

RESOLUTION NO. 2012- 40

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN EASEMENT TO ALLOW FLORIDA POWER & LIGHT COMPANY TO INSTALL ELECTRICAL SERVICE FOR TOWER SITE 3 OF THE COUNTY EMERGENCY COMMUNICATION SYSTEM ON BORROW PIT ROAD .**

**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 for tower site 3; and

**WHEREAS**, "FPL" requires that a customer desiring electric service must provide "FPL" with an Easement for access, installation and maintenance of electrical facilities which are necessary for providing electrical service. 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 tower site; and

**WHEREAS**, to the extent that there are typographical, scrivener's 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**, 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, or designee, 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 21 day of February, 2012.  
by the Board of County Commissioners of St. Johns County, Florida

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

By: Mark P. Miner  
Mark P. Miner, Chair

**ATTEST:** Cheryl Strickland, Clerk

By: Sam Halterman  
Deputy Clerk

RENDITION DATE 2/23/12



Exhibit "A" to Resolution

Work Request No. 4429821  
Tower Site # 3  
Sec. 39, Twn 5 S, Rge 27  
Parcel I.D. # 003500-0000  
Form 3722 (Stocked) Rev. 7/94

**EASEMENT**

This Instrument Prepared By:  
Steven Hessling  
Florida Power & Light Company  
303 Hastings Road  
St. Augustine FL 32084

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, a non-exclusive 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 (10) ten feet in width described as follows:

**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, \_\_\_\_\_, 2012.

Signed, sealed and delivered in  
the presence of:

ST. JOHNS COUNTY, A POLITICAL SUBDIVISION  
OF THE STATE OF FLORIDA

\_\_\_\_\_  
(Witness' Signature)

\_\_\_\_\_  
Print Name (Witness)

\_\_\_\_\_  
(Witness' Signature)

\_\_\_\_\_  
Print Name (Witness)

By: \_\_\_\_\_  
Michael D. Wanchick  
County Administrator

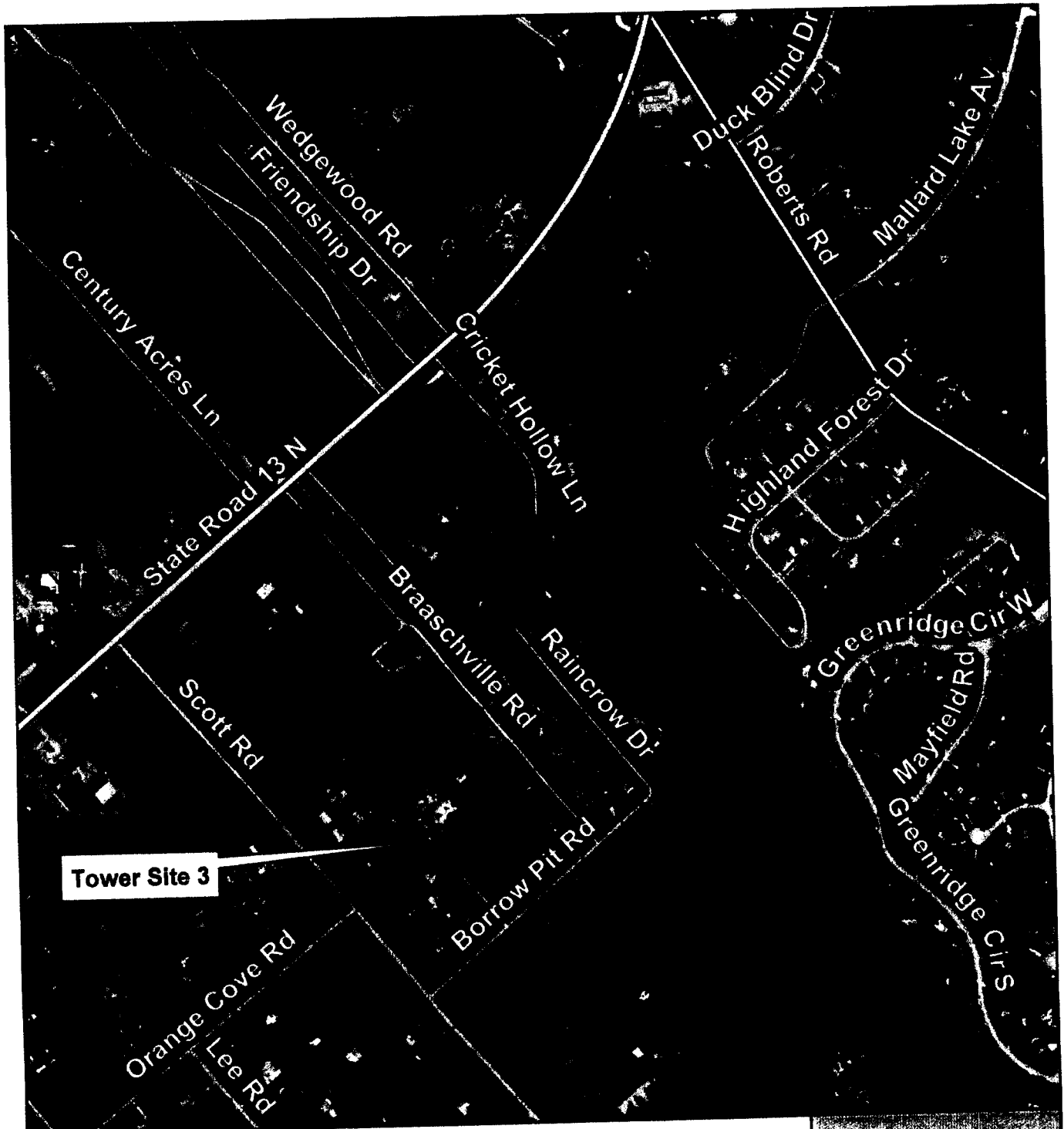
STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012,  
by Michael D. Wanchick, County Administrator, on behalf of said entity, who is personally known  
to me and who did not take an oath.

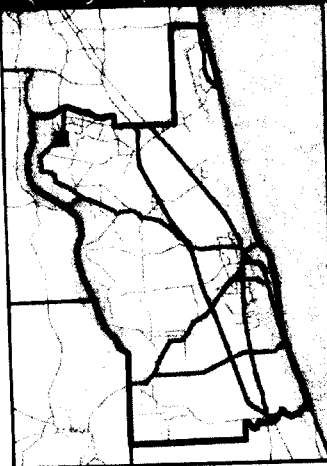
\_\_\_\_\_  
(SEAL) NOTARY PUBLIC SIGNATURE

Exhibit "A" to Easement

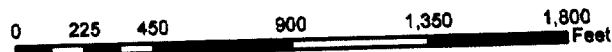
The exact configuration and boundaries of "easement area" will be mutually agreed to by the GRANTOR and GRANTEE, and will be further defined by Sketch and Legal Description to be provided by the GRANTOR.



**Tower Site 3**



## Florida Power & Light Easement Tower Site 3



St. Johns County  
Land Mgmt Systems  
Real Estate Division



Map Prepared:  
January 18, 2012  
(904) 209-0788

**DISCLAIMER**  
This map is for informational purposes only. Data provided is based on multiple sources and may vary levels of accuracy.