

RESOLUTION NO. 2014- 114

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER SERVICE TO SERVE BOZARD FORD QUICK LUBE ON OUTLET CENTER BOULEVARD AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER SYSTEM.

RECITALS

WHEREAS, Bozard Land, 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 service to serve Bozard Ford Quick Lube on Outlet Center Boulevard. The Easement was recorded by the property owner prior to being submitted to the County but will be re-recorded to add Exhibit "B" which was left out when the easement was originally recorded; and

WHEREAS, Bozard Ford has executed a Bill of Sale and schedule of values conveying all personal property associated with the water system, 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.

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. To the extent that there are typographical, scriveners 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 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 6 day of May, 2014.

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

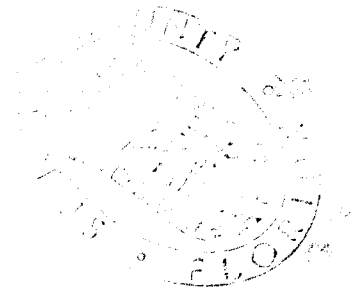
By: _____

[Signature]
John H. Morris, Chair

ATTEST: Cheryl Strickland, Clerk

By: _____

[Signature]
Deputy Clerk



RENDITION DATE 5/8/14

Public Records of
St. Johns County, FL
Clerk # 2014005498,
O.R. 3840 PG 1028-1031
01/29/2014 at 01:10 PM,
REC. \$17.00 SUR. \$18.50
Doc. D \$.70

EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 24th day of JAN,
2014 by BOZARD LAND LLC, with an address of
525 OUTLET MANE BLVD ST AUG FL, hereinafter called "Grantor" to
ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida,
whose address is 500 San Sebastian View, 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. **As a result, the ingress and egress area is noted on the attached,
and incorporated Exhibit B (Ingress/Egress Area).** 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

THIS EASEMENT IS BEING RE-RECORDED TO ADD EXHIBIT "B"

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. (a) 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:

Megan Press
Witness

By: Harold Shad
Its: President

Megan Press
Print Name

Babette M. Shuttz
Witness

Babette M. Shuttz
Print Name

State of FL
County of St Johns

The foregoing instrument was acknowledged before me this 24 day of Jan, 2014, by Harold W Shad who is personally known to me or has produced identification.

Nancy Simcoe
Notary Public



SKETCH & DESCRIPTION

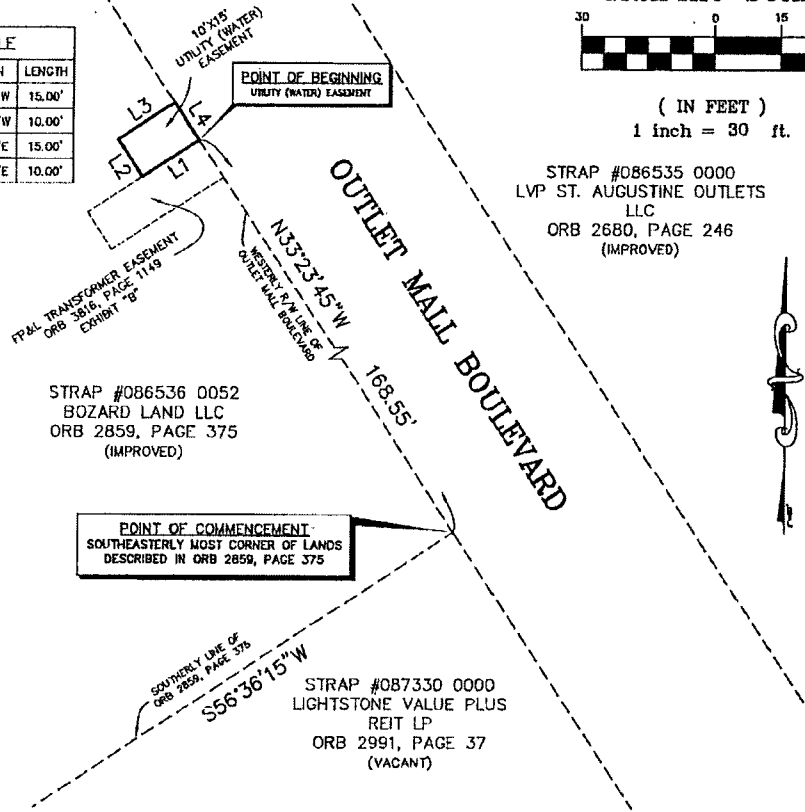
A PROPOSED UTILITY (WATER) EASEMENT,
BEING A PORTION OF LANDS DESCRIBED IN ORB 2859, PAGE 375 OF THE
CURRENT PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA,
ALSO BEING A PORTION OF GOVERNMENT LOT 1, SECTION 6,
TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S56°36'15"W	15.00'
L2	N33°23'45"W	10.00'
L3	N56°36'15"E	15.00'
L4	S33°23'45"E	10.00'

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.



