

RESOLUTION NO. 2012- 331

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE CHAIR, OR DESIGNEE, TO EXECUTE A COUNTY DEED TO THE CITY OF ST. AUGUSTINE FOR THE 4<sup>TH</sup> STREET AND 16<sup>TH</sup> STREET LIFT STATIONS AND FOR THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE BILL OF SALE TO THE CITY OF ST. AUGUSTINE CONVEYING THE RELATED INFRASTRUCTURE FOR THE 4<sup>TH</sup> STREET WATER AND SEWER LINES REQUIRED FOR THE DUVAL/ST. JOHNS STREET DRAINAGE IMPROVEMENT PROJECT.**

**RECITALS**

**WHEREAS**, St. Johns County has completed the improvements on the 4<sup>th</sup> Street and 16<sup>th</sup> Street Lift Stations and will convey the property by County Deed to The City of St. Augustine, (City) attached hereto as Exhibit "A," incorporated by reference and made a part hereof; and

**WHEREAS**, the Bill of Sale is required by the City in connection with the water and sewer services provided for the 4<sup>th</sup> Street Lift Station, attached hereto as Exhibit "B," incorporated by reference and made a part hereof;

**WHEREAS**, the Bill of Sale for the 16<sup>th</sup> Street Lift Station was conveyed to The City of St. Augustine in Resolution 2009-127 when the Solomon Calhoun Community Center was constructed; and

**WHEREAS**, the City has requested the mineral reservations be released from the County Deed by letter from their attorney, attached hereto as Exhibit "C," incorporated by reference and made a part hereof; and

**WHEREAS**, the execution of the Bill of Sale is consistent with the strategy identified in St. Johns County Resolution 2009-226 and City Resolution 2009-22, that recognizes that both governments shall continue to work cooperatively to support funding initiatives for improved public sanitary sewer and water infrastructure in West Augustine; and

**WHEREAS**, the City has recently applied for funding with the Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF) program to determine the feasibility (SRF Facilities Plan) of installing a central sewer collection and transmission system in the West Augustine area; and

**WHEREAS**, the 4<sup>th</sup> Street and 16<sup>th</sup> Street lift Stations and the gravity mains and sewer services provided for these lift stations (sewer infrastructure) have been designed and constructed in accordance with the sewer master plan proposed in the SRF Facilities Plan, and will facilitate further expansion of that sewer system in the West Augustine area; and

**WHEREAS**, conveying the sewer infrastructure to the City will increase the feasibility of installation of some sewer areas identified within the SRF Facilities Plan; and

**WHEREAS**, conveying the sewer infrastructure to the City will provide opportunity for the residents along St. Johns and Duval Streets to connect to a central sewer collection system; and

**WHEREAS**, conveying these properties to the City is in the best interest to the citizens of St. Johns County.

**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, or designee, to execute a County Deed for the 4<sup>th</sup> Street and 16<sup>th</sup> Street Lift Stations and for the County Administrator, or designee, to execute a Bill of Sale for the 4<sup>th</sup> Street infrastructure associated with the water and sewer lines for the Duval/St. Johns Street Drainage Improvement Project.

**Section 3.** To the extent that there are typographical and/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.

**Section 4.** The Clerk is instructed to record the County Deed in the Public Records of St. Johns County, Florida and file the Bill of Sale for the 4<sup>th</sup> Street Lift Station in the Clerk's Office.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 20<sup>th</sup> day of November, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: \_\_\_\_\_

Chair Jay Morris

ATTEST: Cheryl Strickland, Clerk

By: \_\_\_\_\_

Deputy Clerk

RENDITION DATE 11/28/12



**EXHIBIT "A" TO RESOLUTION**

This Instrument Prepared By:  
St. Johns County  
500 San Sebastian View  
St. Augustine, FL 32084

**COUNTY DEED**

**THIS DEED**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 party of the first part, to **THE CITY OF ST. AUGUSTINE, FLORIDA**, a **municipal corporation**, whose address is P.O. Box 210, St. Augustine, Florida 32085-0210, party of the second part.

**WITNESSETH** that the said party of the first part, for and in consideration of the sum of \$10.00 to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following described land lying and being in St. Johns County, Florida:

**PARCEL 1 AND PARCEL 2 DESCRIBED ON ATTACHED EXHIBIT "A," INCORPORATED BY REFERENCE AND MADE A PART HEREOF.**

**IN WITNESS WHEREOF** the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair, or Vice Chair, of said Board, the day and year aforesaid.

Subject to a Florida Power and Light Easement on Parcel 1 recorded in Official Records Book 3098, page 1766 of the Public Records of St. Johns County, Florida.

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

By: \_\_\_\_\_  
Chair Jay Morris

**STATE OF FLORIDA  
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by \_\_\_\_\_, Chair of the Board of County Commissioners of St. Johns County, Florida, who is personally known to me and who did not take an oath.

