

RESOLUTION NO. 2016- 14

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR SEWER SERVICE TO SERVE ST. AUGUSTINE SHORES UNIT 8 AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE UTILITY LINES.

RECITALS

WHEREAS, St. Augustine Shores Service Corporation, a Florida not for profit corporation, 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 sewer service to serve St. Augustine Shores Unit 8 subdivision; and

WHEREAS, Swan Development Corporation, a dissolved Florida corporation, has also presented a Bill of Sale and Schedule of Values, attached hereto as Exhibit "B," incorporated by reference and made a part hereof, conveying all personal property associated with the sewer lines; 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.

Section 3. To the extent that there are typographical, scrivener 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 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 19 day of January, 2016.

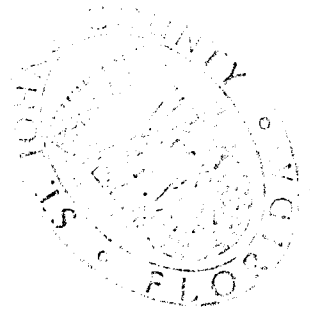
**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

By: 
Jeb S. Smith, Chair

ATTEST: Hunter S. Conrad, Clerk

By: 
Deputy Clerk

RENDITION DATE 1/21/16



EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 10TH day of DECEMBER, 2015 by ST. AUGUSTINE SHOES SERVICE CORP., with an address of 740 CHRISTINA DRIVE ST. AUGUSTINE, FL 32086, 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 lift station and all other equipment and appurtenances as may be necessary or convenient for the operation of the underground 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. 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. (a) PUMP STATION & SEWER FORCE MAINS - Grantee, by acceptance of this Easement, hereby agrees to maintain the sewer force mains located within the Easement Area.

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:

Linda Stuto
Witness

Linda Stuto
Print Name

Elizabeth Aylward
Witness

ELIZABETH AYLWARD
Print Name

By: [Signature]
Its: GENERAL MANAGER

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 10 day of November, 2015 by Joseph H. Smith III who is personally known to me or has produced personally known as identification.


 NOELL DOOLEY
NOTARY PUBLIC
STATE OF FLORIDA
Commission EE882410
Expires 1/3/2017
[Signature]