LEGAL DESCRIPTION (PREPARED BY SURVEYOR)

A UTILITY (WATER) EASEMENT, BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2859, PAGE 375 OF THE CURRENT PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, ALSO BEING A PORTION OF GOVERNMENT LOT 1, SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEASTERLY MOST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2859, PAGE 375, SAID POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF OUTLET MALL BOULEVARD; THENCE NORTH 33°23'45" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 168.55 FEET TO THE POINT OF BEGINNING OF THE UTILITY (WATER) EASEMENT DESCRIBED HEREIN;

FROM THE POINT OF BEGINNING RUN SOUTH 56°36'15" WEST, DEPARTING SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 15.00 FEET; THENCE NORTH 33°23'45" WEST, PARALLEL WITH SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET; THENCE NORTH 56°36'15" EAST, A DISTANCE OF 15.00 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE; THENCE SOUTH 33°23'45" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE UTILITY (WATER) EASEMENT HEREIN DESCRIBED.

CONTAINING 150.0 SQUARE FEET, MORE OR LESS.

SAID LANDS SITUATED, LYING AND BEING IN ST. JOHNS COUNTY, FLORIDA.

PREPARED FOR: STG CONTRACTING GROUP

GENERAL NOTES:

1. THIS SKETCH & DESCRIPTION DOES NOT REPRESENT A BOUNDARY SURVEY.
2. BEARINGS ARE BASED ON THE SOUTHERLY LINE OF LANDS DESCRIBED IN ORB 2859, PAGE 375 AS BEING S56°36'15"W.
3. ADDITIONS, DELETIONS AND/OR ANY WRITTEN INFORMATION ADDED TO THIS MAP AND/OR REPORT IS PROHIBITED AND IS NOT AUTHORIZED BY THE SIGNING SURVEYOR.
4. THIS MAP IS INTENDED TO BE VIEWED AT A SCALE OF 1"=30' OR SMALLER.
5. THIS SKETCH & DESCRIPTION IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND NO CERTIFICATION HAS BEEN CREATED, EXPRESS OR IMPLIED, TO COPY THIS SKETCH & DESCRIPTION AND IS NOT TRANSFERABLE. ANY COPIES OF THIS SKETCH & DESCRIPTION THAT ARE USED IN ANY SUBSEQUENT TRANSACTIONS SHALL BE NULL AND VOID IF THEY DO NOT BEAR THE EMBOSSED RAISED SEAL OF THE SIGNING SURVEYOR. THE USE OF SUCH DOCUMENTS RELEASES THE SIGNING SURVEYOR OF ANY FURTHER CLAIMS OF LIABILITY OF ANY SUBSEQUENT TRANSACTIONS AND IS ONLY VALID UP TO 60 DAYS AFTER THE INITIAL SIGNING DATE.
6. DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
7. THIS SKETCH & DESCRIPTION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
8. THIS SKETCH & DESCRIPTION WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, AND COMMISSION OR OTHER ENTITY AND ANY LIABILITY RESULTING THEREFROM IS NOT THE RESPONSIBILITY OF THE UNDERSIGNED.
9. THIS SKETCH & DESCRIPTION IS BASED ON INFORMATION AS PROVIDED BY THE CLIENT.

