET 14.20 FEET LEFT ON SAID RIGHT OF WAY MAP; THENCE NORTH 01 DEGREES 17 MINUTES 38 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 500.04 FEET TO THE SOUTHWEST CORNER OF SAID LOT 42 AND THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE CONTINUE NORTH 01 DEGREES 17 MINUTES 38 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 35.61 FEET; THENCE SOUTH 88 DEGREES 42 MINUTES 22 SECONDS EAST 2.00 FEET; THENCE SOUTH 01 DEGREES 17 MINUTES 38 SECONDS EAST 30.20 FEET; THENCE NORTH 88 DEGREES 42 MINUTES 22 SECONDS EAST 3.15 FEET; THENCE SOUTH 01 DEGREES 21 MINUTES 26 SECONDS EAST 5.90 FEET TO THE SOUTH LINE OF SAID LOT 42; THENCE NORTH 88 DEGREES 55 MINUTES 59 SECONDS WEST, ALONG SAID SOUTH LINE, 5.18 FEET TO THE POINT OF BEGINNING.

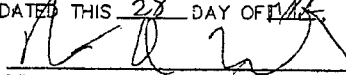
CONTAINING 90 SQUARE FEET, MORE OR LESS.

PREPARED FOR CITY OF ST. AUGUSTINE CERTIFIED TO CITY OF ST. AUGUSTINE

COMMUNITY NO. N.A.	PANEL NO.	SUFFIX	FIRM ZONE	FIRM ELEVATION	DATE OF FIRM MAP
R/W = Right-of-way Delta = Central Angle R = Radius	L = Length of curve C = Chord C-BRG = Chord Bearing	NR = Non-Radial ESMT. = Easement P.O.B. = Point of Beginning	P.O.C. = Point of Commencement P.C. = Point of Curvature B.M. = Bench Mark		
<input checked="" type="checkbox"/> Found Iron Rod/Pipe <input type="checkbox"/> Set Iron Rod #LB 6388 — x — x — Fence	<input checked="" type="checkbox"/> Found Concrete Monument <input type="checkbox"/> Set Concrete Monument #LB 6388 — OH — OH — Overhead Utility Lines	<input checked="" type="checkbox"/> Found Nail and Disc <input type="checkbox"/> Set Nail and Disc #LB 6388 <input checked="" type="checkbox"/> Concrete Surface			

LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR DEEDS, EASEMENTS, SET-BACK LINES, OR RIGHTS-OF-WAY OF RECORD. THE IMPROVEMENTS AS SHOWN HEREON WERE LOCATED BY THIS SURVEY, FIELD WORK COMPLETED N.A. BASIS OF BEARING: THE R/W OF RIBERIA STREET BEARS N01°17'38"W (PER R/W MAP).