Exhibit "A" to Easement

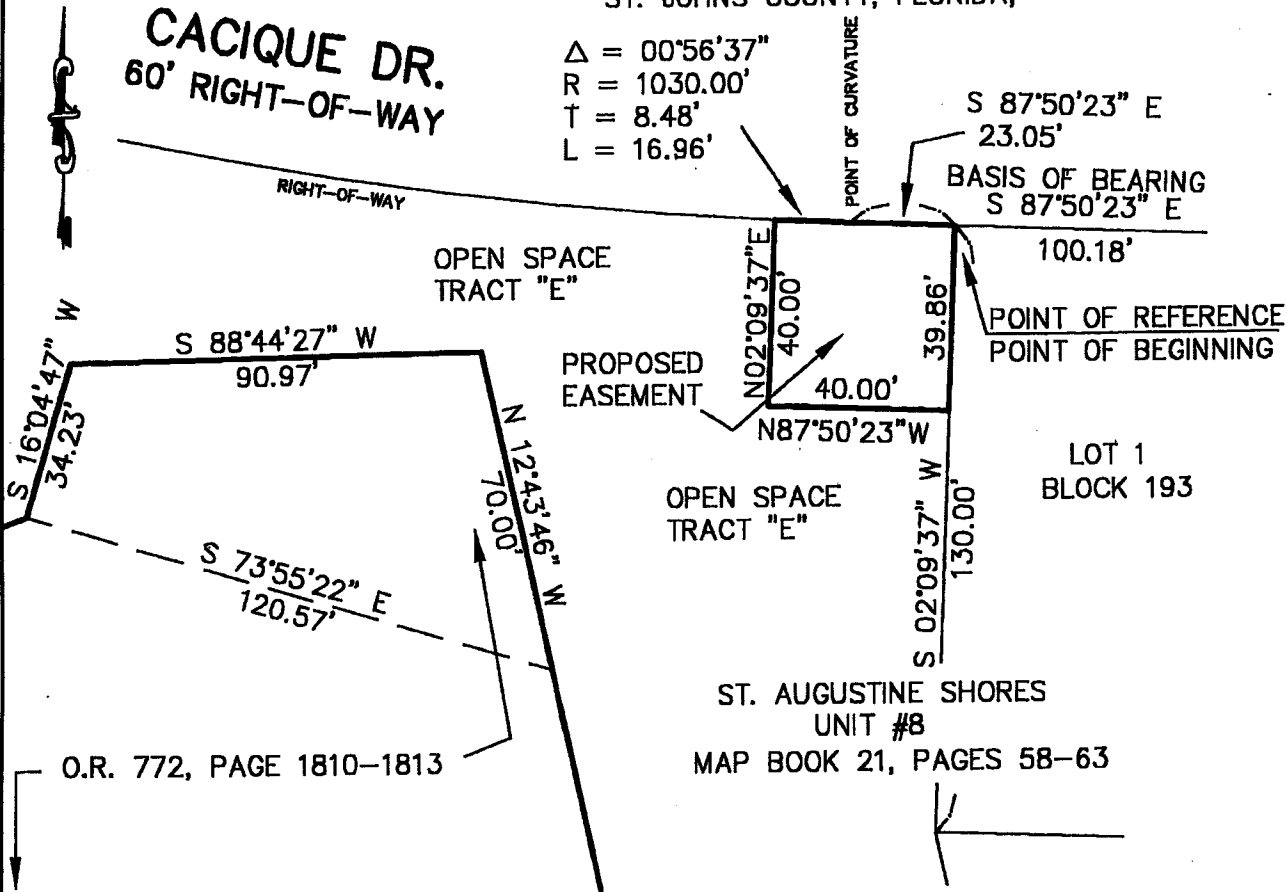
SH\EASE-P2

JOB NO.:

A PROPOSED SANITARY LIFT STATION EASEMENT OVER, UNDER & ACROSS A PORTION OF TRACT "E", ST. AUGUSTINE SHORES, UNIT 8, AS RECORDED IN MAP BOOK 21, PAGES 58-63, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA,

$\Delta = 00^{\circ}56'37''$
 $R = 1030.00'$
 $T = 8.48'$
 $L = 16.96'$

CACIQUE DR.
 60' RIGHT-OF-WAY



O.R. 772, PAGE 1810-1813

ST. AUGUSTINE SHORES
 UNIT #8
 MAP BOOK 21, PAGES 58-63

I HEREBY CERTIFY THIS SKETCH EXCLUSIVELY TO:
 SWAN DEVELOPMENT CO.

NOTES:

THIS IS NOT A BOUNDARY SURVEY.

THIS IS A SKETCH OF LEGAL DESCRIPTION.

NORTH IS BASED ON THE R/W OF CACIQUE DRIVE, AS SHOWN.

DESCRIPTION WAS PROVIDED BY CLIENT.

BRANDT WILSON & ASSOCIATES

PROFESSIONAL LAND SURVEYOR



4075 A-1-A South, Suite 105, St. Augustine, FL 32084
 1-(904)471-7512

R. Brandt Wilson

R. BRANDT WILSON, P.L.S. FL CERT. No. LS4690

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper

DRAWN BY:

BW

JOB NO.:

SH\EASE-P2

SCALE:

1" = 40'

SHEET NO.

1 OF 2

A PROPOSED SANITARY LIFT STATION EASEMENT
OVER, UNDER & ACROSS A PORTION OF TRACT "E",
ST. AUGUSTINE SHORES, UNIT 8, AS RECORDED IN MAP
BOOK 21, PAGES 58-63, OF THE PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLORIDA,
BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1, BLOCK 193, ST.
AUGUSTINE SHORES, UNIT # 8, AS RECORDED IN MAP BOOK 21, PAGES
58 - 63, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA,
ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 02°09'37"
WEST, ALONG THE WEST LINE OF SAID LOT 1, 39.86'; THENCE NORTH
87°50'23" WEST, 40.00'; THENCE NORTH 02°09'37" EAST, 40.00'
TO A POINT LYING IN A CURVE ON THE SOUTH RIGHT-OF-WAY LINE
OF CACIQUE DRIVE, SAID CURVE HAVING A RADIUS OF 1030.00' AND
DELTA OF 00°56'37"; THENCE EASTERLY ALONG THE ARC OF SAID
CURVE, 16.96' TO THE POINT OF CURVATURE OF SAID CURVE; THENCE
SOUTH 87°50'23" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY
LINE, 23.05' TO THE POINT OF BEGINNING.

I HEREBY CERTIFY THIS SKETCH EXCLUSIVELY TO:
SWAN DEVELOPMENT CO.