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

**ATTEST:** Cheryl Strickland, Clerk  
By: \_\_\_\_\_  
Deputy Clerk

## EXHIBIT "A" TO COUNTY DEED

### PARCEL 1

A parcel of land lying in Government Lot 4 of Section 24, Township-7-South, Range-29-East, St. Johns County, Florida and being more particularly described as follows:  
Commence at the Northwest corner of said Section 24; thence South 85°59'17" East, along the North line of said Section 24, being the same as the South line of Clark's Addition to Augustine as recorded in Map Book 3, Page 77 of the public records of said St. Johns County, 1121.06 feet to a point on said line; thence South 02°37'00" East, departing last said line, 57.53 feet to the Point of Beginning; thence South 85°59'17" East, 27.31 feet to a point of curvature; thence Southeasterly along the arc of a curve, concave Southwesterly and having a radius of 32.00 feet, through a central angle of 82°11'39" an arc distance of 45.91 feet to a point of tangency, said curve being subtended by a chord bearing and distance of South 44°53'27" East, 42.07 feet; thence South 03°47'38" East, 13.81 feet to a point of curvature; thence Southeasterly along the arc of a curve, concave Northeasterly and having a radius of 260.58 feet, through a central angle of 8°32'28" an arc distance of 38.84 feet to the end of said curve, said curve being subtended by a chord bearing and distance of South 08°03'52" East 38.81 feet; thence South 75°31'41" West, non-tangent to last described curve, 20.95 feet; thence North 50°26'38" West, 52.47 feet; thence North 02°37'00" West, 55.80 feet to the Point of Beginning.

Containing 0.09 acres, more or less.

Together with the following Easement for Ingress and Egress:

A parcel of land lying in Government Lot 4 of Section 24, Township-7-South, Range-29-East, St. Johns County, Florida and being more particularly described as follows:  
Commence at the Northwest corner of said Section 24; thence South 85°59'17" East, along the North line of said Section 24, being the same as the South line of Clark's Addition to Augustine as recorded in Map Book 3, Page 77 of the public records of said St. Johns County, 1121.06 feet to the Point of Beginning; thence continue along said North Section line, South 85°59'17" East, 87.87 feet to its intersection with the East right-of-way line of Duval Street (a 30 foot right-of-way as now established), said point being the Southerly terminus of said East right-of-way line; thence South 03°28'24" East, along the Southerly prolongation of said East right-of-way line, 30.26 feet; thence North 85°59'17" West, departing said Southerly prolongation, 58.12 feet; thence South 02°37'00" East, 27.46 feet to a point on a curve; thence Northwesterly along the arc of last said curve, non-tangent to last described line, concave Southwesterly and having a radius of 32.00 feet, through a central angle of 5°13'09" an arc distance of 2.91 feet to a point of tangency, said curve being subtended by a chord bearing and distance of North 83°22'42" West, 2.91 feet; thence North 85°59'17" West, 27.31 feet; thence North 02°37'00" West, 57.53 feet to the Point of Beginning.

Containing 0.08 acres, more or less.

### PARCEL 2

Lot 20, Block 28, of Clark Addition recorded in Map Book 1, page 77 of the Public Records of St. Johns County, Florida.

**Exhibit "B" to Resolution**

**BILL OF SALE**

KNOW ALL MEN BY THESE PRESENTS that **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine FL 32084, party of the first part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration to it paid by **THE CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized under the laws of Florida, whose address is P.O. Box 210, St. Augustine, Florida, 32085-0210, party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer and deliver unto the said party of the second part, the following goods and chattels:

**THE PERSONAL PROPERTY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.**

TO HAVE AND TO HOLD the same unto the said party of the second part forever.

And it does covenant to and with the said party of the second part that it is the lawful owner of the said goods and chattels, as further described in **EXHIBIT "A,"** attached hereto, incorporated by reference and made a part hereof, that it has good right to sell the same as aforesaid, and that it will warrant and defend the sale of said property, goods and chattels hereby made, unto the said party of the second part, against the lawful claims and demands of all persons whomsoever.

Party of the second part, by its acceptance of this Bill of Sale, hereby assumes all responsibility for the maintenance and repair of the above described personal property.

IN WITNESS WHEREOF, the authorized representatives of the party of the first part have hereunto set their hands and seals, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**ATTEST: CHERYL STRICKLAND, CLERK**

**ST. JOHNS COUNTY, FLORIDA**  
a political subdivision of the State of Florida

\_\_\_\_\_  
By: Deputy Clerk  
(SEAL)

BY: \_\_\_\_\_  
Michael D. Wanchick, County Administrator

STATE 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, Michael D. Wanchick, County Administrator, who is personally known to me and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