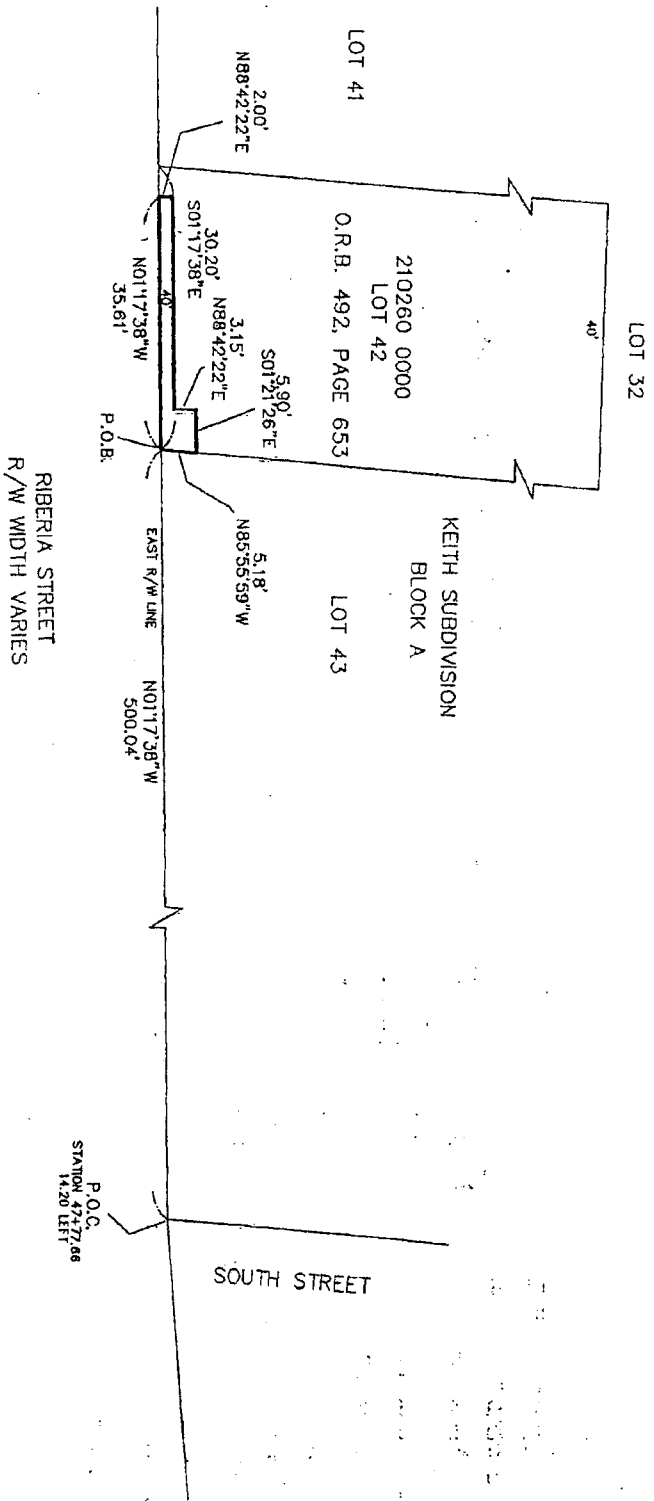
I HEREBY STATE, that the herein described LAND SURVEY and/or SKETCH was prepared under my direction and supervision, and substantially conforms to the applicable requirements of Chapter 472 of the Florida Statutes and Chapter 61G17-6 of the Florida Administrative Code. The survey depicted here is not covered by professional liability insurance.

DATE THIS 28 DAY OF MAY, 2016  
  
 BRIAN A. MILLS PLS FL. REG NO. 4436  
 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

**FLORIDA COASTAL SURVEYORS, INC.**  
 602 MULLIGAN WAY  
 ST. AUGUSTINE, FLORIDA 32080  
 (904) 826-0060

TYPE OF SURVEY: SKETCH OF LEGAL		
SCALE: 1"=20'	DATE	REVISION
F.B. PG.		
JOB NO. 11-018-E10		
DWN BY: WRR		

SKETCH OF LEGAL  
NOT A BOUNDARY SURVEY  
PARCEL #210260-0000  
EASEMENT PARCEL



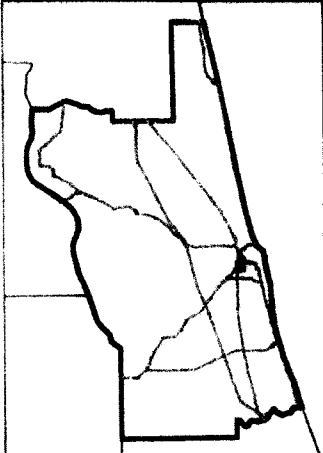
LOCATION, SIZE & CONFIGURATION OF PARCEL SHOWN HEREON IS PER INFORMATION PROVIDED BY THE CLIENT AND THIS INFORMATION WAS NOT FIELD VERIFIED BY THIS FIRM.

O.R.B. DENOTES OFFICIAL RECORDS BOOK

**FLORIDA COASTAL SURVEYORS, INC.**

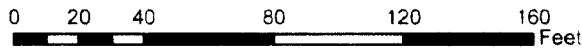
602 MULLIGAN WAY  
ST. AUGUSTINE, FLORIDA 32080  
(904) 828-0080

SCALE: 1"=20'  
JOB NO. 11-018-E10  
DRAWN BY: WRR



**Riberia Street Drainage Improvements Project  
Phase II**

**Grant of Non-Exclusive Easement**



St. Johns County  
Land Mgmt Systems  
Real Estate Division



Map Prepared:  
May 19, 2011  
(904) 209-0790



**2008 Color Aerial  
Imagery Map**

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