NOTES:

SEE SHEET 1 FOR SKETCH

BRANDT WILSON & ASSOCIATES

PROFESSIONAL LAND SURVEYOR



4075 A-1-A South, Suite 105, St. Augustine, FL 32084
1-(904)471-7512

R. BRANDT WILSON, P.L.S. FL CERT. No. LS4690

Not valid without the signature and the original raised
seal of a florida licensed surveyor and mapper

DRAWN BY:

BW

JOB NO.:

SH\EASE-P2

SCALE:

1" = 40'

SHEET NO.

2 OF 2

BILL OF SALE

UTILITY IMPROVEMENTS / UNIT EIGHT

SWAN DEVELOPMENT CORPORATION, a Florida corporation, 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:

The personal property, fixtures and equipment comprising the sewage collection and potable water distribution system for Unit Eight located in St. Augustine Shores Subdivision. Said personal property, fixtures and equipment being more particularly described on the attached Schedule A.

Swan Development Corporation, does, for itself and its successors and assigns, covenant to and with St. Johns County and its successors and assigns, that it is the lawful owner of said personal property; that the personal property is free of all encumbrances; that it has good right 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, Swan Development Corporation has caused this instrument to be duly executed and delivered by its duly authorized officer on this 13 day of April, 2000.

Signed, Sealed and
CORPORATION,
Delivered in the
presence of:

SWAN DEVELOPMENT

a Florida Corporation

By: **SWAN DEVELOPMENT
CORPORATION**, a Florida
Corporation, its Vice President.

marianne hrasta
Witness *marianne hrasta*

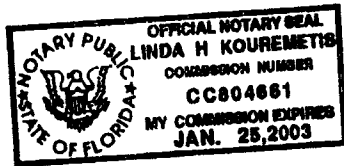
Linda Kouremetis
Witness *Linda Kouremetis*

By:


Rudy Gram
Its: Vice President

STATE OF FLORIDA
COUNTY OF ST. JOHNS

This instrument was acknowledged before me this 13 day of April, 2000 by Rudy Gram as Vice President of Swan Development Corporation, a Florida corporation, on behalf of said corporation. Who is personally known to me.



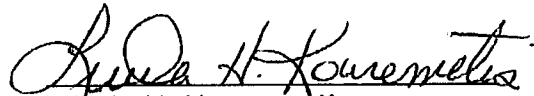

Linda H. Kouremetis
NOTARY PUBLIC
State of Florida at large
Commission #CC804661
My Commission Expires 1/25/03

Exhibit "A" to Bill of Sale



A. J. JOHNS, INC.

CONTRACTOR

3225 ANNISTON ROAD • JACKSONVILLE, FL 32246-3696 • (904) 641-2055

ST. AUGUSTINE SHORES - UNIT 8

1. WATER

1 EA	10 X 8 TAPPING SLEEVE/ VALVE
1 EA	10 X 6 TAPPING SLEEVE/ VALVE
3500 LF	4" DR 25 WATER MAIN
7620 LF	6" DR 25 WATER MAIN
540 LF	8" DR 25 WATER MAIN
2540 LF	10" DR 25 WATER MAIN
1 EA	2" GATE VALVE
7 EA	4" GATE VALVE
29 EA	6" GATE VALVE
1 EA	8" GATE VALVE
15 EA	FIRE HYDRANT ASSEMBLY
232 EA	WATER DERVICES

ESTIMATED TOTAL VALUE

\$307,010

2. SEWER

374 LF	8" DR 26 GRAVITY SEWER
10854 LF	8" DR 35 GRAVITY SEWER
1585 LF	10" DR 35 GRAVITY SEWER
120 LF	10" DIP EPOXY LINED GRAVITY SEWER
7 EA	"A" MH 0-4
26 EA	"A" MH 4-6
8 EA	"A" MH 6-8
6 EA	"A" MH 8-10
3 EA	"A" MH 10-12
1 EA	"A" MH 12-14
1 EA	"B" MH 4-6
3 EA	"B" MH 8-10
2 EA	"B" MH 10-12
1 LS	LIFT STATION
1300 LF	4" DR 18 FORCE MAIN
4360 LF	6" DR 18 FORCE MAIN