CERTIFIED TO: STG CONTRACTING GROUP

<p>LEGEND</p> <p>1. BOUNDARY SURVEY</p> <p>2. EASEMENT</p> <p>3. RIGHT-OF-WAY</p> <p>4. ADJACENT PROPERTY</p> <p>5. ...</p>		<p>BARTRAM TRAIL SURVEYING, INC.</p> <p>LAND SURVEYORS - PLANNERS - LAND DEVELOPMENT CONSULTANTS</p> <p>1601 COUNTY ROAD 816 SUITE NO. 106 (904) 284-2284</p> <p>GREEN COVE SPRINGS, FL 32043 FAX (904) 284-2255</p> <p>CERTIFICATE OF AUTHORIZATION LB #8891</p> <p>COPYRIGHT © 2014</p>		
		<p>NOTICE:</p> <p>This sketch & description has been made without benefit of abstract or search of title, and therefore the undersigned and Bartram Trail Surveying make no Certifications regarding information shown or not shown herein pertaining to encumbrances, claims of easements, Rights-of-way, setback lines, easements, boundary line disputes, agreements, reservations or other similar matters which may appear in the abstract, or search.</p>	<p>FILE NO. FLOOD ZONE XXX ELEVATION N/A</p> <p>PANEL NO. XX</p> <p>FR/PG N/A</p> <p>DATE: 1/27/14 SCALE: 1"=30'</p> <p>PROJECT NO. 1410-13-001</p> <p>REVISION: UTILITY EASEMENT</p> <p>SHEET 1 OF 1</p>	
<p>STATE OF FLORIDA</p> <p>RAYMOND PAUL SUTHERLAND, R.S.M.</p> <p>STATE OF FLORIDA LICENSE NUMBER LS 6477</p>		<p>NOTICE:</p> <p>This sketch & description is prepared and certified for the exclusive use of the client named herein and the sketch & description and report of the copies thereof are not valid without the signature and the original raised seal of a Florida licensed surveyor and member.</p>	<p>DATE: JANUARY 27, 2014</p> <p>FIELD WORK COMPLETED BY: [Signature]</p> <p>DATE: [Signature]</p>	

Exhibit "B" to Easement

INGRESS/EGRESS PROVIDED BY OUTLET MALL BOULEVARD BY VIRTUE OF DOCUMENT RECORDED IN
OFFICIAL RECORDS BOOK 1333 PAGE 347 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.



BILL OF SALE
UTILITY IMPROVEMENTS
for

Bozard Ford Quick Lane

Bozard Ford (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 Exhibit A "Schedule of Values"

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 4th of December 2013.

WITNESS:

Charlotta Bonner
Witness Signature

Charlotte Bonner
Print Witness Name

OWNER:

Letti G. Bozard
Owner's Signature

Letti G. Bozard
Print Owner's Name

State of FL
County of St Johns

The foregoing instrument was acknowledged before me this 4th day of December, 2013 by Letti Bozard who is personally known to me or has produced _____ as identification.

Nancy Simcoe
Notary Public
NANCY SIMCOE





St. Johns County Utility Department

Asset Management

Schedule of Values

Exhibit A to Bill of Sale

Project Name: Bozard Ford Quick Lane
 Contractor: VJ Usina
 Developer: Bozard Ford

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Water Valves (Size and Type)				
8x4 Tapping Sleeve	Ea	1	\$ 850.00	\$ 850.00
4" Tapping Valve	Ea	1	\$ 930.00	\$ 930.00
8x2 Tapping Sleeve	Ea	1	\$ 825.00	\$ 825.00
2" Tapping Valve	Ea	1	\$ 600.00	\$ 600.00
Meter Box	Ea	1	\$ 282.00	\$ 282.00
Hydrants Assembly (Size and Type)				
	Ea		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Sevices (Size and Type)				
	Ea		\$ -	\$ -
	Ea	1	\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
			Total Water System Cost	\$ 3,487.00