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

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

EXHIBIT "A" TO BILL OF SALE  
SCHEDULE OF VALUES

PROJECT: ST. JOHNS COUNTY BOCC  
WEST AUGUSTINE SANITARY LIFT STATION  
PAY APPLICATION NUMBER

SCHEDULE OF VALUES

Page 2 of 2

For Period 3/17/2011

Item	Description of Work	Unit	Qty	Unit Price	Scheduled Value	Previous Application		Work Completed and Stored		Total Quantity Completed To Date	Total Completed and Stored	Percentage Completed To Date
						Prev Qty	Prev Value	Qty in Place	Valve Work in Place this Period			
1	Mobilization	LS	1	\$15,000.00	\$15,000.00	1	\$15,000.00	0	\$0.00	1	\$15,000.00	100.00%
2	Pre-Construction Video	LS	1	\$1,000.00	\$1,000.00	1	\$1,000.00	0	\$0.00	1	\$1,000.00	100.00%
3	Val M&E	LS	1	\$55,000.00	\$55,000.00	1	\$55,000.00	0	\$0.00	1	\$55,000.00	100.00%
4	Sanitary Sewer	LS	1	\$35,000.00	\$35,000.00	1	\$35,000.00	0	\$0.00	1	\$35,000.00	100.00%
5	Pumps	LS	1	\$54,000.00	\$54,000.00	1	\$54,000.00	0	\$0.00	1	\$54,000.00	100.00%
6	Pressure Piping	LS	1	\$25,000.00	\$25,000.00	1	\$25,000.00	0	\$0.00	1	\$25,000.00	100.00%
7	Concrete	LS	1	\$7,000.00	\$7,000.00	1	\$7,000.00	0	\$0.00	1	\$7,000.00	100.00%
8	Fences	LS	1	\$5,000.00	\$5,000.00	1	\$5,000.00	0	\$0.00	1	\$5,000.00	100.00%
9	Electrical Work	LS	1	\$83,207.00	\$83,207.00	1	\$83,207.00	0	\$0.00	1	\$83,207.00	100.00%
10	Road Work	LS	1	\$10,000.00	\$10,000.00	1	\$10,000.00	0	\$0.00	1	\$10,000.00	100.00%
11	Restoration	LS	1	\$3,000.00	\$3,000.00	1	\$3,000.00	0	\$0.00	1	\$3,000.00	100.00%
12	Surveying/Asbults	LS	1	\$1,575.00	\$1,575.00	1	\$1,575.00	0	\$0.00	1	\$1,575.00	100.00%
13	Testing	LS	1	\$1,000.00	\$1,000.00	1	\$1,000.00	0	\$0.00	1	\$1,000.00	100.00%
	TOTAL				\$295,782.00		\$295,782.00		\$0.00		\$295,782.00	100.00%
	Change Orders											
1	Increase Generator size from 50 KW to 60 KW	LS	1	\$2,882.94	\$2,882.94	1	\$2,882.94	0	\$0.00	1	\$2,882.94	100.00%
2	Change out power to 480V at Control Panel	LS	1	\$11,917.73	\$11,917.73	1	\$11,917.73	0	\$0.00	1	\$11,917.73	100.00%
	TOTAL				\$310,582.67		\$310,582.67		\$0.00		\$310,582.67	

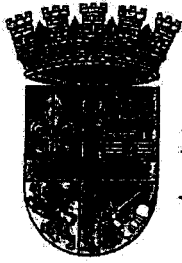
EXHIBIT "A" CONTINUED TO BILL OF SALE

ST. JOHNS AND DUVAL STREET IMPROVEMENT

Utility Expenses 4th Street Lift Station

As of July 24, 2012

Water Main	Base Bid	\$ 489,800.00
	CO #4 -	
	Additional WM Fittings for Tie-in at Duval Street	\$ 4,750.00
	CO #8 -	
	Additional Water Services	\$ 6,075.00
	CO #10 -	
	Credit for WM Removal	\$ (4,128.00)
		<u>\$ 496,497.00</u>
Force Main	Base Bid	\$ 70,650.00
Gravity Sewer	Base Bid	\$ 468,300.00
	CO #2 -	
	Sewer Service Adjustments	\$ 9,840.00
	3rd St. Sewer Extension	\$ 12,800.00
	CO #3 -	
	4th St. Sewer Manhole Realignment	\$ 9,230.00
	CO #4 -	
	Sewer Service Adjustments	\$ 11,450.00
Sewer Manhole #2 Remove and Reinstall	\$ 2,010.00	
		<u>\$ 513,630.00</u>



# City of St. Augustine



St. Augustine, Florida

City Attorney

July 23, 2012

**VIA ELECTRONIC MAIL ONLY**

Debbie Taylor  
Real Estate Coordinator  
St. Johns County, Land Management Systems  
500 San Sebastian View  
St. Augustine, FL 32084

RE: Release of Mineral Reservations to City of St. Augustine:  
Parcel 1: 16<sup>th</sup> Street Lift Station;  
Parcel 2: Lot 20, Block 28, Clark's Addition to St. Augustine  
(4<sup>th</sup> Street Lift Station).

Dear Ms. Taylor:

The City of St. Augustine respectfully requests that all phosphate, minerals, metals and petroleum interests reserved to St. Johns County and normally contained in a County Deed conveying the real property described above be removed from the County Deed to the City of St. Augustine. The City makes this request in order to prevent creating a cloud on the City's title to the property which could prevent the City from using and developing the property.

Thank you for your consideration of this request.

Sincerely,

Ronald W. Brown  
City Attorney

RWB/dgg

cc: John P. Regan, City Manager  
Timothy A. Burchfield, Assistant City Manager  
Martha S. Graham, Public Works Director  
Bobbie-Jo Manning, Engineering Development Coordinator