ESTIMATED TOTAL VALUE

\$711,650



St. Johns County Board of County Commissioners

Utility Department

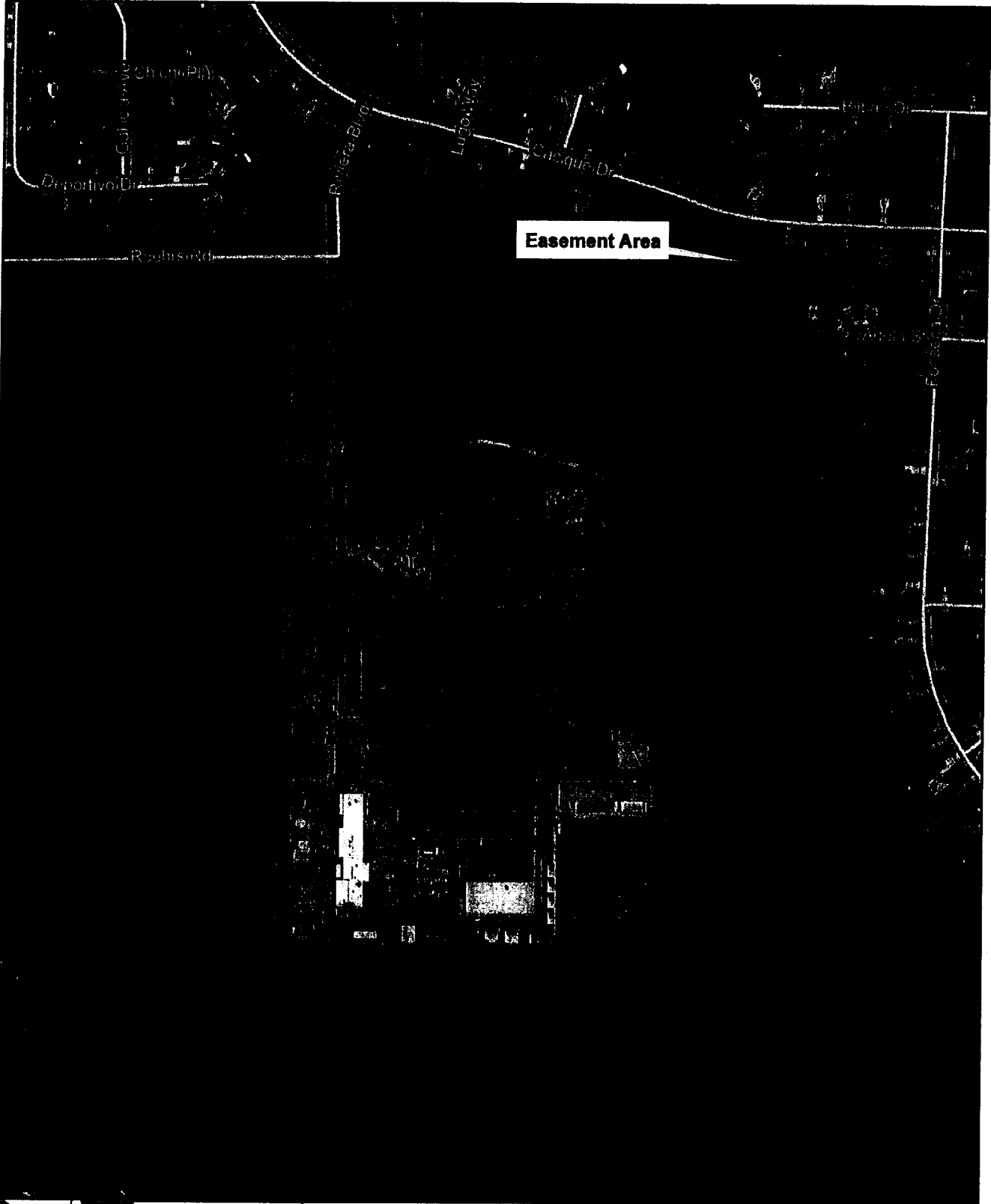
INTEROFFICE MEMORANDUM

TO: Nanette Bradbury, Real Estate Coordinator
FROM: Melissa Caraway, Utility Review Coordinator
SUBJECT: St. Augustine Shores Unit 8
DATE: December 15, 2015

Please present the Easement and Bill of Sale to the Board of County Commissioners (BCC) for final approval and acceptance of St. Augustine Shores Unit 8.

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.



2013 Aerial Imagery

0 100 200

Feet

December 28, 2015

Easement for Utilities St. Augustine Shores Unit 8 subdivision

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.