St. Johns County Board of County Commissioners

Utility Department

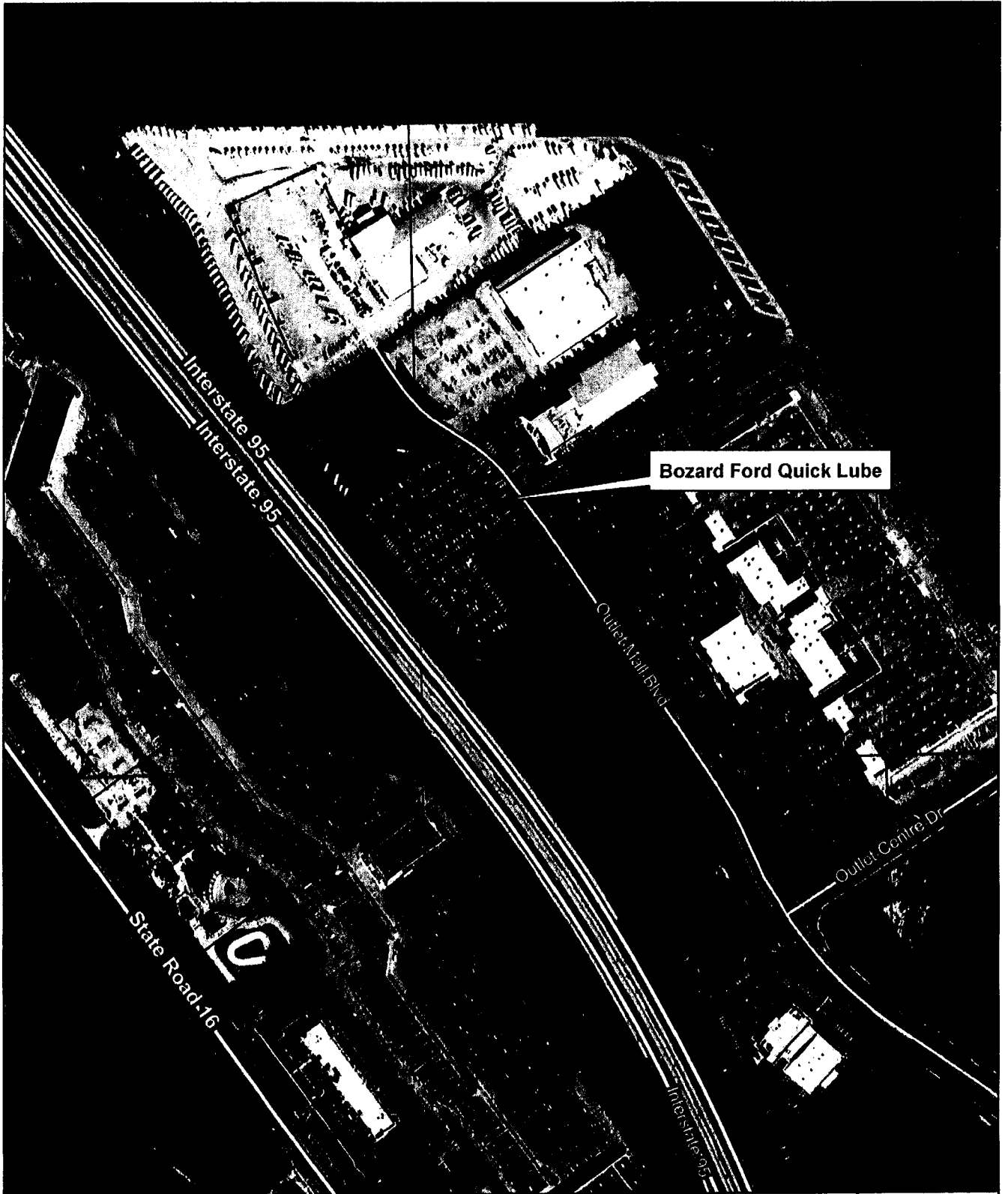
INTEROFFICE MEMORANDUM

TO: Nanette Bradbury, Real Estate Coordinator
FROM: Melissa Caraway, Utility Review Coordinator
SUBJECT: Bozard Ford Quick Lube
DATE: March 19, 2014

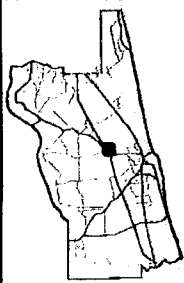
Please present the Easement, Bill of Sale, and Schedule of Values to the Board of County Commissioners (BCC) for final approval and acceptance of Bozard Ford Quick Lube.

After acceptance by BCC, please provide the Utility Department with a copy of the executed resolution for our files.

Your support and cooperation as always are greatly appreciated.



Bozard Ford Quick Lube



2013 Aerial Imagery
0 100 200
Feet
March 24, 2014

Bozard Ford Quick Lube Easement for Utilities

Land Management
Systems
Real Estate
Division
(904) 209-0762

Disclaimer:
This map is for reference use only.
Data provided are derived from multiple
sources with varying levels of accuracy.
The St. Johns County Real Estate
Division disclaims all responsibility
for the accuracy or completeness
of the data shown hereon.

